

**JOURNAL OF THE SENATE  
OF THE  
STATE OF MISSISSIPPI**

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

**Commencing Tuesday, January 4, 2022  
Ending Sunday, April 10, 2022**

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**PUBLISHED BY AUTHORITY**



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FIRST DAY, TUESDAY, JANUARY 4, 2022

Be it remembered on this the 4th of January, 2022 the same being the first Tuesday after the first Monday in January in said year, and being the time in compliance with the Constitution and the laws of the State of Mississippi for the Legislature to convene in regular session, the Senate convened in its chamber in the Capitol in the City of Jackson at twelve o'clock noon.

President Hosemann presided over the Senate.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Carter. Total--1.

The Secretary announced a quorum present.

Divine blessing was invoked by Father John Bohn, St. Richard Catholic Church, Jackson, MS.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

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

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

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

Messages and Petitions:

June 21, 2021

The Honorable C. Delbert Hosemann, Jr.  
Lieutenant Governor of the State of Mississippi  
400 High Street  
Jackson, Mississippi 39201

Dear Governor Hosemann:

Please accept this letter as my official resignation as State Senator from the Mississippi State Senate District 38, effective June 30, 2021. It has been an honor to serve the citizens of my district and this State, and I look forward to my continued service to the State of Mississippi as I was elected to serve as Mayor of the City of Magnolia.

Sincerely,

Tammy Witherspoon  
District 38

TW/pt

\_\_\_\_\_  
June 29, 2021

The Honorable Delbert Hosemann  
Lt. Governor of the State of Mississippi  
400 High Street  
Jackson, MS 39201

Dear Governor Hosemann,

Please accept this letter as my official resignation as State Senator from the Mississippi State Senate District 32, effective tomorrow, June 30, 2021. It has been a true honor and privilege to represent and serve the citizens of my district and this State.

Sincerely,

Sampson Jackson, II  
District 32

SJ/sa

\_\_\_\_\_  
October 27, 2021

The following members were agreed upon to form the American Rescue Plan Act Appropriations Subcommittee.

Senator John A. Polk, Subcommittee Chairman

Senator Albert Butler

Senator Dennis DeBar, Jr.

: Senator Hillman Terome Frazier

Senator J. Walter Michel

Senator Rita Potts Parks

: Senator Bart Williams

\_\_\_\_\_  
November 16, 2021

The Oath of Office was administered to Senator Kelvin E. Butler, District 38 as prescribed by the constitution and the laws of the State of Mississippi by Lieutenant Governor Hosemann, presiding officer.

\_\_\_\_\_  
December 8, 2021

The Oath of Office was administered to Senator Rod Hickman, District 32 as prescribed by the constitution and the laws of the State of Mississippi by Lieutenant Governor Hosemann, presiding officer.

\_\_\_\_\_  
December 14, 2021

The President of the Senate has made the following Committee appointment(s):

INTERSTATE AND FEDERAL COOPERATION COMMITTEE: Senator Hickman, Vice Chairman.

AGRICULTURE COMMITTEE: Senator Hickman.

APPROPRIATIONS COMMITTEE: Senator Hickman.

FORESTRY COMMITTEE: Senator Hickman.

INVESTIGATE STATE OFFICES COMMITTEE: Senator Hickman.

JUDICIARY, DIVISION B COMMITTEE: Senator Hickman.

STATE LIBRARY COMMITTEE: Senator Hickman.

WILDLIFE, FISHERIES AND PARKS COMMITTEE: Senator Hickman.

HOUSING COMMITTEE: Senator Butler (38th), Vice Chairman.

APPROPRIATIONS COMMITTEE: Senator Butler (38th).

CORRECTIONS COMMITTEE: Senator Butler (38th).

ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE: Senator Butler (38th).

ENVIRONMENT PROT, CONS AND WATER RES COMMITTEE: Senator Butler (38th).

FORESTRY COMMITTEE: Senator Butler (38th).

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LABOR COMMITTEE: Senator Butler (38th).

MUNICIPALITIES COMMITTEE: Senator Butler (38th).

FORESTRY COMMITTEE: Senator McCaughn, Chairman.

ENROLLED BILLS COMMITTEE: Senator Thomas, Chairman.

INTERSTATE AND FEDERAL COOPERATION COMMITTEE: Senator  
Thomas.

ENERGY COMMITTEE: Senator Horhn.

HIGHWAYS AND TRANSPORTATION COMMITTEE: Senator Williams.

PORTS AND MARINE RESOURCES COMMITTEE: Senator Sparks.

PUBLIC HEALTH AND WELFARE COMMITTEE: Senator Barnett.

UNIVERSITIES AND COLLEGES COMMITTEE: Senator Butler (36th).

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President Hosemann appointed Senators Chassaniol, Thompson and Hickman as a committee to notify the Governor that the Senate is organized and ready for business.

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President Hosemann appointed Senators Johnson, Turner-Ford and Barrett as a committee to notify the House that the Senate is organized and ready for business.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Margie Whitehead of St. Martin, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Cpl. Robert Verzal of Pascagoula, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mr. William Edward Downard, Mrs. Louise Nixon Tucker, Mr. George L. Patterson, Jr., Bonnie Elizabeth Roberts, Mrs. Donna Sue Smith and James "Jimmy" R. Williamson of Florence, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Rusty Sykes, Jr., Martha Barrett, Mrs. Joyce Mangum, Billy Earl Welch and Tommy Sullivan of Mendenhall, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Stella Bridges White and Joseph Gregory Scott Millis of Harrisville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Patsy Ates and Henry Harvey Blakeney of Magee, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Charles "Charlie" Cook of Star, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Allen Truman Curry, Janice Mae Carcich, Lois Ann Hedges, Aaron Leigh Johnson, William "Randy" Randolph McElroy, Wesley O. Bullock and Mr. A. Y. Harper, Jr. of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sandra Jean (Lyons) Seymour, Richard Arthur Freshour, Thomas Robert Parker, Richard Dewayne Aiken, Sr., Betty Sue Gauliniski and Henry Lee Overstreet of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Elmer Bond, Robert Clark, Gloria Evans, Wendell W. Patton, Frederick John Lusk, Jr. and Rachelle Fint of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Lance Blankinchip, Clint Jacobs, Kathryn Magnusen, Ruth Strickling Fonte, Ralph Diaz, Jr. and Georgia Bond of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Evelyn "Voncile" Kendrick, Katelyn Yoho, Percy S. "Stanley" Beaugez, Jr. and Harold David Verdin of St. Martin Community, MS.

---

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mrs. Nona Bodden Wilson, Mr. Darwin "Donnie" Donald Hill, Anthony Steve Lepoma, Jr. and James A. "Jimmy" Desporte of St. Martin Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Samuel "Bugs" Joseph Mavar, Jr., Margaret Robert Reyer, Idest Leblanc, Jr., Calvin "Mac" McDonald Weaver, Jr., Anna Marlene Graves Pickard, Ph.D., Mr. Jerry Lawrence Gavin and Naomi Ruth Seymour of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mrs. Betty Jeanette Sadler, Laurence Bonnet Dearolf, Elizabeth Mae Reynolds, Leslie John Quave, Jr., George Davis Stewart and Ronald Charles "Ron" Pierotich of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charles E. Williams, Sr., Billy Wayne Farmer, Alice Weaver, Robin Patricia Mallett Gannon, Darryl D. Stringfellow, Mary Sue Hillman and Doris Baldwin of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jeffery Alexander, Angela Renee Bunch, Brigitte Draughn, Terry Hatten, Charles Merlin Hosey, Polly Howe and Beverly Ann Lee of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Luenette Adams, Philip Breazeale, George P. Smith, Kevin Patrick Bonner, Ervin Harold "Bo" Tanner, Marjorie Batson and Arlin O. Fore of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jody R. Frierson, Linda Faye Bays, Raegan Mae Lee, Ricky Paul Herndon, Vincent A. Gonzales, Amy "Missy" Lambert, Preston Odom and Reba V. Lee of Poplarville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Elinor Ruth Byrd Boney, Harold Wayne Rushing, Peter Joseph Adamo, Jr., Robert Earl Ladnier, Sr. and Henry Sailor Humphrey of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ryan L. Shields and SsGt Bruce J. Ketzal, Sr. of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Bonnie Anne Powell of Larue Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mary Brewer of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kathryn Fore of Saucier Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mrs. Cuppie Smith of McHenry, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Billy Moore of D'Iberville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Darrell Bond of Ramsey Springs Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Leona Seymour Craft of Lucedale, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of David Earl Hindman of Commerce, TX.

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Senators Seymour and Johnson moved that when the Senate adjourns, it adjourn in memory of Kevin Conard of Wiggins, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Elise Varner Winter, Sara Jenkins, Dr. Arthur Charles Jackson, Richard Baltz and Janice Blumenthal of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Anne Mitchell Peters, Edward Sylvester, Linda Germaine Reaves, Melford Currie and Charles C. Campbell, Jr. of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of James Luther Warren, III, Florence Galloway Allen, Shellee Case Gowan and Laura Hewes Scott of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Kenneth McMurtrey, Howard Buford and Thomas D. Dunn of Terry, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Michael W. Hataway, David Barton and Chad Lamar Stocks of Raymond, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Rose Barnett Woodcock and Bonnie Patterson Barnett of Clinton, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Hal Moss and Wilma Stomberg of Byram, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Lucian Dixon of Ridgeland, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Rosa Mary Johnson Smith of Bolton, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Lillian Pittman-Loggans of Hattiesburg, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Walter Belokon of Brandon, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Robert Leroy Cole of Overt, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Marion Wicker Parkman of Dorsey, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Thomas Joseph O'Beirne of Natchez, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Edward Christian Rogge of Atlanta, GA/Ridgeland, MS.

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Senators Blount, Michel and Harkins moved that when the Senate adjourns, it adjourn in memory of Sara Ridgway Running of Jackson, MS.

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Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Virginia Ellen Powers Salter of Ridgeland, MS.

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Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Alton Cobb, Frank Coleman Lowery, Jr. and Barbara Boswell Stauss of Jackson, MS.

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Senators Blount and Frazier moved that when the Senate adjourns, it adjourn in memory of Bill Hetrick of Clinton, MS.

---

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Judith (Judy) Hales Borthwick, Betty H. Scott, Henrietta Sampson, Thomas Andrew Seago, Virginia Campbell, Charlene Kelly, Ruth Toups Russell Monsour and Shelia Christie Palmer of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Jon Barry Henry, Margaret Holliday Evans Clark, Chuck Campbell, Jr., Billie Lee Dye, Bettie F. Till, Gloria M. Minor, Anne M. Peters, Nancy Tatum Herrin and John S. Barranco, Sr. of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Hon. Dale Danks, Jr., Melody Musgrove, Keath Killebrew, J. T. Williamson, Lucille Nichols, Gisela Boykin, Bobby Ray Ellis and Blythe B. Cragon of Madison, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lafayette Stribling, Joan Markow, David F. McNamara, Corey Ray and Walter S. Redden, Jr. of Ridgeland, MS.

---

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Doris Applewhite Hays and Jean P. Jeff of Clinton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert C. Booth and Garnett Zubatuk Spence of Brandon, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Howard Eugene Fisackerly, Sr. and Peggy Catelou of Columbus, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Margaret Anne Montgomery of Canton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of H. Jack Hollingsworth, Jr. of Morton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lynn Parrish of Lexington, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Vivian Castiglia of Long Beach, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William O. Fitch of Holly Springs, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. George Virgil Smith of Greenwood, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Jean L. Palmer of Forest, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Alice H. Kent of Como, MS.

---

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Eugene G. Wood of Flowood, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Spiva Gene Richardson, D.V.M. of Louisville, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Missy Stevens Pitts of Jackson, MS/Indianola, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of LeRoy Walker, Sr. of Memphis, TN.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Mildred Jane Black Warren of Atlanta, GA.

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Senators Michel, Parker and Kirby moved that when the Senate adjourns, it adjourn in memory of Steve Upchurch of Kosciusko, MS.

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Senators Michel and Blount moved that when the Senate adjourns, it adjourn in memory of Edmund Lawrence Brunini, Jr. of Madison, MS.

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

---

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Aisha V. Jones of Heidelberg, MS.

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Senators Kirby, Parker, Barrett, Blackwell, Boyd, Branning, Carter (in his absence), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Hopson, Johnson, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams and Younger moved that when the Senate adjourns, it adjourn in memory of Gary Jude Harkins of Brandon, MS.

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Senators Kirby and Harkins moved that when the Senate adjourns, it adjourn in memory of Philip Hal Warren of Brandon, MS.

---

Senators Kirby and Harkins moved that when the Senate adjourns, it adjourn in memory of Sarah Torrence of Ridgeland, MS.

---

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Thelma Graham Wilson, Betty Broome, Billy Joe Orr and Stacy Lynn Wolf of Brandon, MS.

---

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Lester Stephens of Greenville, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Dolly Latham of Lena, MS.

---

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Shirley Hall of Richland, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Kimber Nicole Hembree Walley and Robert "Bobby" Daye Daffin, Jr. of Lucedale, MS.

---

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Benjamin "Mark" Walley of Richton, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of William Ralph Hicks of Leakesville, MS.

---

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of April Odom Dearmon of Buckatunna, MS.

---

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Bonnie Murrell of Ridgeland, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. Christopher Welch of Jackson, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Alice Virginia Boyle Blackwell of Winston-Salem, NC.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Lawrence "Jeff" Leroy Jefferies, Hayden Keith Force and Nancy Ann Chrestman Smith of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Regina Waldrop and Tommy Riley of Byhalia, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Ruby Herrington Dickerson and Norma Young of Olive Branch, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Roger Clement Swatzyna and Glenda Fay Walters of Hernando, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Garry Lee Hallum and Tony Martin Austin of Bartlett, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Lulu Yerger and Trey Hogue of Memphis, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of John "Buddy" Gilbert Earhart of Columbus, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Mike James of Hattiesburg, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of James Bradley Moran of Ripley, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Nancy Hughes Wood of Greenwood, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Karen Theresa Carter Dowty of Germantown, TN.

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Senators Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of James Bobby Rowden of Eminence, MO.

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Senators McMahan, Suber, Bryan and Chism moved that when the Senate adjourns, it adjourn in memory of Bobbie Jones of Tupelo, MS.

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Senators McMahan and Suber moved that when the Senate adjourns, it adjourn in memory of Rickey Parker of Calhoun City, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Rebecca Lynn "Becky" Conaway, Eddie Pitts, Raymond E. J. Witte, Bobby Crabtree, Andy Lawhon and Floyd Hale, Retired MS National Guard Lt. Colonel of Tupelo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Earl Creely, Delores Gillespie, Jeannine Kilgore, Billy Wayne Voyles, Martha Whitaker and Dustin Jarrett Rodgers, Marine Vet. of Tupelo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Ms. Jessie Hall, Jack W. Moore, Robert Banik and Rutherford "Ford" Blanchard of Guntown, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Melissa Leila Hester, Elaine Poppelreiter, Vicky Russell, Frances Evelyn Prather and Julie Burt of Saltillo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jerry Johnson of Baldwin, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles White, MS Army Nat. Guard Veteran of Blue Springs, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles Edward Storey of Booneville, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Kathryn Riley Johnson of Kewanee, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Joyce Hester McKnight of Mooreville, MS.

---

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Henry Heard, Navy Veteran of Natchez, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Thomas L. Brooks, former MS House member, of Turon Community, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of William Cliff Oxford of Fayetteville, NC.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Herbert Giles, M.D., Reverend M. C. Miller, Jerry Hendrix, Trumel Cox, Milton Moore, Debra Winter and Elnora Knight Robinson of Yazoo City, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Verdell Brown of Isola, MS.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Randy Tate of McComb, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of former Mayor Paul Artman of Greenville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Robert Breland Deen, Jr., Jewell Myers Sistrunk, Abhishek Gupta, Amy Gower Reede, Annette Blanche Hayes, Arthur Van Court, Barbara Faye Scott, Ben T. Harmon, Benjie McCay and Bettie Jean Howard of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Billie Joyce Brown, Billy Harold Smith, Bobby Joe Griffin, Bubba Sparks, C. Lamar McDonald, Jr., Carole Vaughan Scutt, Charlene Lightsey, Charles D. Hardy, Jr., Charlotte Rose Litchfield and Chief Jerry Gordon Carlson, Jr. of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Clarence R. Butler, Clyde "Dennis" Goldman, Danny Franklin Herrington, Deidra C. "Dee-Dee" Wells, Dixie Gilbert Pigford, Donna Creekmore Thompson, Dorothy Lynn McCraney, Dorothy Nell Williams Barber, Dorothy W. Hogan and Dr. A. P. "Bill" Carney, III of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dr. Gus A. "Sonny" Rush, III, Dr. John W. Robinson, Dr. Joseph Monroe Ross, Jr., Dr. Roland Jack Follis, Elizabeth Ann Shults, Emily "Snookie" Baggett, Eula Pauline Caraway, Evelyn "Nanny" Hurst Fuller, Everett Hassel "Ed" Smith and Frances Beville White of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Frances Mazell Gressett, Gary W. Sampsell, George Richard Hall, Georgia Lin Budinich, Gloria M. Smith, Hardy Poindexter Graham, Sr., Helen Hyatt Brown, Helen J. "MeMe" Harrison, Hilda Juanita Mangum and Helen Kathleen Mabry of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of James D. Dearman, James Lee Vaughn, Howard Beeland, Jr., Hubert Lowry Rush, III, J. C. "Jim" Fleming, Jackie E. Roberson, Jacob Waddell "J.W." Lewis, Jacqueline Joan Baysden, James "Jimmy" Whittington and James Donald Cady, Sr. of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of James Marilyn Chatham, James Timothy Hall, Janice Blakey, Janice Lynn Hicks Garrett, Jean Prestridge Chappell, Jerry Moffett, Jerry Ray Thomas, Jimmie "James" E. Robinson, John Allen "Jack" Ryburn and John Edwards Brent of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Joseph Cary Rose, Joseph E. White, Joseph F. Miller, Jr., Judy Elaine Harper, Julia May Brown Rush, Karen Ann Richard, Kenneth "Ken" Wayne Scruggs, Kenneth Bush, Kermit A. "Ken" Little and Lamar "Butch" Boren of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Lara Lea Shelton, Leigh P. Warner, Lewis Harrell McCraw, III, Linda Carol Holloway, Lou Ella Jenkins Limerick, Loyd David Short, Lynual C. Dooley, M. Marguerite "Mac" Clark, Margaret Ann Watkins and Maria Elena Munoz Sanchez of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Martha Cobb Crawford, Mary Elizabeth Stewart Aycock, Mary Katherine McWilliams, Mary Sue Winham, Maudine (Cagle) Peavy, Maureen Hill Holloway, Merita Avera Jones, Michael "Pop" Edward Wall, Mildred Catherine Brown and Mitzie Eakes of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mollie Pierce Shelton, Myrtle Enola "P. I." Burt Price, Nadie R. Ellis, Nannie Mae Bowden, Nell Marie Cunningham Taylor, Patsy Hodges, Patsy Ruth Dyer Livingston, Patsy Ruth Jenkins, Paul L. Mendenhall and Paul Richards of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Pauline Mobley, Paxton Ryan Smith, Phillip Rayford "Ray" Durden, Priscilla "Pat" Sullivan, Randall L. "Randy" Terrell, Reva (Tolbert) Hicks, Richard Aaron Smith, Robert A. Peterson, Robert E. Shields, Robert Wayne York and Rosalyn B. Britt of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ruby Brown, Sandra A. Stephens, Sherri Galbraith, Steven Decker, Susan Alice Lockley, Sylvia J. McMinn, Teresa Holland Wallace, Thomas Edwin Allen, Sr., Thomas McCarver "Carver" Rayburn, Timothy Lee Snowden and Toni Beasley of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Travis Keith "Tag" Harper, Ulysses "Pete" Bertrand, Vicki Lindemann, Vickie Carol Riddle, Walter Lyn Drake, Will S. Lackey, Jr., William "Bill" Bushman, William Jackson "Jack" Bell, William Robert (Billy) Hunnicutt, Jr. and William "Bill" Russell Larson, Sr. of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Amelia Irby Hudson, Beverly Moore Rawson, Charles Edward Lee Elmore, Edgar Earl "Boe" Johnson, Hazel Mae Norris, Janet Marie Andrews and Jerry Steven Holloman of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Julie Ann Brown, Marion Cyrus Bentley, Rachael Elaine Tucker, Ralph William Raesly, Robert Varner and William Glynn Tucker of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Gay Nell Kitchens, J. P. Dean, Pearly May Stewart and Peggy Frey Moore of Stonewall, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Cynde F. Ingram, Erna Tootsie Price, Marjorie Ruth Allen Thrash and Truly "Troop" Smith of Collinsville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of James Edward Murphy, Mary "Faye" Culpepper and Shawn North of Toomsaba, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Frank Davis Buckley and James Leslie "Zero" Wilkes of Enterprise, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of John Marion Harwell and Johnny DeWayne "Worm" Cook of Shubuta, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Eddie L. Jones of Vimville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Tommy J. James, Jr. of Suqualena, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Evelyn "Bubbles" Ward White of Marion, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Jeannine "Bugs" Rush Savell of Lauderdale, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dorothy Jean Martin York of Daleville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mattie Bessie Flynt of Bailey, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Emmett Colon Mitcham, Jr. of Bonita, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of James Blake Pearson of Carmichael, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Sylvia Briggs Sanders of Causeyville, MS.

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Senators Tate and Harkins moved that when the Senate adjourns, it adjourn in memory of Paul Wayne Barkley of Vimville, MS.

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Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Cade Sharron of Meridian, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 5, 2022.

The motion prevailed, and at 12:17 PM, the Senate stood in recess.

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REPORT OF COMMITTEE ON RULES

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

**S. B. No. 2001:** Mississippi congressional districts; reapportion. Title Sufficient. Do Pass.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Margie Whitehead, Cpl. Robert Verzal, Mr. William Edward Downard, Mrs. Louise Nixon Tucker, Mr. George L. Patterson, Jr., Bonnie Elizabeth Roberts, Mrs. Donna Sue Smith, James "Jimmy" R. Williamson, Rusty Sykes, Jr., Martha Barrett, Mrs. Joyce Mangum, Billy Earl Welch, Tommy Sullivan, Mrs. Stella Bridges White, Joseph Gregory Scott Millis, Mrs. Patsy Ates, Henry Harvey Blakeney, Charles "Charlie" Cook, Allen Truman Curry, Janice Mae Carcich, Lois Ann Hedges, Aaron Leigh Johnson, William "Randy" Randolph McElroy, Wesley O. Bullock, Mr. A. Y. Harper, Jr., Sandra Jean (Lyons) Seymour, Richard Arthur Freshour, Thomas Robert Parker, Richard Dewayne Aiken, Sr., Betty Sue Gauliniski, Henry Lee Overstreet, Elmer Bond, Robert Clark, Gloria Evans, Wendell W. Patton, Frederick John Lusk, Jr., Rachelle Fint, Lance Blankinchip, Clint Jacobs, Kathryn Magnusen, Ruth Strickling Fonte, Ralph Diaz, Jr., Georgia Bond, Evelyn "Voncile" Kendrick, Katelyn Yoho, Percy S. "Stanley" Beaugez, Jr., Harold David Verdin, Mrs. Nona Bodden Wilson, Mr. Darwin "Donnie" Donald Hill, Anthony Steve Lepoma, Jr., James A. "Jimmy" Desporte, Samuel "Bugs" Joseph Mavar, Jr., Margaret Robert Reyer, Idest Leblanc, Jr., Calvin "Mac" McDonald Weaver, Jr., Anna Marlene Graves Pickard, Ph.D., Mr. Jerry Lawrence Gavin, Naomi Ruth Seymour, Mrs. Betty Jeanette Sadler, Laurence Bonnet Dearolf, Elizabeth Mae Reynolds, Leslie John Quave, Jr., George Davis Stewart, Ronald Charles "Ron" Pierotich, Charles E. Williams, Sr., Billy Wayne Farmer, Alice Weaver, Robin Patricia Mallett Gannon, Darryl D. Stringfellow, Mary Sue Hillman, Doris Baldwin, Jeffery Alexander, Angela Renee Bunch, Brigitte Draughn, Terry Hatten, Charles Merlin Hosey, Polly Howe, Beverly Ann Lee, Luennette Adams, Philip Breazeale, George P. Smith, Kevin Patrick Bonner, Ervin Harold "Bo" Tanner, Marjorie Batson, Arlin O. Fore, Jody R. Frierson, Linda Faye Bays, Raegan Mae Lee, Ricky Paul Herndon, Vincent A. Gonzales, Amy "Missy" Lambert, Preston Odom, Reba V. Lee, Elinor Ruth Byrd Boney, Harold Wayne Rushing, Peter Joseph Adamo, Jr., Robert Earl Ladnier, Sr., Henry Sailor Humphrey, Ryan L. Shields, SsGt Bruce J. Ketzel, Sr., Spiva Gene Richardson, D.V.M., Missy Stevens Pitts, Bonnie Anne Powell, Mary Brewer, Edmund Lawrence Brunini, Jr., Philip Hal Warren, Sarah Torrence, Thelma Graham Wilson, Betty Broome, Billy Joe Orr, Stacy Lynn Wolf, Lester Stephens, Dolly Latham, Shirley Hall, Kimber Nicole Hembree Walley, Elise Varner Winter, Robert "Bobby" Daye Daffin, Jr., Benjamin "Mark" Walley, William Ralph Hicks, April Odom Dearmon, Mrs. Bonnie Murrell, Mr. Christopher Welch, Alice Virginia Boyle Blackwell, Lawrence "Jeff" Leroy Jefferies, Hayden Keith Force, Nancy Ann Chrestman Smith, Sara Jenkins, Regina Waldrop, Tommy Riley, Ruby Herrington Dickerson, Norma Young, Roger Clement Swatzyna, Glenda Fay Walters, Garry Lee Hallum, Tony Martin Austin, Lulu Yerger, Trey Hogue, Dr. Arthur Charles Jackson, John "Buddy" Gilbert Earhart, Mike James, James Bradley Moran, Nancy Hughes Wood, Karen Theresa Carter Dowty, James Bobby Rowden, Rebecca Lynn "Becky" Conaway, Eddie Pitts, Raymond E. J. Witte, Richard Baltz, Bobby Crabtree, Andy Lawhon, Floyd Hale, Earl Creely, Delores Gillespie, Jeannine Kilgore, Billy Wayne Voyles, Martha Whitaker, Dustin Jarrett Rodgers, Ms. Jessie Hall, Janice Blumenthal, Jack W. Moore, Robert Banik, Rutherford "Ford" Blanchard, Elaine Poppelreiter, Vicky Russell, Frances Evelyn Prather, Julie Burt, Bobbie Jones, Rickey Parker, Melissa Leila Hester, Sara Ridgway Running, Jerry Johnson, Charles White, Charles Edward Storey, Kathryn Riley Johnson, Joyce Hester McKnight, Henry Heard, Thomas L. Brooks, William Cliff Oxford, Herbert Giles, M.D., Reverend M. C. Miller, Anne Mitchell Peters, Jerry Hendrix, Trumel Cox, Milton Moore, Debra Winter, Elnora Knight Robinson, Verdell Brown, Randy Tate, Robert Breland Deen, Jr., Jewell Myers Sistrunk,

Abhishek Gupta, Edward Sylvester, Amy Gower Reede, Annette Blanche Hayes, Arthur Van Court, Barbara Faye Scott, Ben T. Harmon, Benjie McCay, Bettie Jean Howard, Billie Joyce Brown, Billy Harold Smith, Bobby Joe Griffin, Linda Germaine Reaves, Bubba Sparks, C. Lamar McDonald, Jr., Carole Vaughan Scutt, Charlene Lightsey, Charles D. Hardy, Jr., Charlotte Rose Litchfield, Chief Jerry Gordon Carlson, Jr., Clarence R. Butler, Clyde "Dennis" Goldman, Danny Franklin Herrington, Kathryn Fore, Melford Currie, Deidra C. "Dee-Dee" Wells, Dixie Gilbert Pigford, Donna Creekmore Thompson, Dorothy Lynn McCraney, Dorothy Nell Williams Barber, Dorothy W. Hogan, Dr. A. P. "Bill" Carney, III, Dr. Gus A. "Sonny" Rush, III, Dr. John W. Robinson, Dr. Joseph Monroe Ross, Jr., Charles C. Campbell, Jr., Dr. Roland Jack Follis, Elizabeth Ann Shults, Emily "Snookie" Baggett, Eula Pauline Caraway, Evelyn "Nanny" Hurst Fuller, Everett Hassel "Ed" Smith, Frances Beville White, Frances Mazell Gressett, Gary W. Sampsell, George Richard Hall, Frank Coleman Lowery, Jr., Georgia Lin Budinich, Gloria M. Smith, Hardy Poindexter Graham, Sr., Helen Hyatt Brown, Helen J. "MeMe" Harrison, Hilda Juanita Mangum, Helen Kathleen Mabry, James D. Dearman, James Lee Vaughn, Howard Beeland, Jr., Dr. Alton Cobb, Hubert Lowry Rush, III, J. C. "Jim" Fleming, Jackie E. Roberson, Jacob Waddell "J.W." Lewis, Jacqueline Joan Baysden, James "Jimmy" Whittington, James Donald Cady, Sr., James Marilyn Chatham, James Timothy Hall, Janice Blakey, James Luther Warren, III, Janice Lynn Hicks Garrett, Jean Prestridge Chappell, Jerry Moffett, Jerry Ray Thomas, Jimmie "James" E. Robinson, John Allen "Jack" Ryburn, John Edwards Brent, Joseph Cary Rose, Joseph E. White, Joseph F. Miller, Jr., Florence Galloway Allen, Judy Elaine Harper, Julia May Brown Rush, Karen Ann Richard, Kenneth "Ken" Wayne Scruggs, Kenneth Bush, Kermit A. "Ken" Little, Lamar "Butch" Boren, Lara Lea Shelton, Leigh P. Warner, Lewis Harrell McCraw, III, Shellee Case Gowan, Linda Carol Holloway, Lou Ella Jenkins Limerick, Loyd David Short, Lynual C. Dooley, M. Marguerite "Mac" Clark, Margaret Ann Watkins, Maria Elena Munoz Sanchez, Martha Cobb Crawford, Mary Elizabeth Stewart Aycock, Mary Katherine McWilliams, Laura Hewes Scott, Mary Sue Winham, Maudine (Cagle) Peavy, Maureen Hill Holloway, Merita Avera Jones, Michael "Pop" Edward Wall, Mildred Catherine Brown, Mitzie Eakes, Mollie Pierce Shelton, Myrtle Enola "P. I." Burt Price, Nadie R. Ellis, Barbara Boswell Stauss, Nannie Mae Bowden, Nell Marie Cunningham Taylor, Patsy Hodges, Patsy Ruth Dyer Livingston, Patsy Ruth Jenkins, Paul L. Mendenhall, Paul Richards, Pauline Mobley, Paxton Ryan Smith, Phillip Rayford "Ray" Durden, Kenneth McMurtrey, Priscilla "Pat" Sullivan, Randall L. "Randy" Terrell, Reva (Tolbert) Hicks, Richard Aaron Smith, Robert A. Peterson, Robert E. Shields, Robert Wayne York, Rosalyn B. Britt, Ruby Brown, Sandra A. Stephens, Mrs. Cuppie Smith, Howard Buford, Sherri Galbraith, Steven Decker, Susan Alice Lockley, Sylvia J. McMinn, Teresa Holland Wallace, Thomas Edwin Allen, Sr., Thomas McCarver "Carver" Rayburn, Timothy Lee Snowden, Toni Beasley, Travis Keith "Tag" Harper, Thomas D. Dunn, Ulysses "Pete" Bertrand, Vicki Lindemann, Vickie Carol Riddle, Walter Lyn Drake, Will S. Lackey, Jr., William "Bill" Bushman, William Jackson "Jack" Bell, William Robert (Billy) Hunnicutt, Jr., William "Bill" Russell Larson, Sr., Amelia Irby Hudson, Michael W. Hataway, Beverly Moore Rawson, Charles Edward Lee Elmore, Edgar Earl "Boe" Johnson, Hazel Mae Norris, Janet Marie Andrews, Jerry Steven Holloman, Julie Ann Brown, Marion Cyrus Bentley, Rachael Elaine Tucker, Ralph William Raesly, David Barton, Robert Varner, William Glynn Tucker, Gay Nell Kitchens, J. P. Dean, Pearly May Stewart, Peggy Frey Moore, Cynde F. Ingram, Erna Tootsie Price, Marjorie Ruth Allen Thrash, Truly "Troop" Smith, Chad Lamar Stocks, James Edward Murphy, Mary "Faye" Culpepper, Shawn North, Frank Davis Buckley, James Leslie "Zero" Wilkes, Eddie L. Jones, John Marion Harwell, Johnny DeWayne "Worm" Cook, Tommy J. James, Jr., Evelyn "Bubbles" Ward White, Rose Barnett Woodcock, Jeannine "Bugs" Rush Savell, Dorothy Jean Martin York, Mattie Bessie Flynt, Emmett Colon Mitcham, Jr., James Blake Pearson, Sylvia Briggs Sanders, Cade Sharron, Paul Wayne Barkley, Paul Artman, Bonnie Patterson Barnett, Bill Hetrick, Hal Moss, Wilma Stomberg, Billy Moore, Lucian Dixon, Rosa Mary Johnson Smith, Lillian Pittman-Loggans, Walter Belokon, Robert Leroy Cole, Marion Wicker Parkman, Thomas Joseph O'Beirne, Edward Christian Rogge, Judith (Judy) Hales Borthwick, Betty H. Scott, Darrell Bond, Henrietta Sampson, Thomas Andrew Seago, Virginia Campbell, Charlene Kelly, Ruth Toups Russell Monsour, Shelia Christie Palmer, Chuck Campbell, Jr., Billie Lee Dye, Bettie F. Till, Gloria M. Minor, Leona Seymour Craft, Anne M. Peters, Nancy Tatum Herrin, John S. Barranco, Sr., Hon.

Dale Danks, Jr., Melody Musgrove, Keath Killebrew, J. T. Williamson, Lucille Nichols, Gisela Boykin, David Earl Hindman, Bobby Ray Ellis, Blythe B. Cragon, Lafayette Stribling, Joan Markow, David F. McNamara, Corey Ray, Walter S. Redden, Jr., Doris Applewhite Hays, Jean P. Jeff, Robert C. Booth, Kevin Conard, Garnett Zubatuk Spence, Howard Eugene Fisackerly, Sr., Peggy Catelou, Margaret Anne Montgomery, H. Jack Hollingsworth, Jr., Lynn Parrish, Vivian Castiglia, William O. Fitch, Dr. George Virgil Smith, Jean L. Palmer, Virginia Ellen Powers Salter, Alice H. Kent, Dr. Eugene G. Wood, LeRoy Walker, Sr., Mildred Jane Black Warren, Steve Upchurch, Margaret Holliday Evans Clark, Jon Barry Henry, Margaret Gilmer, Aisha V. Jones and Gary Jude Harkins.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, JANUARY 4, 2022

**S. B. No. 2001:** Rules

AN ACT TO AMEND SECTION 23-15-1037, MISSISSIPPI CODE OF 1972, TO REAPPORTION THE CONGRESSIONAL DISTRICTS OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

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SECOND DAY, WEDNESDAY, JANUARY 5, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Absent--Branning, Carter, Hopson. Total--3.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Emma Marie Shinal, God's House Outreach Ministry.

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

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

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SENATE JOURNAL  
WEDNESDAY, JANUARY 5, 2022

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator England moved that when the Senate adjourns, it adjourn in memory of Jessie Lott and James Allen Cazzell of Vancleave, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Dorothy "Dot" Hare Rodgers of Noxapater, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Tony Murphy, Sr. of Jackson, MS.

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Senators Michel, Horhn, Fillingane, Harkins, Frazier, Parker and Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Dr. Clifton L. Hester, Jr. of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Kerry Collins of Jackson, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Thursday, January 6, 2022.

The motion prevailed, and at 10:07 AM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jessie Lott, Dorothy "Dot" Hare Rodgers, Tony Murphy, Sr., Dr. Clifton L. Hester, Jr., James Allen Cazzell and Kerry Collins.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 5, 2022

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THIRD DAY, THURSDAY, JANUARY 6, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Branning, Carter, Fillingane, Hopson. Total--4.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Mark Williamson, Pastor, Winona Baptist Church, Winona, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

---

Senator England moved that when the Senate adjourns, it adjourn in memory of Larry Hutchins of Moss Point, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of LeaAnn Schalk of Ocean Springs, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of JoDon Paul Schwegman of Springfield, MO.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Eunice Loucena Seymour of Biloxi, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Philip Charles Cadwell of Pascagoula, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Brenda Marie (Poulos) Tillman, Edward Anthony Guardanapo, Betty S. Dearolf, Eric Edward Bullock and Betty Grove Dugan of St. Martin Community, MS.

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SENATE JOURNAL  
THURSDAY, JANUARY 6, 2022

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Miriam Alice Strickland Waddell and Conard Edward "Boo" Ferguson of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Irvin Phillip Fayard and Carolyn Ann Miller of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mrs. Joyce M. Alexander and Vickie Ann Fortner of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Marjorie Rose Salt Irvine and Mary Darlene Lamey of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dorothy Jean "Dot" Thompson of Perkinston Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Rudolph Reece of North Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Deborah Ann (Gavin) Carroll of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Avereese Harvey of McHenry Community, MS.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Rev. Charlie Sykes of Jonestown, MS.

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Senators Frazier and Norwood moved that when the Senate adjourns, it adjourn in memory of Mrs. Dorothy Benford of Jackson, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. Sylvester White of Jackson, MS.

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Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Susan Faggert of Heidelberg, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Eleanor Carol Swoope Hairston and Dewanna Faye "Dee" Davis of Columbus, MS.

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Senator Younger, joined by all Senators, moved that when the Senate adjourns, it adjourn in memory of Bettie Prewitt Burchfield of Kosciusko, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Christopher Evans Reichle of Oxford, MS.

---

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 10, 2022.

The motion prevailed, and at 9:07 AM, the Senate stood in recess.

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MESSAGE FROM THE LT. GOVERNOR  
August 2, 2021

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

William J. Van Devender, Jr., Jackson, Mississippi, Commercial Transportation Enforcement Division Appeals Board, term effective immediately and ending June 30, 2025.

Delbert Hosemann  
LT. GOVERNOR

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The executive nomination in the foregoing message was referred to committee as follows:

William J. Van Devender, Jr., Commercial Transportation Enforcement Division Appeals Board, term effective immediately and ending June 30, 2025, Highways and Transportation.

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MESSAGE FROM THE LT. GOVERNOR  
November 12, 2021

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Dr. Jamie Leigh Williams, LMFT, Ocean Springs, Mississippi, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2023.

Olivia Ann (Olivia) Host, Ridgeland, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027.

Delbert Hosemann  
LT. GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Dr. Jamie Leigh Williams, LMFT, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2023, Public Health and Welfare.

Olivia Ann (Olivia) Host, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027, Finance.

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MESSAGE FROM THE AGRICULTURE COMMISSIONER  
November 23, 2021

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Michael Wayne (Michael) Lasseter, Jr., Brandon, Mississippi, Director of the State Fairgrounds Complex, term effective November 1, 2021 and appointee shall serve at the will and pleasure of the Commissioner of Agriculture and Commerce.

Andy Gipson  
AGRICULTURE COMMISSIONER

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The executive nomination in the foregoing message was referred to committee as follows:

Michael Wayne (Michael) Lasseter, Jr., Director of the State Fairgrounds Complex, term effective November 1, 2021 and appointee shall serve at the will and pleasure of the Commissioner of Agriculture and Commerce, Agriculture.

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MESSAGE FROM THE LT. GOVERNOR  
January 4, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

William O. (Bill) Jacobs, Brookhaven, Mississippi, State Board of Education, unexpired portion of a nine year term effective immediately and ending June 30, 2024 vice Dr. Jason Dean.

Delbert Hosemann  
LT. GOVERNOR

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The executive nomination in the foregoing message was referred to committee as follows:

William O. (Bill) Jacobs, State Board of Education, unexpired portion of a nine year term effective immediately and ending June 30, 2024, Education.

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MESSAGE FROM THE GOVERNOR  
January 4, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Ralph Kipp (Kipp) Brown, Winona, Mississippi, Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, four year term beginning July 29, 2021 and ending July 28, 2025.

James Shelton (James) Rasberry, Kosciusko, Mississippi, Mississippi Board of Animal Health as the Horse Breeder and Producer representative, four year term beginning August 1, 2021 and ending July 31, 2025.

Clayton Lamar Legear, Hurley, Mississippi, State Board of Banking Review to represent the state at large, term effective July 27, 2021 for the unexpired balance of the five year term ending March 23, 2026.

Michael Jackson (Mike) Cothran, Carthage, Mississippi, State Board of Barber Examiners representing the Second Congressional District, term effective July 23, 2021 for the unexpired balance of the four year term ending June 30, 2024.

Michael Lee (Mike) McBunch, Tupelo, Mississippi, State Board of Barber Examiners representing the First Congressional District, four year term effective September 13, 2021 and ending June 30, 2025.

Lisa Carol Watkins, Union, Mississippi, State Board of Barber Examiners representing the Third Congressional District, four year term effective September 1, 2021 and ending June 30, 2025.

EIBrascian Antoine (Antoine) Anderson, Canton, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective Sept. 23, 2021 and ending March 31, 2026 vice Jabari Edwards.

Noel Everett Daniels, Brandon, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, unexpired six year term effective June 3, 2021 and ending March 31, 2027.

Bobby Milton James, Jr., Jackson, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, six year term beginning April 1, 2021 and ending March 31, 2027.

Colby Ryan (Colby) Jordan, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026 vice Josh Mars.

Keith Allen Williams, Jr., Gulfport, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 8, 2021 and ending March 31, 2025.

Thomas Ford Gandy, Madison, Mississippi, Commercial Mobile Radio Service Board representing Wireless Providers, four year term effective September 20, 2021 and ending June 30, 2024.

John Peter (Johnny Pete) McRight, Greenville, Mississippi, Mississippi Community College Board representing the Second Congressional District as it existed in 1986, six year term beginning July 1, 2021 and ending June 30, 2027.

Luke Crane Montgomery, Fulton, Mississippi, Mississippi Community College Board representing the First Congressional District as it existed in 1986, six year term beginning July 1, 2021 and ending June 30, 2027.

William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board representing the Fifth Congressional District, unexpired term effective May 4, 2021 and ending June 30, 2021, vice Mr. Todd Hairston.

William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board representing Fifth Congressional District, six year term beginning July 1, 2021 and ending June 30, 2027.

Haley Harrison Birmingham, RDH, Brandon, Mississippi, Mississippi State Board of Dental Examiners as the Dental Hygienist member, six year term beginning July 1, 2021 and ending June 30, 2027.

Marion Lewis (Lewis) Grubbs, DMD, Madison, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Four, six year term beginning July 1, 2021 and ending June 30, 2027.

Jeff Michael Zimmerman, DDS, Gulfport, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Five, six year term beginning July 1, 2021 and ending June 30, 2027.

Dr. Karen J. Morgan (Karen) Elam, Oxford, Mississippi, State Board of Education representing the Third Supreme Court District, nine year term beginning July 1, 2021 and ending June 30, 2030.

Matthew David (Matt) Miller, Hattiesburg, Mississippi, State Board of Education representing the Second Supreme Court District, unexpired nine year term effective May 18, 2021 and ending June 30, 2029.

Charles Bradley (Brad) Campbell, Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, two year term beginning July 1, 2021 and ending June 30, 2023.

Jerome Marvin (Jerry) Foxworth, III, Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, three year term beginning July 1, 2021 and ending June 30, 2024.

Howard Lee Jones, III, Natchez, Mississippi, State Board of Registration for Foresters to represent the state at large, five year term beginning July 1, 2021 and ending June 30, 2026.

John Beecher Mitchell, Sr., Corinth, Mississippi, State Board of Registration for Foresters to represent the Northeast Forestry Commission District, five year term beginning July 1, 2021 and ending June 30, 2026.

Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, one year term beginning July 1, 2021 and ending June 30, 2022.

Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, remainder of a four year term ending June 30, 2023, vice Luzern Dillon.

MG Alben Norris (Al) Hopkins, Sr., Gulfport, Mississippi, Gaming Commission as Chairman, four year term effective October 1, 2021 and ending September 30, 2025.

Joseph Read Hendon, Ph.D., Ocean Springs, Mississippi, Gulf States Marine Commission as the Mississippi citizen representative, unexpired three year term effective May 28, 2021 and ending January 9, 2024.

Elizabeth Ewaldsen (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective July 2, 2021 and ending June 30, 2023, vice Mr. Edward (Ed) Langton.

John Edward (Ed) Hill, MD, Oxford, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

Thad Fulton Waites, MD, MACC, Hattiesburg, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

Christa L. Alexander, Laurel, Mississippi, Information Technology Services Authority, unexpired balance of a five year term effective July 23, 2021 and ending June 30, 2026.

Ormella Cummings, Ph.D., Fulton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

Teresa Aven Hubbard, Oxford, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

Roy Hal Parker, Jr., Bolton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, nine year term effective May 18, 2021 and ending May 8, 2030.

Gregory Charles (Gregg) Rader, Columbus, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

Dr. Sara Jane H. Gleason, Jackson, Mississippi, Board of Mental Health representing the Licensed Medical Doctor Psychiatrist, seven year term effective November 29, 2021 and ending June 30, 2028.

Robert Sylvester Landrum, Ellisville, Mississippi, Board of Mental Health representing the Fifth Congressional District (1992), seven year term effective November 29, 2021 and ending June 30, 2028.

Teresa Ann Mosley, Clinton, Mississippi, Board of Mental Health representing the Fourth Congressional District, seven year term effective November 29, 2021 and ending June 30, 2027.

George Anthony (Tony) Hamrick, RN, LNH, Laurel, Mississippi, Mississippi State Board of Nursing Home Administrators as the Registered Nurse, unexpired four year term effective July 19, 2021 and ending June 30, 2024.

James Taylor Williams, Jr., Poplarville, Mississippi, Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, unexpired four year term effective July 19, 2021 and ending June 30, 2024.

Jane M. (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, unexpired four year term effective May 19, 2021 and ending June 30, 2022, vice Blake Ward.

Jeremy Lester Cummins, LPN, Louisville, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025.

Lacey Melissa T. Gentry, MSN, APRN, Courtland, Mississippi, Mississippi Board of Nursing as an Educator, unexpired balance of the four year term ending June 30, 2024.

Melissa Henry (Melissa) King, RN, NP, DNP, Raymond, Mississippi, Mississippi Board of Nursing as the Registered Nurse Practitioner, unexpired four year term effective May 21, 2021 and ending June 30, 2024.

Nancy Carol Norris-Johnson, LPN, Hattiesburg, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025.

William Alton Shaw, RN, NP, Wesson, Mississippi, Mississippi Board of Nursing as the Registered Nurse at large, unexpired four year term effective May 21, 2021 and ending June 30, 2024.

Marlow Stewart, Terry, Mississippi, State Parole Board, term effective November 1, 2021 and the appointee shall serve at the will and pleasure of the Governor, vice Nehemiah Flowers, Jr.

Leonard Cooper Lewis, PT, DPT, Sardis, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, four year term effective September 23, 2021 and ending June 30, 2025.

Billy Crisler (Cris) Bourn, PT, DPT, MHS, Flora, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, four year term effective immediately and ending June 30, 2024.

Virginia Jones (Jenny) Bryan, Oxford, Mississippi, Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, four year term effective immediately and ending June 30, 2023.

Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021.

Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025.

Rita Theresa Wray, Brandon, Mississippi, Public Procurement Review Board, four year term effective November 29, 2021 and ending June 30, 2025.

John Nicholas (Nick) Crutcher, Hattiesburg, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024.

Guy Brad Feltenstein, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024.

Valerie Cascile Joiner, DSW, LCSW, D'Iberville, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

Erin Poole Pittman, LSW, Brandon, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

Pamela Gail (Pam) Rollins, Ph.D., Hattiesburg, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

Colonel Clifford Allen (Allen) McDaniel, II, Flowood, Mississippi, State Veterans Affairs Board to represent the state at large, unexpired five year term effective September 1, 2021 and ending May 31, 2025.

BG Billy Lamar Pierce, (Ret.), Decatur, Mississippi, State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, unexpired five year term effective September 1, 2021 and ending May 31, 2025.

BG (Ret.) Norman Gene (Gene) Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, unexpired four year term effective August 2, 2021 and ending June 30, 2022, vice Mr. Joe Bryan.

Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board representing the Fifth Congressional District, four year term effective September 13, 2021 and ending June 30, 2024.

Gary Lee Rhoads, Flowood, Mississippi, Commission on Wildlife, Fisheries and Parks representing the Third Congressional District, five year term beginning September 20, 2021 and ending June 30, 2026.

Leonard Leon Bentz, II, Biloxi, Mississippi, Commission on Wildlife, Fisheries and Parks representing the Fifth Congressional District, remainder of a five year term effective September 20, 2021 and ending June 30, 2023.

Michael Barrie Nelson, Madison, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, four year term beginning November 29, 2021 and ending June 30, 2025.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Ralph Kipp (Kipp) Brown, Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, four year term beginning July 29, 2021 and ending July 28, 2025, Agriculture.

James Shelton (James) Rasberry, Mississippi Board of Animal Health as the Horse Breeder and Producer representative, four year term beginning August 1, 2021 and ending July 31, 2025, Agriculture.

Clayton Lamar Legear, State Board of Banking Review to represent the state at large, term effective July 27, 2021 for the unexpired balance of the five year term ending March 23, 2026, Business and Financial Institutions.

Michael Jackson (Mike) Cothran, State Board of Barber Examiners, term effective July 23, 2021 for the unexpired balance of the four year term ending June 30, 2024, Public Health and Welfare.

Michael Lee (Mike) McBunch, State Board of Barber Examiners, four year term effective September 13, 2021 and ending June 30, 2025, Public Health and Welfare.

Lisa Carol Watkins, State Board of Barber Examiners, four year term effective September 1, 2021 and ending June 30, 2025, Public Health and Welfare.

EIBrascian Antoine (Antoine) Anderson, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective Sept. 23, 2021 and ending March 31, 2026, Finance.

Noel Everett Daniels, Mississippi Business Finance Corporation as a member involved in banking or small business, unexpired six year term effective June 3, 2021 and ending March 31, 2027, Finance.

Bobby Milton James, Jr., Mississippi Business Finance Corporation as a member involved in banking or small business, six year term beginning April 1, 2021 and ending March 31, 2027, Finance.

Colby Ryan (Colby) Jordan, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026, Finance.

Keith Allen Williams, Jr., Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 8, 2021 and ending March 31, 2025, Finance.

Thomas Ford Gandy, Commercial Mobile Radio Service Board, four year term effective September 20, 2021 and ending June 30, 2024, Energy.

John Peter (Johnny Pete) McRight, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, Universities and Colleges.

Luke Crane Montgomery, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, Universities and Colleges.

William Poe (Will) Symmes, Mississippi Community College Board, unexpired term effective May 4, 2021 and ending June 30, 2021, Universities and Colleges.

William Poe (Will) Symmes, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, Universities and Colleges.

Haley Harrison Birmingham, RDH, Mississippi State Board of Dental Examiners as the Dental Hygienist member, six year term beginning July 1, 2021 and ending June 30, 2027, Public Health and Welfare.

Marion Lewis (Lewis) Grubbs, DMD, Mississippi State Board of Dental Examiners to represent Dental District Four, six year term beginning July 1, 2021 and ending June 30, 2027, Public Health and Welfare.

Jeff Michael Zimmerman, DDS, Mississippi State Board of Dental Examiners to represent Dental District Five, six year term beginning July 1, 2021 and ending June 30, 2027, Public Health and Welfare.

Dr. Karen J. Morgan (Karen) Elam, State Board of Education, nine year term beginning July 1, 2021 and ending June 30, 2030, Education.

Matthew David (Matt) Miller, State Board of Education, unexpired nine year term effective May 18, 2021 and ending June 30, 2029, Education.

Charles Bradley (Brad) Campbell, State Board of Registration for Foresters to represent the East Central Forestry Commission District, two year term beginning July 1, 2021 and ending June 30, 2023, Forestry.

Jerome Marvin (Jerry) Foxworth, III, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, three year term beginning July 1, 2021 and ending June 30, 2024, Forestry.

Howard Lee Jones, III, State Board of Registration for Foresters to represent the state at large, five year term beginning July 1, 2021 and ending June 30, 2026, Forestry.

John Beecher Mitchell, Sr., State Board of Registration for Foresters to represent the Northeast Forestry Commission District, five year term beginning July 1, 2021 and ending June 30, 2026, Forestry.

Matthew Michael Raff, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, one year term beginning July 1, 2021 and ending June 30, 2022, Forestry.

Nicholas L. (Nick) Mallard, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, remainder of a four year term ending June 30, 2023, Business and Financial Institutions.

MG Alben Norris (Al) Hopkins, Sr., Gaming Commission as Chairman, four year term effective October 1, 2021 and ending September 30, 2025, Gaming.

Joseph Read Hendon, Ph.D., Gulf States Marine Commission as the Mississippi citizen representative, unexpired three year term effective May 28, 2021 and ending January 9, 2024, Ports and Marine Resources.

Elizabeth Ewaldsen (Beth) Edmiston, PT, State Board of Health as an individual with an interest in public health, unexpired six year term effective July 2, 2021 and ending June 30, 2023, Public Health and Welfare.

John Edward (Ed) Hill, MD, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027, Public Health and Welfare.

Thad Fulton Waites, MD, MACC, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027, Public Health and Welfare.

Christa L. Alexander, Information Technology Services Authority, unexpired balance of a five year term effective July 23, 2021 and ending June 30, 2026, Accountability, Efficiency, Transparency.

Ormella Cummings, Ph.D., Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030, Universities and Colleges.

Teresa Aven Hubbard, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030, Universities and Colleges.

Roy Hal Parker, Jr., Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, nine year term effective May 18, 2021 and ending May 8, 2030, Universities and Colleges.

Gregory Charles (Gregg) Rader, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030, Universities and Colleges.

Dr. Sara Jane H. Gleason, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, Public Health and Welfare.

Robert Sylvester Landrum, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, Public Health and Welfare.

Teresa Ann Mosley, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2027, Public Health and Welfare.

George Anthony (Tony) Hamrick, RN, LNH, Mississippi State Board of Nursing Home Administrators as the Registered Nurse, unexpired four year term effective July 19, 2021 and ending June 30, 2024, Public Health and Welfare.

James Taylor Williams, Jr., Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, unexpired four year term effective July 19, 2021 and ending June 30, 2024, Public Health and Welfare.

Jane M. (Janie) Clanton, RN, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, unexpired four year term effective May 19, 2021 and ending June 30, 2022, Public Health and Welfare.

Jeremy Lester Cummins, LPN, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025, Public Health and Welfare.

Lacey Melissa T. Gentry, MSN, APRN, Mississippi Board of Nursing as an Educator, unexpired balance of the four year term ending June 30, 2024, Public Health and Welfare.

Melissa Henry (Melissa) King, RN, NP, DNP, Mississippi Board of Nursing as the Registered Nurse Practitioner, unexpired four year term effective May 21, 2021 and ending June 30, 2024, Public Health and Welfare.

Nancy Carol Norris-Johnson, LPN, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025, Public Health and Welfare.

William Alton Shaw, RN, NP, Mississippi Board of Nursing as the Registered Nurse at large, unexpired four year term effective May 21, 2021 and ending June 30, 2024, Public Health and Welfare.

Marlow Stewart, State Parole Board, term effective November 1, 2021 and the appointee shall serve at the will and pleasure of the Governor, Corrections.

Leonard Cooper Lewis, PT, DPT, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, four year term effective September 23, 2021 and ending June 30, 2025, Public Health and Welfare.

Billy Crisler (Cris) Bourn, PT, DPT, MHS, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, four year term effective immediately and ending June 30, 2024, Public Health and Welfare.

Virginia Jones (Jenny) Bryan, Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, four year term effective immediately and ending June 30, 2023, Public Health and Welfare.

Robert Leonard (Bob) Baughn, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021, Corrections.

Robert Leonard (Bob) Baughn, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025, Corrections.

Rita Theresa Wray, Public Procurement Review Board, four year term effective November 29, 2021 and ending June 30, 2025, Accountability, Efficiency, Transparency.

John Nicholas (Nick) Crutcher, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024, Business and Financial Institutions.

Guy Brad Feltenstein, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024, Business and Financial Institutions.

Valerie Cascile Joiner, DSW, LCSW, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024, Public Health and Welfare.

Erin Poole Pittman, LSW, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024, Public Health and Welfare.

Pamela Gail (Pam) Rollins, Ph.D., Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four year term effective May 3, 2021 and ending June 30, 2024, Public Health and Welfare.

Colonel Clifford Allen (Allen) McDaniel, II, State Veterans Affairs Board to represent the state at large, unexpired five year term effective September 1, 2021 and ending May 31, 2025, Veterans and Military Affairs.

BG Billy Lamar Pierce, (Ret.), State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, unexpired five year term effective September 1, 2021 and ending May 31, 2025, Veterans and Military Affairs.

SENATE JOURNAL  
THURSDAY, JANUARY 6, 2022

BG (Ret.) Norman Gene (Gene) Hortman, Jr., Veterans Home Purchase Board to represent the state at large, unexpired four year term effective August 2, 2021 and ending June 30, 2022, Veterans and Military Affairs.

Chris Anthony Stockstill, Veterans Home Purchase Board, four year term effective September 13, 2021 and ending June 30, 2024, Veterans and Military Affairs.

Gary Lee Rhoads, Commission on Wildlife, Fisheries and Parks, five year term beginning September 20, 2021 and ending June 30, 2026, Wildlife, Fisheries and Parks.

Leonard Leon Bentz, II, Commission on Wildlife, Fisheries and Parks, remainder of a five year term effective September 20, 2021 and ending June 30, 2023, Wildlife, Fisheries and Parks.

Michael Barrie Nelson, Mississippi Commission on the Status of Women representing an At-Large appointment, four year term beginning November 29, 2021 and ending June 30, 2025, Rules.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Larry Hutchins, LeaAnn Schalk, Irvin Phillip Fayard, Carolyn Ann Miller, Mrs. Joyce M. Alexander, Vickie Ann Fortner, Marjorie Rose Salt Irvine, Mary Darlene Lamey, Dorothy Jean "Dot" Thompson, James Rudolph Reece, Deborah Ann (Gavin) Carroll, Avereese Harvey, JoDon Paul Schwegman, Rev. Charlie Sykes, Mrs. Dorothy Benford, Mr. Sylvester White, Eunice Loucena Seymour, Philip Charles Cadwell, Susan Faggert, Bettie Prewitt Burchfield, Christopher Evans Reichle, Eleanor Carol Swoope Hairston, Dewanna Faye "Dee" Davis, Edward Anthony Guardanapo, Betty S. Dearolf, Eric Edward Bullock, Betty Grove Dugan, Brenda Marie (Poulos) Tillman, Miriam Alice Strickland Waddell and Conard Edward "Boo" Ferguson.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, JANUARY 6, 2022

**S. B. No. 2002:** Agriculture

AN ACT ENTITLED THE "MISSISSIPPI GRAIN PRODUCER INDEMNITY ACT"; TO PROVIDE INDEMNIFICATION FOR GRAIN PRODUCERS IN MISSISSIPPI AGAINST THE FINANCIAL FAILURE OF GRAIN DEALERS AND WAREHOUSES IN ORDER TO IMPROVE THE ECONOMIC STABILITY OF AGRICULTURE; TO PROVIDE DEFINITIONS; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY FUND BOARD TO ADMINISTER THE MISSISSIPPI GRAIN INDEMNITY FUND AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS AND DUTIES; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY FUND IN THE STATE TREASURE AND TO AUTHORIZE ASSESSMENTS AGAINST GRAIN PRODUCERS TO FUND THE PROGRAM; TO PROVIDE FOR A MINIMUM BALANCE IN THE FUND AND FOR THE SUSPENSION OF ASSESSMENTS UNDER CERTAIN CONDITIONS; TO PROVIDE FOR REINSURANCE FOR THE PAYMENT OF CLAIMS; TO PRESCRIBE THE DUTIES OF THE MISSISSIPPI GRAIN INDEMNITY FUND BOARD AND THE MISSISSIPPI DEPARTMENT OF INSURANCE TO ADMINISTER THE PROVISIONS OF THIS ACT; TO PROVIDE FOR THE COMPENSATION OF CLAIMANTS WHO HAVE INCURRED A FINANCIAL LOSS DUE TO A FAILURE OF A GRAIN DEALER OR WAREHOUSEMAN; TO PROVIDE APPLICATION AND PAYMENT PROCEDURES; TO PROVIDE FOR SUBROGATION OF CLAIMS ON BEHALF OF THE FUND; TO AMEND SECTIONS 75-44-29 AND 75-45-

305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT GRAIN WAREHOUSEMAN'S SURETY BOND AND GRAIN DEALER'S SURETY BOND UNDER APPLICABLE LICENSURE LAW SHALL BE PAYABLE TO THE MISSISSIPPI GRAIN INDEMNITY FUND CREATED UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Younger, McCaughn, Suber

**S. B. No. 2003:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CAMPAIGN FINANCE REPORTS FROM CANDIDATES FOR LOCAL GOVERNMENT OFFICES SHALL BE MADE AVAILABLE ON COUNTY AND MUNICIPAL WEBSITES; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2004:** Public Property

AN ACT TO AMEND SECTION 29-1-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE SECTION PRESCRIBING WHO MAY PURCHASE PUBLIC LAND IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2005:** Public Property

AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISIONS OF THE STATUTORY PROHIBITION AGAINST THE ALTERATION OF HISTORICAL MONUMENTS AND MEMORIALS LOCATED ON PUBLIC PROPERTY; TO PROHIBIT THE RENAMING OR REDEDICATION OF CERTAIN STATUES, MONUMENTS, SCHOOLS, STREETS, PARKS OR SIMILAR STRUCTURES NAMED IN HONOR OF CERTAIN MILITARY UNITS, FIGURES OR EVENTS; TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATION OF THIS STATUTE; TO PROVIDE THAT THIS SECTION SHALL BE KNOWN AS THE "MISSISSIPPI HERITAGE PROTECTION ACT"; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2006:** Public Property

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY BOARD OF SUPERVISORS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2007:** Agriculture

AN ACT TO AMEND SECTIONS 75-29-601 AND 75-29-603, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF COMMERCIAL HONEY FOR PURPOSES OF LABELING REQUIREMENTS ENFORCED BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE LABEL OF ANY PRODUCT CONSISTING OF HONEY AND SWEETENER SHALL INCLUDE ALL INGREDIENTS BY WEIGHT, TO PROVIDE THAT ALL SUBSTANCES ADDED TO HONEY TO ALTER THE FLAVOR SHALL BE INCLUDED ON THE LABEL AND TO PROVIDE THAT ANY LAB-GROWN HONEY SHALL NOT BE LABELED AS HONEY; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Whaley, Younger

**S. B. No. 2008:** Agriculture; Finance

AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO REQUIRE A CERTIFICATE FROM THE DEPARTMENT OF REVENUE FOR COMMERCIAL FARMERS TO RECEIVE THE 1.5% SALES TAX RATE FOR FARM TRACTORS, PARTS AND LABOR USED TO MAINTAIN AND/OR REPAIR SUCH TRACTORS, AND FARM IMPLEMENTS TO BE USED IN CERTAIN SPECIFIED APPLICATIONS; TO REQUIRE PRESENTATION OF THE CERTIFICATE AT THE TIME OF PURCHASE TO RECEIVE THE REDUCED RATE; TO REQUIRE THE

DEPARTMENT TO ESTABLISH AN APPLICATION PROCESS FOR ISSUANCE OF THE CERTIFICATE, INCLUDING VERIFICATION BY THE APPLICANT THAT THE IMPLEMENTS PURCHASED AT THE REDUCED RATE WILL BE USED FOR THE STATUTORILY SPECIFIED AGRICULTURAL PURPOSES; TO PROVIDE THAT EACH CERTIFICATE SHALL BE NUMBERED AND SHALL BE VALID FOR FOUR YEARS, OR UNTIL THE APPLICANT IS NO LONGER OPERATING WITHIN THE SCOPE OF THE ORIGINAL APPLICATION; TO SUBJECT MISREPRESENTATION ON THE APPLICATION TO APPLICABLE TAX, PENALTY AND INTEREST; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Whaley, Moran, Chism, McMahan

**S. B. No. 2009:** Highways and Transportation

AN ACT TO AMEND SECTION 65-3-3, MISSISSIPPI CODE OF 1972, TO ADD OLD STATE HIGHWAY 6 AND OLD STATE HIGHWAY 9 IN PONTOTOC COUNTY, MISSISSIPPI, TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Chism

**S. B. No. 2010:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO DECLARE SPECIAL SEASONS, WITHIN OR OUTSIDE THE ESTABLISHED OPEN SEASONS, FOR COLLECTING CHRONIC WASTING DISEASE TESTING SAMPLES; TO ESTABLISH AIR GUNS, AIR BOWS AND PRE-CHARGED PNEUMATIC WEAPONS AS LAWFUL MEANS OF HUNTING GAME; TO AUTHORIZE THE COMMISSION TO DEFINE AIR GUNS, AIR BOWS AND PRE-CHARGED PNEUMATIC WEAPONS SUITABLE FOR HUNTING GAME; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2011:** Judiciary, Division A

AN ACT TO PROVIDE THAT A PERSON WHO KNOWINGLY AND WILLFULLY MAKES A FALSE REPORT OF CHILD ABUSE OR NEGLECT MAY BE CIVILLY LIABLE FOR DAMAGES SUFFERED INCLUDING REASONABLE ATTORNEY FEES AND COSTS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2012:** Insurance

AN ACT TO CREATE THE MISSISSIPPI HEALTH CARE COST TRANSPARENCY ACT; TO DEFINE TERMS USED IN THE ACT; TO REQUIRE EACH DRUG MANUFACTURER TO ANNUALLY DISCLOSE PRESCRIPTION DRUG PRICING INFORMATION TO THE COMMISSIONER OF INSURANCE AND TO REQUIRE THE COMMISSIONER TO DEVELOP A WEBSITE TO CONTAIN PRESCRIPTION DRUG PRICE INFORMATION; TO REQUIRE PHARMACY BENEFITS MANAGERS TO ANNUALLY DISCLOSE TO THE COMMISSIONER OF INSURANCE CERTAIN PHARMACY BENEFIT MANAGEMENT INFORMATION; TO REQUIRE HEALTH INSURERS TO ANNUALLY SUBMIT A REPORT TO THE COMMISSIONER REGARDING PRESCRIPTION DRUG PRICE INFORMATION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2013:** Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-13-71, MISSISSIPPI CODE OF 1972, TO EXCLUDE CERTAIN ACTIVITIES FROM THE DEFINITION OF THE PRACTICE OF SURVEYING; TO AMEND SECTION 73-13-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2014:** Judiciary, Division A

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

By Senator(s) Hill

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

AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A PARENT OR PERSON IN LOCO PARENTIS MAY REVIEW THE YOUTH COURT RECORDS OF THE PARENT'S CHILD; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2016:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-15-119, MISSISSIPPI CODE OF 1972, TO CLARIFY A PARENT'S RIGHT TO NOMINATE A GUARDIAN BEFORE FINAL TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 43-21-609, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DISPOSITION ALTERNATIVE OF APPOINTING FICTIVE KIN AS A GUARDIAN; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2017:** County Affairs; Judiciary, Division A

AN ACT TO AMEND SECTION 19-5-105, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COST AND ANY PENALTY AS A RESULT OF THE BOARD OF SUPERVISORS CLEANING A PROPERTY MAY BECOME A CIVIL DEBT AGAINST THE PROPERTY OWNER; TO AUTHORIZE THE BOARD OF SUPERVISORS TO INSTITUTE A SUIT ON OPEN ACCOUNT AGAINST THE PROPERTY OWNER FOR THE COST AND ANY PENALTY, AND TO RECOVER COURT COSTS, REASONABLE ATTORNEY'S FEES AND INTEREST FROM THE DATE THAT THE PROPERTY WAS CLEANED; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2018:** Business and Financial Institutions

AN ACT TO AMEND SECTION 81-1-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONDUCT PERIODIC JOINT-BANK EXAMINATIONS WITH THE FEDERAL RESERVE; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2019:** Business and Financial Institutions

AN ACT TO REENACT SECTIONS 81-22-1 THROUGH 81-22-28, MISSISSIPPI CODE OF 1972, AND TO AMEND SECTION 81-22-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI DEBT MANAGEMENT SERVICES ACT; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2020:** Insurance; Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 71-3-131, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VACCINE-RELATED ACCIDENTS OR INJURIES SHALL BE COMPENSABLE UNDER THE WORKERS' COMPENSATION LAW; TO PROVIDE FOR A PRESUMPTION IN FAVOR OF COMPENSATION; TO AMEND SECTION 71-5-513, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT DISCHARGE FROM EMPLOYMENT FOR FAILURE TO COMPLY WITH AN EMPLOYER-REQUIRED VACCINE MANDATE SHALL BE GOOD CAUSE FOR PURPOSES OF DETERMINING ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2021:** Judiciary, Division A

AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO CLARIFY ELIGIBILITY FOR AN INSTRUCTOR-CERTIFIED CONCEALED-CARRY LICENSE; TO AMEND SECTION 97-37-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HOLDERS OF AN INSTRUCTOR-CERTIFIED CONCEALED-CARRY LICENSE TO CARRY A CONCEALED WEAPON ON EDUCATIONAL PROPERTY; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO ALLOW A PERSON WHO IS AT LEAST 18 YEARS OF AGE TO OBTAIN AN INSTRUCTOR-CERTIFIED CONCEALED-CARRY LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2022:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-21-3, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS IN THE PROTECTION FROM DOMESTIC ABUSE ACT; TO AMEND SECTION 93-21-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT, IN ISSUING A PROTECTION ORDER, TO INCLUDE THE PROTECTION OF PETS IN THE ORDER; AND FOR RELATED PURPOSES.

By Senator(s) Hill

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

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

By Senator(s) Hill

**S. B. No. 2024:** Insurance

AN ACT RELATING TO THE CREATION OF A COMPREHENSIVE LEGAL FRAMEWORK WITHIN WHICH TRAVEL INSURANCE MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE ACT; TO CREATE NEW SECTION 83-83-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THE SCOPE AND PURPOSES OF THE ACT; TO AMEND SECTION 83-83-3, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 83-83-5, MISSISSIPPI CODE OF 1972, TO UPDATE THE REQUIREMENTS OF LIMITED LINES TRAVEL INSURANCE PRODUCERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-6, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PREMIUM TAX REQUIREMENTS OF TRAVEL INSURERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-8, MISSISSIPPI CODE OF 1972, TO SET FORTH HOW TRAVEL PROTECTION PLANS MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-9, MISSISSIPPI CODE OF 1972, TO UPDATE THE POLICIES UNDER THE ACT; TO CREATE NEW SECTION 83-83-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THE REQUIREMENTS FOR TRAVEL ADMINISTRATORS UNDER THE ACT; TO AMEND SECTION 83-83-13, MISSISSIPPI CODE OF 1972, TO CLARIFY PERMISSIBLE SALES PRACTICES UNDER THE ACT; TO CREATE NEW SECTION 83-83-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Michel, McLendon, Kirby, Younger, Horhn, Boyd, Thomas

**S. B. No. 2025:** Municipalities

AN ACT TO PROHIBIT ANY LOCAL GOVERNMENTAL ENTITY FROM REQUIRING A LICENSE OR PERMIT FOR CERTAIN BUSINESSES THAT ARE OPERATED ON AN OCCASIONAL BASIS BY A MINOR; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2026:** Judiciary, Division A

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

By Senator(s) Hill

**S. B. No. 2027:** Highways and Transportation

AN ACT TO DESIGNATE A BRIDGE ON MISSISSIPPI HIGHWAY 590 IN COVINGTON COUNTY, MISSISSIPPI, AS THE "SERGEANT JOSEPH BLACKWELL MEMORIAL BRIDGE" IN MEMORY OF DECEASED VIETNAM VETERAN SERGEANT JOSEPH BLACKWELL; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2028:** Highways and Transportation

AN ACT TO DESIGNATE THE BRIDGE OVER THE TALLAHATCHIE RIVER ON MISSISSIPPI HIGHWAY 178 / BANKHEAD STREET IN THE CITY OF NEW ALBANY, MISSISSIPPI, AS THE "ZACK STEWART BRIDGE"; AND FOR RELATED PURPOSES.

By Senator(s) Chism

**S. B. No. 2029:** Agriculture

AN ACT TO REPEAL SECTIONS 37-113-29 AND 37-133-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CAMPS FOR 4-H CLUB MEMBERS IN PANOLA AND MADISON COUNTIES; TO REPEAL SECTIONS 37-133-33 AND 37-133-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PURCHASE AND MAINTENANCE OF FOUNDATION HERDS OF BEEF CATTLE, SHEEP AND HOGS AT THE MISSISSIPPI STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE AND FOR THE INVENTORY OF LIVESTOCK OWNED BY STATE INSTITUTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2030:** County Affairs

AN ACT TO AMEND SECTION 19-5-105, MISSISSIPPI CODE OF 1972, TO REVISE PROCEDURES USED BY THE COUNTY BOARDS OF SUPERVISORS TO CLEAN PROPERTY THAT IS ADJUDICATED A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THOSE IN THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2031:** Insurance

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

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

By Senator(s) Blackwell

**S. B. No. 2032:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-11-9, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTIONAL AMOUNT FOR JUSTICE COURT; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2033:** Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2034:** Judiciary, Division A

AN ACT TO AMEND SECTION 91-7-63, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LETTERS OF ADMINISTRATION SHALL BE GRANTED BY THE CHANCERY COURT OF THE COUNTY IN WHICH THE INTESTATE OWNED LAND IF THE INTESTATE HAD NO FIXED PLACE OF RESIDENCE; TO REMOVE THE PROVISION OF LAW THAT PROVIDED FOR LETTERS OF ADMINISTRATION TO BE ISSUED BY THE CHANCERY COURT IN THE COUNTY IN WHICH THE INTESTATE HAD PERSONAL PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2035:** Judiciary, Division A

AN ACT TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO REVISE THE MAXIMUM FEE PERMITTED TO BE CHARGED FOR NOTARIAL SERVICES; TO AMEND SECTIONS 25-34-37 AND 25-34-41, MISSISSIPPI CODE OF 1972, TO REVISE RESIDENCY REQUIREMENTS TO PERMIT A NONRESIDENT WHO WORKS OR PRACTICES IN THE STATE TO APPLY TO BE COMMISSIONED AS A NOTARY; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2036:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM COMPENSATION OF DISTRICT ATTORNEY CRIMINAL INVESTIGATORS AND TO REVISE THE NUMBER OF CRIMINAL INVESTIGATORS WHO MAY BE APPOINTED BY THE VARIOUS DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2037:** Insurance

AN ACT RELATING TO GENETIC INFORMATION FOR CERTAIN INSURANCE PURPOSES; TO PROVIDE DEFINITIONS; TO PROHIBIT LIFE INSURERS AND DISABILITY INSURERS FROM CANCELING, LIMITING, OR DENYING COVERAGE, OR ESTABLISHING DIFFERENTIALS IN PREMIUM RATES, BASED ON GENETIC INFORMATION UNDER CERTAIN CIRCUMSTANCES; TO PROHIBIT THOSE INSURERS FROM TAKING CERTAIN ACTIONS RELATING TO GENETIC INFORMATION FOR ANY INSURANCE PURPOSE COVERED UNDER THE ACT; TO PROVIDE FOR PROSPECTIVE APPLICATION ONLY; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McLendon

**S. B. No. 2038:** Municipalities; Energy

AN ACT TO AMEND SECTION 21-27-39, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN MUNICIPALITIES FROM CHARGING GREATER RATES FOR WATER SUPPLIED TO CONSUMERS RESIDING OUTSIDE OF AND WITHIN ONE MILE OF THE CORPORATE LIMITS OF THE MUNICIPALITY THAN FOR WATER SUPPLIED TO CONSUMERS RESIDING WITHIN THE MUNICIPALITY; TO AMEND SECTION 77-3-1, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2039:** Business and Financial Institutions

AN ACT TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE PROVISIONS RELATING TO THE REGISTRATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES BY THE MISSISSIPPI REAL ESTATE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

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

AN ACT TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A PERSON TO ENTER AND REMAIN UPON THE RIGHT-OF-WAY OF A RAILROAD WITHOUT THE PERMISSION OF THE OWNER OR OPERATOR OF THE RAILROAD OR WITHOUT AUTHORITY OTHERWISE GRANTED BY LAW; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

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

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO VEDO KYLES OF YAZOO COUNTY, MISSISSIPPI.

By Senator(s) Thomas

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

AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE POSSESSION OF MULTIPLE WEAPONS SHALL SUBJECT AN OFFENDER TO ONE CHARGE PER WEAPON; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd, Suber

**S. B. No. 2043:** Education

AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE SALARY FOR LOCAL SCHOOL BOARD MEMBERS BASED ON SCHOOL DISTRICT STUDENT ENROLLMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2044:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SECOND OFFENSE OF SHOPLIFTING WITHIN FIVE YEARS OF THE FIRST CONVICTION OF SHOPLIFTING SHALL BE A FELONY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2045:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE ANTI-COVID VACCINE MANDATE ACT; TO PROHIBIT DISCRIMINATION BASED ON A PERSON'S VACCINATION STATUS OR POSSESSION OF AN IMMUNITY PASSPORT; TO PROVIDE THAT A PERSON, BUSINESS ENTITY OR GOVERNMENTAL ENTITY SHALL NOT REQUIRE A PERSON TO RECEIVE A VACCINE THAT IS ALLOWED UNDER AN EMERGENCY USE AUTHORIZATION; TO PROVIDE FOR EXCEPTIONS TO WHAT SHALL BE CONSIDERED AN UNLAWFUL DISCRIMINATORY PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2046:** Labor; Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BASED ON PREGNANCY, CHILDBIRTH OR A RELATED CONDITION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2047:** Education

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

By Senator(s) Blackwell

**S. B. No. 2048:** Education

AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE SALARY FOR LOCAL SCHOOL BOARD MEMBERS BASED ON SCHOOL DISTRICT STUDENT ENROLLMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2049:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE HEALTH OFFICER TO REQUIRE ENTITIES PROVIDING VACCINES TO GIVE PATIENT VACCINE INFORMATION STATEMENTS APPROVED BY FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION UPON REQUEST; TO PROVIDE FOR A MEDICAL EXEMPTION FOR A CHILD AND ANY OF HIS OR HER SIBLINGS WHEN THE CHILD HAS HAD A SEVERE REACTION TO A VACCINE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2050:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-57-14, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BUREAU OF VITAL STATISTICS INCLUDE ON BIRTH CERTIFICATES THE CHILD'S NAME, RACE, SEX, DATE OF BIRTH, PLACE OF BIRTH, AND EACH PARENT'S NAME, RACE, AGE, PLACE OF BIRTH AND OCCUPATION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2051:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, APPOINTMENTS TO CERTAIN EXECUTIVE AGENCY BOARDS AND COMMISSIONS AND THE PEER COMMITTEE SHALL BE MADE FROM THE MISSISSIPPI CONGRESSIONAL DISTRICTS AS THEY PRESENTLY EXIST ON A PHASED-IN BASIS; TO AMEND SECTIONS 25-53-7, 31-3-3, 35-1-1, 35-3-24, 35-7-7, 37-4-3, 37-63-3, 37-101-3, 37-155-7, 39-3-101, 39-11-1, 41-4-3, 43-13-409, 43-55-5, 47-5-541, 47-7-5, 49-2-5, 49-4-4, 49-19-1, 57-10-167, 63-17-57, 69-7-253, 69-9-3, 69-15-2, 73-1-5, 73-4-7, 73-15-9, 73-19-7, 73-21-75, 73-31-5, 73-33-3, 73-53-8 AND 73-63-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2052:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OCCUPATIONAL LICENSING REVIEW COMMISSION SHALL BE RESPONSIBLE FOR REVIEWING EXISTING OCCUPATIONAL REGULATIONS PROMULGATED BY OCCUPATIONAL LICENSING BOARDS TO ENSURE COMPLIANCE WITH STATE POLICY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2053:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE VILLAGE OF EDEN IN YAZOO COUNTY, MISSISSIPPI, TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE VILLAGE'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2054:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE OCCUPATIONAL LICENSING REVIEW COMMISSION; TO REQUIRE AN OCCUPATIONAL LICENSING BOARD TO SUBMIT TO THE COMMISSION A REGULATORY IMPACT ASSESSMENT OF A PROPOSED OCCUPATIONAL REGULATION; TO REQUIRE AN OCCUPATIONAL LICENSING BOARD TO REQUEST AUTHORIZATION FROM THE COMMISSION BEFORE FILING A CIVIL ACTION; AND TO AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2055:** Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 9% OF THE SALES TAX REVENUE COLLECTED FROM BUSINESS ACTIVITIES OUTSIDE THE MUNICIPALITIES IN A COUNTY SHALL BE PAID TO THE COUNTY; TO AMEND SECTION 27-65-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2056:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF ROLLING FORK TO DEFRAY EXPENSES FOR THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2057:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) Thomas

**S. B. No. 2058:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 51-41-17 AND 25-11-105, MISSISSIPPI CODE OF 1972, TO ALLOW WATER AUTHORITIES AND THE MISSISSIPPI RURAL WATER ASSOCIATION TO ENTER AGREEMENTS WITH THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO INCLUDE EMPLOYEES IN THE STATE RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2059:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 17-25-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT COUNTIES AND MUNICIPALITIES FROM IMPOSING A SURCHARGE OR TRANSACTION FEE ON CERTAIN PAYMENTS BY CREDIT CARD, CHARGE CARD, DEBIT CARD OR OTHER FORM OF ELECTRONIC PAYMENT IN LIEU OF PAYMENT BY CASH, CHECK OR SIMILAR MEANS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2060:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF CONTRACTING WITH THE CITY OF JACKSON FIRE DEPARTMENT FOR PROVIDING FIRE PROTECTION FOR FISCAL YEAR 2023.

By Senator(s) Blount

**S. B. No. 2061:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 75-75-101 THROUGH 75-75-123, MISSISSIPPI CODE OF 1972, TO TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI ATHLETIC COMMISSION TO THE OFFICE OF THE SECRETARY OF STATE; TO AMEND SECTION 39-35-1, MISSISSIPPI CODE OF 1972, TO TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR COMMISSION TO THE OFFICE OF THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2062:** Finance

AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ELECTRONIC SMOKING DEVICE" AND "TOBACCO PRODUCT" FOR PURPOSES OF INCLUDING ELECTRONIC SMOKING DEVICES IN THE 15% EXCISE TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES; TO AMEND SECTIONS 27-69-13, 27-69-15 AND 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2063:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE A MUNICIPALITY IN WHICH MISSISSIPPI HIGHWAY 15 AND INTERSTATE 20 INTERSECT; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION IN THE APPLICABLE MUNICIPALITY, WITH A MAJORITY VOTING IN FAVOR OF THE QUALIFIED RESORT AREA, BEFORE THE MUNICIPALITY MAY BE DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2064:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-31-39, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE APPOINTMENT AND EMPLOYMENT OF PART-TIME LEGAL ASSISTANTS BY A DISTRICT ATTORNEY, SUBJECT TO THE AVAILABILITY OF FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2065:** Finance

AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXEMPT INDIVIDUALS 100 YEARS OF AGE AND OLDER FROM TAXATION ON INCOME; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2066:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2067:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE COURT ORDERS THE NONCUSTODIAL PARENT TO OBTAIN HEALTH INSURANCE COVERAGE FOR THE CHILD OR CHILDREN THEN THE

COURT SHALL TAKE INTO ACCOUNT THE COST OF THE COVERAGE IN ESTABLISHING THE CHILD SUPPORT AWARD; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2068:** Forestry

AN ACT TO AMEND SECTION 49-19-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF THE STATE FORESTRY COMMISSION TO APPOINT LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2069:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH PHASE II OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW HEADQUARTERS BUILDING FOR THE DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2070:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE COMMUNITY HEALTH AND WELLNESS CENTER, INC., IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS HEALTH CARE FACILITY IN ISOLA, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2071:** Agriculture; Judiciary, Division B

AN ACT TO AMEND SECTIONS 69-33-1 AND 69-33-9, MISSISSIPPI CODE OF 1972, AND TO BRING FORWARD SECTIONS 69-33-3, 69-33-5 AND 69-33-7, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIMINAL AND CIVIL PENALTIES FOR VIOLATING THE PROVISIONS OF THE PECAN HARVESTING LAW; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Younger, McCaughn

**S. B. No. 2072:** Finance

AN ACT TO AMEND SECTIONS 27-31-101 AND 27-31-103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A MUNICIPALITY ANNEXES AN AREA ALREADY CONTAINING AN ENTERPRISE OF A KIND OTHERWISE ELIGIBLE TO RECEIVE DISCRETIONARY AD VALOREM TAX EXEMPTIONS AS A NEW ENTERPRISE, SUCH ENTERPRISE SHALL BE CONSIDERED A "NEW ENTERPRISE" FOR PURPOSES OF THE MUNICIPALITY'S AUTHORITY TO GRANT THE DISCRETIONARY EXEMPTIONS; TO PROVIDE THAT THE DATE FROM WHICH THE INITIAL PERIOD OF EXEMPTION BEGINS SHALL BE THE EFFECTIVE DATE OF THE ANNEXATION OF THE AREA IN WHICH THE ENTERPRISE IS LOCATED; TO AMEND SECTIONS 27-31-104, 27-31-105, 27-31-107 AND 27-31-115 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2073:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER WHEN A MINOR IS PRESENT IN THE VEHICLE AT THE TIME OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. C. R. No. 501:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING PHILADELPHIA, MISSISSIPPI, AUTOMOBILE DEALER BILL GRIFFIS UPON HIS

NOMINATION FOR THE PRESTIGIOUS 2022 TIME DEALER OF THE YEAR AWARD  
RECOGNIZING HIS COMMUNITY SERVICE AND INDUSTRY ACCOMPLISHMENTS.

By Senator(s) Branning

**S. C. R. No. 502:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING  
FORMER MISSISSIPPI REPRESENTATIVE HONORABLE FRED L. BANKS, JR., ON  
THE OCCASION OF HIS RECEIPT OF THE PRESTIGIOUS "2021 LIFETIME  
ACHIEVEMENT AWARD" BY THE MISSISSIPPI BAR.

By Senator(s) Frazier

**S. C. R. No. 503:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF  
THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER SENATOR JOSEPH  
THOMAS (JO) STOGNER OF SANDY HOOK, MARION COUNTY, MISSISSIPPI, AND  
PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

By Senator(s) Hill

**S. C. R. No. 504:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE  
COLUMBIA HIGH SCHOOL "WILDCATS" FOOTBALL TEAM AND COACH CHIP  
BILDERBACK FOR WINNING THEIR FIRST MISSISSIPPI HIGH SCHOOL ACTIVITIES  
ASSOCIATION (MHSAA) CLASS 4A STATE CHAMPIONSHIP SINCE 1982.

By Senator(s) Hill

**S. C. R. No. 505:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF NFL HALL  
OF FAME RUNNING BACK WALTER PAYTON ON THE OCCASION OF THE  
DEDICATION OF "WALTER PAYTON FIELD" IN COLUMBIA, MISSISSIPPI.

By Senator(s) Hill

**S. C. R. No. 506:** Rules

A CONCURRENT RESOLUTION COMMENDING THE MISSISSIPPI  
HUMANITIES COUNCIL ON THE OCCASION OF ITS 50TH ANNIVERSARY AND  
EXTENDING THE THANKS OF THE LEGISLATURE FOR ITS SUPPORT OF  
HUMANITIES EDUCATION IN MISSISSIPPI UNIVERSITIES AND COMMUNITY  
COLLEGES.

By Senator(s) Blount

**S. C. R. No. 507:** Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING OF FORMER  
MISSISSIPPI FIRST LADY AND COMMUNITY ACTIVIST ELISE VARNER WINTER  
AND EXTENDING THE DEEPEST SYMPATHY AND CONDOLENCES OF THE  
LEGISLATURE.

By Senator(s) Blount

**S. C. R. No. 508:** Rules

A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE MISSISSIPPI  
PUBLIC HEALTH CAREER OF DR. ALTON COBB, RESPECTED VETERAN STATE  
HEALTH OFFICER AND FIRST EXECUTIVE DIRECTOR OF THE MISSISSIPPI  
MEDICAID COMMISSION AND AWARD WINNING ADVOCATE FOR MISSISSIPPI'S  
PUBLIC HEALTH SYSTEM, AND EXPRESSING THE CONDOLENCES OF THE  
LEGISLATURE TO HIS SURVIVING FAMILY.

By Senator(s) Blount, Kirby, Bryan

**S. C. R. No. 509:** Rules

A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI STATE PAROLE  
BOARD CHAIRMAN STEVEN PICKETT AS THE LONGEST SERVING CHAIRMAN ON

THE OCCASION OF HIS RETIREMENT AFTER 30 YEARS OF EFFECTIVE GOVERNMENT SERVICE.

By Senator(s) Blount

**S. C. R. No. 510:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI "BRAVES" BASEBALL TEAM THE AA AFFILIATE OF THE WORLD CHAMPIONSHIP ATLANTA BRAVES AND MANAGER DAN MEYER FOR WINNING THE DOUBLE-A SOUTH CHAMPIONSHIP SERIES AT TRUSTMARK PARK IN PEARL, MISSISSIPPI, THEIR FIRST LEAGUE CHAMPIONSHIP SINCE 2008.

By Senator(s) Kirby, Blount

**S. R. No. 1:** Rules

A RESOLUTION TO AMEND SENATE RULE 65 TO PROVIDE FOR THE REMOVAL OF MEMBERS OF THE RULES COMMITTEE.

By Senator(s) Blackwell

**S. R. No. 2:** Rules

A RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCLUDE AIRGUNS AND AIRBOWS WITH OTHER METHODS OF TAKE AS ITEMS TAXED THROUGH THE FEDERAL WILDLIFE RESTORATION PROGRAM (PITTMAN-ROBERTSON ACT).

By Senator(s) Blackwell

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SEVENTH DAY, MONDAY, JANUARY 10, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Chaplin Solon Smith, Baptist Hospital, Jackson, MS.

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

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

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senators Carter and DeLano moved that when the Senate adjourns, it adjourn in memory of Steve Brooks of Biloxi, MS.

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Senator Parker moved that when the Senate adjourns, it adjourn in memory of Leslie Michael Huddleston of Southaven, MS.

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Senators Younger and Blount moved that when the Senate adjourns, it adjourn in memory of Carol Carpenter of Columbus, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dorothy May Kimmel, Nancy Hughes Wood, Joyce Everett and Mickey Leroy Black of Greenwood, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Ralph Maury Dean of Oxford, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of C. E. "Bubba" Barton of Ebenezer, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Gerald Joullian Quave, Sr. of Panama City Beach, FL.

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Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Harrison McClain and Ashley Krebs of Hattiesburg, MS.

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Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Kenneth McCradle of Picayune, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Kenneth Shearer of Ridgeland, MS.

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Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Elizabeth Boone Knight Johnston of Cleveland, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lydia M. Dell of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Samuel Everett Dixon, III of Vaughan, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Actor/Film Director Sidney Poitier of Los Angeles, CA.

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Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Darion Milsap of Heidelberg, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Keith Geiger of Grenada, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of JC Kelly of Plantersville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Earnest Joe Wooten of Waynesboro, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 11, 2022.

The motion prevailed, and at 4:06 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 384:** AN ACT TO AMEND SECTION 23-15-1037, MISSISSIPPI CODE OF 1972, TO REAPPORTION THE CONGRESSIONAL DISTRICTS OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 384:** Mississippi Congressional district; reapportion. Rules.

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SENATE JOURNAL  
MONDAY, JANUARY 10, 2022

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dorothy May Kimmel, Nancy Hughes Wood, Kenneth Shearer, Elizabeth Boone Knight Johnston, Lydia M. Dell, Samuel Everett Dixon, III, Sidney Poitier, Steve Brooks, Leslie Michael Huddleston, Carol Carpenter, Darion Milsap, Keith Geiger, Joyce Everett, JC Kelly, Earnest Joe Wooten, Mickey Leroy Black, Ralph Maury Dean, C. E. "Bubba" Barton, Gerald Joullian Quave, Sr., Harrison McClain, Ashley Krebs and Kenneth McCradle.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, JANUARY 10, 2022

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EIGHTH DAY, TUESDAY, JANUARY 11, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Scott Sones, Unity Baptist Church, Pinola, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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MESSAGE FROM THE GOVERNOR  
January 7, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Theresa Brady Goldberg, Tupelo, Mississippi, State Board of Banking Review to represent the Third Supreme Court District, unexpired five year term effective immediately and ending March 23, 2026.

Gwendolyn Gayle (Wendi) Barrett, Ph.D., Biloxi, Mississippi, State Board of Education as the Schoolteacher representative, unexpired nine year term effective May 19, 2021 and ending June 30, 2027, vice Brittny Perry Rye.

Lee Ann Harper Griffin, Pharm.D., Jackson, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective August 1, 2021 and ending June 30, 2027.

Jeffery Blanton Belk, Vancleave, Mississippi, State Parole Board to serve as Chairman, term effective January 1, 2022 and the appointee shall serve at the will and pleasure of the Governor.

SFC James Max Fenn, Jr., USA, Ret., McComb, Mississippi, State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, unexpired five year term effective July 27, 2021 and ending May 31, 2026.

Charles Phillip (Phil) Buffington, Jr., Canton, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, vice Mr. Stephen Edds.

Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, remainder of a four year term beginning November 29, 2021 and ending June 30, 2023.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Theresa Brady Goldberg, State Board of Banking Review to represent the Third Supreme Court District, unexpired five year term effective immediately and ending March 23, 2026, Business and Financial Institutions.

Gwendolyn Gayle (Wendi) Barrett, Ph.D., State Board of Education as the Schoolteacher representative, unexpired nine year term effective May 19, 2021 and ending June 30, 2027, Education.

Lee Ann Harper Griffin, Pharm.D., State Board of Health as an individual with an interest in public health, unexpired six year term effective August 1, 2021 and ending June 30, 2027, Public Health and Welfare.

Jeffery Blanton Belk, State Parole Board to serve as Chairman, term effective January 1, 2022 and the appointee shall serve at the will and pleasure of the Governor, Corrections.

SFC James Max Fenn, Jr., USA, Ret., State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, unexpired five year term effective July 27, 2021 and ending May 31, 2026, Veterans and Military Affairs.

Charles Phillip (Phil) Buffington, Jr., Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, Judiciary, Division A.

Anne Hall (Anne Hall) Brashier, Mississippi Commission on the Status of Women representing an At-Large appointment, remainder of a four year term beginning November 29, 2021 and ending June 30, 2023, Rules.

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Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Earnest Byrd of Pachuta, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Jerry Eugene Clements of Southaven, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Edward Johnson of Moss Point, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jeff Vance of Grenada, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jennifer Griffis, James Ginn, Arnold Gustafson, Jr., Carolyn Lohman, James Allen, Marjorie Crosby, Mark Metz and Julianna Hudson of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Ivan Vega, Janelle Kern, Joshua Ladner, James Hightower, Jr., Sherry Wascom, C. Richard Avery and Kathryn Lindquist of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Rodney McGoey, Sr., Celine Nederveld, Christine Ross, Richard Altsman, Philip Rosen, James Johnson and Frank Palisi, Jr. of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Minda Probus, Jerry Malley, Levi Buckley, Mike Mate, Angalene Fisher, Helen Scarborough and Betty Vanzandt of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Dr. Gary Goulet, Will Hayden, Jerrie Trowbridge, Marlene Ladner, Kenneth Warren, Sr. and Odelia Wendling of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Brandon Lerner, John Menasco, Darr Sullivan, Jr., Kenneth Gregory, Dennis Dubuisson and Rogelio "Roger" Chacon of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Cayce Seal, Michael Blaize, Lillian Lott, Pamela Geisel, Susan Boes, Terence Sbisà and Thomas Morel of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Patricia "Patsy" McLain, Donald Strong, Patricia Pitalo, Elaine Hamilton, Judy Davis and Betty Lou Johnston of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Margaret Cuevas, Karl Stockstill, Merle Haas, Ed Henderson, Nelwyn "Nel" Ducomb, Ramon Faul and Frances "Lennette" Nacaise of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Yvonne Barrilleaux, Martin Louis Vanbenthuisen, Howard Dorris, Henry Tomasich, Linda Favre, Elliott Nacaise and Dorance Myers of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of James Athanaelos, Jr., Donald "Don" Griffith and Charles "Joe" Peterson of Gulfport, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of David LeBlanc, Sr. and Dinah "Dino" LeBlanc of Lakeshore, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jeannine Baker, Christophe Payet and Jeanne Smith of Waveland, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 12, 2022.

The motion prevailed, and at 10:12 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

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

**H. B. No. 384:** Mississippi Congressional district; reapportion. Title Sufficient. Do Pass.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jerry Eugene Clements, Earnest Byrd, Mark Metz, Julianna Hudson, Ivan Vega, Janelle Kern, Joshua Ladner, James Hightower, Jr., Sherry Wascom,

C. Richard Avery, Kathryn Lindquist, Rodney McGoey, Sr., Edward Johnson, Celine Nederveld, Christine Ross, Richard Altzman, Philip Rosen, James Johnson, Frank Palisi, Jr., Minda Probus, Jerry Malley, Levi Buckley, Mike Mate, Jeff Vance, Angalene Fisher, Helen Scarborough, Betty Vanzandt, Dr. Gary Goulet, Will Hayden, Jerrie Trowbridge, Marlene Ladner, Kenneth Warren, Sr., Odelia Wendling, Brandon Lerner, Jennifer Griffis, John Menasco, Darr Sullivan, Jr., Kenneth Gregory, Dennis Dubuisson, Rogelio "Roger" Chacon, Cayce Seal, Michael Blaize, Lillian Lott, Pamela Geisel, Susan Boes, James Ginn, Terence Sbisa, Thomas Morel, Patricia "Patsy" McLain, Donald Strong, Patricia Pitalo, Elaine Hamilton, Judy Davis, Betty Lou Johnston, Margaret Cuevas, Karl Stockstill, Arnold Gustafson, Jr., Merle Haas, Ed Henderson, Nelwyn "Nel" Ducomb, Ramon Faul, Frances "Lennette" Nacaise, Yvonne Barrilleaux, Martin Louis Vanbenthuyssen, Howard Dorris, Henry Tomasich, Linda Favre, Carolyn Lohman, Elliott Nacaise, Dorance Myers, Donald "Don" Griffith, Charles "Joe" Peterson, David LeBlanc, Sr., Dinah "Dino" LeBlanc, Jeannine Baker, Christophe Payet, Jeanne Smith, James Athanaelos, Jr., James Allen and Marjorie Crosby.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, JANUARY 11, 2022

**S. B. No. 2074:** Highways and Transportation

AN ACT TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "KOREAN WAR VETERANS HIGHWAY"; TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "VIETNAM VETERANS WAY"; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2075:** Highways and Transportation

AN ACT TO DESIGNATE A CERTAIN INTERSECTION ON INTERSTATE 22 IN LEE COUNTY, MISSISSIPPI, AS THE "SHERIFF HAROLD RAY PRESLEY MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2076:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-27-71, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES, LAW ENFORCEMENT OR OTHER PUBLIC ENTITIES TO INITIATE AND UTILIZE THE DERELICT VESSEL REMOVAL PROCEDURES WITHOUT FIRST FILING APPLICATION WITH THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AND TO PROVIDE FOR THE DEPOSIT OF ANY COURT ORDERED REIMBURSED COSTS OR DAMAGES FOR SUCH REMOVAL; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2077:** Agriculture; Appropriations

AN ACT TO CREATE THE "MISSISSIPPI FARMS AND FAMILIES PROGRAM" WHICH REQUIRES THE DEPARTMENT OF AGRICULTURE AND COMMERCE, SUBJECT TO APPROPRIATION, TO FUND QUALIFIED MISSISSIPPI NONPROFITS TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Whaley

**S. B. No. 2078:** Finance

AN ACT TO AMEND SECTION 29-5-215, MISSISSIPPI CODE OF 1972, TO INCREASE THE BORROWING AUTHORITY OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION, FROM \$7,000,000.00 TO \$14,000,000.00, FOR THE PURPOSE OF PAYING THE COSTS OF IMPLEMENTING AND ADMINISTERING THE IMPROVEMENT PROJECTS IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT COMPREHENSIVE PLAN, AND TO ADD USE TAX REVENUE AS A SOURCE OF FUNDING FOR THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO DIVERT TO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND A CERTAIN PORTION OF USE TAX REVENUE BASED ON THE PERCENTAGE OF THE MISSISSIPPI POPULATION RESIDING IN THE CITY OF JACKSON; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2079:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-43-3.103, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT SPECIFIC NOTICE OF PROPOSED RULE ADOPTION BE GIVEN TO THE LEGISLATURE BY STATE AGENCIES USING ELECTRONIC MEANS; TO AMEND SECTION 25-43-3.111, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2080:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THERE SHALL BE A 10% PUBLIC BID PREFERENCE FOR AWARDING CONTRACTS FOR COMMODITIES TO RESIDENT VENDORS OVER A VENDOR WHOSE PRINCIPAL PLACE OF BUSINESS IS LOCATED OUTSIDE OF THE UNITED STATES UNLESS THE NONRESIDENT VENDOR HAS A FACTORY OR PROCESSING PLANT IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2081:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL OF APPOINTED STATE OFFICERS FOR CERTAIN FORMS OF WILLFUL NEGLIGENCE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2082:** Finance

AN ACT TO PHASE IN AN AD VALOREM TAX EXEMPTION ON ALL COMMODITIES, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE BY ANY SMALL BUSINESS WITH AN ANNUAL NET REVENUE OF LESS THAN \$2,000,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2083:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A PUBLIC BODY ENTERS INTO EXECUTIVE SESSION, THE BODY MUST INVITE ANY MEMBER OF ITS LEGISLATIVE ADVISORY OR OVERSIGHT COMMITTEE, IF PRESENT, TO STAY DURING THE EXECUTIVE SESSION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2084:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO IMPLEMENT THE MISSISSIPPI FARM AND FAMILIES PROGRAM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2085:** Rules

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

By Senator(s) Barnett

**S. B. No. 2086:** Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE MAXIMUM SALARY PAID TO A CRIMINAL INVESTIGATOR IN THE OFFICE OF THE DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2087:** Accountability, Efficiency, Transparency; Judiciary, Division A

AN ACT TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL OFFICIAL MEETINGS OF ANY PUBLIC BODY, EXCEPT FOR EXECUTIVE SESSIONS, TO BE BROADCAST VIA VIDEO LIVESTREAMING APPLICATIONS ON THE FRONT PAGE OF THE OFFICIAL WEBSITE OF EACH RESPECTIVE AGENCY, TO REQUIRE THAT INFORMATION TO BE INCLUDED IN ALL PUBLIC NOTICES, TO REQUIRE THAT INFORMATION TO BE TRANSMITTED TO THE OFFICE OF SECRETARY OF STATE WHICH SHALL MAINTAIN A WEBSITE LINK TO EACH AGENCY'S LIVESTREAMING APPLICATION, AND TO PROVIDE THAT ANY ACTION TAKEN BY A PUBLIC BODY FAILING TO COMPLY WITH LIVESTREAMING REQUIREMENTS IS VOID AND OF NO EFFECT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2088:** Ethics; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-4-25, MISSISSIPPI CODE OF 1972, TO REQUIRE MEMBERS OF GOVERNING AUTHORITIES OF ANY COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE CHARGED WITH THE ADMINISTRATION OR EXPENDITURE OF PUBLIC FUNDS TO FILE A STATEMENT OF ECONOMIC INTEREST WITH THE MISSISSIPPI ETHICS COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2089:** Appropriations; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A STATUTORY LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2090:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI BOOK FESTIVAL; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2091:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF LUNG CANCER AWARENESS; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2092:** Tourism; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) TO REVIEW, IN 2024 AND EVERY FOUR YEARS THEREAFTER, ADVERTISING AND MARKETING EFFORTS PAID FOR THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TOURISM ADVERTISING FUND, INCLUDING THE EFFECTIVENESS OF ATTRACTING OUT-OF-STATE VISITORS, THE EFFECTIVENESS OF DIGITAL ADVERTISING EFFORTS, AND THE ADMINISTRATION AND OVERSIGHT BY MDA REGARDING TOURISM ADVERTISING FUND EXPENDITURES; TO REQUIRE PEER TO PROVIDE A REPORT TO THE LIEUTENANT GOVERNOR, THE SPEAKER OF THE HOUSE, THE CHAIRS OF THE SENATE AND HOUSE TOURISM COMMITTEES, AND THE GOVERNOR NO LATER THAN DECEMBER 1, 2024, AND EVERY FOUR YEARS THEREAFTER; TO ALLOW PEER TO CONTRACT WITH A PRIVATE CONTRACTOR TO CONDUCT THE REVIEW OR ANY PART THEREOF; TO PROVIDE FOR THE PAYMENT OF THE PRIVATE CONTRACTOR; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2093:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2094:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE RURAL FIRE TRUCK FUND FOR THE PURPOSE OF PROVIDING FUNDS FOR AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR THE FISCAL YEAR 2023.

By Senator(s) Hill

**S. B. No. 2095:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO REQUIRE A PATIENT TO RECEIVE A WRITTEN CERTIFICATION FROM A QUALIFIED PRACTITIONER TO QUALIFY FOR A REGISTRY IDENTIFICATION CARD FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE PROCESS BY WHICH A PATIENT MAY REGISTER AS A CARDHOLDER FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS AND MEDICAL CANNABIS ESTABLISHMENTS FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE FOR THE ALLOWABLE AMOUNT OF MEDICAL CANNABIS BY A QUALIFIED PATIENT; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND REGISTRATIONS TO QUALIFYING FACILITIES; TO PROVIDE FOR THE LICENSING OF CANNABIS RESEARCH FACILITIES, TESTING FACILITIES, TRANSPORTATION ENTITIES AND PROCESSING FACILITIES; TO ALLOW FOR A DEDUCTION FROM INCOME TAXES FOR ALL OF THE ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A BUSINESS AS A MEDICAL CANNABIS ESTABLISHMENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF HEALTH SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE MEDICAL CANNABIS PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO DELEGATE THE RESPONSIBILITIES FOR INSPECTION, REGULATION AND ENFORCEMENT OF CANNABIS CULTIVATION FACILITIES, CANNABIS PROCESSING FACILITIES, CANNABIS TRANSPORTATION ENTITIES AND CANNABIS DISPOSAL ENTITIES TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL LICENSE THESE ENTITIES, CANNABIS TESTING FACILITIES AND CANNABIS RESEARCH FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH TO REGISTER QUALIFIED PRACTITIONERS AND GRANT REGISTRY IDENTIFICATION CARDS TO QUALIFIED

PATIENTS AND DESIGNATED CAREGIVERS; TO PROVIDE FOR A STATEWIDE SEED-TO-SALE TRACKING SYSTEM; TO PROVIDE FOR DEADLINES FOR THE IMPLEMENTATION OF THE PROGRAM; TO PROVIDE FOR CERTAIN LIMITATIONS OF THE APPLICATION OF THE ACT; TO PROVIDE THAT THE ACT DOES NOT AUTHORIZE ANY INDIVIDUAL TO ENGAGE IN NOR PREVENT THE IMPOSITION OF ANY CIVIL, CRIMINAL OR OTHER PENALTIES FOR CERTAIN ACTS RELATED TO THE USE OF MEDICAL CANNABIS; TO PROVIDE THAT CERTAIN DISCRIMINATORY ACTS AGAINST MEDICAL CANNABIS CARDHOLDERS ARE PROHIBITED; TO PROVIDE FOR PROCESS OF THE ADDITION OF DEBILITATING MEDICAL CONDITIONS BY THE DEPARTMENT OF HEALTH; TO PROVIDE THAT NOTHING IN THE ACT PROHIBITS AN EMPLOYER FROM DISCIPLINING AN EMPLOYEE FOR INGESTING MEDICAL CANNABIS IN THE WORKPLACE OR FOR WORKING WHILE UNDER THE INFLUENCE OF MEDICAL CANNABIS; TO PROVIDE THAT NOTHING IN THE ACT REQUIRES A GOVERNMENT MEDICAL ASSISTANCE PROGRAM OR PRIVATE INSURER TO REIMBURSE A PERSON FOR COSTS ASSOCIATED WITH THE MEDICAL USE OF MEDICAL CANNABIS; TO REQUIRE THE DEPARTMENT OF HEALTH, DEPARTMENT OF AGRICULTURE AND COMMERCE AND THE DEPARTMENT OF REVENUE TO PROVIDE ANNUAL REPORTS TO THE GOVERNOR AND CERTAIN MEMBERS OF THE LEGISLATURE; TO REQUIRE THE DEPARTMENT OF HEALTH TO MAINTAIN A CONFIDENTIAL LIST OF REGISTRY IDENTIFICATION CARDS; TO REQUIRE CERTAIN NOTIFICATIONS FROM QUALIFYING PATIENTS; TO PROVIDE FOR THE FEES FOR LICENSES OF MEDICAL CANNABIS ESTABLISHMENTS; TO ALLOW MUNICIPALITIES AND COUNTIES TO ENACT ORDINANCES OR REGULATIONS NOT IN CONFLICT WITH THE ACT; TO PROHIBIT MEDICAL CANNABIS ESTABLISHMENTS FROM BEING LOCATED WITHIN 1,000 FEET OF THE NEAREST BOUNDARY LINE OF ANY SCHOOL, CHURCH OR CHILD CARE FACILITY UNLESS IT HAS RECEIVED A WAIVER; TO PROVIDE CERTAIN REQUIREMENTS, PROHIBITIONS AND PENALTIES FOR MEDICAL CANNABIS ESTABLISHMENTS; TO PROVIDE THAT NO MEDICAL CANNABIS ESTABLISHMENT SHALL SELL CANNABIS FLOWER OR TRIM THAT HAS A POTENCY OF GREATER THAN 30% TOTAL THC; TO REQUIRE ALL MEDICAL CANNABIS PRODUCTS TO CONTAIN A NOTICE OF HARM REGARDING THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE WEEKLY AND MONTHLY ALLOWABLE AMOUNT OF MEDICAL CANNABIS; TO PROVIDE THE POSSESSION LIMIT OF MEDICAL CANNABIS FOR RESIDENT AND NONRESIDENT CARDHOLDERS; TO REQUIRE THE DEPARTMENT OF HEALTH, DEPARTMENT OF AGRICULTURE AND COMMERCE AND THE DEPARTMENT OF REVENUE TO ESTABLISH AND PROMULGATE RULES AND REGULATIONS RELATING TO THE PROGRAM; TO ESTABLISH VIOLATIONS RELATED TO THE USE OF MEDICAL CANNABIS AND THE PROGRAM; TO PROVIDE FOR FINES, SUSPENSIONS AND REVOCATIONS FOR VIOLATIONS OF THE ACT; TO PROVIDE THAT BANKS SHALL NOT BE HELD LIABLE FOR PROVIDING FINANCIAL SERVICES TO A MEDICAL CANNABIS ESTABLISHMENT; TO IMPOSE AN EXCISE TAX ON MEDICAL CANNABIS CULTIVATION FACILITIES AT A RATE OF 5% OF THE SALE PRICE OF CANNABIS TRIM OR CANNABIS FLOWER; TO REQUIRE DISPENSARIES TO COLLECT AND REMIT THE SALES TAX LEVIED IN SECTION 27-65-17(1)(a) FROM THE GROSS PROCEEDS OF EACH SALE OF MEDICAL CANNABIS; TO ALLOW THE GOVERNING AUTHORITIES OF MUNICIPALITIES AND BOARD OF SUPERVISORS OF COUNTIES TO OPT OUT OF ALLOWING THE PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE ACT; TO PROVIDE FOR THE REFERENDUM PROCESS FOR A MUNICIPALITY OR COUNTY TO OPT INTO ALLOWING THE CULTIVATION, PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS IN A MUNICIPALITY OR COUNTY THAT HAS OPTED OUT; TO PROVIDE FOR THE JUDICIAL REVIEW FOR THOSE AGGRIEVED BY A FINAL DECISION OR ORDER RELATED TO THE MEDICAL CANNABIS PROGRAM; TO REQUIRE ALL FINES AND FEES COLLECTED BY THE DEPARTMENT OF HEALTH AND DEPARTMENT OF REVENUE TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO ESTABLISH A MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO TEMPORARILY EXEMPT ACQUISITIONS OF

INFORMATION TECHNOLOGY EQUIPMENT AND SERVICES MADE BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE, THE MISSISSIPPI DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT, FROM MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES PROCUREMENT LAWS, RULES, AND REGULATIONS; TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH, STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, STATE DEPARTMENT OF REVENUE, AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE MEDICAL MARIJUANA PROGRAM ESTABLISHED UNDER THIS ACT; TO AMEND SECTION 37-11-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TERM CONTROLLED SUBSTANCE SHALL NOT INCLUDE THE POSSESSION OR USE OF MEDICAL CANNABIS THAT IS LAWFUL UNDER THIS ACT; TO AMEND SECTIONS 27-7-17, 27-65-111, 33-13-520, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141, 41-29-143, 43-21-301, 43-21-303, 45-9-101, 59-23-7, 63-11-30, 71-3-7, 71-3-121, 73-15-29, 73-19-23, 73-21-127, 73-25-29 AND 83-9-22, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 17-1-3, 19-5-9, 25-43-1.103, 25-43-2.101, 25-43-3.102, 25-43-3.103, 25-43-3.104, 25-43-3.105, 25-43-3.106, 25-43-3.107, 25-43-3.109, 25-43-3.110 AND 25-43-3.113, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW AND THE PROVISIONS RELATING TO THE ADOPTION OF BUILDING CODES IN COUNTIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-43-3.108, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR POWERS AND DUTIES OF THE STATE BOARD OF HEALTH, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 27-7-22.5 AND 27-7-22.30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTIONS; TO AMEND SECTIONS 27-31-51 AND 27-31-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL PROPERTY OF MEDICAL CANNABIS ESTABLISHMENTS IS NOT ELIGIBLE FOR FREEPORT WAREHOUSE AD VALOREM TAX EXEMPTIONS; TO AMEND SECTIONS 27-31-101 AND 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL AUTHORITIES CANNOT GRANT CERTAIN AD VALOREM TAX EXEMPTIONS FOR MEDICAL CANNABIS ESTABLISHMENTS OR ENTER INTO FEE-IN-LIEU OF AD VALOREM TAX AGREEMENTS WITH MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT CONSIDERED TO BE TECHNOLOGY INTENSIVE ENTERPRISES FOR PURPOSES OF THE REDUCED SALES TAX RATE AUTHORIZED FOR SALES OF MACHINERY AND MACHINE PARTS TO TECHNOLOGY INTENSIVE ENTERPRISES; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN INDUSTRIAL SALES TAX EXEMPTIONS DO NOT APPLY TO SALES TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "INVESTOR" UNDER THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "EXTRAORDINARY ECONOMIC DEVELOPMENT OPPORTUNITY" FOR PURPOSES OF THE ACE FUND; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PROJECT" FOR PURPOSES OF THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AMEND SECTION 57-10-401, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF

THE TERM "ELIGIBLE COMPANY" FOR PURPOSES OF THE SECTIONS OF LAW THAT PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO AMEND SECTION 57-61-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PRIVATE COMPANY" UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-62-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "QUALIFIED BUSINESS OR INDUSTRY" UNDER THE MISSISSIPPI ADVANTAGE JOBS ACT; TO AMEND SECTION 57-69-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "MINORITY BUSINESS ENTERPRISE" AND "MINORITY BUSINESS ENTERPRISE SUPPLIER" UNDER THE MISSISSIPPI MINORITY BUSINESS ENTERPRISE ACT; TO AMEND SECTION 57-71-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF PRIVATE COMPANY; TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTION; TO AMEND SECTION 57-80-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE GROWTH AND PROSPERITY ACT; TO AMEND SECTION 57-85-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "PROJECT" AND "RURAL BUSINESS" UNDER THE MISSISSIPPI RURAL IMPACT ACT; TO AMEND SECTION 57-91-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE ECONOMIC REDEVELOPMENT ACT; TO AMEND SECTION 57-117-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HEALTH CARE INDUSTRY FACILITY" AND "QUALIFIED BUSINESS" UNDER THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE FROM THE GULF COAST RESTORATION FUND FOR PROJECTS THAT ARE MEDICAL CANNABIS ESTABLISHMENTS OR PROJECTS RELATED TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 65-4-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HIGH ECONOMIC BENEFIT PROJECT" AND "PRIVATE COMPANY" UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTIONS 69-2-11 AND 69-2-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE TO MEDICAL CANNABIS ESTABLISHMENTS UNDER THE MISSISSIPPI FARM REFORM ACT OF 1987; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2096:** Insurance; Appropriations

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. C. R. No. 511:** Rules

A CONCURRENT RESOLUTION TO PROVIDE FOR THE SELECTION AND AUTHORITY OF COMMISSIONERS TO ATTEND AN ARTICLE V CONVENTION CALLED FOR PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION.

By Senator(s) Hill

**S. C. R. No. 512:** Rules

A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LEGACY OF FORMER POW AND RETIRED AIR FORCE COLONEL CARLYLE "SMITTY" HARRIS AND EXTENDING THE CONGRATULATIONS OF THE LEGISLATURE TO SMITTY AND HIS FAMILY ON THE OCCASION OF THE DEDICATION OF THE UNITED STATES POST OFFICE IN TUPELO, MISSISSIPPI, TO BE NAMED IN HIS HONOR.

By Senator(s) McMahan, Bryan

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NINTH DAY, WEDNESDAY, JANUARY 12, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Jim Genesse, Senior Pastor, First United Methodist Church, Starkville, MS.

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

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

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

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

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Senator Kirby called up the following entitled bill:

**H. B. No. 384:** Mississippi Congressional district; reapportion.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND by striking lines 9 through 76 in their entirety and inserting in lieu thereof the following:

FIRST DISTRICT. — The First Congressional District shall be composed of the following counties and portions of counties:

Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, DeSoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, Webster \* \* \*; \* \* \* in Winston County, the precincts of County Agent, \*Shiloh and Zion Ridge.

SECOND DISTRICT. — The Second Congressional District shall be composed of the following counties and portions of counties:

Attala, Bolivar, Carroll, Claiborne, Coahoma, Copiah, Grenada, Hinds, Holmes, Humphreys, Issaquena, Jefferson, Leake, Leflore, Montgomery, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, Yalobusha, Yazoo; \* \* \* in Madison County the precincts of \* \* \* Anderson Lodge, Camden, Cameron, Canton Bible Church, Canton Catholic Parish Center, Canton Community Center, Canton Fire Station #4, Canton National Guard Armory, Canton South Liberty, Canton St. Paul Methodist, Cedar Grove, Colonial Heights, Couparle, Farmhaven Fire Station, Fellowship Bible Church, Ferns Chapel Freewill, Franklin Baptist Church, \*Grace Crossing, Greater Mt. Levi Church, Highland Colony Baptist Church, Madison County Baptist Family Life Center, Magnolia Heights, Mark Apartments, Mount Hope, Pleasant Gift Church, Pleasant Green, Ridgeland First Methodist Church, Ridgeland Recreational Center, Tougaloo and Trace Ridge.

THIRD DISTRICT. — The Third Congressional District shall be composed of the following counties and portions of counties:

Adams, Amite, Clarke, \* \* \* Covington, Franklin, Jasper, Jefferson Davis, Kemper, Lauderdale, \* \* \* Lawrence, Lincoln, Marion, Neshoba, Newton, Noxubee, Oktibbeha, Pike, Rankin, Scott, Simpson, Smith, \* \* \* Walthall and Wilkinson; in Jones County the precincts of \* \* \* \*Blackwell, Gitano, Hebron, Matthews, Mauldin Community Center, Shady Grove \* \* \* and Soso; \* \* \* in Madison County, the precincts of First Presbyterian, China Grove, First Baptist, Gluckstadt, \*Grace Crossing, Lake Caroline Clubhouse, New Life, NorthBay, Parkway Church, SunnyBrook, Twin Lakes Baptist, Vertical Church, Victory Baptist Church and Victory Christian; in Winston County, the precincts of American Legion, East Winston, Fairground, Lovorn Tractor, Mars Hill, Mill Creek, Nanih Waiya, New National Guard Armory, Noxapater and \*Shiloh.

FOURTH DISTRICT. — The Fourth Congressional District shall be composed of the following counties and portions of counties:

\* \* \* Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Pearl River, Perry, Stone, Wayne; in Jones County, the precincts of Antioch, \*Blackwell, Bruce, Calhoun, Centerville, County Barn, Currie, Erata, G.V. Harrison Multipurpose Building, Glade School, Johnson, Landrum Community Center, Lt. Ellis Center, Magnolia Center, Moselle, Myrick, North Laurel, Oak Park School, Ovet, Parkview Baptist Church, Pinegrove, Pleasant Ridge, Powers Community Center, Rainey, Rustin, Sandersville Civic Center, Sandhill, Sharon, Shelton, Tuckers, Union and West Ellisville.

\* \* \*

Amendment No. 1 to H. B. No. 384 failed.

Senator Turner-Ford offered the following AMENDMENT NO. 2.

AMEND by striking lines 9 through 76 in their entirety and inserting in lieu thereof the following:

FIRST DISTRICT. — The First Congressional District shall be composed of the following counties and portions of counties:

Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, DeSoto, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunica, Union, Webster \* \* \*, Winston; \* \* \* in DeSoto County the precincts of Alpha Cockrum, Baker's Chapel, Bridgetown, Colonial Hills, Cumberland, DeSoto Central, Elmore, Endora, Fairhaven, Greenbrook North, Greenbrook South, Hack's Cross, Hernando Central, Hernando East, Hernando West, Horn Lake Central, \*Horn Lake East, Horn Lake High School, Horn Lake Intermediate School, \*Horn Lake North, Horn Lake West, Ingram's Mill, Lewisburg, Lewisburg East, Love, Miller, Mineral Wells, Nesbit East, Nesbit West, Northwest Community College, Olive Branch East, Olive Branch North, Olive Branch South, Olive Branch West, Pleasant Hill North, Southhaven North, Southhaven South, \*Southhaven West and Summershill; in Tate County the precincts of Coldwater, Independence, Looxahoma, Palestine, Poagville 4, Poagville 5, Senatobia 3, Senatobia No. 1, Senatobia No. 2, Senatobia No. 4, Sherrod, Taylor, Thyatira, Tyro and Wyatte; in Tunica County the precinct of \*Robinsonville.

SECOND DISTRICT. — The Second Congressional District shall be composed of the following counties and portions of counties:

Attala, Bolivar, Carroll, \* \* \* Coahoma, DeSoto, Grenada, Hinds, Holmes, Humphreys, Issaquena, \* \* \* Leake, Leflore, Madison, Montgomery, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica, Warren, Washington, Yalobusha, Yazoo; \* \* \* in DeSoto County the precincts of \*Horn Lake East, \*Horn Lake North, Lake Cormorant, \*Southhaven West and Walls; in Leake County the precincts of Conway, \*Ofahoma, Thomastown and \*Wiggins; in Tate County the precincts of Arkabutla, Evansville, Sarah, Strayhorn 1 and Strayhorn 2; in Tunica County the precincts of Banks/Hambrick, Mhoon Landing, New Sub, Prichard, \*Robinsonville, Superintendent of Education, Tunica Auditorium, Two Mile Lake, West End Store, White Oak and WIN Job Center.

THIRD DISTRICT. — The Third Congressional District shall be composed of the following counties and portions of counties:

Adams, Amite, Claiborne, Clarke, \* \* \* Copiah, Covington, Franklin, Jasper, Jefferson Davis, Jefferson, Jones, Kemper, Lauderdale, \* \* \* Lawrence, Leake, Lincoln, Marion, Neshoba, Newton, Noxubee, Oktibbeha, Pike, Rankin, Scott, Simpson, Smith, \* \* \* Walthall, Wilkinson; in Jones County the precincts of \* \* \* Magnolia Center, North Laurel, \*Parkview Baptist Church and Sharon \* \* \*; \* \* \* in Leake County \* \* \* the precincts of East Carthage, Ebenezer, Edinburg, Freeny, Good Hope, Lena, Madden, North Carthage, \*Ofahoma, Renfro, Salem, Singleton, South Carthage, Sunrise, Walnut Grove, West Carthage and \*Wiggins.

FOURTH DISTRICT. — The Fourth Congressional District shall be composed of the following counties and portions of counties:

\* \* \* Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone, Wayne; in Jones County the precincts of Antioch, Blackwell, Bruce, Calhoun, Centerville, County Barn, Currie, Erata, G.V. Harrison Multipurpose Building, Gitano, Glade School, Hebron, Johnson, Landrum Community Center, Lt. Ellis Center, \*Magnolia Center, Matthews, Mauldin Community Center, Moselle, Myrick, Oak Park School, Ovett, \*Parkview Baptist Church, Pinegrove, Pleasant Ridge, Powers Community Center, Rainey, Rustin, Sandersville Civic Center, Sandhill, Shady Grove, Shelton, Soso, Tuckers, Union and West Ellisville.

\* \* \*

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to H. B. No. 384 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--16.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Williams, Younger. Total--34.

Absent and those not voting----None.

Voting Present--Sojourner, Wiggins. Total--2.

Senator Blount moved to reconsider the vote whereby Amendment No. 1 to **H. B. No. 384** failed to be adopted by the Senate.

YEAS AND NAYS. The yeas and nays being taken, the foregoing motion failed by the following vote:

Yeas--Barnett, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Williams, Younger. Total--34.

Absent and those not voting--Blackmon, Hill. Total--2.

Voting Present--Wiggins. Total--1.

YEAS AND NAYS On H. B. No. 384. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Williams, Younger. Total--33.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, McDaniel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford. Total--18.

Absent and those not voting----None.

Voting Present--Wiggins. Total--1.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Martha Lynn Cato Lofton, Willie Albert "Doc" Harrison, Patsy Beck Warren and Joe M. Douglas of Brookhaven, MS.

\_\_\_\_\_  
Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Sonia Foster Goode, Jimmy Ashley Selman and Clifford Dale Barnes of Monticello, MS.

\_\_\_\_\_  
Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Judith McGraw Burns of Ruth, MS.

Senators England and Suber moved that when the Senate adjourns, it adjourn in memory of Paul Donald White of Escatawpa, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mary Craft of Mendenhall, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Caroline McCollum Simrall Hood of Vicksburg, MS.

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Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 13, 2022.

The motion prevailed, and at 11:48 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

**S. B. No. 2097:** MS Real Estate Commission; require to establish pilot program using administrative hearing officers. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create. Title Sufficient. Do Pass.

BRYAN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Martha Lynn Cato Lofton, Willie Albert "Doc" Harrison, Caroline McCollum Simrall Hood, Patsy Beck Warren, Joe M. Douglas, Sonia Foster Goode, Jimmy Ashley Selman, Clifford Dale Barnes, Judith McGraw Burns, Paul Donald White and Mary Craft.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, JANUARY 12, 2022

**S. B. No. 2097:** Business and Financial Institutions

AN ACT TO AMEND SECTION 73-35-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REAL ESTATE COMMISSION TO ESTABLISH A PROGRAM ALLOWING ADMINISTRATIVE HEARINGS ON CERTAIN LICENSING MATTERS UNDER ITS JURISDICTION; TO PROVIDE THAT ADMINISTRATIVE HEARING OFFICERS SHALL BE STAFF ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL; TO PROHIBIT CERTAIN COMMUNICATIONS BY THE COMMISSION PRIOR TO DELIVERY OF NOTICE TO THE LICENSEE'S RESPONSIBLE BROKER; TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKEN BY A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION SHALL ACT AS AN AUTOMATIC SUPERSEDEAS; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Tate, Thompson, DeLano, Boyd, Hickman, Chism, Whaley, McCaughn, Seymour, Moran, England, McMahan, Caughman, Barnett, Younger, Suber, McLendon, Jackson (11th), Branning, Thomas, Polk, Williams

**S. B. No. 2098:** Education

AN ACT TO CREATE NEW SECTION 37-13-56, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EVERY PUBLIC AND CHARTER SCHOOL WITHIN THE STATE SHALL TEACH CIVICS AND GOVERNMENT COURSES STARTING IN THE EIGHTH GRADE AND BEFORE THE COMPLETION OF TWELFTH GRADE; TO PROVIDE THAT THE COURSES SHALL FOCUS ON INCREASING STUDENTS' KNOWLEDGE OF THE ORGANIZATION OF THE GOVERNMENT OF THE UNITED STATES AND THE STATE OF MISSISSIPPI; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL PRESCRIBE THE COURSE OF STUDY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2099:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO DEFINE EMPLOYERS AND EMPLOYEES SUBJECT TO THE MINIMUM WAGE LAW; TO EMPOWER THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO ENFORCE AND ADMINISTER THE PROVISIONS OF THE MINIMUM WAGE LAW; TO PROVIDE CRIMINAL PENALTIES AND A CIVIL CAUSE OF ACTION AGAINST EMPLOYERS FOR VIOLATIONS OF THE MINIMUM WAGE LAW; TO AMEND SECTION 17-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING AUTHORITIES, IN THEIR DISCRETION, TO MANDATE A WAGE THAT IS MORE THAN THE STATE MINIMUM WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2100:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE MEDICAL EXAMINER DETERMINES THE DIRECT CAUSE OF DEATH WAS THE RESULT OF CORONAVIRUS 2 OR ANY VIRUS ASSOCIATED WITH OR MUTATED FROM THE VIRUS THAT CAUSED THE CORONAVIRUS DISEASE 2019 (COVID-19), THE MEDICAL EXAMINER SHALL REPORT THAT THE COVID DISEASE WAS THE CAUSE OF DEATH ON THE CERTIFICATE OF DEATH; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2101:** Education; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS IN MISSISSIPPI; TO AUTHORIZE AND DIRECT THE STATE FIRE MARSHAL TO PROVIDE REQUIREMENTS FOR TESTING AND INSPECTING

CARBON MONOXIDE DETECTION AND WARNING EQUIPMENT INSTALLED IN PUBLIC OR NONPUBLIC SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2102:** Education

AN ACT TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL SCHOOL BOARDS SHALL REQUIRE EACH SCHOOL ISSUE CREDENTIALS FOR A DIGITAL SOLUTION SELECTED OR PROCUREMENT CARDS FOR THE USE OF TEACHERS IN MAKING INSTRUCTIONAL SUPPLY FUND EXPENDITURES UNDER THE EDUCATIONAL ENHANCEMENT FUND; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2103:** Education

AN ACT TO AMEND SECTION 37-13-107, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL ATTENDANCE OFFICERS TO ATTEND TRAINING FOR THE INDIVIDUALS WITH DISABILITIES IN EDUCATION ACT (IDEA) AND OTHER FEDERAL LAW RELATING TO CHILDREN WITH DISABILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2104:** Education

AN ACT TO AMEND SECTION 37-11-18.1, MISSISSIPPI CODE OF 1972, TO REQUIRE HABITUALLY DISRUPTIVE STUDENTS TO BE EVALUATED FOR A DISABILITY UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AFTER THE SECOND INCIDENT OF DISRUPTIVE BEHAVIOR; TO REQUIRE THE DEVELOPMENT OF BEHAVIORAL MODIFICATION PLANS FOR SUCH STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2105:** Education; Appropriations

AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF SCHOOL BOARD MEMBERS; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2106:** Education

AN ACT TO AMEND SECTION 37-13-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL COUNTY SUPERINTENDENTS OF EDUCATION AND SUPERINTENDENTS OF MUNICIPAL SEPARATE SCHOOL DISTRICTS SHALL NOT ALLOW THE TEACHING OR INSTRUCTION OF STUDENTS IN CERTAIN DIVISIVE CONCEPTS REGARDING RACE, GENDER, SEX, SOCIAL CLASS OR POLITICAL AFFILIATION; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION REDUCE FUNDING TO ELEMENTARY AND SECONDARY SCHOOLS THAT TEACH DIVISIVE CONCEPTS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2107:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHILD WILL BE EXEMPT FROM THE REQUIREMENT TO HAVE ANY SPECIFIC VACCINATION IN ORDER TO ATTEND A SCHOOL IF THE CHILD'S PARENT OR GUARDIAN SUBMITS TO THE SCHOOL A LETTER OR AFFIDAVIT THAT DOCUMENTS WHICH REQUIRED VACCINATIONS HAVE BEEN GIVEN, AND WHICH VACCINATIONS HAVE NOT BEEN GIVEN ON THE BASIS THAT THEY ARE CONTRARY TO HIS OR HER RELIGIOUS BELIEFS; TO PRESCRIBE THE CONTENT TO BE INCLUDED IN THE LETTER OR AFFIDAVIT SUBMITTED TO THE SCHOOL DISTRICT OR SCHOOL OF ENROLLMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2108:** Public Health and Welfare

AN ACT TO AMEND SECTIONS 41-71-1 AND 41-71-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS AND CLINICAL NURSE SPECIALISTS TO PRESCRIBE OR ORDER HOME HEALTH SERVICES AND PLANS OF CARE, CERTIFY AND RECERTIFY ELIGIBILITY FOR HOME HEALTH SERVICES AND CONDUCT THE REQUIRED INITIAL FACE-TO-FACE VISIT WITH THE RECIPIENT OF THE SERVICES; TO PROVIDE THAT THE AMENDMENTS IN THE ACT ARE RETROACTIVE TO MAY 8, 2020; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2109:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A NURSE PRACTITIONER TO DISPENSE A LEGEND DRUG OR MEDICATION TO PATIENTS OF THE NURSE PRACTITIONER; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2110:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ISSUE PHOTO EBT CARDS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), TO LIMIT THE CARDHOLDER TO TWO FAMILY MEMBER CARDS PER YEAR AND TWO REPLACEMENTS PER YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2111:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE TRANSGENDER 21 ACT; TO PROHIBIT THE STATE, ITS AGENTS, AND POLITICAL SUBDIVISION FROM INFRINGING ON A PARENT'S RIGHT TO WITHHOLD CONSENT FOR ANY TREATMENT, ACTIVITY OR MENTAL HEALTH CARE SERVICES THAT ARE DESIGNED AND INTENDED TO FORM THEIR CHILD'S CONCEPTIONS OF SEX AND GENDER OR TO TREAT GENDER DYSPHORIA OR GENDER NONCONFORMITY; TO PROHIBIT CERTAIN MEDICAL PROCEDURES FROM BEING PERFORMED UPON A MINOR; TO PROVIDE A PENALTY FOR ANY MEDICAL PROFESSION WHO PERFORMS CERTAIN MEDICAL PROCEDURES UPON A MINOR; TO PROVIDE A GOOD-FAITH EXCEPTION FOR A MINOR BORN WITH A MEDICALLY VERIFIABLE GENETIC DISORDER OF SEXUAL DEVELOPMENT; TO PROHIBIT ANY STATE AGENCY, POLITICAL SUBDIVISION OR LICENSING ORGANIZATION FROM FORBIDDING, PENALIZING OR TAKING ADVERSE ACTION AGAINST AN INDIVIDUAL WHO GIVES OR RECEIVES COUNSEL, ADVICE, GUIDANCE OR OTHER SPEECH OR COMMUNICATION CONSISTENT WITH CONSCIENCE OR RELIGIOUS BELIEF; TO PROVIDE THAT NO INDIVIDUAL SHALL BE DISCRIMINATED AGAINST FOR PROVIDING INFORMATION ABOUT A VIOLATION OF THIS ACT TO CERTAIN AUTHORITIES; TO PROVIDE A PRIVATE CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT; TO PREEMPT POLITICAL SUBDIVISIONS FROM PROMULGATING RULES OR REGULATIONS THAT LIMITS THE PROFESSIONAL CONDUCT AND JUDGMENT OF A MENTAL HEALTH CARE PROFESSIONAL OR COUNSELOR; TO PROVIDE THAT THE PROVISIONS OF THIS ACT ARE SEVERABLE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2112:** Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TEACHERS WHO POSSESS A TEACHER LICENSE FROM ANOTHER COUNTRY OR POLITICAL SUBDIVISION THEREOF SHALL BE GRANTED A STANDARD FIVE-YEAR LICENSE BY THE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2113:** Education

AN ACT TO CREATE NEW SECTION 37-13-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING, SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DIRECT OR COMPEL STUDENTS TO AFFIRM THAT ANY SEX, RACE, ETHNICITY, RELIGION OR NATIONAL ORIGIN IS INHERENTLY SUPERIOR, OR THAT INDIVIDUALS SHOULD BE ADVERSELY TREATED BASED ON SUCH CHARACTERISTICS; TO PROVIDE THAT NO DISTINCTION OR CLASSIFICATION OF STUDENTS SHALL BE MADE ON ACCOUNT OF RACE OTHER THAN THE REQUIRED COLLECTION OR REPORTING OF DEMOGRAPHIC INFORMATION; TO PROVIDE THAT NO COURSE OF INSTRUCTION SHALL BE TAUGHT THAT AFFIRMS SUCH PRINCIPLES; TO PROVIDE THAT NO FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF EDUCATION, ANY ENTITY UNDER THE DEPARTMENT'S JURISDICTION, SCHOOL DISTRICTS, CHARTER SCHOOLS OR PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR ANY PURPOSE THAT WOULD VIOLATE THIS ACT; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, Blackwell, Younger, Tate, Wiggins, McCaughn, Parks, Seymour, Caughman, Chassaniol, Sparks, Kirby, Whaley, England, Chism, Michel, McMahan, Fillingane, Branning, Moran, Suber

**S. B. No. 2114:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO DEFINE EMPLOYERS AND EMPLOYEES SUBJECT TO THE MINIMUM WAGE LAW; TO EMPOWER THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO ENFORCE AND ADMINISTER THE PROVISIONS OF THE MINIMUM WAGE LAW; TO PROVIDE CRIMINAL PENALTIES AND A CIVIL CAUSE OF ACTION AGAINST EMPLOYERS FOR VIOLATIONS OF THE MINIMUM WAGE LAW; TO AMEND SECTION 17-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING AUTHORITIES, IN THEIR DISCRETION, TO MANDATE A WAGE THAT IS MORE THAN THE STATE MINIMUM WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson, Barnett, Jordan, Simmons (13th), Butler (38th), Blackmon, Turner-Ford, Butler (36th), Horhn, Thomas, Frazier, Simmons (12th), Norwood

**S. B. No. 2115:** Public Health and Welfare

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

By Senator(s) Blackwell, DeBar, Frazier

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TENTH DAY, THURSDAY, JANUARY 13, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Harkins. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Edgar Lewis, New Zion Baptist Church, Magnolia, MS.

Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Caughman called up the following entitled bill:

**S. B. No. 2097:** MS Real Estate Commission; require to establish program using administrative hearing officers.

YEAS AND NAYS On S. B. No. 2097. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--49.

Nays--Wiggins. Total--1.

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

Voting Present--Carter. Total--1.

Senator Bryan called up the following entitled bill:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

Senator Blackmon offered the following AMENDMENT NO. 1.

AMEND on line 231 by deleting the following:

indoor, enclosed, locked and secure

AMEND on lines 1551 and 1552 by deleting the following on both lines:

or industrial

AMEND on line 1589 by deleting the following:

cultivation, harvesting,

AMEND on line 1596 by adding the following after the period:

All cultivation facilities may cultivate and harvest cannabis in an outdoor area.

FURTHER, AMEND on line 1780 by deleting "indoor"

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 2095 failed by the following vote:

Yeas--Blackmon, Butler A. (36th), Butler K. (38th), Hickman, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Nays--Barrett, Blackwell, Blount, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Absent and those not voting--Barnett, Bryan, Frazier, Harkins, Hopson, McMahan. Total--6.

Senator Blackmon offered the following AMENDMENT NO. 2.

AMEND by inserting the following as a new section after line 11051 and renumber subsequent section(s) accordingly:

SECTION \*. It shall be the policy of the State of Mississippi to pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized and adversely affected by persistent poverty and inequality.

#### POINT OF ORDER

A point of order was raised by Senator Blackwell that Amendment No. 2 is not germane to the bill.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that the amendment did not relate to the subject matter of the bill, therefore, the point of order was well-taken.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 3.

AMEND by inserting the following section after line 11051 and renumber subsequent section(s) accordingly:

SECTION \*. Section 99-19-71, Mississippi Code of 1972, is amended as follows:

99-19-71. (1) Any person who has been convicted of a misdemeanor that is not a traffic violation, and who is a first offender, may petition the justice, county, circuit or municipal court in which the conviction was had for an order to expunge any such conviction from all public records.

(2) (a) Except as otherwise provided in this subsection, a person who has been convicted of a felony and who has paid all criminal fines and costs of court imposed in the sentence of conviction may petition the court in which the conviction was had for an order to expunge one (1) conviction from all public records five (5) years after the successful completion of all terms and conditions of the sentence for the conviction upon a hearing as determined in the discretion of the court; however, a person is not eligible to expunge a felony classified as:

(i) A crime of violence as provided in Section 97-3-2;

(ii) Arson, first degree as provided in Sections 97-17-1 and 97-17-3;

(iii) Trafficking in controlled substances as provided in Section 41-29-139;

(iv) A third, fourth or subsequent offense DUI as provided in Section 63-11-30(2)(c) and (2)(d);

(v) Felon in possession of a firearm as provided in Section 97-37-5;

(vi) Failure to register as a sex offender as provided in Section 45-33-33;

(vii) Voyeurism as provided in Section 97-29-61;

(viii) Witness intimidation as provided in Section 97-9-113;

(ix) Abuse, neglect or exploitation of a vulnerable person as provided in Section 43-47-19; or

(x) Embezzlement as provided in Sections 97-11-25 and 97-23-19.

A person is eligible for only one (1) felony expunction under this paragraph. For the purposes of this section, the terms "one (1) conviction" and "one (1) felony expunction" mean and include all convictions that arose from a common nucleus of operative facts as determined in the discretion of the court.

(b) The petitioner shall give ten (10) days' written notice to the district attorney before any hearing on the petition. In all cases, the court wherein the petition is filed may grant the petition if the court determines, on the record or in writing, that the applicant is rehabilitated from the offense which is the subject of the petition. In those cases where the court denies the petition, the findings of the court in this respect shall be identified specifically and not generally.

(3) In addition to the rights conferred in subsections (1) and (2) of this section, any person who qualifies for and obtains a medical cannabis registry identification card may petition, without a delay, for the expungement or resentencing of a cannabis-related misdemeanor or felony conviction for which the offense is now legalized or punishable by a lesser penalty.

( \*\* \*4) Upon entering an order of expunction under this section, a nonpublic record thereof shall be retained by the Mississippi Criminal Information Center solely for

the purpose of determining whether, in subsequent proceedings, the person is a first offender. The order of expunction shall not preclude a district attorney's office from retaining a nonpublic record thereof for law enforcement purposes only. The existence of an order of expunction shall not preclude an employer from asking a prospective employee if the employee has had an order of expunction entered on his behalf. The effect of the expunction order shall be to restore the person, in the contemplation of the law, to the status he occupied before any arrest or indictment for which convicted. No person as to whom an expunction order has been entered shall be held thereafter under any provision of law to be guilty of perjury or to have otherwise given a false statement by reason of his failure to recite or acknowledge such arrest, indictment or conviction in response to any inquiry made of him for any purpose other than the purpose of determining, in any subsequent proceedings under this section, whether the person is a first offender. A person as to whom an order has been entered, upon request, shall be required to advise the court, in camera, of the previous conviction and expunction in any legal proceeding wherein the person has been called as a prospective juror. The court shall thereafter and before the selection of the jury advise the attorneys representing the parties of the previous conviction and expunction.

( \*\* \*5) Upon petition therefor, a justice, county, circuit or municipal court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped or there was no disposition of such case, or the person was found not guilty at trial.

( \*\* \*6) No public official is eligible for expunction under this section for any conviction related to his official duties.

FURTHER, AMEND the title to conform.

#### POINT OF ORDER

A point of order was raised by Senator Fillingane that Amendment No. 3 is not germane to the bill.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 3 to S. B. No. 2095 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Absent and those not voting--Barrett, Bryan, Harkins, McDaniel, Sojourner. Total--5.

Senator Barnett offered the following AMENDMENT NO. 4.

AMEND on line 2224 by deleting the words "sixty (60)" and inserting "thirty (30)" in lieu thereof.

FURTHER, AMEND on line 2287 by deleting the words "sixty (60)" and inserting "thirty (30)" in lieu thereof.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 4 to S. B. No. 2095 failed by the following vote:

Yeas--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Absent and those not voting--Blount, Bryan, Harkins, Sojourner. Total--4.

Senator Hill offered the following AMENDMENT NO. 5.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Title. This chapter shall be known and may be cited as the "Mississippi Medical Cannabis Compassion Act."

SECTION 2. Legislative intent. The Legislature hereby finds and declares the following:

(a) It is not the intent of this chapter to provide for or enable recreational use of cannabis in the State of Mississippi.

(b) Establishing a program providing for the administration of cannabis derivatives for medical use in this state will not only benefit patients by providing relief to pain and other debilitating symptoms, but also provide opportunities for patients with these debilitating conditions to function and have a better quality of life.

(c) Allowing the cultivation, processing, dispensing and use of cannabis for medical use without appropriate safeguards to prevent unlawful diversion for recreational use would pose a risk to public health and safety.

(d) It is the intent of the Legislature to create within Mississippi a wholly intrastate system for the cultivation, processing and distribution of medical cannabis in the interest of protecting its own residents from the danger that recreational cannabis poses.

(e) The State of Mississippi, therefore, wishes to create a health care market for medical cannabis.

SECTION 3. Definitions. For purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Health care practitioner" means a Mississippi licensed doctor of medicine acting within the scope of authorized practice who has the primary responsibility for the care and treatment of a person diagnosed with a qualifying medical condition.

(b) "Intractable pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated with the consent of the patient and which, in the generally accepted course of medical practice, no relief or cure of the cause of the pain is

possible, or none has been found after reasonable efforts. It is pain so chronic and severe as to otherwise warrant an opiate prescription.

(c) "MDOH" means the Mississippi Department of Health. (d)

"Medical cannabis" means a medical grade product of any of the following, as determined by MDOH, that contains a derivate of cannabis for medical use by a registered qualifying patient pursuant to this chapter:

- (i) Oral tablet, pill, capsule or tincture;
- (ii) Gel, oil, cream or other topical preparation;
- (iii) Suppository;
- (iv) Transdermal patch; or
- (v) Nebulizer or metered-dose inhaler.

The term "medical cannabis" does not include any of the following:

- (i) Raw plant material;
- (ii) Any product administered by smoking, combustion or vaping;
- (iii) A food product that has medical cannabis baked, mixed or otherwise infused into the product, such as cookies or candies.

(e) "Medical cannabis manufacturer" or "manufacturer" means an entity registered by the MDOH to cultivate, acquire, manufacture, possess, prepare, transfer, transport or supply medical cannabis, delivery devices, or related supplies and educational materials.

(f) "Medical cannabis product" means any delivery device or related supplies and educational materials used in the administration of medical cannabis for a patient with a qualifying medical condition enrolled in the program.

(g) "Patient registry" means an electronic integrated system that tracks practitioner certifications and recommendations, patient registrations, medical cannabis cards, the daily dosage and type of medical cannabis recommended to qualified patients by registered certifying practitioners, and the dates of sale, amounts and types of medical cannabis that were purchased by registered qualified patients at licensed specialty pharmacies.

(h) "Patient registry number" means a unique identification number assigned by the MDOH to a patient enrolled in the registry program.

(i) "Qualifying medical condition" means a diagnosis of any of the following conditions:

- (i) Cancer, if the underlying condition or treatment produces one or more of the following:
  - 1. Severe or chronic pain;
  - 2. Nausea or severe vomiting, except for nausea related to cannabinoid hyperemesis syndrome; or
  - 3. Cachexia or severe wasting;

- (ii) Glaucoma;
- (iii) Human immunodeficiency virus or acquired immune deficiency syndrome;
- (iv) Tourette's syndrome;
- (v) Seizures, including those characteristics of epilepsy;
- (vi) Severe and persistent muscle spasms, including those characteristic of multiple sclerosis;
- (vii) Chron's disease;
- (viii) Terminal illness, with a probable life expectancy of under one (1) year, if the illness or its treatment produces one or more of the following:
  - 1. Severe or chronic pain;
  - 2. Nausea or severe vomiting; or
  - 3. Cachexia or severe wasting;
- (ix) Any of the following neurodegenerative diseases and conditions:
  - 1. Alzheimer's disease;
  - 2. Amyotrophic lateral sclerosis;
  - 3. Huntington's disease;
  - 4. Lewy body dementia;
  - 5. Motor neuron disease;
  - 6. Parkinson's disease;
  - 7. Spinal muscular atrophy;
- (x) Spasticity;
- (xi) Severe muscle spasms;
- (xii) Intractable pain;
- (xiii) Post traumatic stress disorder;
- (xiv) Any of the following conditions associated with autism spectrum disorder, provided that the medical practitioner consults with a pediatric subspecialist if recommending medical cannabis to a patient under the age of eighteen (18):
  - 1. Repetitive or self-stimulatory behavior of such severity that the physical health of the person with autism is jeopardized; or
  - 2. Self-injuring behavior;
- (xv) Traumatic brain injury;
- (xvi) Chronic pain associated with fibromyalgia;

- (xvii) Chronic pain associated with sickle cell disease;
- (xviii) Any condition for which a patient is receiving hospice care or palliative care;
- (xix) Ulcerative colitis;
- (xx) Pain refractory to appropriate opioid management;
- (xxi) Spinal cord disease or severe injury; and
- (xxii) Any condition not otherwise specified in this chapter that a physician, in his medical opinion, considers debilitating to an individual patient and is qualified through his medical education and training to treat.

(j) "Qualified patient" means a Mississippi resident who has been diagnosed with a qualifying medical condition by a health care practitioner and has otherwise met any other requirements for patients under regulations set by the MDOH to participate in the program.

(k) "Recommendation" or "recommend" means an opinion of a health care practitioner licensed by and in good standing with the Mississippi State Board of Medical Examiners, provided within a bona fide doctor-patient relationship, that, in the sincere judgment of the practitioner, therapeutic cannabis may be helpful to the patient's condition or symptoms and is communicated by any means allowed by the MDOH.

(l) "Registered designated caregiver" means a person who:

- (i) Is at least twenty-one (21) years old;
- (ii) Does not have a conviction for a disqualifying felony offense;
- (iii) Has been approved by the MDOH to assist a patient who has been identified by a health care practitioner as developmentally or physically disabled and therefore unable to self-administer or acquire medical cannabis from a distribution facility due to the disability; and
- (iv) Is authorized by the MDOH to assist the patient with the use of medical cannabis.

(m) "Registry verification" means the verification provided by the MDOH that a patient is enrolled in the patient registry program and that includes the patient's name, patient registry number, recent photograph of the patient, the qualifying medical condition of the patient, and, if applicable, the name and photograph of the patient's registered designated caregiver, parent or legal guardian.

(n) "THC" or "Tetrahydrocannabinol" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol, including, but not limited to, THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

SECTION 4. Authorization to use medical cannabis; requirements. (1) A resident of this state who is nineteen (19) years of age or older may be registered as a qualified patient if he or she meets all of the following conditions:

(a) Has been certified by a registered certifying practitioner as having a qualifying medical condition;

(b) Is registered with the MDOH; and

(c) Has been issued a valid medical cannabis card by the MDOH.

(2) A registered qualified patient may purchase, possess or use medical cannabis, subject to the other provisions of this chapter. As a condition of continued enrollment as a registered qualified patient, the patient shall continue to receive regularly scheduled treatment for their qualifying medical condition from their health care practitioner and shall report changes in their qualifying medical condition to their health care practitioner.

(3) (a) A resident of this state who is under the age of nineteen (19) years of age may be registered as a qualified patient if he or she meets all of the following conditions:

(i) Has been certified by a registered certifying physician as having a qualifying medical condition;

(ii) Is registered with the MDOH;

(iii) Has a qualified designated caregiver who is the patient's parent or legal guardian.

(b) A registered qualifying patient described in paragraph (a) of this subsection may use medical cannabis but shall not purchase medical cannabis.

(4) A resident of this state may be registered as a qualified caregiver if he or she meets all of the following conditions:

(a) Has registered with the MDOH;

(b) Has been issued a valid medical cannabis card by MDOH;

(c) Is at least twenty-one (21) years of age, unless he or she is the parent or legal guardian of, and caregiver for, a registered qualifying patient; and

(d) When applicable, is the parent, legal guardian, grandparent, spouse or an individual with power of attorney for health care of a registered qualified patient.

(5) A registered caregiver may purchase and possess medical cannabis but shall not use medical cannabis, unless he or she is also a registered qualified patient.

(6) In order for a health care practitioner to qualify as a registered certifying health care practitioner, he or she must meet the following requirements:

(a) Hold an active license to practice medicine in the state and be in good standing with the Mississippi State Board of Medical Licensure;

(b) Complete a four-hour course related to medical cannabis as offered by MDOH;

(c) Pay an initial registration fee established by MDOH, not to exceed Five Hundred Dollars (\$500.00); and

(d) Meet any additional qualifications established by the MDOH.

(7) Upon meeting the requirements of subsection (6) of this section, MDOH shall issue a registration certificate and registration number to each registered certifying health

care practitioner. The MDOH shall maintain on its website an updated list of registered qualifying health care practitioners.

(8) The MDOH, by rule, may establish requirements for registered certifying health care practitioners to remain qualified, grounds for revoking registration and a process for renewing registration, including payment of an annual registration fee, not to exceed Five Hundred Dollars (\$500.00).

(9) A registered certifying health care practitioner shall not do any of the following:

(a) Accept, solicit or offer any form of remuneration from or to a specialty pharmacy for the purpose of referring a patient to a specific specialty pharmacy;

(b) Offer a discount of any other item of value to a qualified patient who uses or agrees to designate a specific caregiver or use a specific specialty pharmacy to obtain medical cannabis;

(c) Hold a direct or indirect economic interest in a medical cannabis manufacturer or specialty pharmacy;

(d) Serve on the board of directors or as an employee of a medical cannabis manufacturer or specialty pharmacy;

(e) Refer qualified patients to a specific caregiver or a specific specialty pharmacy;

(f) Advertise in a specialty pharmacy;

(g) Advertise on the practitioner's website, brochures, bill boards or any other media that generally describes the practice of the practitioner, any statement that refers to the practitioner as a "medical cannabis" or "medical marijuana" physician, practitioner or doctor, or otherwise advertises his or her status as a registered certifying practitioner, other than the following:

"Dr. \_\_\_\_\_ is qualified and registered by the State of Mississippi to certify patients for medical cannabis under the Mississippi Medical Cannabis Compassion Act."

(10) A registered certifying health care practitioner may recommend medical cannabis to any patient suffering from a qualifying medical condition with whom he or she shares a bona fide doctor-patient relationship. Prior to a patient's enrollment in the patient registry program, a health care practitioner shall:

(a) Determine, in the health care practitioner's medical judgment, whether a patient suffers from a qualifying medical condition, and, if so determined, provide the patient with a certification of that diagnosis;

(b) Determine whether a patient is developmentally or physically disabled and, as a result of that disability, the patient is unable to self-administer medication or acquire medical cannabis from a distribution facility, and, if so determined, include that determination on the patient's certification of diagnosis;

(c) Advise patients, registered designated caregivers, and parents or legal guardians who are acting as caregivers of the existence of any nonprofit patient support groups or organizations;

(d) Provide explanatory information from the MDOH to patients with qualifying medical conditions, including disclosure to all patients about the experimental nature of therapeutic use of medical cannabis; the possible risks, benefits, and side effects of the proposed treatment; the application and other materials from the MDOH; and

(e) Agree to continue treatment of the patient's qualifying medical condition and report medical findings to the MDOH.

(11) The practitioner shall analyze the patient's data in the Mississippi Prescription Monitoring Program before recommending medical cannabis to the patient. The practitioner may only recommend medical cannabis to a patient through an in-person medical appointment. At the time of the practitioner's recommendation, a registered certifying health care practitioner shall enter electronically in the patient registry, in a manner determined by rule by the MDOH, relevant information necessary to appropriately identify the patient; the respective qualifying medical condition or conditions of the patient; the daily dosage and type of medical cannabis recommended for medical use; and any other information the MDOH, by rule, deems relevant.

(12) A registered certifying health care practitioner recommendation and certification of medical cannabis to a patient does not constitute a prescription for medical cannabis.

(13) A registered certifying health care practitioner recommendation and certification of medical cannabis shall be valid for a period of time as determined by the MDOH, but in no event may a practitioner's recommendation or certification exceed twelve (12) months in duration.

(14) The maximum daily dosage of medical cannabis shall be set by rule by MDOH in consultation with qualified health care practitioners who wish to participate in the program.

(15) The maximum daily dosage may be increased under the following circumstance:

(a) A registered certifying health care practitioner may increase a patient's daily dosage if the patient has been diagnosed with a terminal illness, provided, if the recommended daily dosage meets or exceeds seventy-five (75) milligrams of delta-9-tetrahydrocannabinol, the practitioner shall notify the patient that the patient's driver's license will be suspended.

(16) A registered certifying health care practitioner shall not lawfully recommend the use of medical cannabis with a potency greater than three percent (3%) tetrahydrocannabinol to any minor for any qualifying medical condition. A minor shall not legally use medical cannabis with a potency greater than three percent (3%) tetrahydrocannabinol, whether or not the minor has a valid medical cannabis card. A parent or legal guardian of a minor who holds a medical cannabis card shall not legally possess medical cannabis with potency greater than three percent (3%) tetrahydrocannabinol, unless the parent or guardian holds a valid medical cannabis card for his or her own qualifying medical condition.

(17) A registered certifying health care practitioner shall report adverse events and health outcomes associated with a patient's use of medical cannabis to the patient registry system.

(18) There is a presumption that a registered qualifying patient is engaged in the medical use of medical cannabis under this chapter if the person is in possession of a valid medical cannabis card and an amount of medical cannabis that does not exceed the maximum daily dosage of medical cannabis.

(19) All employees, board of directors, shareholders and owners of medical cannabis manufacturers and specialty pharmacies, potential qualified patients and designated caregivers shall be citizens of the United States and shall provide their social

security numbers to the MDOH and Board of Pharmacy, as applicable, upon their application and registration.

(20) After one hundred twenty (120) days from the effective date of this act, the MDOH and the Board of Pharmacy shall issue licenses according to their respective duties as provided for in this chapter.

SECTION 5. Medical cannabis manufacturers. (1) The MDOH shall develop an annual, nontransferable specialty license for medical cannabis manufacturers for the production and manufacturing of cannabis for medical use. The MDOH shall limit the number of medical cannabis manufacturer licenses granted in the state to no more than four (4) licenses. All state-funded public universities shall have the right of first refusal to be licensed as a manufacturer, either separately or jointly. If none of these universities exercise this option, the licenses shall be awarded pursuant to the requirements provided for in subsection (5) of this section.

(2) Prior to September 1, 2022, any state-funded public university intending to be licensed as a manufacturer shall provide written notice to the MDOH of their intent to be licensed, either separately or jointly. Each university shall thereafter complete an application to be licensed as a medical cannabis manufacturer.

(3) A state-funded public university may conduct research on cannabis for medical use if the university is licensed as a manufacturer facility pursuant to this section. Effective January 1, 2023, and annually thereafter, any state-funded public university licensed as a medical cannabis manufacturer shall submit a report to the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee and the Institutions of Higher Learning Board to include data and outcomes of the research conducted pursuant to this subsection, employment statistics, audit results and medical cannabis sale results. Any state-funded public university licensed as a medical cannabis manufacturer shall use any profit obtained from the sale of medical cannabis to offset their operating expenses.

(4) The license shall be limited to four (4) geographic locations as provided for in rule by the MDOH. The geographic location shall be a public record subject to disclosure under Section 25-61-1 et seq. The licensee shall permit inspection of the facility by any elected member of the Mississippi Legislature upon request after receipt of reasonable notice.

(5) (a) If less than four (4) of the universities exercise the option described in subsection (1) of this section, the MDOH may award any of the remaining licenses pursuant to the following requirements:

(i) The technical expertise of the manufacturer in cultivating medical cannabis into an acceptable delivery method;

(ii) The qualifications of the manufacturer's employees;

(iii) The long-term financial stability of the manufacturer;

(iv) The ability to provide appropriate security measures on the premises of the manufacturer;

(v) Whether the manufacturer has demonstrated an ability to meet the medical cannabis production demands of the state.

(b) The licenses awarded pursuant to this subsection shall not exceed five (5) years.

(c) Any contract, memorandum of understanding, or cooperative endeavor agreement entered into pursuant to this section shall be a public record subject to disclosure under Section 25-61-1 et seq.

(d) Any contract, memorandum of understanding, or cooperative endeavor agreement entered into for services for the cultivation or processing in any way of cannabis pursuant to this section shall be a public record subject to disclosure under Section 25-61-1 et seq.

(e) No person or entity licensed pursuant to this subsection shall subcontract for services for the cultivation or processing in any way of cannabis if the subcontractor, or any of the service providers in the chain of subcontractors, is owned wholly or in part by any state employee or member of a state employee's immediate family, including, but not limited to, any legislator, statewide public official, university or community or technical college employee.

(f) No business entity licensed pursuant to this subsection shall be owned wholly or in part by any state employee or member of a state employee's immediate family, including, but not limited to, any legislator, statewide public official, university or community or technical college employee.

(g) Any applicant for the license awarded pursuant to this subsection shall include proof of the financial capability of the applicant to operate a medical cannabis production facility, including, but not limited to, a net worth of not less than One Million Dollars (\$1,000,000.00).

(h) Any entity licensed under this subsection and any subcontractor of an entity licensed under this subsection shall only employ citizens of the United States who have valid social security numbers and pass a background check performed by the MDOH.

(6) No person or entity licensed pursuant to this section shall give or receive anything of value in connection with any contract, memorandum of understanding or cooperative endeavor agreement executed pursuant to this section except the value that is expressed in the contract, memorandum of understanding or cooperative endeavor agreement.

(7) (a) The MDOH shall collect the following information from each licensee:

(i) The amount of gross cannabis produced by the licensee during each calendar year;

(ii) The details of all production costs, including, but not limited to, seed, fertilizer, labor, advisory services, construction and irrigation;

(iii) The details of any items or services for which the licensee subcontracted and the costs of each subcontractor directly or indirectly working for the contractor;

(iv) The amount of therapeutic chemicals produced resulting from the cannabis grown pursuant to this section.

(v) The amounts paid each year to the licensee related to the licensee's production of medical cannabis pursuant to this section.

(vi) The amount of medical cannabis distributed to each specialty pharmacy licensed to dispense medical cannabis in this state during each calendar year.

(b) The MDOH shall provide the information collected pursuant to this subsection for the previous calendar year in the form of a written report to the Legislature no later than February first of each year. The department shall also make a copy of the report required by this subsection available to the public on the internet.

(8) The MDOH shall perform the following:

(a) Establish and collect an annual license fee of One Hundred Thousand Dollars (\$100,000.00) from each manufacturer and an annual fee from each qualified patient of One Hundred Dollars (\$100.00) for administrative and inspection costs; and

(b) Collect a nonrefundable application fee of Ten Thousand Dollars (\$10,000.00) from each applicant applying to be a manufacturer and Five Thousand Dollars (\$5,000.00) from each applicant applying to be a specialty pharmacy.

(9) A manufacturer may operate only four (4) locations where all cultivation, harvesting, manufacturing, packaging and processing shall be conducted. All cultivation, harvesting, manufacturing, packaging and processing by a manufacturer shall be conducted in an enclosed, locked facility at a physical address provided to the MDOH during the application process. A manufacturer must process and prepare any medical cannabis plant material into a form allowable according to this chapter prior to distribution to a specialty pharmacy.

(10) A medical cannabis manufacturer shall contract with a laboratory, subject to the MDOH's approval of the laboratory and any additional requirements set by the MDOH, for purposes of testing medical cannabis manufactured by the medical cannabis manufacturer as to content, contamination and consistency to verify the medical cannabis meets the requirements of this chapter and any requirements set by the MDOH. The cost of laboratory testing shall be paid by the manufacturer. The MDOH shall implement a recall process for medical cannabis that manufacturers shall follow. The MDOH may require manufacturers to test their products at laboratories on a quarterly basis.

(11) The operating documents of a manufacturer shall include:

(a) Procedures for the oversight of the manufacturer and procedures to ensure accurate record keeping; and

(b) Procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(12) A manufacturer shall implement security requirements, including requirements for protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(13) A manufacturer shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(14) A manufacturer shall not permit any person to consume medical cannabis on the property of the manufacturer.

(15) A manufacturer is subject to reasonable inspection by the MDOH.

(16) A medical cannabis manufacturer shall not employ any person who is under twenty-one (21) years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabis manufacturer must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the MDOH before an employee may begin working with the

manufacturer. The MDOH shall conduct a criminal history records check of each employee of the manufacturer.

(17) A manufacturer shall not operate in any location, whether for distribution or cultivation, harvesting, manufacturing, packaging or processing, within one thousand five hundred (1,500) feet of a public school, private school or child care facility existing before the date of the manufacturer's registration with the MDOH.

(18) A manufacturer shall comply with reasonable restrictions set by the MDOH relating to signage, marketing, display, billboards, mobile advertising and advertising of medical cannabis. A manufacturer shall not advertise on billboards or on motor vehicles. The MDOH shall post on their website all advertising restrictions applicable to manufacturers. The MDOH shall include these restrictions on the application for a medical cannabis manufacturer license.

(19) A manufacturer shall require any employee of the manufacturer who is transporting medical cannabis or medical cannabis products to a specialty pharmacy to carry identification showing that the person is an employee of the manufacturer.

SECTION 6. Specialty pharmacies. (1) The Mississippi Board of Pharmacy shall develop an annual, nontransferable specialty license for a pharmacy to dispense recommended medical cannabis. The board shall limit the number of such licenses granted in the state to no more than ten (10) licenses. Each specialty pharmacy shall be located based on geographical need throughout the state to improve patient access. The board shall collect the application fee of Five Thousand Dollars (\$5,000.00) and the license fee of Twenty-five Thousand Dollars (\$25,000.00).

(2) A manufacturer may operate two (2) specialty pharmacies which shall be licensed by the Mississippi Board of Pharmacy. The Mississippi Board of Pharmacy may license no more than ten (10) specialty pharmacies regardless of whether the pharmacies are operated by licensed manufacturers. An applicant shall disclose the proposed location for the specialty pharmacy to the Mississippi Board of Pharmacy during the application process. A licensed manufacturer shall not conduct any cultivation, harvesting, manufacturing, packaging or processing at a specialty pharmacy location.

(3) A specialty pharmacy may dispense medical cannabis and medical cannabis products but may not dispense cannabis in a form other than those forms allowed by this chapter.

(4) The Mississippi Board of Pharmacy and MDOH shall develop the rules and regulations regarding the extraction, processing and production of recommended medical cannabis, along with following the standards established in this chapter. The rules and regulations shall require as a minimum standard that the extraction and refining process produce pharmaceutical-grade products.

(5) A health care practitioner and a pharmacist at a specialty pharmacy shall review the patient's information in the database of the Prescription Monitoring Program prior to recommending or dispensing medical cannabis, as applicable. Pharmacists shall enter into the patient registry all pertinent patient information, including, but not limited to, dosage dispensed, date, location and date of expiration. A pharmacist shall counsel a qualified patient about the recommended medical cannabis before dispensing it to the patient.

(6) A specialty pharmacy shall require that employees licensed as pharmacists be the only employees to distribute the medical cannabis to a patient.

(7) Prior to distribution of any medical cannabis, the specialty pharmacy shall:

(a) Verify that the specialty pharmacy has received the registry verification from the MDOH for that individual patient;

(b) Verify that the person requesting the distribution of medical cannabis is the patient, the patient's registered designated caregiver, or the patient's parent or legal guardian listed in the registry verification;

(c) Assign a tracking number to any medical cannabis distributed from the specialty pharmacy;

(d) Ensure that any employee of the specialty pharmacy licensed as a pharmacist has consulted with the patient to determine the proper dosage for the individual patient after reviewing the ranges of chemical compositions of the medical cannabis and the ranges of proper dosages as set by this chapter and reported by the MDOH;

(e) Properly package medical cannabis in compliance with the United States Poison Prevention Packing Act regarding child resistant packaging and exemptions for packaging for elderly patients, and label distributed medical cannabis with a list of all active ingredients and individually identifying information, including:

(i) The patient's name and date of birth;

(ii) The name and date of birth of the patient's registered designated caregiver or, if listed on the registry verification, the name of the patient's parent or legal guardian, if applicable;

(iii) The patient's registry identification number;

(iv) The chemical composition of the medical cannabis; and

(v) The dosage; and

(f) Ensure that the medical cannabis distributed contains a maximum of a thirty-day supply of the dosage determined for that patient.

(8) A specialty pharmacy shall implement security requirements, including requirements for protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.

(9) A specialty pharmacy shall not share office space with, refer patients to a health care practitioner, or have any financial relationship with a health care practitioner.

(10) A specialty pharmacy shall not permit any person to consume medical cannabis on the property of the manufacturer.

(11) A specialty pharmacy is subject to reasonable inspection by the MDOH and the Board of Pharmacy.

(12) A specialty pharmacy shall not employ any person who is under twenty-one (21) years of age or who has been convicted of a disqualifying felony offense. An employee of a specialty pharmacy must submit a completed criminal history records check consent form, a full set of classifiable fingerprints, and the required fees for submission to the MDOH and Board of Pharmacy before an employee may begin working with the specialty pharmacy. The MDOH and the Board of Pharmacy shall conduct a criminal history records check of each employee of the specialty pharmacy.

(13) A specialty pharmacy shall not operate in any location within one thousand five hundred (1,500) feet of a public school, private school or child care facility existing before the date of the specialty pharmacy's registration with the Board of Pharmacy.

(14) A specialty pharmacy shall comply with reasonable restrictions set by the Board of Pharmacy relating to signage, marketing, display, billboards, mobile advertising and advertising of medical cannabis. A specialty pharmacy shall not advertise on billboards or on motor vehicles. The Board of Pharmacy shall post on their website all advertising restrictions applicable to specialty pharmacies. The Board of Pharmacy shall include these restrictions on the application for a specialty pharmacy license.

(15) No person or entity licensed pursuant to this section shall subcontract for services for the dispensing of medical cannabis, if the subcontractor, or any of the service providers in the chain of subcontractors, is owned wholly or in part by any state employee or member of a state employee's immediate family, including, but not limited to, any legislator, statewide public official, university or community or technical college employee.

(16) No business entity licensed pursuant to this section shall be owned wholly or in part by any state employee or member of a state employee's immediate family, including, but not limited to, any legislator, statewide public official, university or community or technical college employee.

SECTION 7. Patient registry. (1) In order to commence, use and maintain a reliable system to track all aspects of patient and caregiver qualification, the MDOH shall do the following:

(a) Establish and administer an integrated, electronic patient and caregiver registry, known as the "Mississippi Medical Cannabis Patient Registry System," that does all of the following:

(i) Receives and records physician certifications;

(ii) Receives and tracks qualified patient registration and issuance of medical cannabis cards;

(iii) Receives and tracks designated caregiver registration and issuance of medical cannabis cards;

(iv) Includes in the patient registry database for each qualified patient registrant the name of the qualified patient and the patient's designated caregiver, if applicable, the patient's registered certifying physician, the respective qualifying medical condition or conditions, the recommended daily dosage and type of medical cannabis, and any other information the MDOC, by rule, deems relevant;

(v) Verifies that a medical cannabis card is current and valid and has not been suspended, revoked or denied;

(vi) Tracks purchases of medical cannabis at specialty pharmacies by date, time, amount and type.

(vii) Determines whether a particular sale of medical cannabis transaction exceeds the permissible limit.

(viii) Tracks medical cannabis cards that are denied, revoked or suspended;

(ix) Interfaces as necessary with the statewide seed-to-sale tracking system established under this chapter;

(x) Tracks purchases of medical cannabis by specialty pharmacies from medical cannabis manufacturers by date, time, amount and type; and

(xi) Provides access as further required in subsection (2) of this section.

(2) The patient registry shall be accessible to the following:

(a) State and local law enforcement agencies, provided the database may only be accessed upon probable cause or reasonable suspicion of a violation of a controlled substance law or of driving under the influence, and access is strictly limited to information that is necessary to verify that an individual is registered and possesses a valid and current medical cannabis card and, if appropriate, to verify that the amount and type of product in the individual's possession complies with the daily dosage limit and type of medical cannabis recommended; and

(b) Health care practitioners licensed to prescribe prescription drugs.

(3) The MDOH shall monitor patient registrations in the patient registry for practices that could facilitate unlawful diversion or misuse of cannabis and shall recommend disciplinary action as appropriate.

(4) Once certified, a patient and, if applicable, the patient's designated caregiver, shall register in the patient registry. The MDOH shall develop the application and renewal process for patient and designated caregiver registration, that shall include, but not be limited to, an application form, relevant information that must be included on the form, any additional requirements for eligibility the MDOC deems necessary, and an application fee not to exceed One Hundred Dollars (\$100.00).

(5) The MDOH shall develop a patient application for enrollment into the registry program. The application shall be available to the patient and given to registered health care practitioners. The application must include:

(a) The name, mailing address, recent photograph of the patient and date of birth of the patient;

(b) The name, mailing address and telephone number of the patient's health care practitioner;

(c) The name, mailing address, date of birth and recent photograph of the patient's designated caregiver, if any, or the patient's parent or legal guardian if the parent or legal guardian will be acting as a caregiver; and

(d) A copy of the certification from the patient's health care practitioner that is dated within ninety (90) days prior to submitting the application which certifies that the patient has been diagnosed with a qualifying medical condition, and, if applicable, that, in the health care practitioner's medical opinion, the patient is developmentally or physically disabled and, as a result of that disability, the patient is unable to self-administer medication or acquire medical cannabis from a specialty pharmacy.

(6) The MDOH, or an employee of any state agency shall not be held civilly or criminally liable for any injury, loss of property, personal injury or death caused by an act or omission while acting within the scope of office or employment while administering the medical cannabis program.

(7) The MDOH develop a disclosure form and require, as a condition of enrollment, all patients to sign a copy of the disclosure that includes a statement listing subsection (6) of this section.

(8) If the qualified patient or designated caregiver meets the criteria for registration, the MDOH shall place the patient or caregiver on the patient registry and issue the patient or designated caregiver a medical cannabis card. The MDOH shall determine the criteria for revoking or suspending a medical cannabis card. Medical cannabis cards shall be resistant to counterfeiting and tampering and, at a minimum, shall include all of the following:

- (a) The name, address and date of birth of the qualified patient or caregiver, as applicable;
- (b) A photograph of the qualified patient or caregiver, as applicable;
- (c) Identification of the cardholder as a qualified patient or a caregiver;
- (d) The expiration date, as determined by MDOH rule; and
- (e) The following statement: "This card is only valid in the State of Mississippi."

(9) Once a patient or designated caregiver is registered and issued a medical cannabis card, he or she is qualified to acquire, possess or use medical cannabis, as applicable.

(10) If a registered qualified patient or registered caregiver loses his or her medical cannabis card, he or she shall notify the MDOH within ten (10) days of becoming aware the card is lost or stolen. The MDOH, by rule, shall determine the process and fee for replacing a lost or stolen card, including a process for invalidating the lost or stolen card.

(11) The MDOH shall adopt rules to implement this section and may impose civil penalties for violations of this section.

SECTION 8. Limitations. (1) This chapter shall not be construed to do any of the following:

- (a) Require an insurer, organization for managed care, health benefit plan or any individual or entity providing coverage for a medical or health care service to pay for or to reimburse any other individual or entity for costs associated with the use of medical cannabis;
- (b) Require any employer to permit, accommodate, or allow the use of medical cannabis or to modify any job or working conditions of any employee who engages in the use of medical cannabis or for any reason seeks to engage in the use of medical cannabis;
- (c) Prohibit any employer from refusing to hire, discharging, disciplining or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions or privileges of employment as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the use of medical cannabis;
- (d) Prohibit or limit the ability of any employer from establishing or enforcing a drug-testing policy, including, but not limited to, a policy that prohibits the use of medical cannabis in the workplace or from implementing a drug-free workforce program;
- (e) Prohibit or limit any employer from adopting an employment policy requiring its employees to notify the employer if an employee possesses a medical cannabis card;

(f) Interfere with, impair or impede any federal restrictions on employment, including, but not limited to, regulations adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations;

(g) Permit, authorize or establish any individual's right to commence or undertake any legal action against an employer for refusing to hire, discharging, disciplining or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions or privileges of employment due to the individual's use of medical cannabis;

(h) Require a government medical assistance program, employer, property and casualty insurer, or private health insurer to reimburse an individual for costs associated with the use of medical cannabis;

(i) Affect, alter or otherwise impact the workers' compensation premium discount available to employers who establish a drug-free workplace policy as provided for in Section 71-3-207;

(j) Affect, alter or otherwise impact an employer's right to deny, or establish legal defenses to, the payment of workers' compensation benefits to an employee on the basis of a positive drug test or refusal to submit to or cooperate with a drug test, as provided under Section 71-3-121; or

(k) Affect, alter or supersede any obligation or condition imposed on a parolee, probationer, or an individual participating in a pretrial diversion program or other court-ordered substance abuse rehabilitation program.

(2) This chapter does not authorize any individual to engage in, and does not prevent the imposition of any civil, criminal or other penalties for engaging in, the following conduct:

(a) Undertaking any task under the influence of medical cannabis that would constitute negligence or professional malpractice;

(b) Possessing or engaging in the use of medical cannabis:

(i) On a school bus or van;

(ii) On the grounds of any preschool, primary or secondary school;

(iii) In any correctional facility;

(iv) On the grounds of any childcare facility or home daycare;

(v) On any form of public transportation; or

(vi) In any public place, including, but not limited to, any indoor or outdoor area used by or open to the general public or as a place of employment, parks, indoor or outdoor arenas and playgrounds.

(3) An individual who is discharged from employment because of that individual's use of medical cannabis, or refusal to submit to or cooperate with a drug test, shall be legally conclusively presumed to have been discharged for misconduct.

(4) A qualifying patient shall not use medical cannabis while driving a motor vehicle or boat. A qualifying patient shall not possess medical cannabis while driving a boat or motor vehicle unless the medical cannabis is in a sealed package.

SECTION 9. Agency rules and regulations. (1) The Mississippi Board of Pharmacy shall adopt rules relating to the dispensing of recommended cannabis for medical use. The rules shall include, but not be limited to:

(a) Standards, procedures and protocols for the effective use of recommended cannabis for medical use as authorized by state law and related rules and regulations;

(b) Standards, procedures and protocols for the dispensing and tracking of recommended medical cannabis in Mississippi;

(c) Procedures and protocols to provide that no recommended medical cannabis may be dispensed from, produced from, obtained from, sold to, or transferred to a location outside of this state;

(d) The establishment of standards, procedures and protocols for determining the amount of usable recommended medical cannabis that is necessary to constitute an adequate supply to ensure uninterrupted availability for a period of one (1) month, including amounts for topical treatments;

(e) The establishment of standards, procedures and protocols to ensure that all recommended medical cannabis dispensed is consistently pharmaceutical grade;

(f) The establishment of standards, procedures and protocols to ensure that all recommended medical cannabis dispensed is consistently pharmaceutical grade;

(g) The establishment of standards and procedures for the revocation, suspension and nonrenewal of licenses;

(h) The establishment of other licensing, renewal and operational standards which are deemed necessary by the Mississippi Board of Pharmacy;

(i) The establishment of standards and procedures for testing recommended medical cannabis samples for levels of tetrahydrocannabinol (THC) or other testing parameters deemed appropriate by the Mississippi Board of Pharmacy;

(j) The establishment of health, safety and security requirements for dispensers of recommended medical cannabis;

(k) Licensure of specialty pharmacies of recommended medical cannabis;

(l) The establishment of financial requirements for applicants of medical cannabis dispensing specialty pharmacy licenses under which each applicant demonstrates the following:

(i) The financial capacity to operate a medical cannabis dispensing specialty pharmacy; and

(ii) The ability to maintain an escrow account in a financial institution headquartered in Mississippi in an amount of up to One Million Dollars (\$1,000,000.00), if required by the Mississippi Board of Pharmacy.

(2) The MDOH shall adopt rules for the issuance of certifications for registered qualifying health care practitioners to make recommendations for patients to use medical cannabis. The rules shall include, but not be limited to, all of the following:

(a) Requirements for an in-person patient examination and the establishment of a practitioner-patient relationship;

(b) Requirements for relevant information to be included in the patient's medical record;

(c) Requirements for review of the patient's controlled substance prescription history in the Prescription Monitoring Program;

(d) Requirements for obtaining the voluntary and informed written consent from the patient to use medical cannabis, or from the patient's designated caregiver to assist the patient with the use of medical cannabis, on a form created by the MDOH and accessible at no charge on its website. The form shall include, but not be limited to, information relating to all of the following:

(i) The federal and state classification of cannabis as a Schedule I controlled substance;

(ii) The approval and oversight status of cannabis by the Food and Drug Administration;

(iii) The current state of research on the efficacy of cannabis to treat the qualifying medical condition;

(iv) The potential for addiction;

(v) The potential effect that cannabis may have on a patient's coordination, motor skills and cognition, including a warning against operating heavy machinery, operating a motor vehicle or engaging in activities that require an individual to be alert or respond quickly;

(vi) The potential side effects of cannabis use;

(vii) The risks, benefits and drug interactions of cannabis;

(viii) A statement that the use of medical cannabis could result in termination from employment without recourse and that costs may not be covered by insurance or government programs; and

(ix) That the patient's de-identified health information contained in the patient's medical records, practitioner certification and patient registry may be used for research purposes or used to monitor compliance with this chapter.

(3) MDOH and the Board of Pharmacy shall promulgate rules and regulations regarding the chemical composition and formulation of available medical cannabis pharmaceuticals products. The rules and regulations shall be posted on the MDOH's website.

SECTION 10. Violations. (1) Nothing in this chapter shall preclude a local or state law enforcement agency from searching a licensee where there is probable cause to believe that a criminal law has been violated and the search is conducted in conformity with constitutional and state law.

(2) A manufacturer or an agent of a manufacturer who intentionally transfers medical cannabis to a person other than a registered qualified patient, designated

caregiver, a registered parent or legal guardian of a registered qualified patient is guilty of a felony punishable for not more than two (2) years in the custody of the Department of Corrections or by a fine of not more than Three Thousand Dollars (\$3,000.00), or both. A person convicted under this subsection shall not continue to be affiliated with the manufacturer and shall be disqualified from further participation in the program.

(3) A registered qualified patient, registered caregiver or a registered parent or legal guardian of a registered qualified patient who intentionally sells or otherwise transfers medical cannabis to a person other than a registered qualified patient, designated caregiver, a registered parent or legal guardian of a registered qualified patient is guilty of a felony punishable by not more than two (2) years in the custody of the Department of Corrections or by payment of a fine of not more than Three Thousand Dollars (\$3,000.00), or both.

(4) A person who knowingly submits false records or documentation required by the MDOH to register as a manufacturer of medical cannabis is guilty of a felony punishable by not more than two (2) years in the custody of the Department of Corrections or by payment of a fine of not more than Three Thousand Dollars (\$3,000.00), or both.

(5) A health care practitioner who knowingly refers patients to a manufacturer or to a designated caregiver, who advertises as a manufacturer, or who recommends medical cannabis to a patient while holding a financial interest in a manufacturer is guilty of a misdemeanor punishable by not more than ninety (90) days in the custody of the Department of Corrections or by payment of a fine of not more than One Thousand Dollars (\$1,000.00), or both, and shall not recommend medical cannabis to any other patient.

(6) A manufacturer shall be fined up to One Thousand Dollars (\$1,000.00) for any violation of this chapter where no penalty has been specified.

(7) (a) A registered qualified patient who drives or otherwise operate a motor vehicle or watercraft within this state while under the influence of medical cannabis shall be guilty of a felony, fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00) and shall be imprisoned for not more than two (2) years in the custody of the Department of Corrections.

(b) A patient guilty under paragraph (a) of this subsection shall forfeit their medical cannabis card to the MDOH.

(c) This penalty shall be separate from any individual punished for driving or boating under the influence in Sections 59-23-7 and 63-11-30.

(8) The penalties provided for under this section, unless otherwise stated, are in addition to any other criminal, civil or administrative penalties provided for under law, rule or regulation.

SECTION 11. Reports. (1) The MDOH shall provide annual written reports to the Legislature, with the first due no later than January 1, 2023, tracking implementations of this chapter. The report shall be made publicly available and posted on the MDOH's website. The report shall include all of the following:

(a) The number of patients applying for and receiving medical cannabis cards;

(b) The qualifying medical conditions identified to obtain the medical cannabis cards;

(c) Comments from physicians and other health care providers and from pharmacists;

- (d) Revenues and expenses of card issuance and licensing of medical cannabis facilities;
- (e) Relevant developments in other states' cannabis laws;
- (f) Relevant scientific research;
- (g) Applicable tax revenue;
- (h) The MDOH's annual operating expenses and revenue;
- (i) Any other information available to the MDOH that would inform public officials of how this act affects the public; and
- (j) Any suggested legislative changes to this chapter or other state laws, including changes to reflect changes in federal law or regulation or changes based on additional medical or scientific research.

SECTION 12. Power to examine. (1) The MDOH and the Board of Pharmacy or its designee, as applicable, may examine the business affairs and conditions of any medical cannabis manufacturer and specialty pharmacy, including, but not limited to, a review of the financing, budget, revenues, sales and pricing.

(2) An examination under this section may cover the medical cannabis manufacturer or specialty pharmacy's business affairs, practices and conditions including, but not limited to, a review of the financing, budgets, revenues, sales and pricing. The MDOH or Board of Pharmacy, as applicable, shall determine the nature and scope of each examination and in doing so, shall take into account all available relevant factors concerning the financial and business affairs, practices and conditions of the examinee. The costs incurred by MDOH or Board of Pharmacy in conducting an examination shall be paid for by the medical cannabis establishment or specialty pharmacy, as applicable.

(3) When making an examination under this section, the MDOH or Board of Pharmacy may retain attorneys, appraisers, independent economists, independent certified public accountants or other professionals and specialists as designees. A certified public accountant retained by the MDOH or Board of Pharmacy shall not be the same certified public accountant providing the certified annual audit as provided for in subsection (5) of this section.

(4) The MDOH or Board of Pharmacy shall make a report of an examination conducted under this section and provide a copy to the medical cannabis manufacturer or specialty pharmacy as applicable. The MDOH or Board of Pharmacy shall then post a copy of the report on their respective website. All working papers, recorded information, documents and copies produced by, obtained by or disclosed to the MDOH or Board of Pharmacy or any other person in the course of an examination, other than the information contained in any official report, shall be private data and not considered a public record subject to disclosure under Section 25-61-1 et seq.

(5) A medical cannabis manufacturer and specialty pharmacy shall submit the results of an annual certified financial audit to the MDOH or Board of Pharmacy no later than May 1 of each year. The annual audit shall be conducted by an independent certified public accountant and the costs of the audit are the responsibility of the medical cannabis manufacturer or specialty pharmacy, as applicable.

SECTION 13. Adverse incidents. (1) The MDOH shall adopt rules to establish requirements for reporting incidents when individuals who are not authorized to possess medical cannabis under this chapter are found in possession of medical cannabis. The rules shall identify professionals required to report, the information they are required to report and actions the reporter must take to secure the medical cannabis.

(2) The MDOH shall adopt rules to establish requirements for law enforcement officials and health care practitioners to report incidents involving an overdose of medical cannabis to the MDOH.

(3) The rules shall include the method by which the MDOH will collect and tabulate reports of unauthorized possession and overdoes.

SECTION 14. Local ordinance. (1) The MDOH and State Board of Pharmacy shall not permit a specialty pharmacy or a medical cannabis manufacturer to operate in any municipality or unincorporated area of a county unless the municipality or county has authorized the operation within its boundaries as provided in subsection (2) of this section.

(2) A county board of supervisors may authorize, by resolution or ordinance, the operation of specialty pharmacies and medical cannabis manufacturers within the unincorporated area of the county. A governing authority of a municipality may authorize, by resolution or ordinance, the operation of specialty pharmacies and medical cannabis manufacturers within the corporate limits of the municipality. The county board of supervisors or governing authority of a municipality, as applicable, shall notify the MDOH and the State Board of Pharmacy not more than seven (7) calendar days after adopting the resolution or ordinance.

(3) This section does not prohibit a municipality or county from adopting zoning ordinances restricting the operation of specialty pharmacies or medical cannabis manufacturers within its corporate limits, including ordinances that:

(a) Limit the number of specialty pharmacies;

(b) Limit the number of medical cannabis manufacturers; or

(c) Limit the hours of operation of medical cannabis manufacturers and specialty pharmacies.

SECTION 15. Seed-to-sale tracking system. (1) In order to ensure that all medical cannabis sold in the state maintains product quality to protect the health and welfare of state residents, the MDOH shall establish a statewide seed-to-sale tracking system for use as an integrated cannabis and medical cannabis tracking, inventory, and verification system. The system must allow for interface with third-party inventory and tracking systems to provide for access by this state, licensees, and law enforcement personnel, to the extent that they need and are authorized to receive or submit the information, to comply with, enforce or administer this chapter.

(2) At a minimum, the system must be capable of storing and providing access to information that, in conjunction with the patient registry and with one or more third-party inventory control and tracking systems, allows all of the following:

(a) Retention of a record of the date, time, amount and price of each sale or transfer of medical cannabis to a registered qualified patient or registered caregiver;

(b) Effective seed-to-sale tracking of cannabis and medical cannabis sales and transfers among licensees and with regard to integrated facility licensees, among facilities of the licensee; and

(c) Receipt and integration of information from third-party inventory control and tracking systems.

SECTION 16. Medical cannabis taxes. (1) A specialty pharmacy and medical cannabis manufacturer, on forms and in a manner specified by the Commissioner of

Revenue, shall collect and remit the sales tax levied in Section 27-65-17(1)(a) from the gross proceeds derived from each sale of medical cannabis.

(2) All taxes collected under the provisions of this section shall be deposited into the Medical Cannabis Research and Opportunity Fund provided for in Section 17 of this act.

(3) All administrative provisions of the sales tax law and amendments thereto, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provision of said sales tax law, and all other requirements and duties imposed upon a taxpayer, shall apply to all persons liable for taxes under the provisions of this section. The Commissioner of Revenue shall exercise all power and authority and perform all duties with respect to taxpayers under this section as are provided in said sales tax law, except where there is a conflict, then the provisions of this section shall apply.

SECTION 17. Medical Cannabis Research and Opportunity Fund. (1) There is hereby created a Medical Cannabis Research and Opportunity Fund in the State Treasury. Revenue generated from the seven percent (7%) retail sales tax imposed by Section 27-65-17(1)(a) shall be deposited into the fund by the State Fiscal Officer.

(2) All license fees and fines collected by MDOH and the Board of Pharmacy, as applicable, shall be deposited into the Medical Cannabis Research and Opportunity Fund.

(3) The monies in the Medical Cannabis Research and Opportunity Fund shall be appropriated by the Legislature and allocated as follows:

(a) The payment of all costs incurred in the operation and administration of the medical cannabis program by MDOH and the Board of Pharmacy, as applicable; and

(b) If funds remain after covering the cost in paragraph (a) of this subsection, the remaining funds shall be allocated accordingly:

(i) Fifty percent (50%) of the remaining funds shall be allocated to the Mississippi Resident Tuition Assistance Grant Fund;

(ii) Twenty-five percent (25%) of the remaining funds shall be allocated to the Mississippi Eminent Scholars Grant Program; and

(iii) Twenty-five percent (25%) of the remaining funds shall be allocated to the Mississippi Rural Physicians Scholarship Program.

SECTION 18. Sections 1 through 17 of this act shall be codified as a new chapter in Title 41, Mississippi Code of 1972.

SECTION 19. Section 25-53-5, Mississippi Code of 1972, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply

to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the

terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment or services to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, \* \* \* offeror or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offeror or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through December 31, 2022, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health for the purposes of implementing, administering and/or enforcing the provisions of the Mississippi Medical Cannabis Compassion Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(s) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(t) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

(u) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

(v) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

(w) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 20. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. \* \* \* From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi

Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) \* \* \* to grants, contracts, pass-through funds, project fees or charges for services between the State Department of Health and other state agencies or entities, including, but not limited to, the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the \* \* \* medical \* \* \* cannabis program as established by \* \* \* the Mississippi Medical Cannabis Compassion Act. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

\* \* \*

SECTION 21. Section 27-65-111, Mississippi Code of 1972, is amended as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.

(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

The exemption provided in this paragraph (h) shall not apply to medical cannabis sold in accordance with the provisions of the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol-blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full-line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.

(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;

2. Binder pockets;

3. Binders;

4. Blackboard chalk;

5. Book bags;

6. Calculators;

7. Cellophane tape;

8. Clays and glazes;

9. Compasses;

10. Composition books;

11. Crayons;

12. Dictionaries and thesauruses;

13. Dividers;

14. Erasers;
15. Folders: expandable, pocket, plastic and manila;
16. Glue, paste and paste sticks;
17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;
31. Protractors;
32. Reference books;
33. Reference maps and globes;
34. Rulers;
35. Scissors;
36. Sheet music;
37. Sketch and drawing pads;
38. Textbooks;
39. Watercolors;
40. Workbooks; and
41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or

2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Snackpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2022.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

SECTION 22. Section 33-13-520, Mississippi Code of 1972, is amended as follows:

33-13-520. (1) Any person subject to this code who uses, while on duty, any controlled substance listed in the Uniform Controlled Substances Law, not legally prescribed, or is found, by a chemical analysis of such person's blood or urine, to have in his blood, while on duty, any controlled substance described in subsection (3), not legally prescribed, shall be punished as a court-martial may direct.

(2) Any person subject to this code who wrongfully uses, possesses, manufactures, distributes, imports into the customs territory of the United States, exports from the United States, or introduces into an installation, vessel, vehicle or aircraft used by or under the control of the state military forces a substance described in subsection (3) shall be punished as a court-martial may direct.

(3) The substances referred to in subsections (1) and (2) are the following:

(a) Opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, phencyclidine, barbituric acid, and marijuana and any compound or derivative of any such substance. For the purposes of this paragraph (a), "marijuana" shall not include medical cannabis that is lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

(b) Any substance not specified in paragraph (a) that is listed on a schedule of controlled substance prescribed by the President for the purposes of the federal Uniform Code of Military Justice.

(c) Any other substance not specified in paragraph (a) or contained on a list prescribed by the President under paragraph (b) that is listed in Schedules I through V of Section 202 of the federal Controlled Substances Act (21 USCS 812).

SECTION 23. Section 41-29-125, Mississippi Code of 1972, is amended as follows:

41-29-125. (1) The State Board of Pharmacy may promulgate rules and regulations relating to the registration and control of the manufacture, distribution and dispensing of controlled substances, including medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act, within this state and the distribution and dispensing of controlled substances into this state from an out-of-state location.

(a) Every person who manufactures, distributes or dispenses any controlled substance within this state or who distributes or dispenses any controlled substance into this state from an out-of-state location, or who proposes to engage in the manufacture, distribution or dispensing of any controlled substance within this state or the distribution or dispensing of any controlled substance into this state from an out-of-state location, must obtain a registration issued by the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine, as appropriate, in accordance with its rules and the law of this state. Such registration shall be obtained annually or biennially, as specified by the issuing board, and a reasonable fee may be charged by the issuing board for such registration.

(b) Persons registered by the State Board of Pharmacy, with the consent of the United States Drug Enforcement Administration and the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine to manufacture, distribute, dispense or conduct research with controlled substances may possess, manufacture, distribute, dispense or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this article.

(c) The following persons need not register and may lawfully possess controlled substances under this article:

(1) An agent or employee of any registered manufacturer, distributor or dispenser of any controlled substance if he is acting in the usual course of his business or employment;

(2) A common or contract carrier or warehouse, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

(3) An ultimate user or a person in possession of any controlled substance pursuant to a valid prescription or in lawful possession of a Schedule V substance as defined in Section 41-29-121.

(d) The State Board of Pharmacy may waive by rule the requirement for registration of certain manufacturers, distributors or dispensers if it finds it consistent with the public health and safety.

(e) A separate registration is required at each principal place of business or professional practice where an applicant within the state manufactures, distributes or dispenses controlled substances and for each principal place of business or professional practice located out of state from which controlled substances are distributed or dispensed into the state.

(f) The State Board of Pharmacy, the Mississippi Bureau of Narcotics, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing and the Mississippi Board of Veterinary Medicine may inspect the establishment of a registrant or applicant for registration in accordance with the regulations of these agencies as approved by the board.

(2) Whenever a pharmacy ships, mails or delivers any Schedule II controlled substance listed in Section 41-29-115 to a private residence in this state, the pharmacy shall arrange with the entity that will actually deliver the controlled substance to a recipient in this state that the entity will: (a) deliver the controlled substance only to a person who is eighteen (18) years of age or older; and (b) obtain the signature of that person before delivering the controlled substance. The requirements of this subsection shall not apply to a pharmacy serving a nursing facility or to a pharmacy owned and/or operated by a hospital, nursing facility or clinic to which the general public does not have access to purchase pharmaceuticals on a retail basis.

SECTION 24. Section 41-29-127, Mississippi Code of 1972, is amended as follows:

41-29-127. (a) The State Board of Pharmacy shall register an applicant to manufacture or distribute controlled substances included in Sections 41-29-113 through 41-29-121 and the Mississippi Medical Cannabis Compassion Act, unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the State Board of Pharmacy shall consider the following factors:

(1) Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;

(2) Compliance with applicable state and local law;

(3) Any convictions of the applicant under any federal and state laws relating to any controlled substance;

(4) Past experience in the manufacture or distribution of controlled substances and the existence in the applicant's establishment of effective controls against diversion;

(5) Furnishing by the applicant of false or fraudulent material in any application filed under this article;

(6) Suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

(7) Any other factors relevant to and consistent with the public health and safety.

(b) Registration under subsection (a) does not entitle a registrant to manufacture and distribute controlled substances in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than those specified in the registration.

(c) Practitioners must be registered to dispense any controlled substances or to conduct research with controlled substances in Schedules II through V, as set out in Sections 41-29-115 through 41-29-121, if they are authorized to dispense or conduct research under the law of this state. The State Board of Pharmacy need not require separate registration under this section for practitioners engaging in research with nonnarcotic controlled substances in the said Schedules II through V where the registrant is already registered therein in another capacity. Practitioners registered under federal law to conduct research with Schedule I substances, as set out in Section 41-29-113, may conduct research with Schedule I substances within this state upon furnishing the State Board of Health evidence of that federal registration.

(d) Compliance by manufacturers and distributors with the provisions of the federal law respecting registration (excluding fees) entitles them to be registered under this article.

SECTION 25. Section 41-29-136, Mississippi Code of 1972, is amended as follows:

41-29-136. (1) "CBD solution" means a pharmaceutical preparation consisting of processed cannabis plant extract in oil or other suitable vehicle.

(2) (a) CBD solution prepared from (i) Cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi under appropriate federal and state regulatory approvals, or (ii) Cannabis extract from hemp produced pursuant to Sections 69-25-201 through 69-25-221, which is prepared and tested to meet compliance with regulatory specifications, may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the state under appropriate federal and state regulatory approvals and registrations.

(b) The patient or the patient's parent, guardian or custodian must execute a hold-harmless agreement that releases from liability the state and any division, agency, institution or employee thereof involved in the research, cultivation, processing, formulating, dispensing, prescribing or administration of CBD solution obtained from entities authorized under this section to produce or possess cannabidiol for research under appropriate federal and state regulatory approvals and registrations.

(c) The National Center for Natural Products Research at the University of Mississippi and the Mississippi Agricultural and Forestry Experiment Station at Mississippi

State University are the only entities authorized to produce cannabis plants for cannabidiol research.

(d) Research of CBD solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as they are applicable. Authorized entities may enter into public-private partnerships to facilitate research.

(3) (a) In a prosecution for the unlawful possession of marijuana under the laws of this state, it is an affirmative and complete defense to prosecution that:

(i) The defendant suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section; or

(ii) The defendant is the parent, guardian or custodian of an individual who suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section.

(b) An agency of this state or a political subdivision thereof, including any law enforcement agency, may not initiate proceedings to remove a child from the home based solely upon the possession or use of CBD solution by the child or parent, guardian or custodian of the child as authorized under this section.

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD solution shall not be subject to prosecution for unlawful possession, use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

(4) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations thereunder.

( \*\* \*5) This section shall be known as "Harper Grace's Law."

( \*\* \*6) This section shall stand repealed from and after July 1, 2024.

SECTION 26. Section 41-29-137, Mississippi Code of 1972, is amended as follows:

41-29-137. (a) (1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II, as set out in Section 41-29-115, may be dispensed without the written valid prescription of a practitioner. A practitioner shall keep a record of all controlled substances in Schedule I, II and III administered, dispensed or professionally used by him otherwise than by prescription.

(2) In emergency situations, as defined by rule of the State Board of Pharmacy, Schedule II drugs may be dispensed upon the oral valid prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of Section 41-29-133. No prescription for a Schedule II substance may be refilled unless renewed by prescription issued by a licensed medical doctor.

(b) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or IV, as set out in Sections 41-29-117 and 41-29-119, shall not be dispensed without a written or oral valid prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(c) A controlled substance included in Schedule V, as set out in Section 41-29-121, shall not be distributed or dispensed other than for a medical purpose.

(d) An optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 shall be authorized to prescribe oral analgesic controlled substances in Schedule IV or V, as pertains to treatment and management of eye disease by written prescription only.

(e) Administration by injection of any pharmaceutical product authorized in this section is expressly prohibited except when dispensed directly by a practitioner other than a pharmacy.

(f) (1) For the purposes of this article, Title 73, Chapter 21, and Title 73, Chapter 25, Mississippi Code of 1972, as it pertains to prescriptions for controlled substances, a "valid prescription" means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by:

(A) A practitioner who has conducted at least one (1) in-person medical evaluation of the patient, except as otherwise authorized by Section 41-29-137.1; or

(B) A covering practitioner.

(2) (A) "In-person medical evaluation" means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

(B) "Covering practitioner" means a practitioner who conducts a medical evaluation other than an in-person medical evaluation at the request of a practitioner who has conducted at least one (1) in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within the previous twenty-four (24) months and who is temporarily unavailable to conduct the evaluation of the patient.

(3) A prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire is not a valid prescription.

(4) Nothing in this subsection (f) shall apply to:

(A) A prescription issued by a practitioner engaged in the practice of telemedicine as authorized under state or federal law; or

(B) The dispensing or selling of a controlled substance pursuant to practices as determined by the United States Attorney General by regulation.

(g) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

SECTION 27. Section 41-29-139, Mississippi Code of 1972, is amended as follows:

41-29-139. (a) Transfer and possession with intent to transfer. Except as authorized by this article, it is unlawful for any person knowingly or intentionally:

(1) To sell, barter, transfer, manufacture, distribute, dispense or possess with intent to sell, barter, transfer, manufacture, distribute or dispense, a controlled substance; or

(2) To create, sell, barter, transfer, distribute, dispense or possess with intent to create, sell, barter, transfer, distribute or dispense, a counterfeit substance.

(b) Punishment for transfer and possession with intent to transfer. Except as otherwise provided in Section 41-29-142, any person who violates subsection (a) of this section shall be, if convicted, sentenced as follows:

(1) For controlled substances classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than marijuana or synthetic cannabinoids:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than five (5) years nor more than thirty (30) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) For marijuana:

1. If thirty (30) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than thirty (30) grams but less than two hundred fifty (250) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(B) For synthetic cannabinoids:

1. If ten (10) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than ten (10) grams but less than twenty (20) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(3) For controlled substances classified in Schedules III and IV, as set out in Sections 41-29-117 and 41-29-119:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both;

(D) If thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(4) For controlled substances classified in Schedule V, as set out in Section 41-29-121:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than one (1) year or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than ten (10) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both;

(D) For thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(c) Simple possession. Except as otherwise provided under subsection (i) of this section for actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder, it is unlawful for any person knowingly or intentionally to possess any controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this article. The penalties for any violation of this subsection (c) with respect

to a controlled substance classified in Schedules I, II, III, IV or V, as set out in Section 41-29-113, 41-29-115, 41-29-117, 41-29-119 or 41-29-121, including marijuana or synthetic cannabinoids, shall be based on dosage unit as defined herein or the weight of the controlled substance as set forth herein as appropriate:

"Dosage unit (d.u.);" means a tablet or capsule, or in the case of a liquid solution, one (1) milliliter. In the case of lysergic acid diethylamide (LSD) the term, "dosage unit" means a stamp, square, dot, microdot, tablet or capsule of a controlled substance.

For any controlled substance that does not fall within the definition of the term "dosage unit," the penalties shall be based upon the weight of the controlled substance.

The weight set forth refers to the entire weight of any mixture or substance containing a detectable amount of the controlled substance.

If a mixture or substance contains more than one (1) controlled substance, the weight of the mixture or substance is assigned to the controlled substance that results in the greater punishment.

A person shall be charged and sentenced as follows for a violation of this subsection with respect to:

(1) A controlled substance classified in Schedule I or II, except marijuana and synthetic cannabinoids:

(A) If less than one-tenth (0.1) gram or two (2) dosage units, the violation is a misdemeanor and punishable by imprisonment for not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If one-tenth (0.1) gram or more or two (2) or more dosage units, but less than two (2) grams or ten (10) dosage units, by imprisonment for not more than three (3) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(C) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(D) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) Marijuana and synthetic cannabinoids:

1. If thirty (30) grams or less of marijuana or ten (10) grams or less of synthetic cannabinoids, by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00). The provisions of this paragraph (2)(A) may be enforceable by summons if the offender provides proof of identity satisfactory to the arresting officer and gives written promise to appear in court satisfactory to the arresting officer, as directed by the summons. A second conviction under this section within two (2) years is a misdemeanor punishable by a fine of Two Hundred Fifty Dollars (\$250.00), not more than sixty (60) days in the county jail, and mandatory participation in a drug education program approved by the Division of Alcohol and Drug Abuse of the State Department of Mental Health, unless the court enters a written finding that a drug education program is inappropriate. A third or subsequent conviction under this paragraph (2)(A) within two (2) years is a misdemeanor punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) and confinement for not more than six (6) months in the county jail.

Upon a first or second conviction under this paragraph (2)(A), the courts shall forward a report of the conviction to the Mississippi Bureau of Narcotics which shall make and maintain a private, nonpublic record for a period not to exceed two (2) years from the date of conviction. The private, nonpublic record shall be solely for the use of the courts in determining the penalties which attach upon conviction under this paragraph (2)(A) and shall not constitute a criminal record for the purpose of private or administrative inquiry and the record of each conviction shall be expunged at the end of the period of two (2) years following the date of such conviction;

2. Additionally, a person who is the operator of a motor vehicle, who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers, more than one (1) gram, but not more than thirty (30) grams of marijuana or not more than ten (10) grams of synthetic cannabinoids is guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or confined for not more than ninety (90) days in the county jail, or both. For the purposes of this subsection, such area of the vehicle shall not include the trunk of the motor vehicle or the areas not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers \* \* \*.

(B) Marijuana:

1. If more than thirty (30) grams but less than two hundred fifty (250) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If one (1) kilogram or more but less than five (5) kilograms, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both;

5. If five (5) kilograms or more, by imprisonment for not less than ten (10) years nor more than thirty (30) years or a fine of not more than One Million Dollars (\$1,000,000.00), or both.

(C) Synthetic cannabinoids:

1. If more than ten (10) grams but less than twenty (20) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If two hundred (200) or more grams, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(3) A controlled substance classified in Schedule III, IV or V as set out in Sections 41-29-117 through 41-29-121, upon conviction, may be punished as follows:

(A) If less than fifty (50) grams or less than one hundred (100) dosage units, the offense is a misdemeanor and punishable by not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If fifty (50) or more grams or one hundred (100) or more dosage units, but less than one hundred fifty (150) grams or five hundred (500) dosage units, by imprisonment for not less than one (1) year nor more than four (4) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(C) If one hundred fifty (150) or more grams or five hundred (500) or more dosage units, but less than three hundred (300) grams or one thousand (1,000) dosage units, by imprisonment for not less than two (2) years nor more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(D) If three hundred (300) or more grams or one thousand (1,000) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(d) Paraphernalia. (1) Except as otherwise provided under subsection (i) of this section for actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder, it is unlawful for a person who is not authorized by the State Board of Medical Licensure, State Board of Pharmacy, or other lawful authority to use, or to possess with intent to use, paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Any person who violates this subsection (d)(1) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both; however, no person shall be charged with a violation of this subsection when such person is also charged with the possession of thirty (30) grams or less of marijuana under subsection (c)(2)(A) of this section.

(2) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Except as provided in subsection (d)(3), a person who violates this subsection (d)(2) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(3) Any person eighteen (18) years of age or over who violates subsection (d)(2) of this section by delivering or selling paraphernalia to a person under eighteen (18)

years of age who is at least three (3) years his junior is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as paraphernalia. Any person who violates this subsection is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(e) It shall be unlawful for any physician practicing medicine in this state to prescribe, dispense or administer any amphetamine or amphetamine-like anorectics and/or central nervous system stimulants classified in Schedule II, pursuant to Section 41-29-115, for the exclusive treatment of obesity, weight control or weight loss. Any person who violates this subsection, upon conviction, is guilty of a misdemeanor and may be confined for a period not to exceed six (6) months, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(f) Trafficking. (1) Any person trafficking in controlled substances shall be guilty of a felony and, upon conviction, shall be imprisoned for a term of not less than ten (10) years nor more than forty (40) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The ten-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(2) "Trafficking in controlled substances" as used herein means:

(A) A violation of subsection (a) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(B) A violation of subsection (a) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance;

(C) A violation of subsection (c) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(D) A violation of subsection (c) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance; or

(E) A violation of subsection (a) of this section involving one (1) kilogram or more of marijuana or two hundred (200) grams or more of synthetic cannabinoids.

(g) Aggravated trafficking. Any person trafficking in Schedule I or II controlled substances, except marijuana and synthetic cannabinoids, of two hundred (200) grams or more shall be guilty of aggravated trafficking and, upon conviction, shall be sentenced to a term of not less than twenty-five (25) years nor more than life in prison and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The twenty-five-year sentence shall be a mandatory sentence and shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(h) Sentence mitigation. (1) Notwithstanding any provision of this section, a person who has been convicted of an offense under this section that requires the judge to impose a prison sentence which cannot be suspended or reduced and is ineligible for probation or parole may, at the discretion of the court, receive a sentence of imprisonment that is no less than twenty-five percent (25%) of the sentence prescribed by the applicable statute. In considering whether to apply the departure from the sentence prescribed, the court shall conclude that:

(A) The offender was not a leader of the criminal enterprise;

(B) The offender did not use violence or a weapon during the crime;

(C) The offense did not result in a death or serious bodily injury of a person not a party to the criminal enterprise; and

(D) The interests of justice are not served by the imposition of the prescribed mandatory sentence.

The court may also consider whether information and assistance were furnished to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who violate this subsection. The accused shall have adequate opportunity to develop and make a record of all information and assistance so furnished.

(2) If the court reduces the prescribed sentence pursuant to this subsection, it must specify on the record the circumstances warranting the departure.

(i) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

SECTION 28. Section 41-29-141, Mississippi Code of 1972, is amended as follows:

41-29-141. It is unlawful for any person:

(1) Who is subject to Section 41-29-125 to distribute or dispense a controlled substance in violation of Section 41-29-137;

(2) Who is a registrant under Section 41-29-125 to manufacture a controlled substance not authorized by his registration, or to distribute or dispense a controlled substance not authorized by his registration to another registrant or other authorized person;

(3) To refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this article;

(4) To refuse a lawful entry into any premises for any inspection authorized by this article; or

(5) Knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this article for the purpose of using these substances, or which is used for keeping or selling them in violation of this article.

Any person who violates this section shall, with respect to such violation, be subject to a civil penalty payable to the State of Mississippi of not more than Twenty-five Thousand Dollars (\$25,000.00).

In addition to the civil penalty provided in the preceding paragraph, any person who knowingly or intentionally violates this section shall be guilty of a crime and upon conviction thereof may be confined for a period of not more than one (1) year or fined not more than One Thousand Dollars (\$1,000.00), or both.

This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

SECTION 29. Section 41-29-143, Mississippi Code of 1972, is amended as follows:

41-29-143. It is unlawful for any person knowingly or intentionally:

(1) To distribute as a registrant a controlled substance classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, except pursuant to an order form as required by Section 41-29-135;

(2) To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person \* \* \*;

(3) To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this article, or any record required to be kept by this article; or

(4) To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render the drug a counterfeit substance.

Any person who violates this section is guilty of a crime and upon conviction may be confined for not more than one (1) year or fined not more than One Thousand Dollars (\$1,000.00) or both.

This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

SECTION 30. Section 59-23-7, Mississippi Code of 1972, is amended as follows:

59-23-7. (1) It is unlawful for any person to operate a watercraft on the public waters of this state who:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance which has impaired such person's ability to operate a watercraft; or

(c) Has eight one-hundredths percent (.08%) or more by weight volume of alcohol in the person's blood based upon milligrams of alcohol per one hundred (100) cubic centimeters of blood as shown by a chemical analysis of such person's breath, blood or urine administered as authorized by this chapter.

(2) (a) Except as provided in subsection (6) of this section, upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 59-23-5 were given, or where chemical test results are not available, such person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than twenty-four (24) hours in jail, or both; and the court shall order such person to attend and complete a boating safety education course developed by the Department of Wildlife, Fisheries and Parks.

(b) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Dollars (\$1,000.00) and shall be imprisoned not less than forty-eight (48) consecutive hours nor more than one (1) year or sentenced to community service work for not less than ten (10) days nor more than one (1) year. The court shall order the person not to operate a watercraft for one (1) year.

(c) For any third conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be fined not less than Eight Hundred Dollars (\$800.00) nor more than One Thousand Dollars (\$1,000.00) and shall be imprisoned not less than thirty (30) days nor more than one (1) year. The court shall order the person not to operate a watercraft for two (2) years.

(d) Any fourth or subsequent violation of subsection (1) of this section shall be a felony offense and, upon conviction, the offenses being committed within a period of five (5) years, the person shall be fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00) and shall be imprisoned not less than ninety (90) days nor more than five (5) years in the custody of the Department of Corrections. The court shall order the person not to operate a watercraft for three (3) years.

(3) Any person convicted of operating any watercraft in violation of subsection (1) of this section where the person (a) refused a law enforcement officer's request to submit to a chemical test, or (b) was unconscious at the time of a chemical test and refused to consent to the introduction of the results of such test in any prosecution, shall be punished consistent with the penalties prescribed herein for persons submitting to the test and the court shall order the person not to operate a watercraft for the time periods specified in subsection (2) of this section.

(4) Any person who operates any watercraft in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other member or limb of another shall, upon conviction, be guilty of a felony and shall be committed to the custody of the Department of Corrections for a period of time not to exceed ten (10) years.

(5) Upon conviction of any violation of subsection (1) of this section, the judge shall cause a copy of the citation and any other pertinent documents concerning the conviction to be sent immediately to the Mississippi Department of Wildlife, Fisheries and Parks and the Department of Marine Resources. A copy of the citation or other pertinent documents, having been attested as true and correct by the Director of the Mississippi Department of Wildlife, Fisheries and Parks, or his designee, or the Director of the Department of Marine Resources, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section.

(6) A registered qualified patient under the Mississippi Medical Cannabis Compassion Act who drives or otherwise operates watercraft within this state while under the influence of medical cannabis shall be subject to the penalties set forth in Section

10(7) of this act and shall not be subject to the penalties under subsection (2)(a) of this section. All other provisions of this section are applicable to first offenses under Section 10(7) of this act and all second and subsequent offenses by registered qualified patients.

SECTION 31. Section 63-11-30, Mississippi Code of 1972, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Except as provided in subsection (15) of this section, upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), shall be imprisoned not less than five (5) days nor more than six (6) months and sentenced to

community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero Tolerance for Minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars (\$250.00); the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars (\$500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars (\$1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) Every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one- \* \* \* hundredths percent (.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock

restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars (\$10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

(ii) Who did not refuse to submit to a test of his blood or breath;

(iii) Whose blood alcohol concentration tested below sixteen one-hundredths percent (.16%) if test results are available;

(iv) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(v) Who has provided the court with justification as to why the conviction should be expunged; and

(vi) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

(15) A registered qualified patient of medical cannabis under the Mississippi Medical Cannabis Compassion Act who drives or otherwise operate a motor vehicle within this state while under the influence of medical cannabis shall be subject to the penalties set forth in Section 10(7) of this act for their first offense and shall not be subject to the penalties under subsection (2)(a) of this section. All other provisions of this section are applicable to first offenses under Section 10(7) of this act and second and subsequent offenses by registered qualified patients.

SECTION 32. Section 71-3-7, Mississippi Code of 1972, is amended as follows:

71-3-7. (1) Compensation shall be payable for disability or death of an employee from injury or occupational disease arising out of and in the course of employment, without regard to fault as to the cause of the injury or occupational disease. An occupational disease shall be deemed to arise out of and in the course of employment when there is evidence that there is a direct causal connection between the work performed and the occupational disease. In all claims in which no benefits, including disability, death and medical benefits, have been paid, the claimant shall file medical records in support of his claim for benefits when filing a petition to controvert. If the claimant is unable to file the medical records in support of his claim for benefits at the time of filing the petition to controvert because of a limitation of time established by Section 71-3-35 or Section 71-3-53, the claimant shall file medical records in support of his claim within sixty (60) days after filing the petition to controvert.

(2) Where a preexisting physical handicap, disease, or lesion is shown by medical findings to be a material contributing factor in the results following injury, the compensation which, but for this subsection, would be payable shall be reduced by that proportion which such preexisting physical handicap, disease, or lesion contributed to the production of the results following the injury. The preexisting condition does not have to be occupationally disabling for this apportionment to apply.

(3) The following provisions shall apply to subsections (1) and (2) of this section:

(a) Apportionment shall not be applied until the claimant has reached maximum medical recovery.

(b) The employer or carrier does not have the power to determine the date of maximum medical recovery or percentage of apportionment. This must be done by the attorney-referee, subject to review by the commission as the ultimate finder of fact.

(c) After the date the claimant reaches maximum medical recovery, weekly compensation benefits and maximum recovery shall be reduced by that proportion which the preexisting physical handicap, disease, or lesion contributes to the results following injury.

(d) If maximum medical recovery has occurred before the hearing and order of the attorney-referee, credit for excess payments shall be allowed in future payments. Such allowances and method of accomplishment of the same shall be determined by the attorney-referee, subject to review by the commission. However, no actual repayment of such excess shall be made to the employer or carrier.

(4) No compensation shall be payable if the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or intoxication due to the use of alcohol of the employee was the proximate cause of the injury, or if it was the willful intention of the employee to injure or kill himself or another.

(5) Every employer to whom this chapter applies shall be liable for and shall secure the payment to his employees of the compensation payable under its provisions.

(6) In the case of an employer who is a subcontractor, the contractor shall be liable for and shall secure the payment of such compensation to employees of the subcontractor, unless the subcontractor has secured such payment.

SECTION 33. Section 71-3-121, Mississippi Code of 1972, is amended as follows:

71-3-121. (1) In the event that an employee sustains an injury at work or asserts a work-related injury, the employer shall have the right to administer drug and alcohol testing or require that the employee submit himself to drug and alcohol testing. If the employee has a positive test indicating the presence, at the time of injury, of any drug illegally used or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or eight one-hundredths percent (.08%) or more by weight volume of alcohol in the person's blood, it shall be presumed that the proximate cause of the injury was the use of a drug illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol by the employee. If the employee refuses to submit himself to drug and alcohol testing immediately after the alleged work-related injury, then it shall be presumed that the employee was using a drug illegally, or was using a valid prescription medication(s) contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or was intoxicated due to the use of alcohol at the time of the accident and that the proximate cause of the injury was the use of a drug illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol of the employee. The burden of proof will then be placed upon the employee to prove that the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or intoxication due to the use of alcohol was not a contributing cause of the accident in order to defeat the defense of the employer provided under Section 71-3-7.

(2) The results of the drug and alcohol tests, employer-administered or otherwise, shall be considered admissible evidence solely on the issue of causation in the determination of the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Compassion Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol of an employee at the time of injury for workers' compensation purposes under Section 71-3-7.

(3) No cause of action for defamation of character, libel, slander or damage to reputation arises in favor of any person against an employer under the provisions of this section.

SECTION 34. Section 73-21-127, Mississippi Code of 1972, is amended as follows:

73-21-127. (1) The Board of Pharmacy shall develop and implement a computerized program to track prescriptions for controlled substances and to report suspected abuse and misuse of controlled substances in compliance with the federal regulations promulgated under authority of the National All Schedules Prescription Electronic Reporting Act of 2005 and in compliance with the federal HIPAA law, under the following conditions:

(a) Submission or reporting of dispensing information shall be mandatory and required by the State Board of Pharmacy for any entity dispensing controlled substances in or into the State of Mississippi, except for the dispensing of controlled substance drugs by a veterinarian residing in the State of Mississippi.

(b) The prescriptions tracked shall be prescriptions for controlled substances listed in Schedule II, III, IV or V and specified noncontrolled substances identified by the State Board of Pharmacy that are dispensed to residents in the State of Mississippi by licensed pharmacies, nonresident pharmacies, institutions and dispensing practitioners, regardless of dispenser location.

(c) The Board of Pharmacy shall report any activity it reasonably suspects may be fraudulent or illegal to the appropriate law enforcement agency or occupational licensing board and provide them with the relevant information obtained for further investigation.

(d) The program shall provide information regarding the potential inappropriate use of controlled substances and the specified noncontrolled substances to practitioners, pharmacists-in-charge and appropriate state agencies in order to prevent the inappropriate or illegal use of these controlled substances. The specific purposes of the program shall be to: be proactive in safeguarding public health and safety; support the legitimate use of controlled substances; facilitate and encourage the identification, intervention with and treatment of individuals addicted to controlled substances and specified noncontrolled drugs; identify and prevent drug diversion; provide assistance to those state and federal law enforcement and regulatory agencies investigating cases of drug diversion or other misuse; and inform the public and health care professionals of the use and abuse trends related to controlled substance and specified noncontrolled drugs.

(e) (i) Access to collected data shall be confidential and not subject to the provisions of the federal Freedom of Information Act or the Mississippi Public Records Act. Upon request, the State Board of Pharmacy shall provide collected information to: pharmacists or practitioners who are properly registered with the State Board of Pharmacy and are authorized to prescribe or dispense controlled substances for the purpose of providing medical and pharmaceutical care for their patients; local, state and federal law enforcement officials engaged in the administration, investigation or enforcement of the laws governing illicit drug use; regulatory and licensing boards in this state; Division of Medicaid regarding Medicaid and Medicare Program recipients; judicial authorities under grand jury subpoena; an individual who requests the individual's own prescription monitoring information; and prescription monitoring programs in other states through mutual agreement adhering to State Board of Pharmacy policies.

(ii) The Director of the Mississippi Bureau of Narcotics, or his designee, shall have access to the Prescription Monitoring Program (PMP) database for the purpose of investigating the potential illegal acquisition, distribution, dispensing, prescribing or administering of the controlled and noncontrolled substances monitored by the program, subject to all legal restrictions on further dissemination of the information obtained.

(iii) The State Board of Pharmacy may also provide statistical data for research or educational purposes if the board determines the use of the data to be of significant benefit to public health and safety. The board maintains the right to refuse any request for PMP data.

(iv) A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the PMP. Failure of a pharmacist licensed by the Mississippi Board of Pharmacy to register as a user of the PMP is grounds for disciplinary action by the board.

(v) All licensed practitioners as defined under Section 73-21-73(ee) holding an active DEA number shall register as users of the PMP.

(f) The Prescription Monitoring Program through the Board of Pharmacy may:

(i) Establish the cost of administration, maintenance, and operation of the program and charge to like agencies a fee based on a formula to be determined by the board with collaboration and input from participating agencies; and

(ii) Assess charges for information and/or statistical data provided to agencies, institutions and individuals. The amounts of those fees shall be set by the Executive Director of the Board of Pharmacy based on the recommendation of the Director of the PMP.

All such fees collected shall be deposited into the special fund of the State Board of Pharmacy and used to support the operations of the PMP.

(g) A dispenser pharmacist or practitioner licensed to dispense controlled substances and specified noncontrolled substance drugs who knowingly fails to submit drug-monitoring information or knowingly submits incorrect dispensing information shall be subject to actions against the pharmacist's or practitioner's license, registrations or permit and/or an administrative penalty as provided in Sections 73-21-97 and 73-21-103. Any misuse of the PMP is subject to penalties as provided in Sections 73-21-97 and 73-21-103.

(h) The Board of Pharmacy and the Prescription Monitoring Program shall be immune from civil liability arising from inaccuracy of any of the information submitted to the program.

(i) "Practitioner," as used in this section, shall include any person licensed, registered or otherwise permitted to distribute, dispense, prescribe or administer a controlled substance, as defined under Section 41-29-105(y), and any person defined as a "practitioner" under Section 73-21-73(ee).

(j) In addition to any funds appropriated by the Legislature, the State Board of Pharmacy may apply for any available grants and accept any gifts, grants or donations to assist in future development or in maintaining the program.

(2) In addition to receiving the dispensing information regarding controlled substances as provided in subsection (1) of this section, the State Board of Pharmacy shall receive and maintain in the Prescription Monitoring Program (a) the medical cannabis dispensing information that medical cannabis specialty pharmacies under the Mississippi Medical Cannabis Compassion Act are required to report to the PMP under the act, and (b) any other medical cannabis dispensing information that specialty pharmacies are required to report to the PMP. The medical cannabis dispensing information reported by medical cannabis specialty pharmacies under the Mississippi Medical Cannabis Compassion Act shall not be considered to be a prescription for the purposes of the Mississippi Pharmacy Practice Act or the Uniform Controlled Substance Law.

SECTION 35. Section 73-25-29, Mississippi Code of 1972, is amended as follows:

73-25-29. The grounds for the nonissuance, suspension, revocation or restriction of a license or the denial of reinstatement or renewal of a license are:

(1) Habitual personal use of narcotic drugs, or any other drug having addiction-forming or addiction-sustaining liability.

(2) Habitual use of intoxicating liquors, or any beverage, to an extent which affects professional competency.

(3) Administering, dispensing or prescribing any narcotic drug, or any other drug having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice.

(4) Conviction of violation of any federal or state law regulating the possession, distribution or use of any narcotic drug or any drug considered a controlled substance under state or federal law, a certified copy of the conviction order or judgment rendered by the trial court being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(5) Procuring, or attempting to procure, or aiding in, an abortion that is not medically indicated.

(6) Conviction of a felony or misdemeanor involving moral turpitude, a certified copy of the conviction order or judgment rendered by the trial court being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(7) Obtaining or attempting to obtain a license by fraud or deception.

(8) Unprofessional conduct, which includes, but is not limited to:

(a) Practicing medicine under a false or assumed name or impersonating another practitioner, living or dead.

(b) Knowingly performing any act which in any way assists an unlicensed person to practice medicine.

(c) Making or willfully causing to be made any flamboyant claims concerning the licensee's professional excellence.

(d) Being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

(e) Obtaining a fee as personal compensation or gain from a person on fraudulent representation of a disease or injury condition generally considered incurable by competent medical authority in the light of current scientific knowledge and practice can be cured or offering, undertaking, attempting or agreeing to cure or treat the same by a secret method, which he refuses to divulge to the board upon request.

(f) Use of any false, fraudulent or forged statement or document, or the use of any fraudulent, deceitful, dishonest or immoral practice in connection with any of the licensing requirements, including the signing in his professional capacity any certificate that is known to be false at the time he makes or signs such certificate.

(g) Failing to identify a physician's school of practice in all professional uses of his name by use of his earned degree or a description of his school of practice.

(9) The refusal of a licensing authority of another state or jurisdiction to issue or renew a license, permit or certificate to practice medicine in that jurisdiction or the revocation, suspension or other restriction imposed on a license, permit or certificate issued by such licensing authority which prevents or restricts practice in that jurisdiction, a certified copy of the disciplinary order or action taken by the other state or jurisdiction being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(10) Surrender of a license or authorization to practice medicine in another state or jurisdiction or surrender of membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those

authorities or bodies for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this section.

(11) Final sanctions imposed by the United States Department of Health and Human Services, Office of Inspector General or any successor federal agency or office, based upon a finding of incompetency, gross misconduct or failure to meet professionally recognized standards of health care; a certified copy of the notice of final sanction being prima facie evidence thereof. As used in this paragraph, the term "final sanction" means the written notice to a physician from the United States Department of Health and Human Services, Office of Inspector General or any successor federal agency or office, which implements the exclusion.

(12) Failure to furnish the board, its investigators or representatives information legally requested by the board.

(13) Violation of any provision(s) of the Medical Practice Act or the rules and regulations of the board or of any order, stipulation or agreement with the board.

(14) Violation(s) of the provisions of Sections 41-121-1 through 41-121-9 relating to deceptive advertisement by health care practitioners.

(15) Performing or inducing an abortion on a woman in violation of any provision of Sections 41-41-131 through 41-41-145.

(16) Performing an abortion on a pregnant woman after determining that the unborn human individual that the pregnant woman is carrying has a detectable fetal heartbeat as provided in Section 41-41-34.1.

In addition to the grounds specified above, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

A physician who provides a written certification as authorized under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder shall not be subject to any disciplinary action under this section solely due to providing the written certification and recommendation.

SECTION 36. Section 83-9-22, Mississippi Code of 1972, is amended as follows:

83-9-22. (1) (a) Notwithstanding any other provision of the law to the contrary, except as otherwise provided in subsection (3) of this section, no health coverage plan shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed insured, or if the insured lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an insured's diagnosis with a terminal condition. Refusing to pay for treatment rendered to an insured near the end of life that is consistent with best practices for treatment of a disease or condition, approved uses of a drug or device, or uses supported by peer reviewed medical literature, is a per se violation of this section.

(b) Violations of this section shall constitute an unfair trade practice and subject the violator to the penalties provided by law.

(c) As used in this section "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(d) As used in this section, a "health coverage plan" shall mean any hospital, health or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract or agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type, including a group insurance plan and the State Health and Life Insurance Plan.

(2) (a) Notwithstanding any other provision of the law to the contrary, no health benefit paid directly or indirectly with state funds, specifically Medicaid, shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition.

(b) Refusing to pay for treatment rendered to an individual near the end of life that is consistent with best practices for treatment of a disease or condition, approved uses of a drug or device, or uses supported by peer reviewed medical literature, is a per se violation of this section.

(c) As used in this section "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(3) This section does not require a health coverage plan to cover and pay for the treatment of a person who is a registered qualifying patient for medical cannabis that is lawful under the Mississippi Medical Cannabis Compassion Act and in compliance with rules and regulations adopted thereunder.

SECTION 37. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS COMPASSION ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO PROVIDE FOR THE LEGISLATIVE INTENT; TO PROVIDE CERTAIN PROTECTIONS FOR QUALIFIED PATIENTS, DESIGNATED CAREGIVERS AND HEALTH CARE PRACTITIONERS; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HEALTH TO LICENSE AND REGULATE MEDICAL CANNABIS MANUFACTURERS; TO PROVIDE FOR THE LICENSING PROCESS FOR MEDICAL CANNABIS MANUFACTURERS AND SPECIALTY PHARMACIES; TO REQUIRE THE BOARD OF PHARMACY TO LICENSE SPECIALTY PHARMACIES; TO REQUIRE MEDICAL CANNABIS SPECIALTY PHARMACIES AND QUALIFIED HEALTH CARE PRACTITIONERS TO COMPLY WITH THE PRESCRIPTION MONITORING PROGRAM; TO PROVIDE FOR THE SEED-TO-SALE PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO ESTABLISH AND ADMINISTER THE MISSISSIPPI MEDICAL CANNABIS PATIENT REGISTRY SYSTEM; TO ALLOW THE DEPARTMENT OF HEALTH TO SET THE MAXIMUM DAILY DOSAGE OF MEDICAL CANNABIS; TO SET CERTAIN REQUIREMENTS FOR THE SECURITY AND OPERATION OF MEDICAL CANNABIS MANUFACTURERS AND SPECIALTY PHARMACIES; TO ALLOW STATE-FUNDED PUBLIC UNIVERSITIES THE FIRST RIGHT OF REFUSAL TO BE LICENSED AS A MEDICAL CANNABIS MANUFACTURER; TO PROHIBIT ANY COMPANY FROM BEING LICENSED AS A MANUFACTURER OR SPECIALTY PHARMACY IF IT IS OWNED WHOLLY OR IN PART BY ANY STATE

EMPLOYEE OR A MEMBER OF A STATE EMPLOYEE'S IMMEDIATE FAMILY; TO REQUIRE ALL EMPLOYEES OF MANUFACTURERS AND SPECIALTY PHARMACIES TO PASS A BACKGROUND CHECK; TO PROVIDE FOR VIOLATIONS OF THE ACT; TO SET LICENSING FEES OF MANUFACTURERS AND SPECIALTY PHARMACIES; TO PROVIDE FOR CERTAIN LIMITATIONS OF THE USE OF MEDICAL CANNABIS; TO REQUIRE THE BOARD OF PHARMACY AND THE DEPARTMENT OF HEALTH TO ADOPT RULES AND REGULATIONS RELATING TO MEDICAL CANNABIS; TO REQUIRE THAT THE DEPARTMENT OF HEALTH PROVIDE CERTAIN REPORTS TO THE LEGISLATURE REGARDING THE MEDICAL CANNABIS PROGRAM; TO ALLOW THE DEPARTMENT OF HEALTH AND BOARD OF PHARMACY TO EXAMINE THE BUSINESS AFFAIRS AND CONDITIONS OF MEDICAL CANNABIS MANUFACTURERS OR SPECIALTY PHARMACIES; TO PROHIBIT THE DEPARTMENT OF HEALTH AND BOARD OF PHARMACY FROM LICENSING SPECIALTY PHARMACIES AND MEDICAL CANNABIS MANUFACTURERS IN A COUNTY OR MUNICIPALITY UNLESS THE COUNTY OR MUNICIPALITY HAS AUTHORIZED THE OPERATION WITHIN ITS BOUNDARIES; TO PROVIDE THAT SPECIALTY PHARMACIES AND MEDICAL CANNABIS MANUFACTURERS SHALL COLLECT AND REMIT THE SALES TAX LEVIED IN SECTION 27-65-17(1)(a) FROM THE GROSS PROCEEDS DERIVED FROM EACH SALE OF MEDICAL CANNABIS; TO ESTABLISH THE MEDICAL CANNABIS RESEARCH AND OPPORTUNITY FUND IN THE STATE TREASURY; TO AMEND SECTIONS 25-53-5, 27-104-203, 27-65-111, 33-13-520, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141, 41-29-143, 59-23-7, 63-11-30, 71-3-7, 71-3-121, 73-21-127, 73-25-29 AND 83-9-22, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 5 to S. B. No. 2095 failed by the following vote:

Yeas--Branning, Chism, Hill, McLendon, Seymour, Tate. Total--6.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Absent and those not voting--Harkins, Sparks, Suber. Total--3.

Voting Present--McDaniel, Sojourner, Turner-Ford. Total--3.

Senator Blackwell offered the following AMENDMENT NO. 6.

AMEND on line 588 by deleting "Not later than one hundred twenty (120) days after" and substitute in lieu thereof the following:

After one hundred twenty (120) days from

FURTHER, AMEND on line 951 by deleting "sixty (60)" and substituting in lieu thereof the following:

one hundred twenty (120)

Amendment No. 6 to S. B. No. 2095 was adopted.

Senator Blackmon offered the following AMENDMENT NO. 7.

AMEND by inserting the following as a new section after line 11051 and renumbering subsequent sections accordingly:

SECTION \* It shall be the policy of the State of Mississippi in issuing licenses to all medical Cannabis establishments, and in any other actions taken by the Departments, under this act, to pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized and adversely affected by persistent poverty and inequality.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 7 to S. B. No. 2095 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Absent and those not voting--Bryan, Harkins, Sparks. Total--3.

YEAS AND NAYS On S. B. No. 2095. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Branning, Chism, Hill, Johnson, Tate. Total--5.

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

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Unanimous consent was granted to add Senators Barnett, Butler A. (36th), Butler K. (38th), DeLano, Hickman, Horhn, Jackson, Simmons D. T. (12th) and Simmons S. (13th) as co-authors of **S. B. No. 2095**.

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On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2095.

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Senator Wiggins entered a motion to reconsider the vote whereby **S. B. No. 2097** passed the Senate.

**S. B. No. 2097:** MS Real Estate Commission; require to establish program using administrative hearing officers.

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Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2095** passed the Senate.

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Darney James Derouen, Sr. of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William Jackson Brickerd of McHenry Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sarah Jane Bilotto Foto of Biloxi, MS.

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Senators McLendon, Blackwell and Parker moved that when the Senate adjourns, it adjourn in memory of Joy Pitts of Hernando, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Christie Smith Case of Bogue Chitto, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Lillie Fields Collins of Brookhaven, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Tobe "Officer Friendly" Ivy of Pearl, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Cordie Lee Jones, Drew Moore, James Perritt, Jerwood D. Bailey, Jr., Linda Herron Guyse, Pansy Lodell Bradshaw Dipuma and Regina Gray Pettus of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James William "Tat" Simpson, Robert Earl Wade, Russell Jackson, Sandra Kay Robert, Travis Oree Evans and Willie Henry Shoemaker of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Andre "Andy" Barry, Beverly Claire Roberts, David Ray Murphey, Douglas Eugene Jay, Jr., Elizabeth Carol McElroy Mabry and Glendora LaVerene Chapman of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kay Maske, Lavonne Usry Hardee, Mattie Claire McMillan, Ronnie Gallaspy Thrash, Sr., Wallace Glendon Pace and Ruby Kennedy of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Barbara Spatz, Doris Mowrey, Dwayne Turner, Hugh Wayne Hall, Jean Palmer, Lora Lynn Lewis, Ozella Weems and Willie S. Harrell, Jr. of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Allyson "Ally" Bayleigh Gressett, Bobby Barto Munn, Janie Todd and Larry Rush of Hickory, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Edgar "Ed" Jones, Evelyn Waltman, Linda Grantham Savell and Manuel B. Harris of Lake, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Christopher Stephen Mulford, Oree Elizabeth Carmichael Mulford and Bill Brock of Decatur, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Earnest Lavell Lee of Polkville, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Henry Risher of Pulaski, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Patsy F. Blackburn of Raleigh, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Tyler Jacob Spence of Sumrall, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Glenda Hines of Little Rock, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Danny Weems of Lawrence, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Truman Bell of Ephesus Community, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mr. Jimmy Don Hollingsworth and Mrs. Betty Ruth Tullos of Florence, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Dorothy Ellen Sullivan of Richland, MS.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Myrtle McDonald of Port Gibson, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Arthur Lee Bailey of DeKalb, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 17, 2022.

The motion prevailed, and at 1:08 PM, the Senate stood in recess.

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MESSAGE FROM THE MS TRANSPORTATION COMMISS  
January 10, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Bradley R. (Brad) White, Madison, Mississippi, Executive Director of the Mississippi Department of Transportation, term effective July 1, 2021 and set to expire April 1, 2026.

Tom King, Chairman  
MS TRANSPORTATION COMMISSION

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The executive nomination in the foregoing message was referred to committee as follows:

Bradley R. (Brad) White, Executive Director of the Mississippi Department of Transportation, term effective July 1, 2021 and set to expire April 1, 2026, Highways and Transportation.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 530:** AN ACT TO CREATE THE "STRATEGICALLY ACCELERATING THE RECRUITMENT AND RETENTION OF TEACHERS (START) ACT OF 2022," FOR THE PURPOSE OF PROVIDING FOR AN INCREASE TO THE MINIMUM TEACHER SALARY SCALE; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE TO THE MINIMUM TEACHER SALARY SCALE; TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY

SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE AN INCREASE TO THE MINIMUM BASE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Darney James Derouen, Sr., William Jackson Brickerd, Jerwood D. Bailey, Jr., Linda Herron Guyse, Pansy Lodell Bradshaw Dipuma, Regina Gray Pettus, James William "Tat" Simpson, Robert Earl Wade, Russell Jackson, Sandra Kay Robert, Travis Oree Evans, Willie Henry Shoemaker, Sarah Jane Bilotto Foto, Andre "Andy" Barry, Beverly Claire Roberts, David Ray Murphey, Douglas Eugene Jay, Jr., Elizabeth Carol McElroy Mabry, Glendora LaVerene Chapman, Kay Maske, Lavonne Usry Hardee, Mattie Claire McMillan, Ronnie Gallaspy Thrash, Sr., Joy Pitts, Wallace Glendon Pace, Ruby Kennedy, Barbara Spatz, Doris Mowrey, Dwayne Turner, Hugh Wayne Hall, Jean Palmer, Lora Lynn Lewis, Ozella Weems, Willie S. Harrell, Jr., Christie Smith Case, Allyson "Ally" Bayleigh Gressett, Bobby Barto Munn, Janie Todd, Larry Rush, Edgar "Ed" Jones, Evelyn Waltman, Linda Grantham Savell, Manuel B. Harris, Christopher Stephen Mulford, Oree Elizabeth Carmichael Mulford, Lillie Fields Collins, Bill Brock, Earnest Lavell Lee, Henry Risher, Patsy F. Blackburn, Tyler Jacob Spence, Glenda Hines, Danny Weems, Truman Bell, Mr. Jimmy Don Hollingsworth, Mrs. Betty Ruth Tullos, Tobe "Officer Friendly" Ivy, Mrs. Dorothy Ellen Sullivan, Myrtle McDonald, Arthur Lee Bailey, Cordie Lee Jones, Drew Moore and James Perritt.

Eugene S. Clarke, Secretary of the Senate

#### INTRODUCTIONS FOR THURSDAY, JANUARY 13, 2022

**S. B. No. 2116:** Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A MISSISSIPPI DEPARTMENT OF LABOR; TO SET FORTH AND PRESCRIBE THE FUNCTIONS OF ADMINISTRATIVE OFFICES IN THE DEPARTMENT; TO PROVIDE FOR THE ELECTION OF THE COMMISSIONER OF LABOR; TO AMEND SECTION 71-5-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND TRANSFER THE DUTIES, POWERS AND FUNDS OF THE DEPARTMENT TO THE OFFICE OF EMPLOYMENT SECURITY IN THE MISSISSIPPI DEPARTMENT OF LABOR; TO REPEAL SECTION 71-5-107, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO EMPOWER THE DEPARTMENT OF LABOR TO ADMINISTER AND COORDINATE CERTAIN FEDERAL AND STATE-FUNDED JOB TRAINING AND EMPLOYMENT-RELATED EDUCATION PROGRAMS; TO PRESCRIBE THE RESPONSIBILITIES OF THE OFFICE OF INDUSTRY SERVICE AND INDUSTRY START-UP TRAINING, THE OFFICE OF EMPLOYEE RELATIONS AND JOB DISCRIMINATION AND THE OFFICE OF DISABLED EMPLOYEE ASSISTANCE IN THE DEPARTMENT; TO AMEND SECTIONS 7-1-351, 7-1-355, 7-1-357, 7-1-361, 7-1-363 AND 7-1-365, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO SET THE ANNUAL SALARY OF THE COMMISSIONER OF LABOR; TO AMEND SECTIONS 23-15-193 AND 23-15-297, MISSISSIPPI CODE OF 1972, TO ADD THE COMMISSIONER OF LABOR TO THE LIST OF ELECTED OFFICIALS; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2117:** Appropriations

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ACCRUED PERSONAL, MEDICAL AND COMPENSATORY LEAVE BALANCES EARNED BY EMPLOYEES OF THE CAPITOL POLICE SHALL BE TRANSFERRED FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2118:** Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2119:** Economic and Workforce Development

AN ACT TO REPEAL SECTIONS 57-33-1 AND 57-33-3, MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE STATE OF MISSISSIPPI TO ADHERE TO THE SOUTHERN GROWTH POLICIES AGREEMENT AND GOVERN THE TERMS OF THE STATE'S MEMBERSHIP THEREIN; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2120:** Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2121:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR THE UNIVERSITY'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2122:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE LORMAN WATERWORKS ASSOCIATION TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2123:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO SISTERS IN BIRTH'S NONPROFIT, CHARITABLE, COMMUNITY-FOCUSED WOMEN'S CLINIC TO IMPROVE MATERNAL AND CHILD HEALTH FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th)

**S. B. No. 2124:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE THOMASVILLE WATER ASSOCIATION IN RANKIN COUNTY TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Caughman, Kirby

**S. B. No. 2125:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO STRENGTHEN SUPPORT OF POULTRY SCIENCE RESEARCH, EXTENSION AND ACADEMIC PROGRAMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.  
By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2126:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO DEFRAY EXPENSES OF THE NURSING FORGIVABLE LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th)

**S. B. No. 2127:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR EXPANDING THE UNIVERSITY'S FIBER-OPTIC BROADBAND NETWORK FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2128:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR STEM-RELATED PROGRAMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2129:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES TO UPGRADE ROADWAYS AND SIDEWALKS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2130:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO STRENGTHEN ENVIRONMENTAL SCIENCE RESEARCH AND EXTENSION PROGRAMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2131:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE RURAL PHYSICIANS SCHOLARSHIP PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) McLendon

**S. B. No. 2132:** Appropriations

AN ACT MAKING AN APPROPRIATION TO HUMPHREYS COUNTY TO DEFRAY EXPENSES FOR ROADWAY, CURB AND GUTTER IMPROVEMENTS IN WESTGATE SUBDIVISION FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2133:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE NORTH HINDS WATER ASSOCIATION IN HINDS AND MADISON COUNTIES TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2134:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CENTRAL YAZOO WATER ASSOCIATION IN YAZOO COUNTY TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2135:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF LOUISE TO DEFRAY EXPENSES FOR THE TOWN'S SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2136:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE PINEY WOODS WATER ASSOCIATION IN NOXUBEE COUNTY TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2137:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE PORTERVILLE WATER ASSOCIATION IN KEMPER COUNTY TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2138:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE PUBLIC SERVICE COMMISSION OF YAZOO CITY TO DEFRAY EXPENSES FOR YAZOO CITY'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2139:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAY COUNTY TO DEFRAY EXPENSES FOR THE RENOVATION AND IMPROVEMENTS TO THE CLAY COUNTY COURTHOUSE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2140:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CLAY COUNTY TO DEFRAY EXPENSES FOR ROAD IMPROVEMENTS AND PAVING IN CLAY COUNTY SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2141:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO THE MAGNET COMMUNITY HEALTH DISPARITY PROGRAM TO BE USED TO ADDRESS THE DISPROPORTIONATE IMPACT ON THE MINORITY COMMUNITY OF CORONAVIRUS INFECTIONS AND DEATHS FROM COVID-19, FOR THE FISCAL YEAR 2023.

By Senator(s) Jackson (11th)

**S. B. No. 2142:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO LOWNDES COUNTY TO DEFRAY EXPENSES FOR CAPITAL IMPROVEMENTS IN LOWNDES COUNTY SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2143:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE BLACK BAYOU WATER ASSOCIATION IN WASHINGTON, BOLIVAR AND ISSAQUENA COUNTIES TO DEFRAY EXPENSES FOR THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas, Simmons (12th)

**S. B. No. 2144:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CAPITAL EXPENSE FUNDS TO JACKSON STATE UNIVERSITY TO DEFRAY EXPENSES FOR THE CONSTRUCTION/RENOVATION OF THE UNIVERSITY CAFETERIA FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2145:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2146:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2147:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2148:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2149:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF COAHOMA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2150:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2151:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2152:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE LELAND PUBLIC SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RENOVATIONS AND OTHER IMPROVEMENTS TO ITS EARLY HEAD START FACILITY AT LELAND MIDDLE SCHOOL FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2153:** Appropriations

AN ACT TO DIRECT THE STATE PERSONNEL BOARD TO AMEND THE VARIABLE COMPENSATION PLAN AS NECESSARY TO AWARD A SALARY INCREASE TO EACH STATE EMPLOYEE WHOSE SALARY IS FUNDED BY THE STATE GENERAL FUND IN THE AMOUNT OF A 5% ACROSS-THE-BOARD INCREASE PER YEAR BEGINNING JULY 1, 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2154:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF MONTICELLO, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF FOOD AND BEVERAGES AT RESTAURANTS WITHIN THE TOWN; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2155:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LAUREL, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSE OF GENERATING REVENUE TO PROMOTE TOURISM; TO REQUIRE THAT AN ELECTION BE HELD ON THE QUESTION OF WHETHER THE TAX MAY BE LEVIED; TO AUTHORIZE THE CITY TO PERFORM CERTAIN OTHER ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CITY TO DISCONTINUE THE TAX BY RESOLUTION, PROVIDED THERE IS NO INDEBTEDNESS OR OBLIGATION OUTSTANDING UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2156:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-3-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI INDUSTRIES FOR THE BLIND HAS THE AUTHORITY TO CONTRACT WITH DIFFERENT ENTITIES AND MAY AGREE TO TERMS OF INDEMNIFICATION, THE LAW OF ANOTHER STATE OR JURISDICTION OR OTHER NECESSARY TERMS WHEN IT WOULD BE IN ITS BEST INTEREST; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2157:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-3-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI INDUSTRIES FOR THE BLIND TO CONTRACT WITH DIFFERENT ENTITIES AND AGREE TO TERMS OF INDEMNIFICATION, THE LAW OF ANOTHER STATE OR JURISDICTION, OR OTHER NECESSARY TERMS WHEN IT WOULD BE IN ITS BEST INTERESTS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2158:** Environment Prot, Cons and Water Res; Appropriations

AN ACT TO AMEND SECTIONS 49-17-405, 49-17-407 AND 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UNDERGROUND STORAGE TANK FEES ARE INSUFFICIENT TO COVER ADMINISTRATIVE COSTS, THE COSTS ASSOCIATED WITH ADMINISTRATION OF THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND AND RELATED PURPOSES SHALL BE PAID FROM THE FUND; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2159:** Finance; Economic and Workforce Development

AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE

APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO REPEAL SECTION 27-7-22, MISSISSIPPI CODE OF 1972, WHICH PROVIDES INCOME TAX CREDITS FOR QUALIFIED BUSINESSES AND QUALIFIED COMPANIES AS DEFINED IN CERTAIN REPEALED CODE SECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2160:** Appropriations

AN ACT MAKING AN APPROPRIATION TO YAZOO COUNTY FOR THE REPLACEMENT OF THE SATARTIA HOLLY BLUFF BRIDGE OVER LAKE GEORGE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2161:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 21-15-37 AND 25-60-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL GOVERNING AUTHORITIES TO DISPOSE OF MUNICIPAL DOCKETS, ASSESSMENT ROLLS AND PAYROLL RECORDS AFTER 20 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2162:** Accountability, Efficiency, Transparency

AN ACT TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR CERTAIN PILOT AGENCIES; TO REQUIRE PILOT AGENCIES TO DEVELOP A BASELINE REGULATORY CATALOG AND REPORT CERTAIN DATA TO THE SECRETARY OF STATE; TO PROVIDE THAT NO PILOT AGENCY MAY ADOPT A NEW REGULATION UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATIONS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE REGULATORY REDUCTION EFFORTS OF THE PILOT AGENCIES AND REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2163:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW WHICH REQUIRES THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF CHILD PROTECTION SERVICES TO GIVE NOTICE TO THE PUBLIC PROCUREMENT REVIEW BOARD OF PERSONAL AND PROFESSIONAL SERVICES CONTRACTS AND WHICH PROHIBITS THE BOARD FROM DISAPPROVING SUCH CONTRACTS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2164:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "MISSISSIPPI TOURISM REORGANIZATION ACT"; TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM; TO REQUIRE THE GOVERNOR TO APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, AN EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TOURISM; TO PRESCRIBE THE GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF TOURISM AND THE EXECUTIVE DIRECTOR; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO ESTABLISH A PROGRAM OF GRANTS TO BE MATCHED BY TOURISM ENTITIES IN THE STATE; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO SELL ADVERTISING AND OTHER TOURISM PROMOTIONAL INFORMATION AND TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM ADVERTISING FUND; TO CREATE THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE DEPARTMENT OF TOURISM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DIVERT A PORTION OF SALES TAX REVENUE

COLLECTED FROM RESTAURANTS AND HOTELS INTO THE DEPARTMENT OF TOURISM ADVERTISING FUND INSTEAD OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM FUND; TO REPEAL SECTION 57-1-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES GENERAL POWERS AND DUTIES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY WITH RESPECT TO TOURISM; TO REPEAL SECTION 57-1-60, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ESTABLISH A PROGRAM OF GRANTS TO FINANCE, PROMOTE AND ADVERTISE LOCAL TOURIST ATTRACTIONS; TO REPEAL SECTION 57-1-61, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF FUNCTIONS OF THE TRAVEL AND TOURISM DIVISION OF THE AGRICULTURAL AND INDUSTRIAL BOARD TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT; TO REPEAL SECTION 57-1-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF POWERS AND DUTIES OF STATE AGENCIES RELATING TO TOURISM TO THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REPEAL SECTION 57-1-64, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SELL ADVERTISING AND OTHER TOURISM INFORMATION AND CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND; TO REPEAL SECTION 57-1-64.1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2165:** Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT STATE AGENCIES FROM APPROVING A REQUEST FOR STATE-FUNDED OR STATE-SPONSORED TRAVEL TO ANY STATE, COUNTY OR MUNICIPALITY THAT HAS ENACTED A LAW, ORDINANCE OR REGULATION PROHIBITING EMPLOYEE TRAVEL TO THE STATE OF MISSISSIPPI; TO PROVIDE EXCEPTIONS THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2166:** Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett, Suber

**S. B. No. 2167:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-61-12, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT CERTAIN PRIVATE INFORMATION OF ANY FEDERAL LAW ENFORCEMENT OFFICER, JUDGE OR ATTORNEY, CONDUCTING AN OPERATION IN THIS STATE; TO REQUIRE A PUBLIC BODY, UPON ONLINE OR WRITTEN REQUEST, TO REDACT FROM ITS RECORDS CERTAIN PRIVATE INFORMATION OF A LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY, OR THE SPOUSE OR CHILD OF THE LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2168:** Highways and Transportation; Appropriations

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND RECONSTRUCT TO FOUR LANES A PORTION OF MISSISSIPPI HIGHWAY 6 / U.S. HIGHWAY 278 IN COAHOMA, PANOLA AND QUITMAN COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2169:** Highways and Transportation

AN ACT TO REINSTATE THE MISSISSIPPI MOTOR VEHICLE SAFETY INSPECTION LAW, WHICH WAS REPEALED IN 2015; TO CODIFY THIS LAW AT ITS

FORMER LOCATION, SECTIONS 63-13-1 THROUGH 63-13-29, MISSISSIPPI CODE OF 1972; TO MAKE THE PERIOD OF INSPECTION FOR MOTOR VEHICLES EVERY TWO YEARS RATHER THAN EVERY YEAR; TO SET THE INSPECTION FEE AT \$15.00 BIANNUALLY, RATHER THAN THE PREVIOUS ANNUAL FEES OF \$5.00 FOR VEHICLES REGISTERED IN THE STATE OF MISSISSIPPI AND \$10.00 FOR VEHICLES REGISTERED IN ANOTHER STATE; TO AMEND SECTIONS 63-1-33 AND 63-7-59, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2170:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-9-39, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH HOSPITAL TO OFFER IMMUNIZATIONS AGAINST THE INFLUENZA VIRUS TO ALL INPATIENTS 50 YEARS OF AGE OR OLDER PRIOR TO THEIR DISCHARGE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2171:** Education

AN ACT TO PROHIBIT THE TEACHING OF "CRITICAL RACE THEORY" IN THE PUBLIC SCHOOLS, INSTITUTIONS OF HIGHER LEARNING AND PUBLIC CHARTER SCHOOLS; TO PROHIBIT THE EXPENDITURE OF PUBLIC FUNDS IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2172:** Education

AN ACT TO PROVIDE THAT THE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS AND UNIVERSITIES SHALL NOT DISCRIMINATE AGAINST OR GRANT PREFERENTIAL TREATMENT TO ANY INDIVIDUAL ON THE BASIS OF RACE, SEX, GENDER, SEXUAL ORIENTATION, COLOR, ETHNICITY OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, EDUCATION OR PUBLIC CONTRACTING; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2173:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A BOARD-CERTIFIED EMERGENCY MEDICINE PHYSICIAN AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO INCLUDE THE MISSISSIPPI CHAPTER OF THE AMERICAN COLLEGE OF EMERGENCY PHYSICIANS AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE EMERGENCY MEDICINE STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2174:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO REPEAL SECTIONS 41-7-171 THROUGH 41-7-209, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE CERTIFICATE OF NEED LAW OF 1979; TO AMEND SECTIONS 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 43-11-9, 43-11-19, 43-13-117.5 AND 57-117-5, MISSISSIPPI CODE OF 1972, AND TO REPEAL SECTION 41-9-311, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2175:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES SOCIAL WORKERS TO USE VIDEO AND AUDIO RECORDINGS OF INTERACTIONS WITH FOSTER CHILDREN AND THEIR PARENTS IN THE INVESTIGATION OF ALLEGATIONS OF PARENTAL ABUSE OR NEGLECT; TO REQUIRE THE PRESERVATION OF SUCH RECORDINGS AND REQUIRE THE PROSECUTOR TO PRODUCE A COPY OF THE RECORDINGS UPON THE REQUEST OF THE DEFENDANT OR PARENT IN ANY CHILD ABUSE OR NEGLECT CRIMINAL PROCEEDING; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2176:** Universities and Colleges; Appropriations

AN ACT TO PROVIDE THAT THE FUNDING ALLOCATION MODEL EMPLOYED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING MUST WEIGHT NONRESIDENT COMPLETED CREDIT HOURS BASED ON THE PERCENTAGE OF NONRESIDENT ENROLLMENT AT EACH INSTITUTION; TO ESTABLISH APPROPRIATE WEIGHTING FOR NONRESIDENT CREDIT HOUR COMPLETION; TO PROVIDE THAT THE DIFFERENCE IN FUNDS BETWEEN THE BOARD'S 2013 PERFORMANCE ALLOCATION MODEL AND THE FUNDING ALLOCATION MODEL WITH APPROPRIATE WEIGHTING SHALL BE SET ASIDE TO FUND GRANT AWARDS UNDER THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO AMEND SECTIONS 37-101-15 AND 37-106-12, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2177:** Education

AN ACT TO AMEND SECTION 37-15-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SCHOOL DISTRICT SUPERINTENDENT, SUBJECT TO THE RATIFICATION OF THE SUPERINTENDENT'S SCHOOL BOARD, MAY CONSENT TO THE ENROLLMENT OF A CHILD FROM ANOTHER SCHOOL OR ATTENDANCE CENTER UPON THE REQUEST OF THE CHILD'S PARENT OR LEGAL GUARDIAN; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CHILD ATTENDING A SCHOOL IN THIS STATE MAY TRANSFER TO ANY SCHOOL OFFERING INSTRUCTION AT THE GRADE LEVEL OF THE TRANSFERRING STUDENT IN ANY SCHOOL DISTRICT SUBJECT TO AVAILABLE CAPACITY; TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCESS BY WHICH A PARENT OR LEGAL GUARDIAN MAY PETITION A SCHOOL FOR THE TRANSFER OF THEIR CHILD; TO PROVIDE THAT THE PETITIONED DISTRICT SHALL DETERMINE IF THERE IS CAPACITY AT THE DESIRED SCHOOL BY USING PUBLICLY VERIFIABLE DATA; TO AMEND SECTION 37-151-93, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2178:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST AFTER COMPLETING 6,240 TRANSITION TO PRACTICE HOURS; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED

NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2179:** Public Health and Welfare

AN ACT TO ENACT INTO LAW THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-38-3, 73-38-5, 73-38-7, 73-38-9, 73-38-13, 73-38-17, 73-38-25, 73-38-27, 73-38-29, 73-38-31 AND 73-38-33, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2180:** Universities and Colleges; Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT ANY PUBLIC UNIVERSITY OR COMMUNITY COLLEGE FROM IMPLEMENTING A POLICY THAT VIOLATES FIRST AMENDMENT RIGHTS OF SPEECH, RELIGION AND ASSOCIATION ON BEHALF OF STUDENTS AND FACULTY; TO REQUIRE THAT IF A PUBLIC UNIVERSITY OR COMMUNITY COLLEGE IS IMPLEMENTING AN UNCONSTITUTIONAL POLICY RELATING TO FREE SPEECH, RELIGION OR ASSOCIATION, THE GOVERNOR SHALL NOTIFY THE PRESIDENT OF THE UNIVERSITY OR COLLEGE OF THE NONCOMPLIANCE, AND THE STATE FISCAL OFFICER SHALL WITHHOLD ALL STATE FUNDING FOR SUCH UNIVERSITY OR COLLEGE UNTIL SUCH TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2181:** Education

AN ACT TO ALLOW STATE-FUNDED SCHOOLS TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES AGAINST SCHOOLS THAT DO NOT RECEIVE STATE FUNDS, SCHOOLS THAT ARE NOT ACCREDITED BY THE STATE DEPARTMENT OF EDUCATION, AND AGAINST NONPUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2182:** Education

AN ACT TO ESTABLISH THE COMMUNITY SCHOOLS PLANNING AND IMPLEMENTATION GRANT FUND FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO PUBLIC ELEMENTARY OR SECONDARY SCHOOLS FOR THE ADMINISTRATION OF PROGRAMS ESTABLISHED WITHIN SUCH SCHOOLS DESIGNED TO PLAN, ESTABLISH AND IMPLEMENT COMMUNITY SCHOOLS AND SOCIAL SERVICES PROVIDED BY SUCH SCHOOLS; TO DEFINE THE TERM "COMMUNITY SCHOOL"; TO PROVIDE FOR THE MAXIMUM AMOUNT OF EACH GRANT THAT MAY BE AWARDED TO EACH ELIGIBLE SCHOOL UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2183:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO REMOVE MARIJUANA FROM THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR POSSESSION OF CONTROLLED SUBSTANCES OTHER THAN MARIJUANA; TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS FOR THE UNIFORM CONTROLLED SUBSTANCES ACT; TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER; TO AMEND SECTIONS 33-13-520, 41-29-147, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2184:** Labor; Accountability, Efficiency, Transparency  
AN ACT TO AUTHORIZE CERTAIN LABOR AND EMPLOYMENT PROTECTIONS FOR TEMPORARY WORKERS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

**S. B. No. 2185:** Labor; Accountability, Efficiency, Transparency  
AN ACT TO AMEND SECTION 71-1-1, MISSISSIPPI CODE OF 1972, TO EMPOWER THE STATE BOARD OF HEALTH TO ESTABLISH AN OFFICE OF WORKPLACE SAFETY AND HEALTH TO REGULATE OCCUPATIONAL HEALTH AND SAFETY STANDARDS IN THE STATE OF MISSISSIPPI AND TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTIONS 71-1-25 and 71-1-27, MISSISSIPPI CODE OF 1972, TO EMPOWER THE OFFICE OF WORKPLACE SAFETY AND HEALTH TO ENFORCE CHILD LABOR LAWS IN THE STATE OF MISSISSIPPI AND TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTION 41-3-15, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2186:** Education; Appropriations  
AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARY OF THE STATE SUPERINTENDENT OF EDUCATION SHALL NOT EXCEED THE SALARY OF THE GOVERNOR; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2187:** Finance  
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER AND LIGHT WINE, IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2188:** Finance  
AN ACT TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE FEE FOR ANY DRIVER'S LICENSE, INTERMEDIATE LICENSE OR LEARNER'S PERMIT ISSUED TO APPLICANTS WHO ARE IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 45-1-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2189:** Finance  
AN ACT TO ESTABLISH A REVOLVING LOAN PROGRAM FOR THE PURPOSE OF MAKING LOANS TO ASSIST RURAL COUNTIES AND MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH EMERGENCY REPAIR, MAINTENANCE, CONSTRUCTION, RECONSTRUCTION, UPGRADES OF AND IMPROVEMENTS TO INFRASTRUCTURE PROJECTS; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE REVOLVING LOAN PROGRAM CREATED IN THIS ACT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, DESIGNATED AS THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; TO AUTHORIZE THE ISSUANCE OF \$10,000,000.00 OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2190:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL REAL PROPERTY LOCATED IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL MOTOR VEHICLES REGISTERED TO AN ADDRESS IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2191:** Finance

AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE TAX ON WHOLESALE SALES OF BEER; TO AMEND SECTION 27-65-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2192:** Finance

AN ACT TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION TRANSFERS OF MOTOR VEHICLE TITLES BETWEEN A TRUSTEE AND A BENEFICIARY OF A TRUST, BETWEEN A CORPORATION AND ONE OF ITS SHAREHOLDERS IN A TRANSACTION QUALIFYING FOR NONRECOGNITION OF GAIN OR LOSS PURSUANT TO SECTION 351 OF THE INTERNAL REVENUE CODE, AND BETWEEN A PARTNERSHIP OR LIMITED LIABILITY COMPANY AND ONE OF ITS PARTNERS OR OWNERS; TO REQUIRE THAT SUCH TRANSFERS BE EVIDENCED BY AN AFFIDAVIT PREPARED BY THE DEPARTMENT OF REVENUE AND SIGNED BY THE TRANSFEROR; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2193:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICE TO HEAD START PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2194:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO ANY FOUNDATION ORGANIZED AS A NONPROFIT CORPORATION THAT IS EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT RECEIVES, INVESTS AND ADMINISTERS PRIVATE SUPPORT FOR A STATE-SUPPORTED INSTITUTION OF HIGHER LEARNING, OR BY ANY ENTITY WHOLLY OWNED AND WHOLLY CONTROLLED BY SUCH A FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2195:** Finance

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-117, 25-11-311 AND 25-11-315, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2196:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY

AND SERVICES TO CERTAIN COMMUNITY ACTION ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2197:** Finance

AN ACT TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE PRIVILEGE LICENSE TAX FOR PACKAGE RETAILER'S PERMIT ISSUED FOR PACKAGE STORES LOCATED IN MUNICIPALITIES WITH A POPULATION OF 5,000 OR LESS ACCORDING TO THE LATEST FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2198:** Finance

AN ACT TO AMEND SECTION 16, CHAPTER 480, LAWS OF 2021, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY IN PAYING COSTS ASSOCIATED WITH BUILDING A FULL-TIME EMERGENCY RESPONSE CENTER TO SERVE THE GROWING AREA IN AND AROUND THE CHICKASAW TRAIL INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Whaley

**S. B. No. 2199:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE A MUNICIPALITY BORDERED ON ITS NORTHWESTERN BOUNDARY BY THE PEARL RIVER, TRAVERSED BY U.S. HIGHWAY 49 AND INTERSTATE 20, AND LOCATED IN A COUNTY THAT HAS VOTED AGAINST COMING OUT FROM UNDER THE DRY LAW; TO PROVIDE THAT THE GOVERNING AUTHORITIES OF SUCH A MUNICIPALITY MAY BY ORDINANCE SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, SPECIFY THE PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION IN THE APPLICABLE MUNICIPALITY, WITH A MAJORITY VOTING IN FAVOR OF THE QUALIFIED RESORT AREA, BEFORE THE MUNICIPALITY MAY BE DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.

By Senator(s) Kirby, Caughman

**S. B. No. 2200:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SERENITY ON THE BAYOU IN ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION AND EQUIPPING OF A BUILDING TO HOUSE THE EMMANUEL COMMUNITY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2201:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO DEFRAY THE EXPENSES OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2202:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO THE ROLLING FORK CIVIC AND EVENT CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2203:** Finance

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

By Senator(s) Thomas

**S. B. No. 2204:** Finance

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

By Senator(s) Thomas

**S. B. No. 2205:** Finance

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

By Senator(s) Thomas

**S. B. No. 2206:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MARKS, MISSISSIPPI, IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING TO HOUSE A COMMUNITY CENTER AND THE MARKS CITY HALL; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2207:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE HISTORIC COUNTY COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2208:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND IMPROVEMENT OF CERTAIN LOCAL ROADS AND HIGHWAYS USED PRIMARILY BY CUSTOMERS OF THE CASINOS OF TUNICA COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2209:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE COUNTY COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2210:** Finance

AN ACT TO ESTABLISH THE WEST MISSISSIPPI INCUBATOR GRANT PROGRAM IN COOPERATION WITH THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION'S OFFICE OF SURPLUS PROPERTY, LOCAL DEVELOPMENT DISTRICTS AND COUNTY GOVERNMENTS IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; TO SET FORTH THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2211:** Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2019, INCOME TAXATION ON THE FIRST \$5,000.00 OF TAXABLE INCOME; TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT AUTHORIZES A PORTION OF THE FEDERAL SELF-EMPLOYMENT TAXES ASSESSED AGAINST SELF-EMPLOYED INDIVIDUALS TO BE ALLOWED AS AN ADJUSTMENT TO GROSS INCOME UNDER THE STATE INCOME TAX LAW; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2019, THE CORPORATION FRANCHISE TAX; TO REPEAL SECTION 5, CHAPTER 499, LAWS OF 2016, WHICH REPEALS THE CORPORATION FRANCHISE LAW FROM AND AFTER JANUARY 1, 2028; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2212:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF CITY PARKS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2213:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROSEDALE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE CITY PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2214:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF METCALFE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE TOWN PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2215:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF METCALFE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2216:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2217:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MISSISSIPPI RIVER MUSEUM IN GREENVILLE, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2218:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH REPAIRING, RENOVATING AND REFURBISHING THE E.E. BASS CULTURAL ARTS CENTER IN GREENVILLE, MISSISSIPPI, AND FOR THE PURCHASE OF PROPERTY AT SUCH CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2219:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE LAWRENCE COUNTY BOARD OF SUPERVISORS IN PAYING THE COSTS ASSOCIATED WITH PAVEMENT MAINTENANCE FOR THE N.A. SANDIFER HIGHWAY; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2220:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF MONTICELLO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN ADDITIONAL BATHHOUSE AT ATWOOD WATER PARK AND THE CONSTRUCTION OF A FRONTAGE ROAD FOR THE U.S. HIGHWAY 84 BYPASS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2221:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE CITY PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2222:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE WEST JACKSON COUNTY UTILITY DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF NEW WATER AND SEWER INFRASTRUCTURE AT THE I-10 CORRIDOR IN JACKSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2223:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP BULLDOGS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Michel, Fillingane, Younger, DeBar, Blount, Moran, Caughman, Boyd, England, Thompson, Suber, Hickman, Williams, Hill, Branning, Sparks, McCaughn, Turner-Ford

**S. C. R. No. 513:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING WILLIAM (BILL) BYNUM, FOUNDER AND CEO OF HOPE, A JACKSON, MISSISSIPPI-BASED COMMUNITY DEVELOPMENT FINANCIAL ORGANIZATION TO ASSIST ENTREPRENEURSHIP AND HOMEOWNERSHIP IN THE DEEP SOUTH, UPON HIS RECEIPT OF THE PRESTIGIOUS 26TH HEINZ AWARD FOR THE ECONOMY.  
By Senator(s) Jackson (11th), Norwood, Blount, Frazier, Horhn, Blackmon

**S. C. R. No. 514:** Rules

A CONCURRENT RESOLUTION CONGRATULATING THE MISSISSIPPI STATE UNIVERSITY "BULLDOGS" BASEBALL TEAM AND HEAD COACH CHRIS LEMONIS ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BASEBALL CHAMPIONSHIP.  
By Senator(s) Harkins, Younger, Williams, Michel, DeBar, Fillingane, Hill, Moran, Caughman, Boyd, Turner-Ford, England, Thompson, Suber, Hickman, McCaughn, Branning, Blount, Sparks

**S. C. R. No. 515:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI-ALABAMA SEA GRANT CONSORTIUM ON THE OCCASION OF ITS 50TH ANNIVERSARY AND RECOGNIZING ITS ACHIEVEMENTS.  
By Senator(s) Seymour

**S. C. R. No. 516:** Rules

A CONCURRENT RESOLUTION RECOGNIZING MARCH 2022 AS "KIDNEY DISEASE AWARENESS MONTH" AND MARCH 10, 2022, AS "WORLD KIDNEY DAY" IN MISSISSIPPI.  
By Senator(s) Kirby

**S. C. R. No. 517:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI MAYOR, POLITICIAN, DELTA BLUES PROMOTER, ENTREPRENEUR, ATTORNEY, PILOT, NATIONAL GUARD OFFICER, DEVELOPER, PRESERVATIONIST, ACTOR, FILM PRODUCER AND RESTAURANT AND NIGHTCLUB IMPRESARIO WILLIAM O. "BILL" LUCKETT, JR., OF CLARKSDALE, MISSISSIPPI.  
By Senator(s) Jackson (11th), Simmons (12th), Simmons (13th), Frazier, Barnett, Jordan

**S. R. No. 3:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BASEBALL TEAM AND COACH BRENT HEAVENER FOR WINNING THE MAIS 5A STATE BASEBALL CHAMPIONSHIP FOR THE FOURTH CONSECUTIVE SEASON AND 20TH TIME IN PROGRAM HISTORY.  
By Senator(s) Kirby

**S. R. No. 4:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING MISSISSIPPI INSURANCE DEPARTMENT EMPLOYEE NANCY CROSS FOR HER 63 YEARS OF SERVICE TO INSURANCE REGULATION UPON HER RECEIPT OF THE 2021 ROBERT DINEEN AWARD BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS (NAIC).  
By Senator(s) Kirby

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FOURTEENTH DAY, MONDAY, JANUARY 17, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Butler K. (38th). Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Butler K. (38th).

The invocation was delivered by Dr. Frank Harmon, Pastor, Pleasant Valley Baptist Church, Mendenhall, MS.

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

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

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 384:** AN ACT TO AMEND SECTION 23-15-1037, MISSISSIPPI CODE OF 1972, TO REAPPORTION THE CONGRESSIONAL DISTRICTS OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

Senator Bryan called up the motion to reconsider the vote whereby **S. B. No. 2095** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

The foregoing motion prevailed.

Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Kermit Till of Jackson, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Janette Webby of Motueka, New Zealand.

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Senators Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of Shelba June Jordan Wheeler of Tunica, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Charles Edward Sloan, David Rasberry, Dina Pickett, Danny Tracy Thompson, Linda Louise Pankey Rowan, Dudley Broussard, William Dwight Moody, Marc Lynn Cobb and Bobby Barnes of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Stephen "Steve" Allen Bramlitt, Angela Jane Witt Spencer, Wesley Lee Creighton, William "Bud" Reaves, William Terry McDonald, Chasity Roberts, John William Hall, Jean Cox Pollard and Janice Kay Hall Clayton of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Halie Kay Tanner, Michael L. Rainwater, Gaylia S. Kennon, Ann Adair Hill, Roy Thomas Sappington, Donnie Milam, Deana Gail Golding Harris and Bobby Joe Owens of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jerry Clay Merritt, Sr., Willie "Bo" Hardin, Kimberly Jo Russell, Leonard Irwin Callicutt, Willie Dee "Billie" Allred Ayers and Ellis Willard of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jarvis Lee Umphers, Emma Belle Vinson Vance, Monica Lynn VanLandingham Hamblin, Lois Jeanette Thomas, Jimmy Lee Roberson and Patricia Ann Farve Smith of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Lena Pearl Littlejohn, Faye Holloway Moore and William Frank "Will" McGregor of Pontotoc, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Dennis Craig Grisham and Vicki Lane Crawford of Ripley, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Darlene Rodgers Otts and Robert Morris Hunter of Hickory Flat, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Cissie Skinner Cobb of Belden, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Lawrence M. Lowrey of Blue Mountain, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Landon Clay Woodson of Ecu, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Charles Glen Shettles of Etta, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Edward Perry Rowe, Sr. of Lafayette Springs, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Heath Ellis Clark of Macedonia, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Bobby Joe Little of Saltillo, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Virginia Lee Self of Thaxton, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Annie Ruth McGregor of Randolph, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Bobby Rhodes Clark of Florence, MS.

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Senators McLendon, Blackwell and Parker moved that when the Senate adjourns, it adjourn in memory of Kathy Bizzell Leigh of Hernando, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Carolyn Stringer and Stephen William Brown of Winona, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John H. Richards and Norma DeLong Richards of Madison, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Saliba Dabit of Jackson, MS.

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Senator Polk moved that the Senate stand in recess until the last bill is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 18, 2022.

The motion prevailed, and at 4:06 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 9:00 PM in memory of Dr. Kermit Till, Janette Webby, Charles Edward Sloan, David Rasberry, Dina Pickett, Danny Tracy Thompson, Linda Louise Pankey Rowan, Dudley Broussard, William Dwight Moody, Marc Lynn Cobb, Bobby Barnes, Halie Kay Tanner, Shelba June Jordan Wheeler, Stephen "Steve" Allen Bramlitt, Angela Jane Witt Spencer, Wesley Lee Creighton, William "Bud" Reaves, William Terry McDonald, Chasity Roberts, John William Hall, Jean Cox Pollard, Janice Kay Hall Clayton, Jerry Clay Merritt, Sr., Michael L. Rainwater, Willie "Bo" Hardin, Kimberly Jo Russell, Leonard Irwin Callicutt, Willie Dee "Billie" Allred Ayers, Ellis Willard, Jarvis Lee Umphers, Emma Belle Vinson Vance, Monica Lynn VanLandingham Hamblin, Lois Jeanette Thomas, Jimmy Lee Roberson, Gaylia S. Kennon, Patricia Ann Farve Smith, Lena Pearl Littlejohn, Faye Holloway Moore, William Frank "Will" McGregor, Dennis Craig Grisham, Vicki Lane Crawford, Darlene Rodgers Otts, Robert Morris Hunter, Cissie Skinner Cobb, Lawrence M. Lowrey, Ann Adair Hill, Landon Clay Woodson, Charles Glen Shettles, Edward Perry Rowe, Sr., Heath Ellis Clark, Bobby Joe Little, Virginia Lee Self, Annie Ruth McGregor, Bobby Rhodes Clark, Kathy Bizzell Leigh, Carolyn Stringer, Roy Thomas Sappington, Stephen William Brown, Saliba Dabit, John H. Richards, Norma DeLong Richards, Donnie Milam, Deana Gail Golding Harris and Bobby Joe Owens.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR MONDAY, JANUARY 17, 2022

**S. B. No. 2224:** Judiciary, Division B

AN ACT TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2225:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTIONS 47-7-2, 47-7-3 AND 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING AND PAROLE OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDINGS IN THE CASE OF MILLER V. ALABAMA AND GRAHAM V. FLORIDA; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2226:** Judiciary, Division B; Corrections

AN ACT TO AMEND SECTION 97-3-21, MISSISSIPPI CODE OF 1972, TO ESTABLISH SENTENCING GUIDELINES FOR PERSONS WHO WERE UNDER THE AGE OF 18 WHEN THEY COMMITTED THE OFFENSE OF FIRST-DEGREE MURDER, SECOND-DEGREE MURDER OR CAPITAL MURDER; TO REMOVE LIFE WITHOUT THE POSSIBILITY OF PAROLE AS A SENTENCING OPTION FOR JUVENILES CONVICTED OF THESE OFFENSES; TO PROVIDE THAT JUVENILES CONVICTED OF THESE OFFENSES MAY BE ELIGIBLE FOR PAROLE AND TO PROVIDE FOR THE RETROACTIVE APPLICATION OF PAROLE ELIGIBILITY; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN JUVENILE

OFFENDERS MAY BE RELEASED FROM THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS (MDOC) BEFORE SERVING 50% OF THE SENTENCE IMPOSED BY THE COURT; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JUVENILE OFFENDERS CONVICTED OF CERTAIN OFFENSES MAY BE ELIGIBLE FOR PAROLE AFTER SERVING 25% OF A DEFINITE SENTENCE OR AFTER SERVING TEN YEARS OF A LIFE SENTENCE; TO AUTHORIZE THE PAROLE BOARD TO ESTABLISH A METHOD OF DETERMINING TENTATIVE PAROLE HEARING DATES FOR PAROLE-ELIGIBLE JUVENILE OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2022; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO CHANGE THE DEADLINE BY WHICH MDOC MUST COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE JUVENILE OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2227:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-25, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE JUSTICE COURT CONCERNING SUSPENSION OF FINES SO AS TO BE CONSISTENT WITH THE SAME AUTHORITY EXERCISED BY THE MUNICIPAL COURTS; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2228:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CLARIFY THE MEANING OF SECOND OR SUBSEQUENT OFFENSE FOR CERTAIN DRUG CONVICTIONS; TO AMEND SECTIONS 99-39-5 AND 99-39-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISMISSAL OR DENIAL OF POST-CONVICTION RELIEF SHALL NOT BE A BAR TO A SECOND OR SUCCESSIVE APPLICATION OR MOTION FOR RELIEF WHEN THERE HAS BEEN AN INTERVENING ADOPTION OR ENACTMENT OF STATE LAW THAT WOULD HAVE ACTUALLY AFFECTED THE OUTCOME OF THE CONVICTION OR SENTENCE; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

**S. B. No. 2229:** Judiciary, Division B

AN ACT TO CREATE THE OFFENSE OF CHEMICAL ENDANGERMENT OF A CHILD OR FETUS AND TO PRESCRIBE PUNISHMENT; TO MANDATE THAT PROSECUTORS OFFER SUBSTANCE ABUSE TREATMENT PROGRAMS AS AN ALTERNATIVE TO PROSECUTION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2230:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-29-507, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SHERIFFS TO INTERCEPT WIRE OR ORAL COMMUNICATION BY ALLOWING THE OWNERSHIP, POSSESSION, INSTALLATION OR MONITORING OF ELECTRONIC OR MECHANICAL DEVICES; TO REQUIRE THE SHERIFF TO DESIGNATE THE DEPUTIES RESPONSIBLE FOR THE POSSESSION, INSTALLATION, OPERATION AND MONITORING OF THE DEVICES; TO AMEND SECTIONS 41-29-501, 41-29-509, 41-29-513, 41-29-515, 41-29-527 AND 41-29-536, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2231:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-47-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT DNA SAMPLES SHALL BE COLLECTED FROM PERSONS ARRESTED FOR ANY FELONY AND TO PROVIDE THAT THE DNA SAMPLE SHALL BE DESTROYED ONLY UPON RECEIPT OF AN EXPUNGEMENT REQUEST FROM THE PERSON WHOSE DNA HAS BEEN INCLUDED IN THE STATE DATABASE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2232:** Judiciary, Division B

AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER OR PROBATION OFFICER TO MAKE CERTAIN DISCLOSURES TO A CHILD WHO IS TAKEN INTO CUSTODY BEFORE INITIATING A CUSTODIAL INTERROGATION; TO PROVIDE THAT THE SECTION SHALL NOT BE CONSTRUED TO EXPAND A CHILD'S CONSTITUTIONAL RIGHTS; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2233:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO ENACT THE "SERVICE CANINE PROTECTION ACT OF 2022"; TO DEFINE TERMS; TO REQUIRE EACH CANINE UNIT TO EQUIP ITS CANINE VEHICLES WITH A HEAT ALARM SYSTEM; TO REQUIRE EACH CANINE UNIT TO ADOPT A WRITTEN PROTOCOL; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2234:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GENERAL TWO-YEAR STATUTE OF LIMITATIONS ON CRIMES WILL NOT RUN AGAINST THE CRIME OF SEXUAL BATTERY; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2235:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO REVISE THE ELEMENTS OF THE OFFENSE OF MAKING A TERRORISTIC THREAT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2236:** Judiciary, Division B

AN ACT TO CREATE NEW SECTION 63-3-811, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNERAL PROCESSIONS WITH THE RIGHT-OF-WAY; TO DEFINE TERMS; TO AMEND SECTION 63-3-315, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A DRIVER OF AN EMERGENCY VEHICLE WHO IS ESCORTING A FUNERAL PROCESSION TO PROCEED CAUTIOUSLY PAST A RED STOP SIGN OR TRAFFIC-CONTROL DEVICE; TO PROVIDE THAT A FUNERAL PROCESSION, WHEN ESCORTED BY LAW ENFORCEMENT, MAY PROCEED THROUGH AN INTERSECTION REGARDLESS OF STOP SIGNS AND TRAFFIC-CONTROL DEVICES; TO PROVIDE THAT AN UNESCORTED FUNERAL PROCESSION MAY FOLLOW A LEAD VEHICLE THROUGH AN INTERSECTION REGARDLESS OF A STOP SIGN OR TRAFFIC-CONTROL DEVICE AS LONG AS THE LEAD VEHICLE COMPLIES WITH STOP SIGNS AND TRAFFIC-CONTROL DEVICES; TO PROVIDE CERTAIN EXCEPTIONS TO THIS RIGHT-OF-WAY; TO AMEND SECTION 63-3-517, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A DRIVER OF AN EMERGENCY VEHICLE WHO IS ESCORTING A FUNERAL PROCESSION TO EXCEED THE SPEED LIMIT BY NO MORE THAN 15 MILES PER HOUR TO OVERTAKE THE FUNERAL PROCESSION AND DIRECT TRAFFIC AT THE NEXT INTERSECTION; TO AMEND SECTIONS 63-3-205, 63-3-313, 63-7-19, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2237:** Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-33, MISSISSIPPI CODE OF 1972, TO PROHIBIT A COURT FROM SUSPENDING THE SENTENCE OF AN OFFENDER IN A CASE INVOLVING THE EXPLOITATION OF CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2238:** Judiciary, Division B

AN ACT TO CREATE THE CRIME OF TRESPASS ON PROPERTY OTHER THAN A STRUCTURE OR CONVEYANCE; TO PROVIDE PENALTIES FOR THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2239:** Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-257, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO REMOVE FROM THE CENTRAL REGISTRY THE NAME OF ANY SUBSTANTIATED PERPETRATOR WHO WAS LATER DETERMINED TO BE WRONGFULLY CONVICTED OR ADJUDICATED; TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO RECORD THE NAME OF A REPORTER WHEN RECEIVING A REPORT OF CHILD ABUSE; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO DISCLOSE THE NAME OF THE REPORTER TO THE ALLEGED PERPETRATOR IN CASES OF FALSE REPORTS AND PURGE ITS RECORDS OF ANY REFERENCE TO THE IDENTITY OF THE ALLEGED PERPETRATOR; TO REQUIRE A COURT TO STRIKE FALSE REPORTS FROM ITS RECORDS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2240:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATUS OF OUT-OF-STATE DUI CONVICTIONS USED FOR PURPOSES OF ENHANCEMENT OF PENALTY FOR FOURTH AND SUBSEQUENT DUI VIOLATIONS; TO CLARIFY THAT EXPUNCTIONS OF VIOLATIONS OF THIS SECTION, INCLUDING NONADJUDICATIONS GRANTED BY AN INTERVENTION COURT, MUST BE RECORDED WITHIN THE CONFIDENTIAL REGISTRY OF ALL EXPUNCTIONS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ORDERS OF NONADJUDICATION AND EXPUNCTION MUST BE RECORDED WITHIN THE CONFIDENTIAL REGISTRY OF ALL EXPUNCTIONS CREATED IN SECTION 63-11-30; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2241:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO DELETE THE CRIMINAL PENALTY FOR THE POSSESSION OF LESS THAN 2.5 OUNCES OF MARIJUANA; TO AMEND SECTIONS 33-13-520, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2242:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO REVISE THE COURT'S DISPOSITIONAL ALTERNATIVES FOR NONADJUDICATION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2243:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM THE STATUTE OF LIMITATIONS FOR PROSECUTION OF SEXUAL BATTERY TO THE STATUTE OF LIMITATIONS FOR RAPE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2244:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-21, 99-19-101 AND 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING AND PAROLE OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES

SUPREME COURT HOLDING IN THE CASE OF MILLER V. ALABAMA; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2245:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2246:** Judiciary, Division B

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER AND OTHER COMPUTER CRIMES; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2247:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-33-26, MISSISSIPPI CODE OF 1972, TO PROHIBIT PERSONS REQUIRED TO REGISTER AS A SEX OFFENDER FROM BEING EMPLOYED AS A FIRST RESPONDER WITHOUT ADVANCE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SEX OFFENDER REGISTRY; TO DEFINE THE TERM "FIRST RESPONDER"; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2248:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-142, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR SALE OF CONTROLLED SUBSTANCES WITHIN A CERTAIN DISTANCE FROM SCHOOLS; TO REPEAL SECTION 41-29-147, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR ENHANCED PENALTIES FOR SECOND AND SUBSEQUENT DRUG OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2249:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES FOR FIRST AND SECOND CONTROLLED SUBSTANCE CRIMES; TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2250:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 43-21-151, 43-21-157 AND 43-21-159, MISSISSIPPI CODE OF 1972, TO DEFINE THE CIRCUMSTANCES UNDER WHICH A CHILD MAY BE TRIED FOR A CRIMINAL OFFENSE IN CIRCUIT COURT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2251:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2252:** Judiciary, Division A

AN ACT TO ABOLISH THE TORT OF ALIENATION OF AFFECTION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2253:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF A NONVIOLENT HABITUAL OFFENDER DEPENDENT ON THE AGE OF THE OFFENDER AT THE TIME OF THE COMMISSION OF THE PRIOR OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2254:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 99-19-81 AND 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPUTATION OF PRIOR CONVICTIONS FOR PURPOSES OF DETERMINING AN OFFENDER'S STATUS AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2255:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REVISE EXPUNCTION OF CRIMINAL RECORD BY REDUCING THE WAITING PERIOD FOR ELIGIBILITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2256:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-23, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF HOUSE BURGLARY TO CREATE VIOLENT AND NONVIOLENT LEVELS OF THE OFFENSE; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-23-15, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR DRUG INTERVENTION COURTS; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR VETERANS' INTERVENTION COURTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2257:** Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-157, MISSISSIPPI CODE OF 1972, TO REVISE TRANSFER FROM YOUTH COURT TO CIRCUIT COURT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2258:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2259:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE VIOLENT HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2260:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PERMIT THE NONADJUDICATION OF A FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE BY A COMMERCIAL DRIVER'S LICENSE HOLDER WHO WAS NOT OPERATING A COMMERCIAL VEHICLE AT THE TIME OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2261:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-41-16, MISSISSIPPI CODE OF 1972, TO RENAME THE SECTION "BUDDY'S LAW"; TO REQUIRE A CHILD ADJUDICATED

DELINQUENT UNDER THIS SECTION TO RECEIVE A PSYCHIATRIC OR PSYCHOLOGICAL EVALUATION AND COUNSELING OR TREATMENT FOR A LENGTH OF TIME PRESCRIBED BY THE YOUTH COURT; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Fillingane, England, Wiggins, McCaughn, Chism, Suber

**S. B. No. 2262:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-33-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PERSON OPERATING A PASSENGER BUS WITH A MINOR PASSENGER IN THE BUS FROM USING HAND-HELD MOBILE TELEPHONES WITH CERTAIN EXCEPTIONS; TO DELETE THE CIVIL PENALTY FOR TEXTING WHILE DRIVING; TO CRIMINALIZE A VIOLATION OF THIS SECTION; TO PROVIDE CERTAIN EXCEPTIONS TO THE PROHIBITION AGAINST THE USE OF HAND-HELD MOBILE TELEPHONES; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2263:** Judiciary, Division B

AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CHANCELLOR TO WAIVE PROCEDURAL REQUIREMENTS FOR ADULT ADOPTEES WHO CONSENT TO THE ADOPTION; AND FOR RELATED PURPOSES.

By Senator(s) Bryan, Fillingane

**S. B. No. 2264:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT UNIFORM REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF CRIMINAL PROCEDURE AND INCREASE CRIMINAL JUSTICE TRANSPARENCY; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2265:** Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 99-41-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE AGE LIMITATION ON CERTAIN VICTIMS OF CHILD SEX ABUSE WHO REPORT THE CRIME TO LAW ENFORCEMENT OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO INCREASE THE NUMBER OF HOURS FOR THE CRIMINALLY INJURIOUS CONDUCT TO BE REPORTED TO LAW ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2266:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE JURISDICTIONAL AMOUNTS FOR THE CRIME OF SHOPLIFTING MERCHANDISE; TO REVISE PENALTIES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2267:** Judiciary, Division B

AN ACT TO CONSOLIDATE THE STATUTES CONCERNING EXPUNGEMENT; TO CREATE A UNIFIED EXPUNGEMENT STATUTE; TO PROVIDE FOR THE LEGAL EFFECT OF AN ORDER TO EXPUNGE; TO PROVIDE FOR EXPUNGEMENT OF MISDEMEANOR AND FELONY CONVICTIONS; TO SPECIFY RECORDS THAT MAY NOT BE EXPUNGED; TO PROVIDE FOR EXPUNGEMENT OF A FIRST OFFENSE DUI CONVICTION; TO PROVIDE FOR EXPUNGEMENT UPON COMPLETION OF INTERVENTION COURT; TO PROVIDE FOR EXPUNGEMENT OF CONVICTIONS FOR

PURCHASE OF LIGHT WINE OR BEER BY MINORS; TO PROVIDE FOR CERTAIN NONCONVICTIONS; TO SET FILING FEES ACCORDING TO PRE-EXISTING LAW; TO REQUIRE INTERSTATE IDENTIFICATION INDEX REPORTS; TO REQUIRE CLERKS OF COURT TO SUBMIT POST-EXPUNGEMENT RECORDS; TO AMEND SECTION 9-11-15, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN THE JUSTICE COURTS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN INTERVENTION COURTS; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT IN MUNICIPAL COURTS; TO AMEND SECTION 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT OF CERTAIN DRUG CHARGES; TO AMEND SECTION 45-27-21, MISSISSIPPI CODE OF 1972, TO CONFORM RECORD-KEEPING REQUIREMENTS FOR THE CRIMINAL INFORMATION CENTER; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CONFORM THE EXPUNGEMENT OF DUI RECORDS; TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO CONFORM NONADJUDICATION PROVISIONS; TO REPEAL SECTION 99-15-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ANY PERSON WHO IS ARRESTED, ISSUED A CITATION, OR HELD FOR ANY MISDEMEANOR AND NOT FORMALLY CHARGED OR PROSECUTED WITH AN OFFENSE WITHIN 12 MONTHS OF ARREST, OR UPON DISMISSAL OF THE CHARGE, MAY APPLY TO THE COURT WITH JURISDICTION OVER THE MATTER FOR THE CHARGES TO BE EXPUNGED; TO REPEAL SECTION 99-19-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT OF CERTAIN FELONY AND MISDEMEANOR CONVICTION RECORDS; TO REPEAL SECTION 99-19-72, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FILING FEES FOR CERTAIN PETITIONS FOR EXPUNGEMENT AND THE DISPOSITION THEREOF; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2268:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE CORRECTIONS INSPECTION COUNCIL; TO SERVE IN AN ADVISORY CAPACITY TO THE GOVERNOR, ATTORNEY GENERAL, CORRECTIONS COMMISSIONER, AND THE LEGISLATURE; TO ESTABLISH AND MAINTAIN A CONTINUING PROGRAM OF INSPECTION OF EACH STATE CORRECTIONAL INSTITUTION USED FOR CUSTODY, CONTROL, TRAINING, AND REHABILITATION OF PERSONS CONVICTED OF A CRIME BY THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2269:** Corrections

AN ACT TO AMEND REENACTED SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2270:** Corrections

AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PLACE AN OFFENDER ON CONDITIONAL MEDICAL RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2271:** Corrections

AN ACT TO AUTHORIZE THE MISSISSIPPI PAROLE BOARD TO REVIEW AND APPROVE THE RELEASE OF AN OFFENDER UNDER THE EARNED-TIME ALLOWANCE PROGRAM; TO ESTABLISH THE PROCEDURE TO BE FOLLOWED BY THE PAROLE BOARD IN REVIEWING THE MISSISSIPPI DEPARTMENT OF

CORRECTIONS' RECOMMENDATION TO PLACE AN OFFENDER UNDER EARNED-RELEASE SUPERVISION; TO AUTHORIZE A HEARING BE HELD REGARDING THE PROPOSED RELEASE OF AN OFFENDER AND THAT CERTAIN NOTICE BE PROVIDED TO VICTIMS REGARDING SUCH RELEASE, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 47-5-138 AND 47-7-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING SECTION; TO AMEND SECTION 47-5-177, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN LOCAL LAW ENFORCEMENT OFFICIALS SHALL BE NOTIFIED 15 DAYS BEFORE OFFENDERS ARE PLACED UNDER EARNED-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2272:** Corrections

AN ACT TO AMEND SECTION 47-5-940, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE BOLIVAR COUNTY REGIONAL FACILITY FOR A DRUG AND ALCOHOL TREATMENT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2273:** Corrections

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 47 OF CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN OFFENDER'S EMPLOYER TO SUBMIT TIMESHEETS, PROOF OF EMPLOYMENT AND REQUIRED DRUG TESTS TO THE PERSON WHO SUPERVISES AN OFFENDER'S PROBATION OR PAROLE IN LIEU OF IN-PERSON OR ELECTRONIC MEETINGS; TO AUTHORIZE AN OFFENDER'S EMPLOYER TO WITHHOLD STATUTORILY REQUIRED FEES FROM AN OFFENDER'S PAYCHECK AND PAY THE DEPARTMENT OF CORRECTIONS DIRECTLY; TO REQUIRE THE STATE PAROLE BOARD TO COORDINATE WITH THE DEPARTMENT OF CORRECTIONS TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THIS ACT; TO AMEND SECTION 47-7-36, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2274:** Corrections; Judiciary, Division B

AN ACT TO ENACT THE "REENTRY COURT ACT OF 2022"; TO DEFINE TERMS; TO AUTHORIZE PILOT REENTRY COURTS IN CERTAIN COUNTIES; TO GRANT THE NECESSARY JURISDICTION TO REENTRY COURTS TO EFFECTUATE THE PURPOSES OF THIS ACT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO REQUIRE REENTRY COURTS TO WORK IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND THE MISSISSIPPI INTERVENTION COURT COMMISSION TO ESTABLISH BEST PRACTICES; TO REQUIRE THE REENTRY COURT TO ENSURE THAT A DEFENDANT CONSENTS TO BE SENTENCED TO THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AFTER CERTAIN DISCLOSURES TO THE DEFENDANT; TO AUTHORIZE THE REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY SECOND OR SUBSEQUENT OFFENDER TO SENTENCE THE DEFENDANT TO THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SUBJECT TO PARTICIPATION IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM; TO PROVIDE THAT UPON SUCCESSFUL COMPLETION OF THE PROGRAM AND ANY OTHER TERMS REQUIRED BY THE REENTRY COURT, THE REENTRY COURT SHALL SUSPEND THE REMAINDER OF THE DEFENDANT'S SENTENCE AND PLACE THE DEFENDANT ON INTENSIVE SUPERVISION OF THE

REENTRY COURT; TO PROVIDE THAT IN THE EVENT OF A DEFENDANT FAILING TO COMPLETE THE PROGRAM, THE REENTRY COURT SHALL ORDER THE DEFENDANT TO SERVE ALL OR PART OF THE REMAINDER OF THE SENTENCE FOR THE ORIGINAL CHARGE; TO PROVIDE PUNISHMENTS FOR THE VIOLATION OF PROBATION; TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM MENTIONING OR OFFERING PARTICIPATION IN THE PROGRAM AS AN INDUCEMENT TO ANY PERSON ACCUSED OF A CRIME; TO REQUIRE PEER TO FILE A REPORT WITH THE LEGISLATURE; TO PROVIDE THAT THE ACT SHALL REPEAL ON A DATE CERTAIN; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2275:** Corrections

AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES A PILOT WORK RELEASE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2276:** Corrections

AN ACT TO AMEND REENACTED SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE STATE PAROLE BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2277:** Corrections

AN ACT TO REENACT SECTIONS 47-5-701 THROUGH 47-5-729, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE PRISON OVERCROWDING EMERGENCY POWERS ACT; TO AMEND REENACTED SECTION 47-5-731, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REENACTED PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2278:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TECHNICAL VIOLATION" TO EXCLUDE ANY ACT THAT IS CLASSIFIED AS A CRIME OF VIOLENCE; TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO REQUIRE REVOCATION FOR PERSONS WHO COMMIT CRIMES OF VIOLENCE WHILE ON PAROLE; TO PROVIDE THAT THE PAROLE BOARD SHALL REFER SUCH MATTERS TO THE APPROPRIATE DISTRICT ATTORNEY FOR PROSECUTION; TO AMEND SECTION 47-7-38, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE PROBATIONER OR PAROLEE IS ARRESTED FOR A NEW CRIMINAL OFFENSE, HE SHALL BE RETURNED TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SERVE THE REMAINDER OF HIS ORIGINAL SENTENCE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2279:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PROBATION AND PAROLE OFFICER SHALL NOT HANDLE MORE THAN 100 CASES AT ONE TIME; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2280:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO REENACT SECTIONS 47-5-1001 THROUGH 47-5-1014, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR AN INTENSIVE SUPERVISION PROGRAM AND ELECTRONIC HOME DETENTION UNDER THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AMEND REENACTED SECTION 47-5-1015, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2281:** Energy

AN ACT TO AMEND SECTION 17-17-3, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS CONCERNING ADVANCED RECYCLING PROCESSES, FACILITIES AND PRODUCTS; TO AMEND SECTION 17-17-205, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS TO EXCLUDE CERTAIN PLASTICS; TO AMEND SECTION 17-17-305, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS TO EXCLUDE CERTAIN PLASTICS AND PLASTIC RECYCLING FACILITIES; TO AMEND SECTION 17-17-13, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2282:** Energy

AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE FINDINGS REGARDING GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE; TO AMEND SECTION 53-11-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF RESERVOIR; TO AMEND SECTION 53-11-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE OIL AND GAS BOARD'S AUTHORITY WHEN ENTERING AN ORDER APPROVING A GEOLOGIC SEQUESTRATION FACILITY; TO PROVIDE FOR A METHOD FOR THE BOARD TO ENTER AN ORDER APPROVING ANY PROPOSED GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE WHEN A MAJORITY INTEREST HAS NOT CONSENTED; TO AMEND SECTION 53-11-11, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A METHOD FOR THE BOARD TO ENTER AN ORDER APPROVING ANY PROPOSED GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE WHEN A MAJORITY INTEREST HAS NOT CONSENTED; TO AMEND SECTION 53-11-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF INTERESTED PERSON REGARDING APPEALS TO CHANCERY COURT; TO AMEND SECTION 11-27-47, MISSISSIPPI CODE OF 1972, TO REVISE THE EMINENT DOMAIN LAWS FOR PIPELINES AND APPLIANCES TO GRANT THE RIGHT OF EMINENT DOMAIN TO ENTITIES FOR THE PURPOSE OF TRANSPORTING OR CONVEYING CARBON DIOXIDE AND OTHER GASEOUS SUBSTANCES IN CONNECTION WITH THE GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE AND OTHER GASEOUS SUBSTANCES AND ANY ASSOCIATED CARBON CAPTURE AND GEOLOGIC SEQUESTRATION FACILITY PROJECTS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2283:** Drug Policy; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE 20 FENTANYL-RELATED SUBSTANCES, MT-45, NM2201, 5F-CUMYL-P7AICA AND PMMA AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO ALPHABETIZE CERTAIN SUBSTANCES TO CONFORM THE LIST OF SCHEDULE I OPIATES TO THE CODE OF FEDERAL REGULATIONS; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE OLICERIDINE AS A SCHEDULE II CONTROLLED SUBSTANCE BECAUSE OLICERIDINE HAS A CURRENTLY ACCEPTED MEDICAL USE BUT HAS A HIGH POTENTIAL FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL DEPENDENCE; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE LEMBOREXANT AND REMIMAZOLAM AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE CENOBAMATE AND LASMIDITAN AS SCHEDULE V CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR

PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE IV; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

**S. B. No. 2284:** Drug Policy

AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO EXCEPT FROM THE DEFINITION OF THE TERM "PARAPHERNALIA" CERTAIN TESTING EQUIPMENT USED TO DETERMINE WHETHER A CONTROLLED SUBSTANCE CONTAINS FENTANYL OR A FENTANYL ANALOG; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2285:** Drug Policy; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REDUCE THE PUNISHMENT FOR SIMPLE POSSESSION OF A SMALL AMOUNT OF MARIJUANA TO A CIVIL PENALTY; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO GRANT TO MUNICIPAL COURTS JURISDICTION OVER CIVIL OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2286:** Drug Policy; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE ENHANCED PENALTIES FOR TRANSFER OR POSSESSION WITH INTENT TO TRANSFER HEROIN OR FENTANYL; TO CREATE NEW SECTION 97-3-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OVERDOSE DEATH ATTRIBUTABLE TO THE UNLAWFUL DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES WILL CONSTITUTE MANSLAUGHTER; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

**S. B. No. 2287:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN TEN DAYS BEFORE THE DATE OF AN ELECTION; TO PRESCRIBE CERTAIN CONDITIONS FOR EARLY VOTING LOCATIONS TO BE IMPLEMENTED BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2288:** Elections

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

By Senator(s) Hill

**S. B. No. 2289:** Elections; Constitution

AN ACT TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO AMEND SECTIONS 23-15-33, 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2290:** Elections; Constitution

AN ACT TO CREATE NEW CODE SECTION 23-15-2, MISSISSIPPI CODE OF 1972, TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS

DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF RESTORATION TO THE PERSON; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 99-19-35, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN ELECTORS WHO HAVE BEEN RESTORED THEIR CIVIL RIGHTS AFTER CERTAIN FELONY CONVICTIONS TO SERVE IN CERTAIN OFFICIAL CAPACITIES; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

**S. B. No. 2291:** Elections

AN ACT TO CREATE THE NONPARTISAN COUNTY ELECTIONS ACT; TO PROVIDE THAT THE COUNTY OFFICES OF CHANCERY CLERK, CIRCUIT CLERK, TAX ASSESSOR, TAX COLLECTOR, COUNTY SURVEYOR AND COUNTY CORONER SHALL BE NONPARTISAN; TO PROVIDE DEFINITIONS FOR SUCH ACT; TO PROVIDE WHEN A CANDIDATE SHALL FILE THEIR INTENT AND THE AMOUNT OF FEES APPLICABLE FOR SUCH OFFICE; TO PROVIDE HOW THE NAMES OF THE CANDIDATES SHALL BE GROUPED ON A BALLOT; TO PROVIDE THE PROCEDURE WHEN TWO OR MORE CANDIDATES QUALIFY FOR COUNTY OFFICE; TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO REMOVE COUNTY OFFICES FROM FEE REQUIREMENTS FOR PARTY NOMINATION; TO AMEND SECTIONS 23-15-21, 23-15-31, 23-15-153, 23-15-291, 23-15-507 AND 23-15-911, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2292:** Elections; Judiciary, Division A

AN ACT TO ENACT THE JUDICIAL ELECTION CAMPAIGN INTERVENTION ACT OF 2022; TO DEFINE TERMS; TO ESTABLISH THE COMMITTEE ON JUDICIAL ELECTION CAMPAIGN INTERVENTION IN EVERY YEAR IN WHICH AN ELECTION IS

HELD FOR SUPREME COURT, COURT OF APPEALS, CHANCERY COURT, CIRCUIT COURT OR COUNTY COURT JUDGE IN THIS STATE; TO PRESCRIBE THE MEMBERSHIP OF THE COMMITTEE AND PROVIDE FOR ITS ORGANIZATION; TO AUTHORIZE THE COMMITTEE TO ALLEVIATE UNETHICAL AND UNFAIR CAMPAIGN PRACTICES IN JUDICIAL ELECTIONS; TO AUTHORIZE THE COMMITTEE TO RENDER FORMAL OPINIONS; TO REQUIRE THE COMMISSION ON JUDICIAL PERFORMANCE TO ASSIST THE COMMITTEE; TO AMEND SECTION 9-19-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2293:** Elections

AN ACT TO AMEND SECTIONS 23-15-7 AND 23-15-135, MISSISSIPPI CODE OF 1972, TO DELETE THE REFERENCES TO THE MISSISSIPPI CONSTITUTIONAL AMENDMENT IN RELATION TO MISSISSIPPI VOTER IDENTIFICATION CARDS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2294:** Elections; Constitution

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2295:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 20 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE

REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

**S. B. No. 2296:** Elections; Accountability, Efficiency, Transparency

AN ACT ENTITLED THE "FAIR ACCESS TO ELECTIONS ACT"; TO PROVIDE THAT NO PUBLIC OFFICIAL OR ELECTION OFFICIAL SHALL SOLICIT, TAKE OR OTHERWISE ACCEPT FROM ANY PERSON ANY CONTRIBUTION, DONATION OR ANY THING ELSE OF VALUE FOR PURPOSES OF CONDUCTING STATE OR LOCAL ELECTIONS IN THIS STATE AND TO CLARIFY THAT ALL COSTS AND EXPENSES RELATING TO THE CONDUCT OF ELECTIONS SHALL BE PAID WITH PUBLIC FUNDS; TO AMEND SECTION 23-15-633, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN INFORMATION TO BE INSERTED BY THE VOTER WHO IS VOTING BY ABSENTEE BALLOT; TO PRESCRIBE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2297:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 23-15-35 AND 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN THE EVENT THAT THE MUNICIPAL EXECUTIVE COMMITTEE AND THE ELECTION INTEGRITY ASSURANCE COMMITTEE FAIL TO CERTIFY THE RESULTS OF A MUNICIPAL PRIMARY ELECTION, THE MUNICIPAL CLERK SHALL CERTIFY THE ELECTION RESULTS TO THE STATE EXECUTIVE COMMITTEE AND THE SECRETARY OF STATE AS OTHERWISE PROVIDED BY LAW; TO AMEND SECTION 23-15-611, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE MUNICIPAL ELECTION COMMISSION AND THE ELECTION INTEGRITY ASSURANCE COMMITTEE FAIL TO CERTIFY THE RESULTS OF THE MUNICIPAL GENERAL ELECTION, THE MUNICIPAL CLERK SHALL CERTIFY THE ELECTION RESULTS TO THE SECRETARY OF STATE AS OTHERWISE PROVIDED BY LAW; TO BRING FORWARD SECTION 23-15-266, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2298:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MUNICIPAL EXECUTIVE COMMITTEE MAY ONLY REMOVE A PRIMARY ELECTION OFFICIAL AFTER APPOINTMENT FOR GOOD CAUSE SHOWN, UPON A UNANIMOUS VOTE OF ALL MEMBERS OF THE STATE EXECUTIVE COMMITTEE, OR UPON A MAJORITY VOTE OF THE STATE EXECUTIVE COMMITTEE AFTER A RECOMMENDATION FROM THE MUNICIPAL EXECUTIVE

COMMITTEE THAT THE PRIMARY ELECTION OFFICIAL BE REMOVED; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2299:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO MUNICIPAL EXECUTIVE COMMITTEE MEMBER OR PRIMARY ELECTION OFFICIAL APPOINTED BY THE MUNICIPAL EXECUTIVE COMMITTEE MAY CAMPAIGN FOR A CANDIDATE WHOSE NAME IS LISTED ON THE MUNICIPAL PRIMARY ELECTION BALLOT; TO PROVIDE THAT ANY PERSON WHO IS A MUNICIPAL EXECUTIVE COMMITTEE MEMBER AND IS CONVICTED OF CAMPAIGNING FOR A CANDIDATE ON THE MUNICIPAL PRIMARY ELECTION BALLOT SHALL BE GUILTY OF A MISDEMEANOR AND REMOVED FROM HIS OR HER PRIMARY ELECTION POSITION; TO AMEND SECTIONS 23-15-313 AND 25-1-115, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 23-15-309, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2300:** Elections

AN ACT TO AMEND SECTION 23-15-271, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTION INTEGRITY ASSURANCE COMMITTEE SHALL BE AUTHORIZED TO CONDUCT A PRIMARY ELECTION IF THE COUNTY OR MUNICIPAL EXECUTIVE COMMITTEE FAIL TO PERFORM ITS DUTIES; TO PROVIDE THAT NO MEMBER OF AN ELECTION INTEGRITY ASSURANCE COMMITTEE SHALL RECEIVE ANY COMPENSATION, IN-KIND DONATIONS, GIFTS OR ANY OTHER FORM OF PAYMENT FOR CONDUCTING ANY REQUIRED TRAINING OR FOR CONDUCTING THE PRIMARY ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2301:** Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2302:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS

PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2303:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY EXECUTIVE COMMITTEES TO APPOINT MEMBERS OF THE MUNICIPAL EXECUTIVE COMMITTEE AND INFORM THE MUNICIPAL CLERK AND STATE EXECUTIVE COMMITTEE OF THE APPOINTMENTS BY A DATE CERTAIN BEFORE THE MUNICIPAL PRIMARY ELECTION; TO REQUIRE THE STATE EXECUTIVE COMMITTEE, IF IT HAS RECEIVED NO NOTICE OF THE APPOINTMENTS BY THE DEADLINE, TO APPOINT MEMBERS OF THE MUNICIPAL EXECUTIVE COMMITTEE AND INFORM THE MUNICIPAL CLERK BY A DATE CERTAIN BEFORE THE MUNICIPAL PRIMARY ELECTION; TO REVISE THE NUMBER OF MEMBERS APPOINTED TO THE MUNICIPAL EXECUTIVE COMMITTEE; TO REPEAL SECTIONS 23-15-313 AND 23-15-315, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR TEMPORARY EXECUTIVE COMMITTEES, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2304:** Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2305:** Elections

AN ACT TO CREATE THE MISSISSIPPI RECALL ACT OF 2022 TO PROVIDE A PROCEDURE FOR THE RECALL OF STATE OFFICIALS, MEMBERS OF THE LEGISLATURE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO REQUIRE THE SECRETARY OF STATE TO PRINT THE APPLICATION FORMS AND PETITION FORMS AND DISTRIBUTE THE FORMS TO THE BOARDS OF ELECTION COMMISSIONERS; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2306:** Elections

AN ACT TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO TRANSFER THE AUTHORITY OF THE MISSISSIPPI ETHICS COMMISSION TO ASSESS A CIVIL PENALTY AGAINST ANY CANDIDATE OR POLITICAL COMMITTEE FOR FAILURE TO FILE A REPORT TO THE SECRETARY OF STATE; TO DELETE THE PROVISIONS THAT PROVIDES FOR A HEARING FOR A CANDIDATE OR POLITICAL COMMITTEE BEFORE THE STATE BOARD OF ELECTION COMMISSIONERS; TO PROVIDE AN APPEAL BEFORE THE MISSISSIPPI ETHICS COMMISSION FOR THOSE CANDIDATES WHO ARE ASSESSED A CIVIL PENALTY BY THE SECRETARY OF STATE; TO AUTHORIZE JUDICIAL REVIEW OF THE DECISION OF THE MISSISSIPPI ETHICS COMMISSION; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR REPORTS THAT WOULD OTHERWISE BE DUE ON A WEEKEND OR LEGAL HOLIDAY SHALL BE DUE ON THE NEXT WORKING DAY AFTER THE DUE DATE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2307:** Judiciary, Division A

AN ACT TO PROHIBIT A PARTY FROM USING A PEREMPTORY CHALLENGE TO REMOVE A PROSPECTIVE JUROR ON THE BASIS OF THE PROSPECTIVE JUROR'S RACE, ETHNICITY, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION, NATIONAL ORIGIN, OR RELIGIOUS AFFILIATION, OR THE PERCEIVED MEMBERSHIP OF THE PROSPECTIVE JUROR IN ANY OF THOSE GROUPS; TO AUTHORIZE A PARTY, OR THE TRIAL COURT ON ITS OWN MOTION, TO OBJECT TO THE USE OF A PEREMPTORY CHALLENGE BASED ON THESE CRITERIA; TO REQUIRE THE PARTY EXERCISING THE CHALLENGE, UPON OBJECTION, TO STATE THE REASONS THE PEREMPTORY CHALLENGE HAS BEEN EXERCISED; TO REQUIRE THE COURT TO EVALUATE THE REASONS GIVEN AND, IF THE COURT GRANTS THE OBJECTION, AUTHORIZE THE COURT TO TAKE CERTAIN ACTIONS, INCLUDING, BUT NOT LIMITED TO, STARTING A NEW JURY SELECTION, DECLARING A MISTRIAL AT THE REQUEST OF THE OBJECTING PARTY, SEATING THE CHALLENGED JUROR, OR PROVIDING ANOTHER REMEDY AS THE COURT

DEEMS APPROPRIATE; TO PROVIDE FOR A DE NOVO STANDARD OF REVIEW BY AN APPELLATE COURT REVIEWING THE DENIAL OF AN OBJECTION; TO PROVIDE THAT THE ACT APPLIES TO CRIMINAL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2023; TO PROVIDE THAT THE ACT APPLIES TO CIVIL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2026; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2308:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 89-8-23, MISSISSIPPI CODE OF 1972, TO ENACT CERTAIN SANCTIONS ON LANDLORDS WHO VIOLATE SPECIFIC DUTIES UNDER THE RESIDENTIAL LANDLORD-TENANT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

**S. B. No. 2309:** Judiciary, Division A

AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF A JUROR TO THOSE CITIZENS WHO HAVE A CURRENT AND VALID MISSISSIPPI DRIVER'S LICENSE AND WHO HAVE FILED STATE INCOME TAXES; TO AMEND SECTION 13-5-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2310:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI CIVIL RIGHTS ACT; TO PROVIDE THAT THE RIGHT OF A PERSON TO BE FREE FROM DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, IMMIGRANT STATUS, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY OR FAMILIAL STATUS IS A CIVIL RIGHT; TO PROVIDE REMEDIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2311:** Business and Financial Institutions; Judiciary, Division A

AN ACT TO PROVIDE THAT A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW; TO PROVIDE THAT A PERSON MAY SEEK JUDICIAL REVIEW IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY; TO PROVIDE THAT ALL PROCEEDINGS SHALL BE INSTITUTED BY FILING A NOTICE OF APPEAL OR PETITION FOR REVIEW IN ACCORDANCE WITH THE MISSISSIPPI RULES OF APPELLATE PROCEDURE WITHIN 30 DAYS AFTER THE RENDITION OF THE ORDER BEING APPEALED; TO PROVIDE THAT IF THE AGENCY DECISION HAS THE EFFECT OF SUSPENDING OR REVOKING A PROFESSIONAL LICENSE, SUPERSEDEAS SHALL BE GRANTED AS A MATTER OF RIGHT UPON SUCH CONDITIONS AS ARE REASONABLE, UNLESS A COURT, UPON PETITION OF THE AGENCY, DETERMINES THAT A SUPERSEDEAS WOULD CONSTITUTE A PROBABLE DANGER TO THE HEALTH, SAFETY OR WELFARE OF THE STATE; TO PROVIDE THE RELIEF THAT MAY POTENTIALLY BE GRANTED BY THE REVIEWING COURT; TO AMEND SECTIONS 73-1-31, 73-2-16, 73-3-329, 73-4-19, 73-6-19, 73-5-27, 73-7-27, 73-9-61, 73-9-65, 73-10-21, 73-11-57, 73-13-37, 73-13-93, 73-14-39, 73-15-31, 73-17-15, 73-19-45, 73-19-111, 73-21-101, 73-23-63, 73-24-25, 73-25-27, 73-25-95, 73-29-39, 73-30-11, 73-31-21, 73-33-11, 73-34-43, 73-35-25, 73-36-33, 73-36-36, 73-39-81, 73-42-13, 73-43-14, 73-53-25, 73-55-19, 73-57-33, 73-59-13, 73-60-35, 73-61-3, 73-63-49, 73-67-19, 73-69-33, 73-71-49, 73-73-33 AND 73-75-19, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2312:** Veterans and Military Affairs; Public Health and Welfare

AN ACT TO ESTABLISH A COMMITTEE TO STUDY VETERAN HOMELESSNESS, UNEMPLOYMENT, POST-TRAUMATIC STRESS DISORDER,

HUMAN SERVICES AND CERTAIN ISSUES AFFECTING MISSISSIPPI VETERANS, AND MAKE AN ANNUAL REPORT THEREON TO THE GOVERNOR AND THE MISSISSIPPI LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2313:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAID REIMBURSEMENT FOR SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES FOR PREGNANT AND POSTPARTUM WOMEN IN A COMMUNITY-BASED, TELEHEALTH OR FAITH-BASED SETTING; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2314:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAID REIMBURSEMENT FOR COMMUNITY-BASED HOME-VISITATION, PREGNANCY, AND POSTPARTUM SUPPORT SERVICES TO ELIGIBLE MOTHERS AND CHILDREN UNDER THE AGE OF ONE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2315:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, BEGINNING JULY 1, 2022; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2316:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAID COVERAGE FOR INDIVIDUALS WHO ARE 55 YEARS OF AGE OR OLDER, ARE DETERMINED TO NEED THE LEVEL OF CARE REQUIRED FOR COVERAGE OF NURSING FACILITY SERVICES, RESIDE IN THE SERVICE AREA OF THE PACE ORGANIZATION, AND MEET ANY ADDITIONAL PROGRAM-SPECIFIC ELIGIBILITY CONDITIONS IMPOSED BY THE DIVISION OF MEDICAID; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2317:** Medicaid

AN ACT TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS AND EXPEND FUNDS APPROPRIATED AS NECESSARY TO PROVIDE HOME- AND COMMUNITY-BASED SERVICES TO THE AGED/DISABLED, PHYSICALLY DISABLED AND RECIPIENTS WITH TRAUMATIC BRAIN INJURY/SPINAL CORD INJURY TO ELIMINATE ANY WAITING PERIOD FOR SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2318:** Veterans and Military Affairs; Judiciary, Division B

AN ACT TO AMEND SECTION 21-23-20, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR SUSPENSION OF SENTENCE AFTER IMPOSITION FOR CERTAIN VETERANS UPON THE CONDITION OF PARTICIPATION IN SPECIALIZED TREATMENT PROVIDED BY THE DEPARTMENT OF VETERANS AFFAIRS MENTAL

HEALTH DEPARTMENT; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Jackson (11th)

**S. B. No. 2319:** Insurance

AN ACT TO AMEND SECTION 43-19-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE TREASURER TO INTERCEPT UNCLAIMED PROPERTY TO SATISFY A CHILD SUPPORT ARREARAGE; TO AMEND SECTION 89-12-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE TREASURER TO COOPERATE WITH THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE IF A CLAIMANT OF UNCLAIMED PROPERTY OWES A CHILD SUPPORT ARREARAGE; TO REQUIRE THE TREASURER TO TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES ANY PORTION OF A CLAIM TO SATISFY THE CHILD SUPPORT ARREARAGE; TO AMEND SECTION 93-11-71, MISSISSIPPI CODE OF 1972, TO SUBJECT UNCLAIMED PROPERTY TO INTERCEPTION OR SEIZURE WITHOUT REGARD TO THE ENTRY OF THE JUDGMENT ON THE JUDGMENT ROLL OF THE SITUS DISTRICT OR JURISDICTION TO SATISFY CHILD SUPPORT ARREARAGES; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2320:** Judiciary, Division A; Appropriations

AN ACT TO CREATE A COUNTY COURT IN AND FOR EVERY COUNTY; TO AMEND SECTION 9-9-1, MISSISSIPPI CODE OF 1972, TO CREATE COUNTY COURT DISTRICTS; TO AMEND SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO SET FORTH THE QUALIFICATIONS OF JUDGES OF THE COUNTY COURTS; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO SET FORTH THE SALARY OF THE COUNTY COURT JUDGES; TO AMEND SECTION 9-9-19, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR TERMS OF COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO SET FORTH THE JURISDICTION OF THE COUNTY COURT; TO AMEND SECTIONS 9-9-23, 9-1-19, 9-1-23, 9-1-25 AND 9-1-35, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 43-21-107, MISSISSIPPI CODE OF 1972, TO CONFORM YOUTH COURT JURISDICTION; TO AMEND SECTION 43-21-123, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR THE COUNTY COURTS; TO AMEND SECTIONS 23-15-973 AND 23-15-975, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-1, 9-13-17 AND 9-13-19, MISSISSIPPI CODE OF 1972, TO PROVIDE A COURT REPORTER AND CONFORM PROVISIONS CONCERNING COURT REPORTERS; TO DESIGNATE THE CLERK OF THE COUNTY COURT AND THE CLERK OF THE YOUTH COURT; TO BRING FORWARD SECTIONS 9-13-31 AND 43-21-45, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 43-21-111, 43-21-123, 43-21-125, 43-21-801 and 99-35-1, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-61, MISSISSIPPI CODE OF 1972, TO DELETE ARCHAIC REFERENCE TO FAMILY COURTS; TO REPEAL SECTION 9-9-3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR ESTABLISHMENT OF A COUNTY COURT BY AGREEMENT OF TWO OR MORE COUNTIES; TO REPEAL SECTION 9-9-9, MISSISSIPPI CODE OF 1972, WHICH RESTRICTS THE PRACTICE OF LAW BY COUNTY COURT JUDGES; TO REPEAL SECTION 9-9-13, MISSISSIPPI CODE OF 1972, WHICH ALLOWS MUNICIPALITIES TO SUPPLEMENT COUNTY COURT JUDGE SALARIES; TO REPEAL SECTION 9-9-14, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR HARRISON COUNTY; TO REPEAL SECTION 9-9-15, MISSISSIPPI CODE OF 1972, WHICH ALLOWS ADDITIONAL COUNTY COURT JUDGES FOR HINDS COUNTY; TO REPEAL SECTION 9-9-16, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR WASHINGTON COUNTY; TO REPEAL SECTION 9-9-17, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL JUDGE FOR JACKSON COUNTY; TO REPEAL SECTION 9-9-18, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN COUNTY; TO REPEAL SECTION 9-9-18.1, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY; TO REPEAL

SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972, WHICH ALLOWS A COUNTY COURT JUDGE FOR PEARL RIVER COUNTY; TO REPEAL SECTION 9-9-18.3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LAUDERDALE COUNTY; TO REPEAL SECTION 9-9-18.5, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR DESOTO COUNTY; TO REPEAL SECTION 9-9-18.6, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LEE COUNTY; TO REPEAL SECTIONS 9-9-37, 9-9-39, 9-9-41, 9-9-43 AND 9-9-45, MISSISSIPPI CODE OF 1972, WHICH ALLOW COUNTIES TO ESTABLISH OR ABOLISH A COUNTY COURT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2321:** Judiciary, Division A

AN ACT TO CREATE A CIVIL CAUSE OF ACTION FOR ENGAGING IN HUMAN TRAFFICKING OR INTENTIONALLY AND KNOWINGLY BENEFITTING FROM PARTICIPATION IN HUMAN TRAFFICKING; TO DEFINE TERMS; TO PROVIDE THAT A DEFENDANT WHO ENGAGES IN HUMAN TRAFFICKING OR WHO INTENTIONALLY OR KNOWINGLY BENEFITS FROM PARTICIPATING IN A VENTURE THAT TRAFFICS ANOTHER PERSON IS LIABLE TO THE PERSON TRAFFICKED FOR DAMAGES ARISING FROM THE TRAFFICKING OF THAT PERSON BY THE DEFENDANT OR VENTURE; TO PROVIDE FOR SHAREHOLDER OR MEMBER LIABILITY; TO PROVIDE FOR JOINT LIABILITY; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd

**S. B. No. 2322:** Judiciary, Division A; Judiciary, Division B

AN ACT TO AMEND SECTION 9-13-25, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT REPORTER IN CERTAIN CIRCUMSTANCES TO PROVIDE A TRANSCRIPT OF THE PROCEEDING, HEARING OR TRIAL UPON THE REQUEST OF THE COURT OR JUDICIAL HEARING OFFICER; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel, Fillingane

**S. B. No. 2323:** Judiciary, Division A

AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PUBLIC BODY; TO CREATE NEW SECTION 25-41-4, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC BODIES TO CREATE AND MAINTAIN A PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE BY EMAIL OF MEETING TIMES TO THOSE ON THE PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-11, MISSISSIPPI CODE OF 1972, TO REVISE REQUIREMENTS RELATING TO THE AVAILABILITY OF MINUTES OF THE MEETINGS OF PUBLIC BODIES; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2324:** Insurance

AN ACT TO REQUIRE EACH INSURER ISSUING HEALTH INSURANCE POLICIES FOR DELIVERY IN THIS STATE TO FILE WITH THE COMMISSIONER OF INSURANCE ITS PREMIUM RATES AND CLASSIFICATION OF RISKS PERTAINING TO THE POLICIES; TO REQUIRE APPROVAL BY THE COMMISSIONER OF INSURANCE BEFORE RATE FILINGS CONTAINING AN INCREASE IN PREMIUM RATES MAY BECOME EFFECTIVE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2325:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-13-25, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT REPORTER IN CERTAIN CIRCUMSTANCES TO PROVIDE A TRANSCRIPT OF THE PROCEEDING, HEARING OR TRIAL UPON THE REQUEST OF THE COURT OR JUDICIAL HEARING OFFICER; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2326:** Insurance

AN ACT TO CREATE THE "MISSISSIPPI INSURANCE E-COMMERCE ACT"; TO PROVIDE FOR LEGISLATIVE PURPOSE; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO PROVIDE CERTAIN REQUIREMENTS FOR ELECTRONIC DELIVERY OF INSURANCE DOCUMENTS AND NOTICES; TO PROVIDE REQUIREMENTS FOR AN INSURER WHEN A CHANGE IN HARDWARE OR SOFTWARE IS NEEDED TO ACCESS OR RETAIN A NOTICE OR DOCUMENT TO BE DELIVERED BY ELECTRONIC MEANS; TO PROVIDE APPLICABILITY OF THE ACT; TO PROVIDE THAT CONTRACTS AND POLICIES ARE NOT AFFECTED BECAUSE OF THE FAILURE OF THE INSURER TO OBTAIN ELECTRONIC CONSENT IF THE NOTICE OR DOCUMENT IS DELIVERED IN PAPER FORM; TO PROVIDE FOR WITHDRAWAL OF CONSENT BY A PARTY; TO REQUIRE ALTERNATIVE METHOD OF DELIVERY; TO PROVIDE LIMITATION OF LIABILITY FOR INSURANCE PRODUCERS; TO ALLOW AN INSURER TO POST AN INSURANCE POLICY AND AN ENDORSEMENT ON THE INSURER'S WEBSITE IN LIEU OF MAILING OR DELIVERING THE POLICY AND ENDORSEMENT TO THE INSURED UNDER CERTAIN CONDITIONS; TO PROVIDE FOR CLAIM PAYMENTS BY ELECTRONIC TRANSFER; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2327:** Public Property; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 17-25-37, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY LOCAL ORDINANCE THAT WOULD LEGALIZE CAMPING ON STREETS, ROADS AND SIDEWALKS OR ANY OTHER PUBLIC PROPERTY; TO AMEND SECTIONS 97-35-23 AND 97-35-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION ON CAMPING ON PUBLIC SIDEWALKS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2328:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 45-49-1, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI COMPANION ANIMAL ABUSER REGISTRY ACT TO APPLY TO DOMESTICATED DOGS AND CATS; TO CREATE NEW SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO ENACT DEFINITIONS; TO CREATE NEW SECTION 45-49-5, MISSISSIPPI CODE OF 1972, TO REQUIRE CREATION OF AN ONLINE REGISTRY OF OFFENDERS; TO CREATE NEW SECTION 45-49-7, MISSISSIPPI CODE OF 1972, TO ALLOW THE PROMULGATION OF RULES FOR THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2329:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-9-10, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A PUTATIVE FATHER CANNOT FURTHER CONTEST PATERNITY; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2330:** Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI CONSUMER DATA PRIVACY ACT"; TO AUTHORIZE CONSUMERS TO REQUEST THAT BUSINESSES DISCLOSE CERTAIN INFORMATION; TO AUTHORIZE CONSUMERS TO REQUEST THAT BUSINESSES DELETE PERSONAL INFORMATION COLLECTED BY BUSINESSES; TO REQUIRE BUSINESSES TO DISCLOSE CERTAIN INFORMATION TO CONSUMERS, TO INFORM CONSUMERS OF THEIR RIGHT TO REQUEST THAT PERSONAL INFORMATION BE DELETED, AND TO DELETE PERSONAL INFORMATION COLLECTED ABOUT CONSUMERS UPON REQUEST; TO AUTHORIZE CONSUMERS TO INSTRUCT BUSINESSES TO NOT SELL THE CONSUMERS' PERSONAL INFORMATION; TO AUTHORIZE CONSUMERS TO BRING CIVIL ACTIONS AGAINST BUSINESSES THAT VIOLATE THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING CIVIL ACTIONS AGAINST BUSINESSES THAT

VIOLATE THIS ACT; TO REQUIRE THE ATTORNEY GENERAL TO ADOPT REGULATIONS TO FURTHER THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2331:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, BEGINNING JULY 1, 2022; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2332:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-17-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ADOPTEE MAY OBTAIN A COPY OF THE ADOPTEE'S ORIGINAL BIRTH CERTIFICATE IF 21 YEARS HAVE PASSED SINCE THE ISSUANCE OF A REVISED BIRTH CERTIFICATE FOLLOWING THE ADOPTION; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2333:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-357, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL SUBMITTED BY A CHILD'S PARENT OR GUARDIAN BEFORE ENTERING AN INTAKE ORDER; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN INTAKE ORDER BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-561, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL OBTAINED BY THE CHILD'S PARENT OR GUARDIAN AND PROPERLY ADMITTED AS EVIDENCE BEFORE ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2334:** Judiciary, Division A; Business and Financial Institutions

AN ACT TO AMEND SECTION 79-11-507, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN NONPROFIT FREE CLINICS SHALL FILE AN ANNUAL FINANCIAL STATEMENT REPORT WITH THE SECRETARY OF STATE INSTEAD OF A FULL AUDIT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2335:** Insurance

AN ACT TO AMEND SECTION 45-11-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATION ON THE NUMBER OF EMERGENCY MEDICAL RESPONDER STUDENTS THE STATE FIRE ACADEMY MAY TRAIN PER YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2336:** Insurance

AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE MANAGEMENT BOARD TO MAKE PREMIUM PAYMENTS INTO THE STATE PLAN; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2337:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS AUTHORIZED TO BE EMPLOYED BY THE DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2338:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE FRAUD INVESTIGATION UNIT OF THE DEPARTMENT OF HUMAN SERVICES TO REPORT TO THE STATE AUDITOR ANY SUSPECTED CIVIL OR CRIMINAL VIOLATIONS RELATING TO PROGRAM FRAUD, EMBEZZLEMENT AND ABUSE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2339:** Insurance

AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND CONTRACTS SHALL PROVIDE COVERAGE FOR HEARING AIDS AND SERVICES FOR DEAF AND HEARING IMPAIRED CHILDREN UNDER 21 YEARS OF AGE; TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO REMOVE HEARING AIDS FROM THE LIST OF BENEFITS EXCLUDED FROM COVERAGE UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Boyd, Parker, Suber, McCaughn, McLendon, Williams, Seymour, Tate

**S. B. No. 2340:** Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIVISION OF MEDICAID TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM OR ANOTHER ALLOWABLE DELIVERY SYSTEM AUTHORIZED BY FEDERAL LAW FOR EMERGENCY AMBULANCE TRANSPORTATION PROVIDERS; TO PROVIDE FOR THE FORMULA THAT THE DIVISION SHALL USE FOR CALCULATING AMBULANCE SERVICE ACCESS PAYMENT AMOUNTS; TO ALLOW ALL AMBULANCE SERVICE PROVIDERS TO BE ELIGIBLE FOR AMBULANCE SERVICE ACCESS PAYMENTS EACH STATE FISCAL YEAR; TO REQUIRE PAYMENTS BE MADE NO LESS THAN ON A QUARTERLY BASIS; TO PROVIDE THAT AN AMBULANCE SERVICE ACCESS PAYMENT SHALL NOT BE USED TO OFFSET ANY OTHER PAYMENT BY THE DIVISION FOR EMERGENCY OR NONEMERGENCY SERVICES TO MEDICAID BENEFICIARIES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2341:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT FOR A CHILD WITH A DISABILITY MAY CONTINUE PAST THE AGE OF MAJORITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2342:** Veterans and Military Affairs; Public Health and Welfare

AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE ADMINISTRATOR OF EACH MISSISSIPPI STATE VETERANS HOME TO ENSURE THAT THE VOLUNTARY INFORMED CONSENT OF

ANY RESIDENT IS GIVEN PRIOR TO ADMINISTERING VACCINATIONS FOR PREVENTABLE DISEASES ON THE PREMISES AND THAT THE RESIDENT SHALL HAVE THE LEGAL CAPACITY TO GIVE THE INFORMED CONSENT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2343:** Judiciary, Division A

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

By Senator(s) Blount

**S. B. No. 2344:** Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 79-11-507, 79-11-513, 79-11-515 AND 79-11-517, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING PERIOD APPLYING TO THE FILING OF FINANCIAL STATEMENTS BY CHARITABLE ORGANIZATIONS THAT SOLICIT DONATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2345:** Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS, THE DISTANT OR HUB SITE PROVIDER SHALL BE REIMBURSED THE APPLICABLE MEDICAID FEE FOR TELEHEALTH SERVICES PROVIDED; TO PROVIDE THAT TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS SHALL BE CONSIDERED TO BE BILLABLE AT THE SAME FACE-TO-FACE ENCOUNTER RATE USED FOR ALL OTHER MEDICAID REIMBURSEMENTS TO THOSE CENTERS UNDER THE PROSPECTIVE PAYMENT SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2346:** Judiciary, Division A

AN ACT TO AMEND SECTION 85-7-251, MISSISSIPPI CODE OF 1972, TO LIMIT THE TOWING AND STORAGE CHARGES FOR VEHICLES TOWED AT THE DIRECTION OF A LAW ENFORCEMENT OFFICER TO THOSE AMOUNTS CHARGED TO CUSTOMERS GENERALLY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2347:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JURORS FROM CONTIGUOUS COUNTIES SHALL BE CONSIDERED COMPETENT JURORS; TO AMEND SECTION 13-5-8, MISSISSIPPI CODE OF 1972, TO REQUIRE A CIRCUIT CLERK OF A COUNTY AND THE REGISTRAR OF VOTERS, UPON THE REQUEST OF A JURY COMMISSION OF A CONTIGUOUS COUNTY, TO CERTIFY TO THE JURY COMMISSION THE VOTER REGISTRATION LIST FOR THE CIRCUIT CLERK'S COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2348:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 11-44-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION AWARD FOR WRONGFUL CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th), Barnett, Jordan

**S. B. No. 2349:** Veterans and Military Affairs

AN ACT TO AUTHORIZE AND DIRECT THE STATE VETERANS AFFAIRS BOARD TO DEDICATE THE COURTYARD AT THE MISSISSIPPI STATE VETERANS HOME IN COLLINS, MISSISSIPPI, IN HONOR OF VOLUNTEER CHAPLAIN JAMES CARROLL (BROTHER JAKE) SANFORD AND THE VETERANS OUTREACH PROGRAM OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Fillingane, Johnson

**S. B. No. 2350:** Judiciary, Division A; Public Health and Welfare

AN ACT TO CREATE NEW SECTION 41-57-33, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE STATE REGISTRAR TO ISSUE A CERTIFICATE OF FOREIGN BIRTH WITHOUT JUDICIAL PROCEEDINGS IF CERTAIN CRITERIA ARE SATISFIED; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2351:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 9-5-47, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ADDITIONAL CHANCELLOR FOR THE FIFTEENTH CHANCERY COURT DISTRICT; TO SPECIFY A QUALIFICATION DEADLINE FOR CANDIDATES; TO PROVIDE THAT THE INITIAL TERM OF OFFICE SHALL BEGIN ON A CERTAIN DATE AND SHALL BE GOVERNED BY SECTION 9-5-1; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2352:** Insurance; Appropriations

AN ACT TO PROVIDE BENEFITS UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN TO THE SURVIVING SPOUSE OR A SURVIVING DEPENDENT OF ANY LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY OR DIES FROM INJURIES SUFFERED IN THE LINE OF DUTY; TO PROVIDE THAT SUCH COVERAGE SHALL BE THE SAME PLAN OF BENEFITS AS PROVIDED TO AN EMPLOYEE UNDER THE PLAN; TO AMEND SECTION 25-15-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2353:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT NO DEPARTMENT OR AGENCY OF THIS STATE SHALL ENFORCE ANY RULE OR REGULATION PROMULGATED BY THE FEDERAL GOVERNMENT UNLESS ENFORCEMENT IS SPECIFICALLY AUTHORIZED BY ACT OF THE LEGISLATURE; TO CREATE A JOINT COMMITTEE OF THE LEGISLATURE TO REVIEW ALL REGULATIONS OF STATE AGENCIES TO ENSURE COMPLIANCE WITH THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2354:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 37-26-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDS TO THE STATE PUBLIC DEFENDER FOR EDUCATION OF PUBLIC DEFENDERS; TO AMEND SECTION 37-26-3, MISSISSIPPI CODE OF 1972, TO REVISE THE EDUCATION FUND FEE CHARGED IN ALL CIVIL CASES; TO AMEND SECTION 37-26-9, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR DISTRIBUTION OF THE FEE TO THE APPROPRIATE FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2355:** Judiciary, Division B; Judiciary, Division A

AN ACT TO CODIFY SECTION 11-65-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE OR LOCAL ENABLING OF FEDERAL GUN BAN ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2356:** Judiciary, Division A

AN ACT TO ENACT THE REAL YOU ACT OF 2022; TO DEFINE TERMS; TO PROHIBIT PHYSICALLY INCARCERATED OFFENDERS FROM REQUESTING A NAME CHANGE; TO PROHIBIT MINORS FROM REQUESTING LEGAL RECOGNITION OF A GENDER TRANSITION; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2357:** Insurance

AN ACT TO ALLOW COUNTIES TO PAY THE REASONABLE HOSPITAL AND MEDICAL EXPENSES FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS SUFFERING INJURY OR ILLNESS INCURRED IN THE LINE OF DUTY; TO ALLOW COUNTIES TO PROVIDE ACCIDENT, DEATH OR DISABILITY POLICIES TO PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO ALLOW COUNTIES TO PURCHASE INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY OF PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO AMEND SECTION 21-25-9, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO PAY THE PREMIUMS FOR ACCIDENT, DEATH AND DISABILITY POLICIES AND INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2358:** Elections

AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REVISE THE FILING FEE FOR CERTAIN INDEPENDENT CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE ANY NECESSARY RULES AND REGULATIONS TO ADMINISTER AND ENFORCE THIS SECTION; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO USE OR DISBURSE FUNDS RECEIVED AS QUALIFYING FEES FOR PRESIDENTIAL CANDIDATES; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2359:** Elections

AN ACT TO AMEND SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EVERY DULY QUALIFIED ELECTOR TO VOTE BY ABSENTEE BALLOT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

**S. B. No. 2360:** Education; Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE EMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM AFTER THEIR RETIREMENT, AND CERTAIN PERSONS EMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, MAY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A TEACHER'S SALARY; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE CONTRIBUTING MEMBERS OF THE RETIREMENT SYSTEM NOR RECEIVE ANY CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS; TO AMEND SECTIONS 25-11-103, 25-11-105 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2361:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE SOUTH PIKE SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATIONS TO ITS SCHOOL BUILDINGS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2362:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO EXEMPT CERTAIN ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL'S OFFICE FROM THE CEILING ESTABLISHED FOR SALARIES OF PUBLIC EMPLOYEES; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2363:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT PERSONAL SERVICES CONTRACTS ENTERED INTO BY THE OFFICE OF STATE AID ROAD CONSTRUCTION FROM APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2364:** Rules

AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE JUNE 19 AS JUNETEENTH FREEDOM DAY, AND TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED IF THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2365:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE LAKE CITY WATER ASSOCIATION TO DEFRAY EXPENSES FOR IMPROVEMENT OF THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2366:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO SUPPORT ANIMAL SCIENCE RESEARCH AND EXTENSION PROGRAMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th)

**S. B. No. 2367:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO BOLIVAR COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2368:** Accountability, Efficiency, Transparency; Judiciary, Division A

AN ACT PROHIBITING THE MANDATORY COVID-19 VACCINATION OF MISSISSIPPI RESIDENTS BY THE STATE, POLITICAL SUBDIVISIONS OR AS A CONDITION OF EMPLOYMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2369:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS,

RESURFACING, AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2370:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM TAXATION ALL PROPERTY, REAL OR PERSONAL, USED EXCLUSIVELY FOR THE HOUSING OF AND PROVISION OF SERVICES TO VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT, WHICH IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION, QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2371:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE THRESHOLD FOR BID REQUIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2372:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE THALIA MARA HALL COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Horhn, Michel, Frazier, Norwood

**S. B. No. 2373:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-13-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION REQUIRING THE GOVERNOR TO MAKE HIS APPOINTMENTS TO THE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS FROM NOMINEES RECOMMENDED BY CERTAIN ORGANIZATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2374:** Finance

AN ACT TO AMEND SECTION 27-19-56.93, MISSISSIPPI CODE OF 1972, TO REVISE THE LANGUAGE DESIGNATING THE ORGANIZATION RECEIVING THE MAJOR PORTION OF THE ADDITIONAL FEE FOR THE SPECIAL BREAST CANCER AWARENESS LICENSE TAG; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Parker

**S. B. No. 2375:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCTS IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

**S. B. No. 2376:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVING AND OTHER IMPROVEMENTS TO PRUITT ROAD AND MHOON VALLEY ROAD IN SUPERVISOR DISTRICT 3; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2377:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 2; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2378:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH CAPITAL IMPROVEMENTS IN SUPERVISOR DISTRICT 5; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2379:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS OF REPAIRING, RENOVATING AND REFURBISHING THE MARGARET MARTIN PERFORMING ARTS CENTER IN NATCHEZ, MISSISSIPPI, WHICH IS DESIGNATED A MISSISSIPPI LANDMARK BY THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2380:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF NATCHEZ, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONCORD AVENUE DRAINAGE IMPROVEMENT PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2381:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SOUTH PIKE SCHOOL DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF VARIOUS SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2382:** Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO ARE RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE ELECTED AS A MEMBER OF THE LEGISLATURE AFTER RETIREMENT, AND MEMBERS OF THE LEGISLATURE WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE, MAY RECEIVE A RETIREMENT ALLOWANCE FROM THE SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE IN ADDITION TO RECEIVING THE REGULAR COMPENSATION FOR MEMBERS OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE ACTIVE MEMBERS OF THE RETIREMENT SYSTEM AND SHALL NOT RECEIVE ANY CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE WHILE SERVING AS A MEMBER OF THE LEGISLATURE; TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO REQUIRE THOSE PERSONS TO PAY THE FULL AMOUNT OF THE EMPLOYEE'S CONTRIBUTIONS ON THE AMOUNT OF COMPENSATION RECEIVED FOR SERVING AS A MEMBER OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS WILL NOT RECEIVE ANY ADDITIONAL

CREDITABLE SERVICE IN THE RETIREMENT SYSTEM AS A RESULT OF THE PAYMENT OF THE EMPLOYEE'S CONTRIBUTION; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2383:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CLAY COUNTY TO DEFRAY EXPENSES FOR IMPROVEMENTS TO PRUITT ROAD AND MHOON VALLEY ROAD IN CLAY COUNTY SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2384:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-3-309, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES MOTORCYCLES, ELECTRIC BICYCLES AND BICYCLES MAY PROCEED THROUGH INTERSECTIONS OR MAKE A TURN WHEN STOPPED AT A RED LIGHT AND IF THE MOTORCYCLE DOES NOT TRIGGER THE SENSOR FOR A GREEN LIGHT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2385:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF FEMININE HYGIENE PRODUCTS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, England, Younger

**S. B. No. 2386:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE THE CALCULATION TO DETERMINE WHETHER AN OFFENDER SHOULD BE SENTENCED AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2387:** Judiciary, Division B; Public Health and Welfare

AN ACT TO PROHIBIT THE SALE OF A SECONDHAND MATTRESS WITHOUT THE ATTACHMENT OF A SPECIFIED TAG INDICATING THAT A MATTRESS IS SECONDHAND; TO REQUIRE CERTAIN OTHER INFORMATION ON THE TAG; TO PROVIDE A PENALTY FOR VIOLATION OF THE SECTION; TO SET FORTH CERTAIN EXCEPTION; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2388:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI CODE OF 1972, BY DELETING THE OPTION OF MARKING ELECTION BALLOTS WITH INDELIBLE PENCIL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2389:** Elections; Constitution

AN ACT TO CREATE THE RESTORATION OF VOTING RIGHTS ACT; TO PROVIDE THAT A PERSON WHO WAS DISQUALIFIED AS AN ELECTOR FOR COMMISSION OF CERTAIN CRIMES SHALL HAVE THE RIGHT TO VOTE RESTORED AUTOMATICALLY UPON COMPLETION OF THE SENTENCE AND FOLLOWING A TWO-YEAR WAITING PERIOD; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2390:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 9-23-5 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CONVICTION FOR BURGLARY OF A DWELLING IS NOT A CRIME OF VIOLENCE FOR PURPOSES OF DETERMINING AN OFFENDER'S

ELIGIBILITY FOR AN INTERVENTION COURT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2391:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS A NONVIOLENT HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2392:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL VIOLENT OFFENDER BY REQUIRING BOTH PREVIOUS CRIMES TO HAVE BEEN CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2393:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COURT OF CONVICTION TO EXPUNGE THE RECORD OF CERTAIN FELONIES AFTER 20 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2394:** Judiciary, Division B; Highways and Transportation

AN ACT TO AMEND SECTION 63-1-208, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS POSSESSING CERTAIN FEDERALLY APPROVED MILITARY DOCUMENTATION OF COMMERCIAL DRIVING EXPERIENCE TO APPLY FOR A COMMERCIAL DRIVER'S LICENSE LEARNING PERMIT; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

**S. B. No. 2395:** Judiciary, Division B

AN ACT TO PROVIDE THAT THE COMPREHENSIVE FIREARMS CODE OF THE STATE OF MISSISSIPPI IS INTERPOSED IN PLACE OF ANY FEDERAL LAW CONFISCATING FIREARMS OF LAW-ABIDING CITIZENS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2396:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE EARLY NOT MORE THAN 21 DAYS NOR LESS THAN FIVE DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT EARLY VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE OR AT A LOCATION DESIGNATED BY THE REGISTRAR; TO REQUIRE A PERSON WHO DESIRES TO VOTE EARLY TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE OR AT THE LOCATION DESIGNATED BY THE REGISTRAR DURING THE EARLY VOTING PERIOD IN THE SAME MANNER AS HE OR SHE WOULD AT HIS OR HER VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE EARLY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE EARLY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING EARLY VOTING SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO VOTE EARLY IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO

PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE EARLY VOTING; TO AMEND SECTIONS 23-15-195, 23-15-353 AND 23-15-653, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 23-15-627, 23-15-637, 23-15-641, 23-15-713 AND 23-15-715, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VOTERS MAY NOT CAST ABSENTEE BALLOTS AT THE OFFICE OF THE REGISTRAR DURING THE EARLY VOTING PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2397:** Judiciary, Division B

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 41, CHAPTER 29, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO PROVIDE AN AUTOMATIC DEFENSE TO PROSECUTION FOR ANY CHARGE THAT IS BROUGHT WITHIN TWO YEARS OF A FEDERAL DECLASSIFICATION OF A CONTROLLED SUBSTANCE THAT IS THE SUBJECT OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2398:** Labor; Judiciary, Division B

AN ACT TO AMEND SECTIONS 73-77-5, 73-77-7 AND 73-77-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS OF THE FRESH START ACT OF 2019 SHALL APPLY NOTWITHSTANDING ANY OTHER PROVISION OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2399:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY VACANCIES OCCUR IN A MUNICIPAL EXECUTIVE COMMITTEE WITHIN NINETY DAYS OF A MUNICIPAL PRIMARY ELECTION, THE STATE EXECUTIVE COMMITTEE SHALL FILL THE VACANCIES; TO PROVIDE THAT ANY PERSON APPOINTED TO A MUNICIPAL EXECUTIVE COMMITTEE BY THE STATE EXECUTIVE COMMITTEE SHALL REMAIN IN THAT POSITION UNTIL THE NEXT REGULAR ELECTION FOR EXECUTIVE COMMITTEES; TO BRING FORWARD SECTIONS 23-15-309 AND 23-15-313, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2400:** Elections

AN ACT TO AMEND SECTIONS 23-15-309, 23-15-171 AND 23-15-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AFTER THE DEADLINE TO QUALIFY AS A CANDIDATE FOR AN OFFICE, ONLY ONE PERSON HAS DULY QUALIFIED TO BE A CANDIDATE FOR AN OFFICE IN THE MUNICIPAL PRIMARY ELECTION, THE PROPER MUNICIPAL EXECUTIVE COMMITTEE SHALL PLACE THE NAME OF THAT PERSON ON THE MUNICIPAL PRIMARY ELECTION BALLOT; TO PROVIDE THAT IF NOT MORE THAN ONE PERSON HAS DULY QUALIFIED TO BE A CANDIDATE FOR EACH OFFICE ON THE PRIMARY ELECTION BALLOT, THE ELECTION FOR ALL OFFICES ON THE BALLOT SHALL BE DISPENSED WITH AND THE MUNICIPAL EXECUTIVE COMMITTEE SHALL DECLARE EACH CANDIDATE AS THE PARTY NOMINEE IF THE CANDIDATE MEETS ALL THE QUALIFICATIONS TO HOLD THE OFFICE; TO PROVIDE THAT AFTER THE MUNICIPAL PRIMARY ELECTION, THE PROPER MUNICIPAL EXECUTIVE COMMITTEE SHALL DECLARE THE UNOPPOSED PERSON TO BE THE PARTY NOMINEE FOR THAT OFFICE; TO BRING FORWARD SECTIONS 23-15-361 AND 23-15-857, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2401:** Labor; Economic and Workforce Development

AN ACT TO ESTABLISH THE OPPORTUNITIES FOR DIVERSITY IN CONTRACTING PROGRAM (ODC) TO BE ADMINISTERED BY THE MISSISSIPPI

DEVELOPMENT AUTHORITY TO IMPROVE THE NUMBER OF SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS THAT DO BUSINESS WITH THE STATE BY FACILITATING AND IMPROVING ACCESS TO GOVERNMENT CONTRACTS; TO REQUIRE EACH STATE AGENCY TO APPOINT AN ODC COMPLIANCE OFFICER WHO WILL BE RESPONSIBLE FOR MONITORING COMPLIANCE WITH THE ODC PROGRAM AND FOR REPORTING COMPLIANCE OR NONCOMPLIANCE FOR THEIR RESPECTIVE AGENCIES TO THE MDA; TO ESTABLISH THE RESPONSIBILITIES OF ODC COMPLIANCE OFFICERS; TO REQUIRE STATE AGENCIES TO INCLUDE CERTAIN LANGUAGE IN CONTRACTS FOR GOODS AND SERVICES; TO ESTABLISH A PROCESS FOR ISSUING ODC WAIVERS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2402:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF PAROLE WITHIN THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND TO TRANSFER THE PAROLE BOARD TO THE DIVISION OF PAROLE; TO AUTHORIZE THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO APPOINT A DEPUTY COMMISSIONER OF THE DIVISION OF PAROLE; TO PROVIDE THAT THE DIVISION OF PAROLE SHALL BE RESPONSIBLE FOR ALL OF THE ADMINISTRATIVE AND FISCAL FUNCTIONS OF THE BOARD; TO CREATE NEW SECTION 47-7-5.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION OF PAROLE SHALL BE RESPONSIBLE FOR ALL OF THE ADMINISTRATIVE AND FISCAL FUNCTIONS OF THE BOARD UNDER TITLE 47, CHAPTER 7, MISSISSIPPI CODE OF 1972; TO REQUIRE THE DIVISION OF PAROLE TO MAINTAIN A CENTRAL REGISTRY OF PAROLED INMATES; TO REQUIRE THE DEPUTY COMMISSIONER OF THE DIVISION OF PAROLE TO HIRE HEARING OFFICERS FOR THE BOARD; TO REQUIRE THE DEPUTY COMMISSIONER OF THE DIVISION OF PAROLE AND THE BOARD TO DEFINE THE SCOPE OF DUTY OF THE HEARING OFFICERS; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO PLACE THE PAROLE BOARD WITHIN THE DIVISION OF PAROLE; TO PROHIBIT THE BOARD FROM EXECUTING THE ADMINISTRATIVE OR FISCAL FUNCTIONS OF THE DIVISION OF PAROLE; TO DELETE THE PROVISION THAT GOVERNS THE BUDGET OF THE PAROLE BOARD; TO AUTHORIZE THE BOARD TO CONDUCT ITS ADJUDICATORY DUTIES ELECTRONICALLY AND/OR AT THE DIVISION OF PAROLE'S CENTRAL OFFICE; TO PROVIDE THAT THE ADMINISTRATIVE AND FISCAL DUTIES OF THE BOARD SHALL BE TRANSFERRED TO THE DIVISION OF PAROLE; TO EXTEND THE DATE OF THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 47-7-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARIES AND EXPENSES INCURRED UNDER TITLE 47, CHAPTER 7, MISSISSIPPI CODE OF 1972 SHALL BE PAID OUT OF FUNDS APPROPRIATED BY THE LEGISLATURE TO THE DEPARTMENT FOR THE SUPPORT AND MAINTENANCE OF THE BOARD; TO DELETE THE PROVISION THAT THE BOARD SHALL APPROVE ALL ACCOUNTS AND SALARIES; TO AMEND SECTIONS 47-7-2, 47-7-3.1, 47-7-6, 47-7-9, 47-7-13, 47-7-15, 47-7-27, 47-7-38, 25-41-3, 41-29-110 AND 65-1-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Polk

**S. B. No. 2403:** Drug Policy; Judiciary, Division B

AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2404:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO DISSOLVE THE MISSISSIPPI PRISON INDUSTRIES CORPORATION; TO CREATE A DIVISION OF REENTRY AND PRISON INDUSTRY WITHIN THE DEPARTMENT OF CORRECTIONS; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO HIRE AN EXECUTIVE DIRECTOR WHO SHALL BE THE CHIEF ADMINISTRATIVE OFFICER FOR THE DIVISION; TO RECONSTITUTE THE MISSISSIPPI PRISON INDUSTRIES CORPORATION BOARD OF DIRECTORS AS AN ADVISORY BOARD TO THE DIVISION; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, THE BOARD SHALL HAVE NO AUTHORITY TO ENTER INTO ANY CONTRACTS FOR THE SALE OF GOODS OR SERVICES AND THE BOARD SHALL INCUR NO DEBT AS OF THAT DATE; TO PROVIDE THAT BY OCTOBER 1, 2022, CERTAIN CONTRACTS SHALL BE SATISFIED BY THE BOARD; TO PROVIDE THAT ASSETS OF THE CORPORATION SHALL BE TRANSFERRED TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS ON DECEMBER 31, 2022, FOR USE IN THE DEPARTMENT'S REENTRY PROGRAMS; TO REPEAL SECTIONS 47-5-531 THROUGH 47-5-539 AND SECTIONS 47-5-543 THROUGH 47-5-575, MISSISSIPPI CODE OF 1972, WHICH PERTAIN TO THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell

**S. B. No. 2405:** Corrections

AN ACT TO AMEND SECTION 47-7-36, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO IMPLEMENT CERTAIN RULES AND REGULATIONS REGARDING THE USE OF TECHNOLOGY PORTALS BY THOSE WHO ARE ON PAROLE OR PROBATION AND PROBATION OFFICERS WHO SUPERVISE THOSE WHO ARE ON PAROLE OR PROBATION; AND FOR RELATED PURPOSES.  
By Senator(s) England

**S. B. No. 2406:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO AMEND 47-5-105, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FROM REGULATIONS AND LAW FOR A CERTAIN PERIOD TO USE INMATE LABOR FOR THE CONSTRUCTION OF BUILDINGS FOR REENTRY AND EMPLOYEE HOUSING; AND FOR RELATED PURPOSES.  
By Senator(s) Barnett

**S. B. No. 2407:** Corrections; Appropriations

AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CREATE THE INMATE INCENTIVE TO WORK PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE PAYMENT TO ELIGIBLE INMATES HOUSED IN STATE CORRECTIONAL FACILITIES; TO CREATE A SPECIAL FUND ENTITLED "THE INMATE INCENTIVE TO WORK PROGRAM FUND", WHICH SHALL BE FUNDED BY A PORTION OF THE INMATE WELFARE FUND; TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.  
By Senator(s) Barnett

**S. B. No. 2408:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 47-5-357, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH A LEASING POLICY FOR AGRICULTURAL EQUIPMENT WHICH MAY BE EXEMPT FROM CERTAIN BID REQUIREMENTS; AND FOR RELATED PURPOSES.  
By Senator(s) Barnett

**S. B. No. 2409:** County Affairs

AN ACT TO BRING FORWARD SECTION 19-3-41, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT AUTHORIZES A COUNTY BOARD OF SUPERVISORS TO CONSTRUCT A JAIL, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2410:** Elections; Constitution

AN ACT TO ENACT THE MISSISSIPPI ELECTIONS INTEGRITY ACT OF 2022; TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO CODIFY NEW SECTION 23-15-15.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES A SINGLE TIME TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE ELECTION COMMISSIONERS TO INSPECT ALL EXISTING VOTER ROLLS AGAINST A VOTER'S SIGNATURE ON FILE ESTABLISHED BY THE SECRETARY OF STATE WITHIN A CERTAIN TIMEFRAME; TO REQUIRE THE OFFICIALS IN CHARGE OF THE ELECTION TO USE ONLY CERTAIN VOTING EQUIPMENT IN ANY ELECTION AFTER JANUARY 1, 2024; TO AMEND SECTION 23-15-625, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR TO COMPARE AN APPLICANT SIGNATURE ON THE APPLICATION FOR AN ABSENTEE BALLOT AGAINST THE VOTER'S SIGNATURE ON FILE; TO REQUIRE THE REGISTRAR TO DENY THE APPLICATION AND NOT MAIL A BALLOT IF THE SIGNATURE DOES NOT MATCH; TO AMEND SECTIONS 23-15-33, 23-15-39 AND 23-15-47, 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2411:** Elections

AN ACT TO REPEAL SECTIONS 23-15-531 THROUGH 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT TO BE USED IN ELECTION; TO AMEND SECTIONS 23-15-391, 23-15-545, 23-15-613 AND 97-13-43, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Suber, McCaughn

**S. B. No. 2412:** Elections

AN ACT TO AMEND SECTION 23-15-895, MISSISSIPPI CODE OF 1972, TO EXTEND THE PROHIBITION ON ELECTIONEERING ACTIVITIES TO ALL PERSONS WITHIN THE POLLING PLACE AND IN ANY PUBLIC AREA THAT IS WITHIN A SET DISTANCE OF THE POLLING PLACE; TO DEFINE THE ACTIVITIES WHICH CONSTITUTE ELECTIONEERING; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2413:** Elections

AN ACT TO CREATE NEW SECTION 23-15-9, MISSISSIPPI CODE OF 1972, TO PROHIBIT ELECTION OFFICIALS FROM SPENDING PRIVATE MONETARY DONATIONS FROM ANY SOURCE, DIRECTLY OR INDIRECTLY, ON ANY COMMUNICATION TO POTENTIAL ELECTORS; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Branning

**S. B. No. 2414:** Elections

AN ACT TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE REGULATIONS FOR THE REVIEW, CERTIFICATION AND DECERTIFICATION, AND IMPLEMENTATION OF ALL VOTING SYSTEMS; TO AMEND SECTION 23-15-507, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL OMR EQUIPMENT TO BE ABLE TO COMPLY WITH THE CERTIFICATION STANDARDS PUBLISHED BY THE SECRETARY OF STATE BY A CERTAIN DATE; TO AMEND SECTION 23-15-531.1, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL DRE UNITS TO BE ABLE TO COMPLY WITH THE CERTIFICATION STANDARDS PUBLISHED BY THE SECRETARY OF STATE BY A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2415:** Education; Appropriations

AN ACT TO BRING FORWARD SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-9, 37-151-10, 37-151-11, 37-151-13, 37-151-25, 37-151-59, 37-151-61, 37-151-63, 37-151-65, 37-151-67, 37-151-75, 37-151-77, 37-151-79, 37-151-81, 37-151-83, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105 AND 37-151-107, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2416:** Education

AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN THE EVENT A PUBLIC SCHOOL TEACHER TRANSFERS FROM ONE PUBLIC SCHOOL DISTRICT IN MISSISSIPPI TO ANOTHER, ANY UNUSED PORTION OF THE TOTAL SICK OR PERSONAL LEAVE ALLOWANCE CREDITED TO SUCH TEACHER SHALL BE CREDITED IN THE COMPUTATION OF UNUSED LEAVE; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2417:** Public Health and Welfare

AN ACT CREATING THE "NO PATIENT LEFT ALONE ACT"; PROVIDING FOR MINOR AND ADULT PATIENTS TO DESIGNATE A VISITOR WITH UNRESTRICTED VISITATION; PROHIBITING TERMINATION, SUSPENSION OR WAIVER OF VISITATION RIGHTS BY CERTAIN PARTIES; PROVIDING CERTAIN LIMITATIONS; PROHIBITING HOSPITALS FROM REQUIRING PATIENT WAIVER OF CERTAIN RIGHTS; REQUIRING POSTING OF CERTAIN INFORMATIONAL MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2418:** Universities and Colleges; Appropriations

AN ACT TO CREATE THE GRADUATE NURSING LOAN REPAYMENT PROGRAM; TO PROVIDE AWARDS TO CERTAIN NURSING TEACHERS WHO APPLY SUBJECT TO AVAILABILITY OF FUNDS; TO SET ELIGIBILITY REQUIREMENTS; TO EXCLUDE CERTAIN CATEGORIES OF PERSONS FROM ELIGIBILITY; TO REQUIRE THAT RECIPIENTS MAINTAIN CURRENT TEACHING EMPLOYMENT INFORMATION AT ALL TIMES WITH THE STATE FINANCIAL AID BOARD; TO PROVIDE THAT AMOUNTS AWARDED BE PAID TO THE RECIPIENT'S LENDER OR LOAN SERVICE PROVIDER; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2419:** Universities and Colleges; Appropriations

AN ACT TO CREATE THE HOSPITAL NURSES AND ALLIED HEALTH PROFESSIONAL RETENTION LOAN REPAYMENT PROGRAM; TO PROVIDE AWARDS TO CERTAIN NURSES AND ALLIED HEALTH PROFESSIONALS WHO

APPLY SUBJECT TO AVAILABILITY OF FUNDS; TO SET ELIGIBILITY REQUIREMENTS; TO EXCLUDE CERTAIN CATEGORIES OF PERSONS FROM ELIGIBILITY; TO REQUIRE THAT RECIPIENTS MAINTAIN CURRENT EMPLOYMENT INFORMATION AT ALL TIMES WITH THE STATE FINANCIAL AID BOARD; TO PROVIDE THAT AMOUNTS AWARDED BE PAID TO THE RECIPIENT'S LENDER OR LOAN SERVICE PROVIDER; AND FOR RELATED PURPOSES.

By Senator(s) Parks, Michel, DeBar, Williams, Polk, Frazier, Butler (36th), Hopson

**S. B. No. 2420:** Education; Appropriations

AN ACT TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO CHANGE THE PERCENTAGE OF THE GRANT OF FEE IN LIEU OF AD VALOREM TAXES FOR CERTAIN BUSINESS PROJECTS WHICH IS PART OF THE REQUIRED LOCAL REVENUE IN SUPPORT OF THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2421:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UNTIL 2024 THE STATE DEPARTMENT OF HEALTH SHALL USE FUNDS PROVIDED UNDER THIS SECTION TO MAKE PHYSICIAN GRANTS TO QUALIFIED HEALTH CENTERS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2422:** Education

AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL SCHOOL TEACHERS AND OTHER PERSONNEL SHALL RECEIVE PROCUREMENT CARDS BEFORE SEPTEMBER 1 OF EACH YEAR FOR THE PURCHASE OF INSTRUCTIONAL SUPPLIES USING EDUCATIONAL ENHANCEMENT FUNDS; TO PROVIDE THAT THE CARDS SHALL EXPIRE ON A PREDETERMINED DATE BUT NOT BEFORE MAY 1 OF EACH YEAR; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROCEEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2423:** Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT SHALL BE THE DUTY OF THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ESTABLISH STANDARDS, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF EDUCATION, FOR TEACHER SUPPLEMENTAL ENDORSEMENTS, PROVIDED THAT THE STANDARDS ALLOW TEACHERS AS MANY OPTIONS AS POSSIBLE TO RECEIVE A SUPPLEMENTAL ENDORSEMENT; TO REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND RENEW ALL LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS WITHIN 21 DAYS OF A COMPLETED APPLICATION; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2424:** Education

AN ACT TO AMEND SECTION 37-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL DISTRICTS SHALL PROCESS A SINGLE MONTHLY OR BIMONTHLY PAYROLL FOR EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; TO AMEND SECTION 37-151-103, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL SCHOOL DISTRICTS TO PROCESS A SINGLE MONTHLY OR BIMONTHLY PAYROLL FOR ALL EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2425:** Education; Universities and Colleges

AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO AMEND SECTION 37-101-7, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE COMMISSIONER OF HIGHER EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Michel

**S. B. No. 2426:** Education

AN ACT TO AMEND SECTION 37-13-92, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE DURATION OF PLACEMENT FOR COMPULSORY AGE STUDENTS IN SIXTH GRADE THROUGH TWELFTH GRADE IN ALTERNATIVE SCHOOLS SHALL NOT EXCEED 45 DAYS WITHOUT HOLDING A MEETING TO REASSESS PLACEMENT AND DECISION CRITERIA TO EXTEND PLACEMENT; TO REQUIRE THAT THE DURATION OF PLACEMENT FOR COMPULSORY AGE STUDENTS IN KINDERGARTEN THROUGH FIFTH GRADE IN ALTERNATIVE SCHOOLS SHALL NOT EXCEED 30 DAYS WITHOUT HOLDING A MEETING TO REASSESS PLACEMENT AND DECISION CRITERIA TO EXTEND PLACEMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2427:** Universities and Colleges; Appropriations

AN ACT TO CREATE THE ACCELERATE MISSISSIPPI SCHOLARSHIP PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL CONSIST OF THE ACCELERATE COLLEGE SCHOLARSHIP PROGRAM, THE ACCELERATE OPPORTUNITY SCHOLARSHIP PROGRAM, AND THE ACCELERATE GRADUATION SCHOLARSHIP PROGRAM; TO PROVIDE THAT DUAL CREDIT COURSES AT EACH COMMUNITY COLLEGE OR JUNIOR COLLEGE SHALL BE FUNDED BY THE ACCELERATE COLLEGE SCHOLARSHIP PROGRAM; TO SET THE FUNDING REQUIREMENT OF EACH PROGRAM; TO ALLOW ALL ELIGIBLE PUBLIC, PRIVATE AND HOMESCHOOLED HIGH SCHOOL STUDENTS TO BE APPROVED FOR PARTICIPATION IN THE ACCELERATE COLLEGE SCHOLARSHIP PROGRAM AND THE ACCELERATE OPPORTUNITY SCHOLARSHIP PROGRAM; TO REQUIRE SCHOLARSHIP FUNDS TO BE DISPERSED ON A FIRST-COME, FIRST-SERVE BASIS WITH EACH STUDENT RECEIVING ENOUGH FUNDS TO PAY FOR AT LEAST ONE SEMESTER COURSE PER ACADEMIC YEAR; TO PROVIDE THAT CAREER TECHNICAL EDUCATION AND WORKFORCE TRAINING COURSES AT EACH COMMUNITY COLLEGE OR JUNIOR COLLEGE SHALL BE FUNDED BY THE ACCELERATE OPPORTUNITY SCHOLARSHIP PROGRAM; TO PROVIDE THAT AT THE END OF EACH FISCAL YEAR, ANY UNEXPENDED FUNDS APPROPRIATED BY THE LEGISLATURE FOR THE PROGRAMS SHALL NOT LAPSE INTO THE STATE GENERAL FUND BUT SHALL CARRY OVER AND BE AVAILABLE FOR EXPENDITURE IN THE SUCCEEDING FISCAL YEAR; TO ALLOW PARENTS OF PARTICIPATING STUDENTS TO ENROLL THEIR CHILD IN ANY ELIGIBLE COURSE, WITH OR WITHOUT THE PERMISSION OF THE PUBLIC SCHOOL IN WHICH THE STUDENT IS ENROLLED; TO PROVIDE THAT THE ACCELERATE GRADUATION COURSES FOR MISSISSIPPI PUBLIC SCHOOL STUDENTS SHALL BE FUNDED BY THE ACCELERATE GRADUATION SCHOLARSHIP FUND; TO PROVIDE FOR THE PARTICIPATION REQUIREMENTS OF THE PROGRAM; TO SET THE FUNDING REQUIREMENTS OF THE PROGRAM; TO REQUIRE THE BOARD OF EDUCATION TO PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 37-71-7 AND 37-71-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2428:** Education

AN ACT TO CREATE NEW SECTION 37-179-5, MISSISSIPPI CODE OF 1972, TO CREATE THE DISTRICT OF INNOVATION TASK FORCE OF 2022; TO PROVIDE

THAT THE TASK FORCE SHALL STUDY AND MAKE RECOMMENDATIONS ON DISTRICTS OF INNOVATION, INCLUDING WHETHER THE DISTRICTS ACHIEVED STATE GOALS; TO PROVIDE THAT THE TASK FORCE SHALL STUDY VARIOUS OTHER STATISTICS AND INFORMATION RELATED TO DISTRICTS OF INNOVATION; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO MAKE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS, INCLUDING ANY RECOMMENDED LEGISLATION, TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE ON OR BEFORE NOVEMBER 1, 2022, AT WHICH TIME THE TASK FORCE WILL BE DISSOLVED; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2429:** Education; Appropriations

AN ACT TO BRING FORWARD SECTION 37-19-10, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROSPECTIVE SALARY SUPPLEMENTS FOR TEACHERS AND STAFF UNDER THE SCHOOL RECOGNITION PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2430:** Education; Appropriations

AN ACT TO BRING FORWARD SECTIONS 37-47-1, 37-47-3, 37-47-5, 37-47-7, 37-47-9, 37-47-11, 37-47-13, 37-47-15, 37-47-17, 37-47-19, 37-47-21, 37-47-23, 37-47-25, 37-47-27, 37-47-29, 37-47-31, 37-47-33, 37-47-35, 37-47-37, 37-47-39, 37-47-41, 37-47-43, 37-47-45, 37-47-47, 37-47-49, 37-47-51, 37-47-53, 37-47-55, 37-47-57, 37-47-59, 37-47-61, 37-47-63, 37-47-65 AND 37-47-67, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE STATE AID FOR CONSTRUCTION OF SCHOOL FACILITIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-65-75, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF TAX REVENUES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-7-401 AND 37-7-409, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LAND ACQUISITION AND THE FUNDING OF CONSTRUCTION OF SCHOOL BUILDINGS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-27-55, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE FUND ALLOCATION FOR AGRICULTURAL HIGH SCHOOLS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-131-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ALLOTMENT OF FUNDS IN GENERAL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2431:** Education

AN ACT TO REPEAL SECTION 37-43-23, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE PROCEDURE FOR THE PURCHASE OF TEXTBOOKS BY THE STATE BOARD OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2432:** Education

AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972, TO DELETE THE MINIMUM SALARY SCALE FOR SCHOOL ATTENDANCE OFFICERS; TO PROVIDE THAT THE STATE PERSONNEL BOARD SHALL DEVELOP A SALARY SCALE FOR SCHOOL ATTENDANCE OFFICERS AS PART OF THE VARIABLE COMPENSATION PLAN; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2433:** Universities and Colleges

AN ACT TO CREATE NEW SECTION 37-113-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY SHALL ONLY ADMIT APPLICANTS WHO HAVE BEEN BONA

FIDE RESIDENTS OF THE STATE OF MISSISSIPPI FOR THREE CONSECUTIVE YEARS IMMEDIATELY PRECEDING THE DATE OF THEIR APPLICATION; TO PROVIDE THAT IF ANY POSITIONS IN THE INCOMING FIRST-YEAR CLASS ARE OPEN AFTER THE FIRST ROUND OF ADMISSIONS AND SUBSEQUENT RESERVATIONS BY RESIDENT APPLICANTS, THE COLLEGE OF VETERINARY MEDICINE MAY ADMIT NONRESIDENT APPLICANTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Younger

**S. B. No. 2434:** Education

AN ACT TO CREATE THE ACADEMIC TRANSPARENCY ACT OF 2022; TO REQUIRE EACH PUBLIC SCHOOL TO LIST ON A PUBLICLY ACCESSIBLE PORTION OF ITS WEBSITE THE LEARNING MATERIALS AND ACTIVITIES THAT WERE USED FOR STUDENT INSTRUCTION AT THE SCHOOL DURING THE MOST RECENTLY COMPLETED SCHOOL YEAR; TO REQUIRE A SCHOOL TO LIST ONLY THE INFORMATION NECESSARY TO IDENTIFY THE SPECIFIC LEARNING MATERIALS AND ACTIVITIES USED FOR INSTRUCTION; TO ALLOW SCHOOL BOARDS WITH LESS THEN 500 STUDENTS TO BE EXEMPT FROM THE REQUIREMENTS OF THE ACT; TO SET CERTAIN EXEMPTIONS THAT THE ACT SHALL NOT BE CONSTRUED TO DO; TO SET CERTAIN REQUIREMENTS OF THE ACT; TO AUTHORIZE THE ATTORNEY GENERAL, COUNTY ATTORNEY OF THE COUNTY IN WHICH AN ALLEGED VIOLATION OCCURRED, OR A RESIDENT OF THE SCHOOL DISTRICT TO BRING AN ACTION FOR INJUNCTIVE RELIEF WHEN AN ALLEGED VIOLATION OF THE ACT HAS OCCURRED; TO REQUIRE CERTAIN PROCEDURES FOR THE PURCHASING OF LEARNING MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2435:** Education

AN ACT TO PROVIDE THAT A PUPIL COMPLIES WITH THE RESIDENCY REQUIREMENTS OF A SCHOOL DISTRICT IF THE PUPIL'S PARENT IS TRANSFERRED OR IS PENDING TRANSFER TO A MILITARY INSTALLATION WITHIN THE STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO AN OFFICIAL MILITARY ORDER; TO REQUIRE A PARENT TO PROVIDE PROOF OF RESIDENCE IN THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER THE PUBLISHED ARRIVAL DATE PROVIDED ON OFFICIAL DOCUMENTATION; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ACTIVE DUTY MILITARY AND CIVILIAN MILITARY PERSONNEL RESIDING OFF BASE TO ENROLL THEIR CHILDREN IN SCHOOLS OF CHOICE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2436:** Universities and Colleges

AN ACT TO ESTABLISH A LEGISLATIVE INTERNSHIP PROGRAM TO ALLOW THIRD-YEAR STUDENTS AT ANY STATE INSTITUTION OF HIGHER LEARNING TO WORK FOR MEMBERS OF THE SENATE OR HOUSE OF REPRESENTATIVES AND RECEIVE ACADEMIC CREDIT; TO PROVIDE CERTAIN CONDITIONS ON THIS PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2437:** Corrections; Judiciary, Division B

AN ACT TO AUTHORIZE THE CREATION OF A WORK INITIATIVE WITHIN THE MISSISSIPPI PRISON INDUSTRIES CORPORATION; AMEND SECTION 47-5-539, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF A WORK INITIATIVE FOR NO MORE THAN 25 INMATES; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE INITIATIVE; TO PROSCRIBE CERTAIN ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE INITIATIVE; TO PROHIBIT ANY INMATE SENTENCED FOR A CRIME OF VIOLENCE FROM PARTICIPATION IN THE PROGRAM; TO PROHIBIT ANY INMATE CONVICTED OF

ESCAPE FROM PARTICIPATION IN THE PROGRAM; TO PROVIDE THAT ADMISSION TO THE PROGRAM SHALL BE IN THE DISCRETION OF THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION; TO REQUIRE THE CORPORATION, IN CONSULTATION WITH THE DEPARTMENT, TO ADOPT AND PROMULGATE RULES TO EFFECTUATE THIS SECTION; TO REQUIRE THE INMATE TO MAINTAIN A BANK ACCOUNT; TO ESTABLISH CERTAIN RULES CONCERNING THE INMATE'S DISBURSEMENT OF FUNDS; TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO COLLECT AND MAINTAIN DATA TO SHARE WITH PEER; TO REQUIRE PEER TO CONDUCT A REVIEW OF THE WORK INITIATIVE; TO AMEND SECTIONS 47-5-1251 AND 97-9-49, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2438:** Education

AN ACT TO ENACT THE MISSISSIPPI FINANCIAL LITERACY ACT; TO REQUIRE LOCAL SCHOOL BOARDS OF EVERY PUBLIC SCHOOL DISTRICT TO ADOPT A POLICY TO IMPLEMENT A FINANCIAL LITERACY EDUCATION PROGRAM INTO ITS CURRICULUM FOR STUDENTS IN GRADES 10 AND 11; TO PROVIDE THAT THE INSTRUCTION IN THOSE SUBJECTS SHALL BE IMPLEMENTED NOT LATER THAN THE START OF THE 2022-2023 SCHOOL YEAR; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL APPROVE EACH DISTRICT'S CURRICULUM FOR FINANCIAL LITERACY-RELATED EDUCATION AND SHALL ESTABLISH A PROTOCOL TO BE USED BY DISTRICTS TO PROVIDE CONTINUITY IN TEACHING THE APPROVED CURRICULUM; TO INCLUDE THE SUBJECTS THAT THE STATE DEPARTMENT OF EDUCATION MUST REQUIRE SCHOOLS TO TEACH; TO AMEND SECTIONS 37-7-301 AND 37-1-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Boyd

**S. B. No. 2439:** Education

AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CORPORAL PUNISHMENT IN PUBLIC AND CHARTER SCHOOLS TO DISCIPLINE A STUDENT; TO PROVIDE THAT ANY EMPLOYEE WHO VIOLATES THE CORPORAL PUNISHMENT PROHIBITION SHALL BE HELD LIABLE FOR CIVIL DAMAGES SUFFERED AS A RESULT OF THE ADMINISTRATION OF CORPORAL PUNISHMENT; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2440:** Labor; Judiciary, Division A

AN ACT TO CREATE THE "BAN-THE-BOX ACT"; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN PUBLIC EMPLOYERS FROM USING CRIMINAL HISTORY INFORMATION AS A PRELIMINARY BAR TO EMPLOYMENT; TO PROVIDE FOR JURISDICTION OVER COMPLAINTS FOR VIOLATION OF THE TERMS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2441:** Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXEMPTION FROM UNEXCUSED ABSENCES OF CHILDREN WITH DISABILITIES FOR ABSENCES RELATED TO THE DISABILITY AS DEFINED UNDER THE PROVISIONS OF THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AND OTHER FEDERAL LAW; TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL REQUIRE ANNUAL TRAINING FOR SCHOOL ATTENDANCE OFFICERS, WHICH SHALL INCLUDE COMPONENTS THAT EMPHASIZE PROVISIONS OF IDEA AND SECTION 504 OF THE REHABILITATION ACT; TO ENABLE SCHOOL ATTENDANCE OFFICERS TO PROPERLY IDENTIFY AND INTERACT WITH CHILDREN WITH DISABILITIES AS DEFINED HEREIN; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2442:** Education

AN ACT TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE MENTAL-WELLNESS APPROACHES IN EDUCATOR PREPARATION PROGRAMS; TO DEFINE MENTAL-WELLNESS APPROACHES; TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS SHALL HAVE AT LEAST ONE SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250 STUDENTS; TO REQUIRE SCHOOL COUNSELORS OR SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A MENTAL-WELLNESS TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS TO REPORT THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION; TO CREATE NEW SECTION 37-9-80, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH, TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING MENTAL-WELLNESS APPROACHES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2443:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2444:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY FOR THE 2022-2023 SCHOOL YEAR; TO SET THE MINIMUM TEACHER SALARY FOR THE 2023-2024 SCHOOL YEAR AND SUBSEQUENT SCHOOL YEARS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Blount, Michel, Harkins, Carter, Seymour

**S. B. No. 2445:** Medicaid

AN ACT TO BRING FORWARD SECTION 43-13-145, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN PROVIDER ASSESSMENTS THAT ARE USED FOR FUNDING THE MEDICAID PROGRAM; FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2446:** Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO EXTEND MEDICAID COVERAGE FOR ELIGIBLE WOMEN FOR UP TO 12 MONTHS POSTPARTUM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2447:** Medicaid; Appropriations

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

PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2448:** Medicaid

AN ACT TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITY FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITY FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITY FOR PAROLED INMATES; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION, CONVERSION AND OPERATION OF A SPECIAL CARE FACILITY FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2449:** Insurance

AN ACT TO CREATE NEW SECTIONS 83-41-501 THROUGH 83-41-517, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN EXEMPTION FROM PRIOR AUTHORIZATION REQUIREMENTS BY HEALTH INSURERS FOR PHYSICIANS AND OTHER PROVIDERS WHO PROVIDE CERTAIN HEALTH CARE SERVICES; TO PROVIDE THAT A HEALTH INSURER THAT USES A PRIOR AUTHORIZATION PROCESS FOR HEALTH CARE SERVICES MAY NOT REQUIRE A PHYSICIAN OR OTHER PROVIDER TO OBTAIN PRIOR AUTHORIZATION FOR A PARTICULAR HEALTH CARE SERVICE IF, IN THE MOST RECENT SIX-MONTH EVALUATION PERIOD, THE HEALTH INSURER HAS APPROVED OR WOULD HAVE APPROVED NOT LESS THAN 90 PERCENT OF THE PRIOR AUTHORIZATION REQUESTS SUBMITTED FOR THE PARTICULAR HEALTH CARE SERVICE; TO AUTHORIZE A HEALTH INSURER TO RESCIND AN EXEMPTION FROM PRIOR AUTHORIZATION REQUIREMENTS ONLY IF THE HEALTH INSURER MAKES A DETERMINATION, ON THE BASIS OF A RETROSPECTIVE REVIEW OF A RANDOM SAMPLE OF CLAIMS SUBMITTED BY THE PHYSICIAN OR OTHER PROVIDER DURING THE MOST RECENT EVALUATION PERIOD, THAT LESS THAN 90 PERCENT OF THE CLAIMS FOR THE PARTICULAR HEALTH CARE SERVICE MET THE MEDICAL NECESSITY CRITERIA THAT WOULD HAVE BEEN USED BY THE HEALTH INSURER WHEN CONDUCTING PRIOR AUTHORIZATION REVIEW FOR THE PARTICULAR HEALTH CARE SERVICE DURING THE RELEVANT EVALUATION PERIOD; TO PROVIDE THAT SUCH A DETERMINATION MUST BE MADE BY AN INDIVIDUAL LICENSED TO PRACTICE MEDICINE IN THIS STATE; TO PROVIDE THAT A PHYSICIAN OR OTHER PROVIDER HAS A RIGHT TO A REVIEW OF AN ADVERSE DETERMINATION REGARDING A DENIAL OR RESCISSION OF A PRIOR AUTHORIZATION EXEMPTION AND THAT THE REVIEW MUST BE CONDUCTED BY AN ACCREDITED INDEPENDENT REVIEW ORGANIZATION; TO PROVIDE THAT A HEALTH INSURER SHALL PAY FOR ANY APPEAL OR INDEPENDENT REVIEW OF AN ADVERSE DETERMINATION REGARDING A PRIOR AUTHORIZATION EXEMPTION REQUESTED BY A PHYSICIAN OR OTHER PROVIDER; TO PROVIDE THAT A HEALTH INSURER IS BOUND BY AN APPEAL OR INDEPENDENT REVIEW DETERMINATION THAT DOES NOT AFFIRM THE DETERMINATION MADE BY THE HEALTH INSURER TO RESCIND OR DENY A PRIOR AUTHORIZATION EXEMPTION; TO PROVIDE THAT A HEALTH INSURER SHALL NOT DENY OR REDUCE PAYMENT TO A PHYSICIAN OR OTHER PROVIDER FOR A HEALTH CARE SERVICE FOR WHICH THE PHYSICIAN OR OTHER PROVIDER HAS QUALIFIED FOR AN

EXEMPTION FROM PRIOR AUTHORIZATION REQUIREMENTS BASED ON MEDICAL NECESSITY OR APPROPRIATENESS OF CARE, UNLESS THE PHYSICIAN OR OTHER PROVIDER KNOWINGLY AND MATERIALLY MISREPRESENTED THE HEALTH CARE SERVICE IN A REQUEST FOR PAYMENT SUBMITTED TO THE HEALTH INSURER WITH THE SPECIFIC INTENT TO DECEIVE AND OBTAIN AN UNLAWFUL PAYMENT FROM THE HEALTH INSURER, OR FAILED TO SUBSTANTIALLY PERFORM THE HEALTH CARE SERVICE; TO AMEND SECTIONS 41-83-9, 41-83-31, 73-23-35, 83-9-6.3, 83-9-32, 83-9-353, 83-41-409 AND 83-51-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2450:** Insurance

AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO ANNUALLY DIVERT MONIES DERIVED FROM THE NONADMITTED POLICY FEE TO THE STATE AND SCHOOL INSURANCE FUND; TO PROVIDE THAT SUCH MONIES SHALL NOT BE TRANSFERRED IF THE VALUE OF THE MISSISSIPPI WINDSTORM UNDERWRITING ASSOCIATION'S TOTAL ADMITTED ASSETS IS LESS THAN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2451:** Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI EQUAL PAY ACT; TO PROHIBIT AN EMPLOYER FROM PAYING ANY OF ITS EMPLOYEES AT WAGE RATES LESS THAN THOSE PAID TO EMPLOYEES OF ANOTHER SEX FOR EQUAL WORK UNLESS A WAGE DIFFERENTIAL IS BASED UPON ONE OR MORE SPECIFIED FACTORS; TO PROVIDE A CAUSE OF ACTION AGAINST EMPLOYERS WHO VIOLATE THIS ACT; TO PROVIDE THAT EMPLOYEES WHO RECOVER UNDER THIS ACT AND ALSO RECOVER UNDER A FEDERAL CAUSE OF ACTION FOR THE SAME EMPLOYER CONDUCT SHALL RETURN THE SMALLER OF THE TWO AWARDS TO THE EMPLOYER; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Boyd

**S. B. No. 2452:** Judiciary, Division A

AN ACT TO CREATE THE EVELYN GANDY FAIR PAY ACT TO PROHIBIT DISCRIMINATION BY INDUSTRIES ENGAGED IN COMMERCE OR IN THE PRODUCTION OF GOODS FOR COMMERCE AGAINST ANY EMPLOYEE ON THE BASIS OF SEX, RACE OR ETHNICITY BY PAYING A SALARY OR WAGE TO SUCH EMPLOYEE AT A RATE LESS THAN THE RATE PAID TO ITS EMPLOYEES OF ANOTHER SEX, RACE OR ETHNICITY FOR EQUAL WORK ON JOBS THAT REQUIRE EQUAL SKILL, EFFORT AND RESPONSIBILITY TO PERFORM; TO PROVIDE WHEN AN UNLAWFUL EMPLOYMENT PRACTICE OCCURS; TO PROVIDE THE REMEDIES FOR AN EMPLOYER WHEN AN UNLAWFUL EMPLOYMENT PRACTICE OCCURS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2453:** Judiciary, Division A

AN ACT TO ESTABLISH THE "MISSISSIPPI PAY EQUITY ACT" TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF A DIFFERENT GENDER IS PAID FOR EQUAL WORK; TO PROVIDE THAT AN EMPLOYEE MAY FILE A PETITION IN THE PROPER CIRCUIT COURT; TO PROHIBIT RETALIATORY DISCHARGE; AND FOR RELATED PURPOSES

By Senator(s) Butler (38th)

**S. B. No. 2454:** Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO

QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2455:** Business and Financial Institutions

AN ACT TO AMEND SECTION 75-67-181, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A SMALL LOAN LICENSEE TO CONTRACT AND CHARGE A FINANCE CHARGE IN LIEU OF INTEREST AND CHARGES ON CERTAIN LOANS UNDER THE MISSISSIPPI CONSUMER ALTERNATIVE INSTALLMENT LOAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2456:** Judiciary, Division A

AN ACT TO AMEND SECTION 79-4-14.21, MISSISSIPPI CODE OF 1972, OF THE MISSISSIPPI BUSINESS CORPORATION ACT TO AUTHORIZE NOTICE OF DISSOLUTION BY ELECTRONIC MAIL TO REGISTERED AGENTS HAVING AN EMAIL ADDRESS ON FILE; TO AMEND SECTION 79-29-823, MISSISSIPPI CODE OF 1972, OF THE REVISED MISSISSIPPI LIMITED LIABILITY COMPANY ACT TO AUTHORIZE NOTICE OF DISSOLUTION BY ELECTRONIC MAIL TO REGISTERED AGENTS HAVING AN EMAIL ADDRESS ON FILE; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2457:** Municipalities; Judiciary, Division A

AN ACT TO AMEND SECTIONS 19-5-22 AND 21-19-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LIENS WHICH ARISE AGAINST REAL PROPERTY AS A RESULT OF EITHER A COUNTY'S OR A MUNICIPALITY'S ASSESSMENT OF FEES FOR GARBAGE OR RUBBISH COLLECTION SHALL EXPIRE AFTER A CERTAIN NUMBER OF YEARS; TO PROVIDE THAT A LIEN MAY BE REFILED UNDER CERTAIN CONDITIONS; TO PROVIDE FOR RECOVERY OF THE AMOUNT OWED FOR LIENS THAT MAY NOT BE REFILED; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McCaughn

**S. B. No. 2458:** Public Health and Welfare

AN ACT TO ENACT COLE'S LAW TO PROHIBIT DISCRIMINATION AGAINST RECIPIENTS OF AN ANATOMICAL GIFT OR ORGAN TRANSPLANT BASED ON DISABILITY; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE REQUIREMENTS FOR COVERED ENTITIES; TO PROVIDE CIVIL REMEDIES FOR VIOLATIONS OF THE ACT; TO PROHIBIT CERTAIN ACTS OF HEALTH INSURERS; AND FOR RELATED PURPOSES.

By Senator(s) England, Wiggins, Boyd, Thompson

**S. B. No. 2459:** Insurance; Judiciary, Division A

AN ACT TO AMEND SECTIONS 71-3-13, 71-3-17, 71-3-21 AND 71-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TOTAL COMPENSATION THAT AN EMPLOYEE MAY RECOVER UNDER THE WORKERS' COMPENSATION LAW, AND TO PROVIDE THAT COMPENSATION FOR PERMANENT TOTAL DISABILITY SHALL BE PAID TO THE EMPLOYEE UNTIL HIS DEATH; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2460:** Judiciary, Division A

AN ACT TO AMEND SECTION 1, CHAPTER 455, LAWS OF 2021 TO RECONSTITUTE THE "MISSISSIPPI DOMESTIC LAW TASK FORCE" TO FURTHER STUDY DOMESTIC LAW IN MISSISSIPPI; TO REVISE THE AREAS OF DOMESTIC LAW THAT THE TASK FORCE IS REQUIRED TO STUDY; TO REQUIRE THE TASK FORCE TO DEVELOP A RECOMMENDATION TO THE LEGISLATURE AND THE MISSISSIPPI SUPREME COURT RELATIVE TO REVISING MISSISSIPPI'S DOMESTIC RELATIONS LAWS TO REFLECT CURRENT JURISPRUDENCE AND TO PROPOSE LEGISLATION AND RULE CHANGES BASED UPON ITS RECOMMENDATION; TO

PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2461:** Judiciary, Division A

AN ACT TO CREATE PROCEDURES AND PROTECTIONS FOR RESIDENTIAL EVICTIONS WITHIN THE RESIDENTIAL LANDLORD AND TENANT ACT; TO CREATE NEW SECTION 89-8-31, MISSISSIPPI CODE OF 1972, TO PROSCRIBE WHEN A LANDLORD MAY COMMENCE PROCEEDINGS TO EVICT A TENANT; TO CREATE NEW SECTION 89-8-33, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION; TO CREATE NEW SECTION 89-8-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ISSUANCE OF SUMMONS; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS INCLUDING THE FACT THAT THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY; TO CREATE NEW SECTION 89-8-37, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO REQUEST A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO PROVIDE THAT A JUDGE SHALL NOT ISSUE A WARRANT OF REMOVAL IF THE TENANT HAS PAID THE SUMS OWED TO THE LANDLORD IN CASES OF A JUDGMENT OF POSSESSION FOR FAILURE TO PAY RENT; TO CREATE NEW SECTION 89-8-39, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CONTINUANCES; TO CREATE NEW SECTION 89-8-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPEALS FROM A FINAL JUDGMENT SHALL BE PURSUANT TO APPLICABLE MISSISSIPPI RULES OF COURT; TO CREATE NEW SECTION 89-8-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LANDLORD MAY CHARGE THE TENANT DOUBLE THE RENT FOR THE TIME THAT THE TENANT CONTINUES IN POSSESSION OF THE PREMISES FOLLOWING THE DATE TO VACATE; TO AMEND SECTION 89-8-11, MISSISSIPPI CODE OF 1972, TO REQUIRE RULES AND REGULATIONS TO BE WRITTEN; TO AMEND SECTION 89-8-13, MISSISSIPPI CODE OF 1972, TO PROVIDE A CERTAIN TIME PERIOD FOR A TENANT TO QUIT THE PREMISES IF THE MATERIAL NONCOMPLIANCE BY THE TENANT IS THE NONPAYMENT OF RENT PURSUANT TO THE RENTAL AGREEMENT; TO AMEND SECTION 89-8-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NOTICE TO TERMINATE THE TENANCY SHALL NOT BE REQUIRED WHEN THE LANDLORD OR TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OF THIS CHAPTER THAT MATERIALLY AFFECTS HEALTH OR SAFETY; TO AMEND SECTION 89-7-29, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION FOR PREMISES OR OTHER LANDS THAT ARE NOT DWELLING UNITS; TO REQUIRE THE LANDLORD TO IDENTIFY ANY ITEMS OF TENANT PROPERTY LOCATED AT THE PREMISES AS TO WHICH THE LANDLORD ASSERTS A VALID LIEN; TO AMEND SECTIONS 89-7-27, 89-7-31, 89-7-33, 89-7-35, 89-7-37, 89-7-39, 89-7-43, 89-7-47, 89-8-3, 89-8-7, 89-8-9, 89-8-15 AND 89-8-17, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 89-7-41 AND 89-7-45, MISSISSIPPI CODE OF 1972, WHICH GOVERN THE DISPOSITION OF TENANT PERSONAL PROPERTY AND WHEN A WARRANT OF REMOVAL MAY ISSUE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2462:** Gaming; Finance

AN ACT TO CREATE THE MISSISSIPPI MOBILE SPORTS POOL AND RACE BOOK WAGERING ACT; TO PROVIDE CERTAIN DEFINITIONS; TO PROVIDE FOR LICENSING; TO ESTABLISH THE MEANS OF OPERATION; TO SET FORTH A METHOD OF TAXATION; TO AMEND SECTION 75-76-5, MISSISSIPPI CODE OF 1972, TO REVISE THE GAMING CONTROL ACT DEFINITIONS OF "ASSOCIATED EQUIPMENT," "GAMING DEVICE" AND "SPORTS POOL"; TO DEFINE "DIGITAL PLATFORM" AS THE OPERATION OF A SPORTS POOL OR RACE BOOK OVER THE INTERNET, INCLUDING ON WEBSITES AND MOBILE DEVICES, BY THE HOLDER OF A GAMING LICENSE OR BY AN OPERATOR ON BEHALF OF THE HOLDER OF A GAMING LICENSE; TO DEFINE "OPERATOR" AS AN ENTITY LICENSED AS A MANUFACTURER AND DISTRIBUTOR AND AUTHORIZED TO OPERATE A DIGITAL PLATFORM ON BEHALF OF THE HOLDER OF A GAMING LICENSE; TO AMEND SECTIONS 75-76-33, 75-76-55, 75-76-79, 75-76-89, 75-76-101 AND 75-76-175, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF DIGITAL PLATFORMS; TO AMEND SECTION 75-76-177, MISSISSIPPI CODE OF 1972, TO REVISE THE GAMING LICENSE FEES IN REGARDS TO PLATFORM GROSS REVENUES; TO AMEND SECTION 97-33-305, MISSISSIPPI CODE OF 1972, TO REVISE THE FANTASY CONTEST ACT TO DELETE THE PROHIBITION ON OPERATORS OFFERING CONTESTS BASED ON THE PERFORMANCE OF PARTICIPANTS IN COLLEGIATE SPORTS EVENTS; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2463:** Veterans and Military Affairs; Highways and Transportation

AN ACT TO AMEND SECTIONS 73-50-1 AND 63-1-208, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE PROVISIONS OF THE MILITARY FAMILY FREEDOM ACT SPECIFICALLY APPLY TO PERSONS POSSESSING CERTAIN FEDERALLY APPROVED MILITARY DOCUMENTATION OF COMMERCIAL DRIVING EXPERIENCE ALLOWING THE PERSON TO APPLY FOR A COMMERCIAL DRIVER'S LICENSE LEARNING PERMIT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2464:** Judiciary, Division A

AN ACT TO AMEND SECTION 11-53-81, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "OPEN ACCOUNT"; TO MAKE TECHNICAL REVISIONS; TO PROVIDE THAT AN OPEN ACCOUNT INVOICE OR ITEMIZED STATEMENT OF THE ACCOUNT MAY OR MAY NOT INCLUDE WRITTEN TERMS OF SALE; TO CLARIFY THAT THIS SECTION DOES NOT REQUIRE WRITTEN DEMAND TO BE MADE BY ANY CERTAIN MEANS; TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO RETAIL SALES INSTALLMENT CONTRACTS THAT ARE ASSIGNED TO LENDERS WHO ARE LICENSED UNDER SECTIONS 75-67-201 THROUGH 75-67-247; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2465:** Judiciary, Division A

AN ACT TO AMEND SECTION 85-7-405, MISSISSIPPI CODE OF 1972, TO DELETE LANGUAGE CLARIFYING THE DATE THE CLAIM WAS DUE ON THE FORM CLAIM PROVIDED IN CODE; TO PROVIDE THAT A LIS PENDENS NOTICE SHALL BE FILED WITHIN A CERTAIN NUMBER OF DAYS AFTER THE DATE OF THE COMMENCEMENT OF THE ACTION; TO PROVIDE THAT THE FAILURE TO FILE THE LIS PENDENS NOTICE WITHIN A SET TIMEFRAME SHALL NOT INVALIDATE THE CLAIM OF LIEN; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2466:** Insurance

AN ACT TO AMEND SECTION 83-34-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A WIND POOL INSURED SHALL BE RESPONSIBLE FOR NO MORE THAN ONE DEDUCTIBLE PER CALENDAR YEAR FOR LOSSES RESULTING FROM MULTIPLE NAMED STORMS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2467:** Judiciary, Division B; Judiciary, Division A

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SIMPLE POSSESSION OF 30 GRAMS OR LESS OF MARIJUANA IS A CIVIL INFRACTION; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPAL COURTS SHALL HAVE JURISDICTION TO IMPOSE CIVIL PENALTIES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2468:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO REVISE THE RIVERS MCGRAW MENTAL HEALTH DIVERSION PROGRAM TO ENACT THE RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE STATEMENT OF INTENT; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO AMEND SECTION 9-27-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO ESTABLISH AND IMPLEMENT A UNIFORM CERTIFICATION PROCESS FOR ALL NEW OR EXISTING MENTAL HEALTH TREATMENT COURTS TO ENSURE THAT THESE COURTS MEET MINIMUM STANDARDS FOR MENTAL HEALTH TREATMENT COURT OPERATIONS; TO PROSCRIBE THE CONTENTS OF THE CERTIFICATIONS; TO ESTABLISH A TIERED CERTIFICATION PROCESS; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO PROMULGATE RULES; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO SET ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN A MENTAL HEALTH TREATMENT COURT; TO AMEND SECTION 9-27-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE REQUIREMENT OF A CHEMICAL OR DRUG TEST; TO CREATE NEW SECTION 9-27-16, MISSISSIPPI CODE OF 1972, TO PROSCRIBE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS UNDER THIS ACT; TO AMEND SECTION 9-27-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EXPUNGEMENTS UNDER THIS ACT ARE NOT SUBJECT TO OTHER REQUIREMENTS PROVIDED BY LAW; TO PROVIDE THAT IF THE PARTICIPANT IS A RESPONDENT TO A CIVIL CASE AND SUCCESSFULLY COMPLETES ALL REQUIREMENTS UNDER THE ACT THAT THE PARTICIPANT'S PETITION FOR COMMITMENT SHALL BE DISMISSED; TO AMEND SECTIONS 9-27-9 AND 9-27-17 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd, Suber, Tate

**S. B. No. 2469:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-1-59, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH JUSTICE COURT IN THIS STATE TO ACCEPT ALL PLEADINGS AND OTHER PAPERS TO BE SERVED, FILED, SIGNED OR VERIFIED BY ELECTRONIC MEANS IN CONFORMITY WITH THE MISSISSIPPI ELECTRONIC COURT SYSTEM PROCEDURES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2470:** Insurance

AN ACT TO CREATE NEW SECTIONS 83-9-6.5 AND 83-9-6.6, MISSISSIPPI CODE OF 1972, TO REDUCE PATIENTS' COST OF PRESCRIPTION DRUGS BY ENSURING THAT STATE-REGULATED INSURERS AND PHARMACY BENEFITS MANAGERS APPLY COST-SHARING ASSISTANCE TO PATIENTS' COST-SHARING OBLIGATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2471:** Judiciary, Division A

AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN

TRANSFERRED TO ANY PERSON, NON-GOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) England, Thompson, McCaughn

**S. B. No. 2472:** Judiciary, Division A

AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, McCaughn, Younger, Suber, Whaley, Fillingane, Seymour, Sparks, England, Thompson, McLendon, Tate

**S. B. No. 2473:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 23-15-9, MISSISSIPPI CODE OF 1972, TO PROHIBIT ALL PRIVATE INDIVIDUAL, BUSINESS AND NONPROFIT CONTRIBUTIONS FOR CONDUCTING ELECTIONS OR HIRING TEMPORARY ELECTIONS WORKERS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2474:** Energy; Municipalities

AN ACT TO PROVIDE THAT ANY MUNICIPALLY OWNED UTILITY THAT SERVES ONE THIRD OF ITS CAPACITY OUTSIDE ITS MUNICIPAL BOUNDARIES SHALL POSSESS THE SAME POWERS AS A CORPORATION FORMED UNDER THE ELECTRIC POWER ASSOCIATION LAW, AND SHALL BE AUTHORIZED TO ENTER INTO INTERLOCAL AGREEMENTS WITH ANY ADJACENT PUBLIC UTILITY; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2475:** Highways and Transportation; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 65-1-7, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION FOR MANDATORY COMPENSATION OF TRANSPORTATION COMMISSIONERS TO MAKE THE RECEIPT OF COMPENSATION DISCRETIONARY WITH EACH COMMISSIONER; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2476:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LICENSE MOLLUSCAN SHELLFISH AQUACULTURE OPERATIONS AND TO LICENSE MULTIPLE VESSELS AT SUCH AQUACULTURE OPERATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Thompson

**S. B. No. 2477:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO UTILIZE THE RESOURCES OF ALL STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Thompson

**S. B. No. 2478:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMBINATION SEAFOOD DEALER AND PROCESSOR

LICENSE SHALL BE SEPARATED INTO TWO SEPARATE LICENSES AND TO PRESCRIBE REQUIREMENTS FOR EACH LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Thompson

**S. B. No. 2479:** Agriculture

AN ACT TO REVISE THE REQUIREMENTS OF THE "MISSISSIPPI GRAIN WAREHOUSE LAW" AND THE "MISSISSIPPI GRAIN DEALERS LAW" BY PROVIDING FOR A COMBINED GRAIN HANDLER LICENSE ISSUED AND REGULATED BY THE MISSISSIPPI COMMISSIONER OF AGRICULTURE AND COMMERCE; TO AMEND SECTIONS 75-44-1 THROUGH 75-44-71, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS, PRESCRIBE REQUIREMENTS FOR THE NECESSITY OF OBTAINING A GRAIN HANDLER LICENSE, TO PRESCRIBE CERTAIN APPLICATION AND RENEWAL FEES FOR SUCH LICENSES, TO PRESCRIBE CERTAIN STATUTORY SURETY BOND AMOUNTS REQUIRED FOR LICENSED GRAIN HANDLERS, TO REQUIRE GRAIN HANDLER LICENSEES TO SUBMIT ANNUAL INDEPENDENT AUDITS WITH THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE AS LICENSING AGENCY; TO REPEAL SECTIONS 75-45-301 THROUGH 75-45-315, MISSISSIPPI CODE OF 1972, WHICH IS THE "MISSISSIPPI GRAIN DEALERS LAW OF 1978"; AND FOR RELATED PURPOSES.

By Senator(s) Younger, McCaughn, Suber

**S. B. No. 2480:** Highways and Transportation

AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE PROVISIONS OF LAW ALLOWING A GROSS VEHICLE WEIGHT TOLERANCE OF 10%, NOT TO EXCEED 88,000 POUNDS, FOR VEHICLES FOR WHICH A HARVEST PERMIT HAS BEEN ISSUED, AND SETTING PROCEDURES BY WHICH HARVEST PERMIT HOLDERS AND TIMBER DEED GRANTEEES MAY PETITION LOCAL AUTHORITIES FOR THE USE OF CERTAIN ROADWAYS; TO CONFORM THE LIST OF PRODUCTS HAULED FOR WHICH A WEIGHT TOLERANCE IS GRANTED TO THE LIST OF PRODUCTS HAULED FOR WHICH A HARVEST PERMIT MAY BE ISSUED UNDER SECTION 27-19-81(4); TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE PROVISION OF LAW AUTHORIZING THE ISSUANCE OF HARVEST PERMITS FOR CERTAIN VEHICLES; AND FOR RELATED PURPOSES.

By Senator(s) Branning, Sparks

**S. B. No. 2481:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 488 LOCATED IN LEAKE COUNTY, MISSISSIPPI, AS THE "HUNKY CROSS HIGHWAY IN MEMORY OF AUSTIN MORROW AND OTHERS THAT HAVE LOST THEIR LIVES"; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2482:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 21 NORTH LOCATED IN NESHOPA COUNTY, MISSISSIPPI, AS THE "MSGT. BRIDGETTE R. HORN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2483:** Highways and Transportation

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO RAISE THE WIDTH AND UNLADEN DRY WEIGHT LIMITS FOR RECREATIONAL OFF-HIGHWAY VEHICLES FROM 65 INCHES TO 75 INCHES AND FROM 2,000 POUNDS TO 3,500 POUNDS, RESPECTIVELY; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2484:** Housing; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-801, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATED TO THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-803, MISSISSIPPI CODE OF 1972, TO ESTABLISH AND PROVIDE FOR THE ADMINISTRATION OF THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-805, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HOME CORPORATION TO IMPLEMENT AND ADMINISTER THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-807, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND ADVISORY COUNCIL; TO CREATE SECTION 43-33-809, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PERCENTAGE OF FUNDING AVAILABLE TO CERTAIN PERSONS OR TO CERTAIN ACTIVITIES; TO CREATE SECTION 43-33-811, MISSISSIPPI CODE OF 1972, TO ESTABLISH MINIMUM AFFORDABILITY PERIODS FOR APPLICANTS; TO CREATE SECTION 43-33-813, MISSISSIPPI CODE OF 1972, TO PROVIDE MINIMUM STANDARDS FOR THE HOUSING OPPORTUNITY FUND APPLICATION PROCESS; TO CREATE SECTION 43-33-815, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HOME CORPORATION TO ADMINISTER THE HOUSING OPPORTUNITY FUND IN COMPLIANCE WITH STATE AND FEDERAL HOUSING PROGRAMS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 2.5% OF ALL TAXES COLLECTED BY THE DEPARTMENT OF REVENUE ON LUMBER AND BUILDING MATERIALS SHALL BE CREDITED TO THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2485:** Housing; Finance

AN ACT ENTITLED THE "MISSISSIPPI WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT"; TO PROVIDE FOR A MISSISSIPPI HOUSING TAX CREDIT EQUAL TO THE FEDERAL HOUSING TAX CREDIT WITH RESPECT TO QUALIFIED HOUSING PROJECTS PLACED IN SERVICE AFTER JANUARY 1, 2022; TO DEFINE QUALIFIED PROJECTS IN TERMS OF RESTRICTED RENT AMOUNTS AND MEDIAN INCOME LIMITS ON PERSONS OCCUPYING THE UNITS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2486:** Wildlife, Fisheries and Parks

AN ACT TO REQUIRE A PERSON TO TAG ANY TREE STAND PLACED ON PUBLIC LANDS OR LANDS OF ANOTHER PERSON; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2487:** Agriculture; Judiciary, Division B

AN ACT TO AMEND SECTION 97-7-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR THE CRIME OF FRAUDULENT STATEMENTS AND REPRESENTATIONS; TO AMEND SECTION 75-44-71, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR ANY PERSON WHO VIOLATES THE CHAPTER OF LAW WHICH GOVERNS THE LICENSING AND OPERATION OF GRAIN WAREHOUSES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2488:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO PROVIDE THAT THE

PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE BAG LIMIT FOR FISH;  
AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Suber

**S. B. No. 2489:** Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, DeBar, Younger

**S. B. No. 2490:** Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTIONS 49-1-43 AND 49-1-43.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CONSERVATION OFFICER MUST HAVE PROBABLE CAUSE TO CONDUCT A SEARCH WITHOUT A WARRANT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, DeBar, Younger

**S. B. No. 2491:** Highways and Transportation; Finance

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO ALLOW ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES TO OPERATE ON COUNTY RURAL, GRAVEL OR PAVED ROADS; TO REQUIRE, FOR SUCH OPERATION, COMPLIANCE WITH LICENSING AND TAGGING REQUIREMENTS AND OTHER MOTOR VEHICLE REGULATIONS, EXCEPT THOSE REQUIRING EQUIPPING WITH WINDSHIELD WIPERS; TO SPECIFY THAT A LICENSE TAG SHALL NOT AUTHORIZE THE USE OF AN ALL-TERRAIN VEHICLE OR RECREATIONAL OFF-HIGHWAY VEHICLE FOR TOWING, OR FOR OPERATION ON AN INTERSTATE HIGHWAY OR ANY OTHER ROAD FOR WHICH THE SPEED LIMIT EXCEEDS 40 MILES PER HOUR; TO AMEND SECTIONS 63-21-5, 27-19-3 AND 27-19-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Suber, DeBar, Younger

**S. B. No. 2492:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-140, MISSISSIPPI CODE OF 1972, TO REMOVE THE SIZE LIMITATION ON THE ENCLOSURE THAT A WILD HOG MAY BE RELEASED INTO FOR PURPOSE OF SLAUGHTER; TO REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ISSUE METALLIC TAGS THAT MUST BE AFFIXED TO THE EAR OF EACH WILD HOG BEING TRANSPORTED WITHIN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2493:** Highways and Transportation

AN ACT TO AMEND SECTION 65-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DESIGNATION FOR MISSISSIPPI HIGHWAY 615 IN HARRISON COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2494:** Highways and Transportation

AN ACT TO ADD PORTIONS OF THE PEARL AND PASCAGOULA STREET INTERSTATE 55 EXITS AND ENTRANCES IN HINDS COUNTY TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2495:** Wildlife, Fisheries and Parks

AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION AS APPROPRIATED BY THE LEGISLATURE FOR GRANTS TO COUNTIES, MUNICIPALITIES AND STATE AGENCIES FOR SPECIFIC PURPOSES RELATED TO THE CONSERVATION OR

PROMOTION OF WILDLIFE, NATURAL AREAS OR OUTDOOR ACTIVITIES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO SET OUT THE COMPOSITION OF THE BOARD; TO PROVIDE THAT THE BOARD SHALL REVIEW APPLICATIONS FOR ASSISTANCE AND MAKE RECOMMENDATIONS TO THE LEGISLATURE IN FURTHERANCE OF PROVIDING ASSISTANCE TO COUNTIES, MUNICIPALITIES AND STATE AGENCIES FOR AUTHORIZED PURPOSES; TO REQUIRE AN INDEPENDENT AUDIT OF EXPENSES FROM AMOUNTS APPROPRIATED UP TO AND INCLUDING \$750,000.00; TO PROVIDE THAT APPROPRIATED AMOUNTS OVER \$750,000.00 SHALL BE DISBURSED ONLY ON A REIMBURSEMENT BASIS; TO REQUIRE THE BOARD TO SUBMIT AN ANNUAL REPORT OF ITS ACTIVITIES FOR THE PRECEDING STATE FISCAL YEAR TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2496:** Housing; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH PROGRAMS IN MUNICIPALITIES TO FURNISH MODULAR OR REHABILITATED HOMES TO INDIVIDUALS WHO ARE HOMELESS OR AT RISK OF EXPERIENCING HOMELESSNESS; TO DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS THAT ARE TARGETED TO ASSISTING PEOPLE WHO ARE EXPERIENCING HOMELESSNESS BY PROVIDING HOUSING, SERVICES AND SUPPORTIVE SERVICES; TO REQUIRE A REPORT TO THE LEGISLATURE; TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2497:** Housing; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH A NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) IN MUNICIPALITIES TO PRESERVE AND IMPROVE OWNER-OCCUPIED PROPERTIES AND BRING PROPERTIES UP TO APPLICABLE BUILDING CODES AND STANDARDS; TO DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS WITH AVAILABLE FUNDS; TO CREATE THE NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE A REPORT TO THE LEGISLATURE; TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2498:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 59-21-87, MISSISSIPPI CODE OF 1972, TO ALLOW WATER SKIING WITHOUT AN OBSERVER IN THE BOAT IF THE BOAT IS EQUIPPED WITH CERTAIN MIRRORS; TO REQUIRE SKIERS TO WEAR A PERSONAL FLOTATION DEVICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2499:** Environment Prot, Cons and Water Res; Business and Financial Institutions

AN ACT TO AMEND SECTIONS 17-17-3, 17-17-205 AND 17-17-305, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS OF TERMS UNDER THE SOLID WASTE DISPOSAL LAW FOR ADVANCED PLASTIC RECYCLING PROCESSES, FACILITIES AND PRODUCTS; TO CONFORM THE POWER AND DUTIES OF THE EXECUTIVE SECRETARY OF THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2500:** Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 25-43-1.108, MISSISSIPPI CODE OF 1972, TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AS A PILOT AGENCY; TO PROVIDE THAT THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY SHALL NOT ADOPT A NEW REGULATORY REQUIREMENT UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATORY REQUIREMENTS; TO REQUIRE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AND ANY OTHER PILOT AGENCY TO REPORT TO THE PEER COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2501:** Wildlife, Fisheries and Parks

AN ACT TO PROHIBIT USING DOGS FOR HUNTING DEER; TO AMEND SECTIONS 49-7-31 AND 49-7-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford (By Request)

**S. B. No. 2502:** Housing; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH A NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) IN MUNICIPALITIES TO PRESERVE AND IMPROVE OWNER-OCCUPIED PROPERTIES AND BRING PROPERTIES UP TO APPLICABLE BUILDING CODES AND STANDARDS; TO DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS WITH AVAILABLE FUNDS; TO CREATE THE NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE A REPORT TO THE LEGISLATURE; TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2503:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO ESTABLISH THAT THE DIRECTOR MAY SERVE A TERM OF FOUR YEARS AND MAY SEEK REAPPOINTMENT SUBJECT TO THE APPROVAL AND APPOINTMENT BY THE GOVERNOR AND THE ADVICE AND CONSENT OF THE SENATE; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Suber, Seymour, Sparks, Moran, Younger

**S. B. No. 2504:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE DEFINITION OF THE EXECUTIVE DIRECTOR OF THE DIVISION OF PARKS AND RECREATION; TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO ESTABLISH THAT THE DIRECTOR MAY SERVE A TERM OF FOUR YEARS AND MAY SEEK REAPPOINTMENT SUBJECT TO THE APPROVAL AND APPOINTMENT BY THE GOVERNOR AND THE ADVICE AND CONSENT OF THE SENATE; TO CREATE THE DIVISION OF PARKS AND RECREATION WITHIN THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO PROVIDE THAT THE DIVISION SHALL BE HEADED BY AN EXECUTIVE DIRECTOR WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AND SERVE A TERM OF FOUR YEARS; TO ESTABLISH THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Suber, McCaughn, Seymour, Sparks, Boyd, Moran, Younger

**S. B. No. 2505:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AT THE TIME A PERSON IS APPLYING FOR OR RENEWING A HUNTING OR FISHING LICENSE, THE DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS SHALL ASK THE PERSON IF HE OR SHE WOULD LIKE TO BE A DONOR OF AN ANATOMICAL GIFT; TO REQUIRE THE DEPARTMENT TO COMPLY WITH CERTAIN PROVISIONS; TO REQUIRE THE DONOR REGISTRY TO SEND INFORMATION ABOUT THE PROSPECTIVE DONOR'S DECISION TO THE DESIGNATED PERSON AS REQUESTED; TO AMEND SECTION 41-39-139, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2506:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO PROVIDE AN OPEN SEASON ON HARVESTING DEER WITH BOW AND ARROW ON THE LAST FRIDAY, SATURDAY AND SUNDAY OF SEPTEMBER, PROVIDED THAT ONLY LEGAL BUCKS MAY BE HARVESTED; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Blackwell, Seymour, McCaughn, Younger, Moran

**S. B. No. 2507:** Highways and Transportation; Finance

AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REPAYMENTS TO A PUBLIC ENTITY THAT ADVANCES FUNDS TO THE MISSISSIPPI TRANSPORTATION COMMISSION MAY NOT INCLUDE INTEREST OR OTHER FEES, AND THE TOTAL AMOUNT REPAID SHALL NOT EXCEED THE TOTAL AMOUNT OF FUNDS ADVANCED TO THE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2508:** Highways and Transportation

AN ACT TO AUTHORIZE AND PROVIDE FOR THE REGULATION OF THE USE OF PERSONAL DELIVERY DEVICES IN PEDESTRIAN AREAS; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Boyd, Polk

**S. B. No. 2509:** Judiciary, Division A; Highways and Transportation

AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO REMOVE THE MAXIMUM LIMITS ON THE HEIGHT AND SQUARE FOOTAGE OF OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2510:** Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 49-4-3, MISSISSIPPI CODE OF 1972, TO REDEFINE "COMMISSION" TO MEAN THE MISSISSIPPI ADVISORY COMMISSION ON WILDLIFE, FISHERIES AND PARKS, WHICH SHALL OPERATE ONLY AS AN ADVISORY COMMISSION TO THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS AS AN ADVISORY COMMISSION; TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNOR; TO AMEND SECTIONS 49-4-7, 49-4-13, 49-4-37, 49-4-39 AND 49-4-41, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTION 49-4-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Whaley, McCaughn

**S. B. No. 2511:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-64.5, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR A SALTWATER SHRIMP CAPTAIN'S LICENSE ISSUED BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Thompson

**S. B. No. 2512:** Local and Private

AN ACT TO AMEND CHAPTER 955, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE UNTIL JULY 1, 2026, ON THE LAW THAT AUTHORIZES THE CITY OF SOUTHAVEN, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF SALES OF BEVERAGES AND PREPARED FOOD AT RESTAURANTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2513:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION, TO AUTHORIZE THE CITY TO ISSUE GENERAL OBLIGATION BONDS OR INCUR OTHER INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF AN AMOUNT FOR WHICH DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX LEVIED UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2514:** Local and Private

AN ACT TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE PROVISIONS OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO LEVY AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS, PROVIDING THAT THE PROCEEDS OF THE TAX SHALL BE USED BY THE CITY TO PROMOTE TOURISM AND PARKS AND RECREATION, AUTHORIZING THE CITY TO DISTRIBUTE A PORTION OF THE TAX TO THE UNIVERSITY OF SOUTHERN MISSISSIPPI TO BE USED BY THE UNIVERSITY FOR IMPROVEMENTS TO ITS ATHLETIC FACILITIES, AND AUTHORIZING THE CITY TO RECEIVE AND EXPEND REVENUES FROM ANY SOURCE FOR THE PURPOSES AUTHORIZED IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson, Barnett

**S. B. No. 2515:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 55-3-33, MISSISSIPPI CODE OF 1972, TO TRANSFER JURISDICTION OVER STATE PARKS FROM THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO THE MISSISSIPPI DEPARTMENT OF TOURISM; TO AMEND SECTIONS 55-3-1, 55-3-2, 55-3-5, 55-3-7, 55-3-9, 55-3-31, 55-3-41, 55-3-45, 55-3-47, 55-3-48, 55-3-49, 55-3-51, 55-3-53, 55-3-54, 55-3-57, 55-3-59, 55-3-61, 55-3-63, 55-3-65, 55-3-83, 55-3-101, 49-1-1, 49-1-29, 49-4-3, 49-4-7, 49-4-8, 49-4-9, 49-4-11, 49-5-2, 49-5-86, 49-5-105, 49-5-147, 49-6-1, 49-7-1, 49-7-39, 49-7-161, 49-8-3, 49-9-1, 49-11-1, 49-13-3, 27-7-22.22, 51-4-3, 59-21-3, 59-25-1 AND 67-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF TOURISM SHALL LEASE ONLY TO PUBLIC ENTITIES AND IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2516:** Appropriations; Agriculture

AN ACT TO AMEND SECTIONS 75-44-29 AND 75-45-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY GRAIN PRODUCER OR PERSON POSSESSING WAREHOUSE RECEIPTS COVERING GRAIN OWNED OR STORED BY A WAREHOUSEMAN OR GRAIN DEALER LOCATED IN THE STATE OF MISSISSIPPI DURING CALENDAR YEAR 2021 MAY MAKE A CLAIM TO THE MISSISSIPPI COMMISSIONER OF AGRICULTURE AND COMMERCE FOR COMPENSATION FOR ANY FINANCIAL LOSS DUE TO A FAILURE OF SUCH GRAIN WAREHOUSEMAN OR GRAIN DEALER SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED THEREFOR BY THE LEGISLATURE; TO PROVIDE THAT GRAIN WAREHOUSEMAN'S SURETY BOND AND GRAIN DEALER'S SURETY BOND UNDER APPLICABLE LICENSURE LAW SHALL BE PAYABLE TO THE COMMISSIONER TO COVER THE COST OF ANY SUCH COMPENSATION PAYMENTS; TO PROVIDE FOR SUBROGATION OF ANY CLAIMS PAID BY THE COMMISSIONER; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2517:** Highways and Transportation

AN ACT TO CREATE NEW SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO CREATE BY RULE A VOLUNTARY PROGRAM OF LOGGING VEHICLE INSPECTION; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Branning, Tate, Suber, McCaughn, Parks

**S. B. No. 2518:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 55-3-33, MISSISSIPPI CODE OF 1972, TO TRANSFER JURISDICTION OVER STATE PARKS FROM THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY'S TOURISM DIVISION; TO AMEND SECTIONS 55-3-1, 55-3-2, 55-3-5, 55-3-7, 55-3-9, 55-3-31, 55-3-41, 55-3-45, 55-3-47, 55-3-48, 55-3-49, 55-3-51, 55-3-53, 55-3-54, 55-3-57, 55-3-59, 55-3-61, 55-3-63, 55-3-65, 55-3-83, 55-3-101, 49-1-1, 49-1-29, 49-4-3, 49-4-7, 49-4-8, 49-4-9, 49-4-11, 49-5-2, 49-5-86, 49-5-105, 49-5-147, 49-6-1, 49-7-1, 49-7-39, 49-7-161, 49-8-3, 49-9-1, 49-11-1, 49-13-3, 27-7-22.22, 51-4-3, 59-21-3, 59-25-1 AND 67-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TOURISM DIVISION SHALL LEASE ONLY TO PUBLIC ENTITIES AND IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2519:** Forestry; Highways and Transportation

AN ACT TO BRING FORWARD SECTIONS 63-5-19 AND 63-7-47, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LOADS OF MOTOR VEHICLES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Tate, McCaughn, Parks, DeBar, Whaley, Branning, Suber

**S. B. No. 2520:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 45 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "SENATOR JOHN WHITE MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2521:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-1-37, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE OFFICE OF SECRETARY OF STATE IS AUTHORIZED TO CONTRACT WITH A VENDOR TO CONDUCT THE ONLINE AUCTION OF TAX-FORFEITED PUBLIC LAND; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2522:** County Affairs; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE EVERY COUNTY TO COMMIT TO DEVELOPING, LAUNCHING AND SUSTAINING A SUCCESSFUL COUNTY CERTIFIED WORK READY COMMUNITY, AND TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO SELECT TWO LEADERS TO PARTICIPATE IN THE ACT WORK READY COMMUNITIES ACADEMY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2523:** Housing; Economic and Workforce Development

AN ACT TO AUTHORIZE AND DIRECT MUNICIPALITIES AND COUNTIES TO DEVELOP AND PROMULGATE INCLUSIONARY HOUSING ZONING PLANS THAT CONSIDER THE SUPPLY OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR ANTICIPATED RESIDENTS OF THEIR COMMUNITIES IN ORDER TO ATTRACT ECONOMIC DEVELOPMENT TO THE COMMUNITY AND TO INCREASE HOMEOWNERSHIP OPPORTUNITIES FOR HOUSEHOLDS IN THE 50-80% MEDIAN FAMILY INCOME RANGE; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2524:** County Affairs

AN ACT TO AMEND SECTIONS 19-11-7, 19-11-19, 21-35-5, 21-35-25, 37-61-9 AND 37-61-21, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH COUNTY, MUNICIPALITY AND SCHOOL DISTRICT TO POST ITS ANNUAL BUDGET, AND ANY REVISION OR AMENDMENT THERETO, ON ITS OFFICIAL WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2525:** Public Property

AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO RETAIN A 200-FOOT BUFFER ON THE NORTH SIDE OF THE CHAMPION HILL HISTORICAL PROPERTY BETWEEN THE RAILROAD RIGHT-OF-WAY AND THE NATIONAL PARK SERVICE PROPERTY AND AN ACCESS CORRIDOR AND TO FILE NECESSARY DEEDS THEREFOR; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2526:** County Affairs; Municipalities

AN ACT TO PROHIBIT ANY MUNICIPALITY, COUNTY OR ANY OTHER POLITICAL SUBDIVISION FROM ADOPTING AN ORDINANCE, RESOLUTION, RULE OR REGULATION THAT IMPOSES A CIVIL PENALTY OR FINE ON A BUSINESS ENGAGED IN THE SECURITY BUSINESS IF SUCH BUSINESS RECEIVES A FALSE SECURITY ALARM UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 19-3-40 AND 21-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Kirby

**S. B. No. 2527:** Public Property; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO SELL AND CONVEY OR LEASE ALL OR PORTIONS OF A PARCEL OF CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON UNDER THE POSSESSION AND CONTROL OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI, LOCATED IN HARRISON COUNTY, MISSISSIPPI; TO STIPULATE THE CONDITIONS UNDER WHICH THE PROPERTY MAY BE SOLD OR LEASED TO PROMOTE THE HIGHEST AND BEST USE FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI AND THE STATE; TO PROVIDE THAT THE STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY SOLD OR LEASED UNDER THIS ACT; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CORRECT ANY DISCREPANCIES IN PROPERTY DESCRIPTIONS; TO PROVIDE THAT THE NET PROCEEDS OF THE SALE OR LEASE

SHALL BE EXPENDED FOR THE BENEFIT OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI GULF PARK CAMPUS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO RECOVER ITS COSTS ASSOCIATED WITH THE TRANSACTION FROM THE PROCEEDS OF THE SALE OR LEASE OF THE PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Carter

**S. B. No. 2528:** Technology; Judiciary, Division B

AN ACT TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY BUSINESS THAT HAS EXPERIENCED A BREACH OF SECURITY OF THE PERSONAL INFORMATION OF 100 OR MORE AFFECTED INDIVIDUALS TO PROVIDE WRITTEN NOTICE TO THE ATTORNEY GENERAL AS EXPEDITIOUSLY AS POSSIBLE AND WITHOUT UNREASONABLE DELAY; TO PROVIDE THAT THE ATTORNEY GENERAL IS EMPOWERED TO PROMULGATE RULES AND REGULATIONS NECESSARY TO ENFORCE AND EFFECTUATE THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2529:** Technology

AN ACT TO CREATE THE "SOCIAL MEDIA ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT OF 2022" RELATING TO CENSORSHIP OR CERTAIN OTHER INTERFERENCE WITH DIGITAL EXPRESSION, INCLUDING EXPRESSION ON SOCIAL MEDIA PLATFORMS; TO DECLARE THE FINDINGS OF THE LEGISLATURE; TO ENACT DEFINITIONS; TO REQUIRE AN ACCEPTABLE USE POLICY THAT MUST BE PUBLISHED. TO REQUIRE AN ANNUAL TRANSPARENCY REPORT THAT MUST BE PUBLISHED; TO REQUIRE AN ACCESSIBLE COMPLAINT SYSTEM; TO REQUIRE THAT COMPLAINTS BE CONSIDERED AND ADDRESSED; TO REQUIRE AN APPEALS SYSTEM; TO REQUIRE NOTIFICATION TO USERS CONCERNING REMOVED CONTENT; TO AUTHORIZE RECOVERY OF COSTS BY THE ATTORNEY GENERAL INCURRED IN ENFORCEMENT OF THIS ACT; TO INSULATE THE ACT FROM INTELLECTUAL PROPERTY LAW; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2530:** Technology

AN ACT TO BRING FORWARD SECTION 25-53-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE STATE ENTERPRISE SECURITY PROGRAM, FOR PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano, Williams

**S. B. No. 2531:** Technology

AN ACT TO CREATE THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY ACT; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO ESTABLISH THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY AS AN ENTITY WITHIN THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; TO PROVIDE FOR THE AUTHORITY'S POWERS AND DUTIES; TO PROVIDE FOR THE DISTRIBUTION OF THE SERVICE CHARGES; TO PROVIDE FOR CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE AUTHORITY; TO AUTHORIZE THE LEVY OF A SERVICE CHARGE; TO BRING FORWARD SECTIONS 33-15-7 AND 33-15-14, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTION 19-5-313, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EMERGENCY TELEPHONE SERVICES CHARGES; TO REPEAL SECTION 19-5-331, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS AS USED IN THE PROVISIONS PROVIDING FOR ENHANCED WIRELESS EMERGENCY TELEPHONE SERVICE; TO REPEAL SECTION 19-5-333, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMERCIAL MOBILE RADIO SERVICE (CMRS) BOARD AND PROVIDES FOR ITS POWERS AND DUTIES; TO REPEAL SECTION 19-5-335, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION OF SERVICE CHARGES BY THE COMMERCIAL MOBILE RADIO SERVICE BOARD AND

REQUIRES REGISTRATION OF CMRS PROVIDERS; TO REPEAL SECTION 19-5-337, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONFIDENTIALITY OF PROPRIETARY INFORMATION SUBMITTED TO THE COMMERCIAL MOBILE RADIO SERVICE BOARD; TO REPEAL SECTION 19-5-339, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE; TO REPEAL SECTION 19-5-341, MISSISSIPPI CODE OF 1972, WHICH MAKES IT AN OFFENSE AND PROVIDES CRIMINAL PENALTIES FOR USING WIRELESS EMERGENCY TELEPHONE SERVICE FOR PERSONAL USE; TO REPEAL SECTION 19-5-343, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION AND REMITTANCE OF PREPAID WIRELESS E911 CHARGES; AND FOR RELATED PURPOSES.

By Senator(s) DeLano, Williams

**S. B. No. 2532:** Public Property

AN ACT TO AMEND SECTIONS 3-3-15 AND 37-13-5, MISSISSIPPI CODE OF 1972, TO REQUIRE GOVERNMENTAL ENTITIES THAT RECEIVE STATE FUNDS AND PUBLIC COLLEGES AND UNIVERSITIES TO DISPLAY THE OFFICIAL STATE FLAG ON MONDAY THROUGH FRIDAY OF EACH WEEK ON OR AT EACH BUILDING IN WHICH AN OFFICE OF THE GOVERNMENTAL ENTITY IS LOCATED AND ON EACH CAMPUS OF EACH PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT; TO REQUIRE THAT IF A GOVERNMENTAL ENTITY OR A PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT IS NOT DISPLAYING THE OFFICIAL STATE FLAG AS REQUIRED BY THIS SECTION, THE GOVERNOR SHALL NOTIFY THE GOVERNMENTAL ENTITY OR THE PUBLIC COLLEGE OR UNIVERSITY OR PUBLIC SCHOOL DISTRICT OF THE NONCOMPLIANCE, AND THE STATE FISCAL OFFICER SHALL WITHHOLD ALL STATE FUNDING FOR SUCH PUBLIC ENTITY UNTIL SUCH TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION; TO PROVIDE THAT LOCAL GOVERNMENTAL ENTITIES OR HOMEOWNERS ASSOCIATIONS SHALL NOT PROHIBIT THE DISPLAY OF THE STATE FLAG ON PRIVATE PROPERTY OR PUBLIC PROPERTY WHICH IS LEASED TO A PRIVATE ENTITY; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2533:** Public Property

AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISIONS OF THE STATUTORY PROHIBITION AGAINST THE ALTERATION OF HISTORICAL MONUMENTS AND MEMORIALS LOCATED ON PUBLIC PROPERTY; TO PROHIBIT THE RENAMING OR REDEDICATION OF CERTAIN STATUTES, MONUMENTS, SCHOOLS, STREETS, PARKS OR SIMILAR STRUCTURES NAMED IN HONOR OF CERTAIN MILITARY UNITS, FIGURES OR EVENTS; TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATION OF THIS STATUTE; TO PROVIDE THAT THIS SECTION SHALL BE KNOWN AS THE "MISSISSIPPI HERITAGE PROTECTION ACT OF 2022"; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2534:** Municipalities; Energy

AN ACT TO AMEND SECTION 21-27-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A MUNICIPALITY TO ALLOW A MUNICIPALLY OWNED UTILITY TO ACCEPT PAYMENT FOR ITS SERVICES BY CREDIT CARD, DEBIT CARD OR OTHER FORM OF ELECTRONIC PAYMENT AND TO ABSORB ANY FEES OR CHARGES ASSOCIATED WITH THE USE OF SUCH ELECTRONIC PAYMENT IN ITS COST OF SERVICE RATE BASE; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2535:** Energy; Appropriations

AN ACT TO CREATE THE HELPING MISSISSIPPIS AFFORD BROADBAND ACT; TO DEFINE TERMS AS USED IN THE ACT; TO REQUIRE THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES, IN CONJUNCTION WITH THE WIRELESS COMMUNICATION COMMISSION, TO CREATE A PROGRAM FOR THE

PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO ELIGIBLE HOUSEHOLDS TO PURCHASE BROADBAND SERVICES; TO PROVIDE SUBSIDIES TO PROVIDERS IN ORDER TO REDUCE BROADBAND COSTS TO HOUSEHOLDS; TO PROVIDE THAT FUNDING FOR SUBSIDY COSTS SHALL COME FROM FUNDS AVAILABLE PURSUANT TO THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request), Norwood (By Request)

**S. B. No. 2536:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI PUBLIC FUNDS OFFENDER REGISTRY; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE RESPONSIBLE AGENCY TO INITIALLY REGISTER OFFENDERS; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO REQUIRE REGISTRANTS TO REREGISTER ANNUALLY; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; TO AMEND SECTION 99-19-35, MISSISSIPPI CODE OF 1972, TO PROHIBIT APPOINTMENT OR ELECTION OF PERSONS ON THE REGISTRY TO CERTAIN OFFICES OR EMPLOYMENT; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2537:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-13-15, MISSISSIPPI CODE OF 1972, TO REDUCE A VIOLATION OF THE ARTICLE THAT REGULATES THE SALE AND STORAGE OF FIREWORKS FROM A FELONY TO A MISDEMEANOR; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2538:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO USES OR THREATENS TO USE FORCE AS PERMITTED IN THIS SECTION IS JUSTIFIED AND IS IMMUNE FROM CRIMINAL PROSECUTION AND CIVIL ACTION; TO AUTHORIZE A LAW ENFORCEMENT AGENCY TO INVESTIGATE THE USE OF FORCE; TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM ARRESTING THE PERSON WHO USED THE FORCE OR THREATENED TO USE THE FORCE UNLESS THE AGENCY DETERMINES THAT THERE IS PROBABLE CAUSE THAT THE FORCE THAT USED OR THREATENED WAS UNLAWFUL; TO REQUIRE THE COURT TO AWARD CERTAIN DAMAGES INCURRED BY THE DEFENDANT IN DEFENSE OF ANY CIVIL ACTION BROUGHT BY A PLAINTIFF IF THE COURT FINDS THAT THE DEFENDANT IS IMMUNE FROM CRIMINAL PROSECUTION UNDER THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2539:** Judiciary, Division B

AN ACT TO REVISE EXISTING SCRAP METAL LAW BY RELOCATING THE EXISTING PROVISIONS TO A NEW CHAPTER 18 OF TITLE 97, MISSISSIPPI CODE OF 1972, AND REVISING THE SAME; TO CREATE NEW SECTION 97-18-1, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI SCRAP METAL ACT; TO CREATE NEW SECTION 97-18-3, MISSISSIPPI CODE OF 1972, TO ENACT DEFINITIONS; TO CREATE NEW SECTION 97-18-5, MISSISSIPPI CODE OF 1972, TO REQUIRE SCRAP METAL DEALERS TO MAINTAIN CERTAIN RECORDS; TO CREATE NEW SECTION 97-18-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT DEALERS PHOTOGRAPH METAL PROPERTY; TO CREATE NEW SECTION 97-18-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECORDS AND PROPERTY WILL

BE SUBJECT TO CERTAIN INSPECTIONS; TO CREATE NEW SECTION 97-18-11, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR LAW ENFORCEMENT HOLD NOTICES; TO CREATE NEW SECTION 97-18-13, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE MAKING OF FALSE STATEMENTS TO DEALERS; TO CREATE NEW SECTION 97-18-15, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN CASH TRANSACTIONS; TO CREATE NEW SECTION 97-18-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN FAILURES TO COMPLY CONSTITUTE PRIMA FACIE EVIDENCE OF VIOLATION; TO CREATE NEW SECTION 97-18-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN SALES OF BEER KEGS AND SYRUP TANKS; TO CREATE NEW SECTION 97-18-21, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN SALES OF CEMETERY BRONZE; TO CREATE NEW SECTION 97-18-23, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN SALES OF MANHOLE AND OTHER COVERS; TO CREATE NEW SECTION 97-18-25, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN SALES OF AIR CONDITIONING PARTS; TO CREATE NEW SECTION 97-18-27, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN SALES OF CATALYTIC CONVERTERS NOT ATTACHED TO A VEHICLE; TO CREATE NEW SECTION 97-18-29, MISSISSIPPI CODE OF 1972, TO PROHIBIT PURCHASES FROM CERTAIN MINORS; TO CREATE NEW SECTION 97-18-31, MISSISSIPPI CODE OF 1972, TO PROVIDE PUNISHMENT FOR CERTAIN VIOLATIONS; TO CREATE NEW SECTION 97-18-33, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CONFLICT OF LAW; TO CREATE NEW SECTION 97-18-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR STATEWIDE APPLICATION; TO CREATE NEW SECTION 97-18-37, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR PREEMPTION OF CERTAIN LOCAL ORDINANCES; TO CREATE NEW SECTION 97-18-101, MISSISSIPPI CODE OF 1972, TO REQUIRE REGISTRATION; TO CREATE NEW SECTION 97-18-103, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE AUTHORITY OF THE SECRETARY OF STATE IN ENFORCING THIS ACT; TO CREATE NEW SECTION 97-18-105, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CERTAIN JUDICIAL REVIEW PROCESSES; TO REPEAL SECTIONS 97-17-71, 97-17-71.1 AND 97-17-71.2, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE SCRAP METAL DEALER LAW THAT IS SUBSUMED BY THE SUBSTANCE OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane, Barrett

**S. B. No. 2540:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-71, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIME OF RAPE; TO AMEND SECTION 97-3-101, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR THE CRIME OF RAPE; TO AMEND SECTION 97-3-69, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 97-3-99, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES A DEFENSE OF MARRIAGE TO CRIMES RELATED TO SEXUAL BATTERY; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2541:** Judiciary, Division B

AN ACT TO CREATE THE OFFENSE OF RECKLESS ENDANGERMENT AND TO PRESCRIBE PENALTIES THEREFOR; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2542:** Judiciary, Division B

AN ACT TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT RELATED TO THE DETERMINATION OF INDIGENCY; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2543:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE

DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIO-VISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THE COMMISSIONER OF PUBLIC SAFETY WITH THE AUTHORITY TO ESTABLISH THE MINIMUM QUALIFICATIONS AND SALARIES FOR EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTIONS 45-2-1 AND 45-2-31, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ALTERNATIVE SOURCE OF FUNDING TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS FUND AND THE OTHER SAFETY OFFICIALS DEATH BENEFITS TRUST FUND; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE REGISTRATION OF CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2544:** Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-153, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DISPOSITION OF FINES COLLECTED BY THE YOUTH COURT; TO AMEND SECTION 43-21-205, MISSISSIPPI CODE OF 1972, TO CLARIFY PAYMENT OF COURT COSTS, FINES AND FEES IN YOUTH COURT PROCEEDINGS; TO AMEND SECTION 43-21-605, MISSISSIPPI CODE OF 1972, TO CLARIFY PAYMENT OF COURT COSTS, FINES AND FEES IN DELINQUENCY CASES; TO AMEND SECTION 43-21-607, MISSISSIPPI CODE OF 1972, TO CLARIFY PAYMENT OF COURT COSTS, FINES AND FEES IN CHILD-IN-NEED-OF-SUPERVISION CASES; TO AMEND SECTION 43-21-615, MISSISSIPPI CODE OF 1972, TO CLARIFY COSTS OF TREATMENT ORDERED IN YOUTH COURT CASES; TO AMEND SECTION 43-21-619, MISSISSIPPI CODE OF 1972, TO REVISE THE RESPONSIBILITY OF THE CHILD OR A PARENT, GUARDIAN OR CUSTODIAN OF THE CHILD TO PAY FOR TREATMENT; TO AMEND SECTION 43-21-753, MISSISSIPPI CODE OF 1972, TO REVISE THE FEE A CHILD MIGHT BE ASSESSED FOR PARTICIPATION IN TEEN COURT; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2545:** Judiciary, Division B

AN ACT TO CODIFY SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO PROVIDE REQUIREMENTS FOR THE PURCHASE, POSSESSION AND SALE OF CERTAIN CATALYTIC CONVERTERS NOT ATTACHED TO A MOTOR VEHICLE; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THESE REQUIREMENTS; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 97-17-71.1, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY DETACHED CATALYTIC CONVERTER TO BE REGISTERED WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, England, Suber, McCaughn

**S. B. No. 2546:** Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO HARVEY SCOTT HANEY OF CLARKE COUNTY, MISSISSIPPI.

By Senator(s) Tate

**S. B. No. 2547:** Judiciary, Division B

AN ACT TO CRIMINALIZE THE DISCHARGE OF A FIREARM WITHIN OR INTO THE LIMITS OF ANY MUNICIPALITY; TO PROVIDE THAT A PERSON CONVICTED OF DISCHARGING A FIREARM WITHIN OR INTO THE LIMITS OF ANY MUNICIPALITY MAY BE SENTENCED FOR A MISDEMEANOR UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE EXCEPTIONS TO THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2548:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ORGANIZED RETAIL THEFT AND ORGANIZED RETAIL THEFT ENTERPRISE; TO AMEND SECTION 97-43-3.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2549:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF SHOPLIFTING AND THE GRAVITY OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2550:** Judiciary, Division B

AN ACT TO AMEND SECTION 19-25-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN SHERIFFS TO APPOINT AS AUXILIARY DEPUTIES TRIBAL LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED BY A FEDERALLY RECOGNIZED INDIAN TRIBE THAT HAS TRUST LANDS LOCATED WITHIN THIS STATE; TO AMEND SECTION 45-6-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH A TRIBAL LAW ENFORCEMENT OFFICER IS NOT SUBJECT TO FURTHER LICENSURE UNDER TITLE 45, CHAPTER 11, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2551:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO EXCLUDE NONFUNCTIONING WINDOW AIR CONDITIONER UNITS AND STAINLESS STEEL SINKS FROM THE REGULATION OF SCRAP-METAL SALES; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2552:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF OFFENSES THAT ARE DESIGNATED AS CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2553:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE POSSESSION OF A WEAPON BY CERTAIN MISDEMEANANTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2554:** Judiciary, Division B; Corrections

AN ACT TO AUTHORIZE A PROCEDURE CONSISTENT WITH DECISIONS OF THE UNITED STATES SUPREME COURT AND THE MISSISSIPPI SUPREME COURT FOR THE PAROLE OF CERTAIN OFFENDERS WHO WERE UNDER THE AGE OF EIGHTEEN WHEN THEY COMMITTED THE CRIMES FOR WHICH THEY ARE

SENTENCED; TO PROVIDE FOR THE PROCEDURE TO BE FOLLOWED BEFORE CERTAIN JUVENILE OFFENDERS MAY BE SENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Thompson

**S. B. No. 2555:** Judiciary, Division B

AN ACT TO PROHIBIT RETAIL FOOD ESTABLISHMENTS FROM IMPOSING COST-PLUS PRICING FORMULAS WITHOUT PUBLICLY POSTING NOTICE OF THE COST-PLUS PRICING FORMULA; TO PROVIDE A PENALTY FOR THE CRIME; TO PROVIDE THAT A VIOLATION OF THE SECTION SHALL CONSTITUTE AN UNLAWFUL TRADE PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2556:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-1-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR DRIVING OR OPERATING A MOTOR VEHICLE WITHOUT FIRST SECURING AN OPERATOR'S LICENSE; TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR THE FAILURE OF AN OWNER OR OPERATOR OF A MOTOR VEHICLE TO HAVE A VEHICLE LIABILITY INSURANCE CARD IN THE MOTOR VEHICLE DURING OPERATION; TO AMEND SECTION 63-3-401, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR A DRIVER WHO FAILS TO STOP HIS OR HER VEHICLE THAT IS INVOLVED IN AN ACCIDENT RESULTING IN INJURY TO OR THE DEATH OF A PERSON; TO AMEND SECTION 63-3-403, MISSISSIPPI CODE OF 1972, TO SPECIFY A PENALTY FOR A DRIVER WHO FAILS TO STOP HIS OR HER VEHICLE THAT IS INVOLVED IN AN ACCIDENT RESULTING ONLY IN DAMAGE TO ANY OTHER VEHICLE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2557:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-3-41, MISSISSIPPI CODE OF 1972, TO PROMOTE COMMUNICATIONS INTEROPERABILITY BETWEEN THE MISSISSIPPI HIGHWAY SAFETY PATROL AND CERTAIN LOCAL LAW ENFORCEMENT AGENCIES; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Tate, Barrett, McLendon, McCaughn

**S. B. No. 2558:** Judiciary, Division B

AN ACT TO CRIMINALIZE THE DISCHARGE OF A FIREARM WITHIN OR INTO THE LIMITS OF ANY PUBLIC PARK; TO PROVIDE A CRIMINAL PENALTY; TO PROVIDE EXCEPTIONS TO THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2559:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 43-47-7 AND 81-5-55, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN INFORMATION AVAILABLE TO THE SECRETARY OF STATE IN CERTAIN CASES OF EXPLOITATION OR SUSPECTED EXPLOITATION OF A VULNERABLE PERSON; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2560:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR SIMPLE POSSESSION OF SMALLER AMOUNTS OF METHAMPHETAMINE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2561:** Judiciary, Division B

AN ACT TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO REVISE CAPACITY TO CONTRACT FOR CERTAIN MINORS UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2562:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS MAY PETITION THE CIRCUIT COURT TO EXPUNGE A FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2563:** Judiciary, Division B

AN ACT TO CRIMINALIZE THE UNAUTHORIZED POSSESSION AND TRANSFER OF A PILL PRESS; TO INCLUDE SIMILAR DEVICES WITHIN THE OFFENSE; TO PROVIDE A PENALTY FOR VIOLATION; TO REQUIRE REGISTRATION WITH THE MISSISSIPPI BUREAU OF NARCOTICS, UNLESS THE PILL PRESS IS AUTHORIZED BY THE BOARD OF PHARMACY OR OTHER LAWFUL ENTITY; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Boyd, Tate

**S. B. No. 2564:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2565:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 21-23-8, 99-5-9 AND 99-5-11, MISSISSIPPI CODE OF 1972, TO PROVIDE A PROCEDURE TO DETERMINE BAIL FOR INDIGENT DEFENDANTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2566:** Elections; Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTION 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER

THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHO WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; AND FOR RELATED PURPOSES.  
By Senator(s) Blackmon

**S. B. No. 2567:** Elections

AN ACT TO AMEND SECTION 23-15-359, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF A POST OFFICE BOX NUMBER AS A QUALIFYING ADDRESS FOR A CANDIDATE FILING TO RUN FOR PUBLIC OFFICE AND TO REQUIRE THE CANDIDATE TO PROVIDE A PHYSICAL ADDRESS FOR HIS OR HER PLACE OF RESIDENCE; AND FOR RELATED PURPOSES.  
By Senator(s) Norwood, Simmons (12th), Thomas

**S. B. No. 2568:** Elections; Judiciary, Division B

AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE PUNISHMENT FOR THE CRIME OF VOTE FRAUD TO A FINE NOT LESS THAN \$1,000.00 AND A TERM OF IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS THAN ONE YEAR; AND FOR RELATED PURPOSES.  
By Senator(s) Seymour, Tate

**S. B. No. 2569:** Elections

AN ACT TO AMEND SECTION 23-15-309, MISSISSIPPI CODE OF 1972, TO EXTEND THE QUALIFYING DEADLINE FOR MUNICIPAL PRIMARY ELECTIONS FOR A CERTAIN PERIOD IF THE MUNICIPALITY ANNEXES AN UNINCORPORATED AREA WITHIN A CERTAIN PERIOD OF THE ELECTION; AND FOR RELATED PURPOSES.  
By Senator(s) Turner-Ford

**S. B. No. 2570:** Elections

AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FOR ELECTION COMMISSIONERS; TO AMEND SECTIONS 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Tate

**S. B. No. 2571:** Elections

AN ACT TO AMEND SECTION 23-15-911, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONCE THE DATE OF EXAMINATION OF THE BALLOT BOX HAS BEEN NOTICED TO ALL PARTIES, THE DATE OF EXAMINATION SHALL NOT BE RESCHEDULED UNLESS THE CIRCUIT CLERK DETERMINES THAT GOOD CAUSE EXISTS TO RESCHEDULE THE EXAMINATION; AND FOR RELATED PURPOSES.  
By Senator(s) Tate

**S. B. No. 2572:** Elections

AN ACT TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF ELECTION COMMISSIONERS COMPLETING A SKILLS ASSESSMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Tate, Seymour

**S. B. No. 2573:** Elections; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972, TO REQUIRE A SOCIAL MEDIA COMPANY THAT RESTRICTS A CANDIDATE OR ELECTED OFFICIAL TO FILE A REPORT WITH THE SECRETARY OF STATE; TO DEFINE TERMS; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE PRESERVATION AND PUBLIC INSPECTIONS OF ANY REPORTS AS WELL AS A PROCEDURE FOR AN ELECTED OFFICIAL TO ALLEGE A VIOLATION OF THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2574:** Elections; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE ALL NEW ELECTION GUIDANCE FROM THE FEDERAL GOVERNMENT TO BE APPROVED BY THE LEGISLATURE; TO REQUIRE ANY PERSON OR ENTITY WHO INTENDS TO IMPLEMENT NEW ELECTION GUIDANCE FROM THE FEDERAL GOVERNMENT TO PROVIDE NOTICE TO THE GOVERNOR AND THE LEGISLATURE BEFORE A CERTAIN DATE; TO REQUIRE ANY PERSON OR ENTITY THAT COMMUNICATES WITH THE FEDERAL JUSTICE DEPARTMENT CONCERNING ANY NEW ELECTION GUIDANCE FROM THE FEDERAL GOVERNMENT TO PROVIDE NOTICE OF THE COMMUNICATION TO THE GOVERNOR AND LEGISLATURE; TO REQUIRE ALL NEW FUNDS FROM THE FEDERAL GOVERNMENT TO BE APPROVED BY THE LEGISLATURE BEFORE THEY MAY BE ACCEPTED OR DISBURSED; TO REQUIRE ANY PERSON OR ENTITY WHO INTENDS TO ACCEPT OR DISPERSE NEW FUNDS FROM THE FEDERAL GOVERNMENT TO PROVIDE NOTICE TO THE GOVERNOR OR STATE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2575:** Elections

AN ACT TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO PROHIBIT CIRCUIT JUDGES FROM ALLOWING ANY CANDIDATE FOR JUSTICE OF THE SUPREME COURT, JUDGE OF THE COURT OF APPEALS, CIRCUIT JUDGE OR CHANCELLOR TO ADDRESS THE PUBLIC DURING COURT TERMS; TO DELETE THE PROHIBITION AGAINST ANY CANDIDATE FOR JUSTICE OF THE SUPREME COURT, JUDGE OF THE COURT OF APPEALS, CIRCUIT JUDGE OR CHANCELLOR ALIGNING HIMSELF OR HERSELF WITH ANY CANDIDATE OR CANDIDATES FOR ANY OTHER OFFICE OR WITH ANY POLITICAL FACTION OR ANY POLITICAL PARTY AT ANY TIME DURING ANY PRIMARY OR GENERAL ELECTION CAMPAIGN; TO DELETE THE PENALTY FOR DOING SO; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2576:** Elections; Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT CONTRIBUTIONS TO A CANDIDATE OR CANDIDATE'S POLITICAL COMMITTEE FOR NONPARTISAN JUDICIAL OFFICE IF THE CONTRIBUTION IS NOT REPORTED AS A CONTRIBUTION BEFORE THE DATE OF THE ELECTION; TO REQUIRE A POLITICAL COMMITTEE OF A CANDIDATE FOR NONPARTISAN JUDICIAL OFFICE TO OPEN A CHECKING ACCOUNT WITH A BANK AND DEPOSIT AND DISBURSE FUNDS TO BE USED IN THE CAMPAIGN FROM THE ACCOUNT; TO PROHIBIT A POLITICAL COMMITTEE OF A CANDIDATE FOR NONPARTISAN JUDICIAL OFFICE FROM BORROWING MONEY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2577:** Elections

AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO ADJUST THE AMOUNT OF REPORTS A CANDIDATE FOR JUDICIAL OFFICE IS REQUIRED TO FILE; TO REQUIRE ALL POLITICAL CANDIDATES TO DISCLOSE ALL CAMPAIGN CONTRIBUTIONS AND EXPENSES; TO REQUIRE CANDIDATES FOR JUDICIAL OFFICE TO MAKE CERTAIN ADDITIONAL DISCLOSURES; TO AMEND

SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ATTORNEY GENERAL TO ENFORCE VIOLATIONS OF THE ARTICLE THAT GOVERNS THE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2578:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 47-5-35, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES, RESPONSIBILITIES AND TITLE OF THE CORRECTIONAL AUDITOR; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2579:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 47-5-36, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OFFICE OF THE DEPARTMENT OF CORRECTIONS OMBUDSMAN AND PRESCRIBE ITS POWERS AND DUTIES; TO PROVIDE FOR A CORRECTIONS OVERSIGHT COMMITTEE; TO PROVIDE INSPECTION AUTHORITY FOR THE OFFICE OF OMBUDSMAN; TO PROVIDE COMPLAINT INVESTIGATION AUTHORITY; TO PROVIDE FOR AN ANNUAL REPORT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2580:** Corrections; Appropriations

AN ACT TO AMEND SECTIONS 47-5-901 AND 47-5-903, MISSISSIPPI CODE OF 1972, TO ALLOW AN INMATE PLACED UNDER THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS TO SERVE ALL OR PART OF HIS SENTENCE IN THE COUNTY REQUESTED BY A SHERIFF OR BOARD OF SUPERVISORS OUTSIDE THE COUNTY OF CONVICTION UPON CERTAIN CONDITIONS; TO INCREASE THE MAXIMUM PER DAY COST PER PRISONER; TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Tate, Suber, Boyd, McCaughn, McLendon

**S. B. No. 2581:** Corrections; Judiciary, Division B

AN ACT TO ENACT THE "REENTRY COURT ACT OF 2022"; TO DEFINE TERMS; TO AUTHORIZE PILOT REENTRY COURTS IN CERTAIN COUNTIES; TO GRANT THE NECESSARY JURISDICTION TO REENTRY COURTS TO EFFECTUATE THE PURPOSES OF THIS ACT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO REQUIRE REENTRY COURTS TO WORK IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND THE MISSISSIPPI INTERVENTION COURT COMMISSION TO ESTABLISH BEST PRACTICES; TO REQUIRE THE REENTRY COURT TO ENSURE THAT A DEFENDANT CONSENTS TO BE SENTENCED TO THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AFTER CERTAIN DISCLOSURES TO THE DEFENDANT; TO AUTHORIZE THE REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY SECOND OR SUBSEQUENT OFFENDER TO SENTENCE THE DEFENDANT TO THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SUBJECT TO PARTICIPATION IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM; TO PROVIDE THAT UPON SUCCESSFUL COMPLETION OF THE PROGRAM AND ANY OTHER TERMS REQUIRED BY THE REENTRY COURT, THE REENTRY COURT SHALL SUSPEND THE REMAINDER OF THE DEFENDANT'S SENTENCE AND PLACE THE DEFENDANT ON INTENSIVE SUPERVISION OF THE REENTRY COURT; TO PROVIDE THAT IN THE EVENT OF A DEFENDANT FAILING TO COMPLETE THE PROGRAM, THE REENTRY COURT SHALL ORDER THE DEFENDANT TO SERVE ALL OR PART OF THE REMAINDER OF THE SENTENCE FOR THE ORIGINAL CHARGE; TO PROVIDE PUNISHMENTS FOR THE VIOLATION OF PROBATION; TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM

MENTIONING OR OFFERING PARTICIPATION IN THE PROGRAM AS AN INDUCEMENT TO ANY PERSON ACCUSED OF A CRIME; TO REQUIRE PEER TO FILE A REPORT WITH THE LEGISLATURE; TO PROVIDE THAT THE ACT SHALL REPEAL ON A DATE CERTAIN; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2582:** Corrections; Judiciary, Division B

AN ACT TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO ESTABLISH A WORK RELEASE PROGRAM IN COOPERATION WITH ANY SHERIFF; TO PROVIDE THAT PARTICIPANTS SHALL BE HOUSED BY THE SHERIFF; TO PROHIBIT PARTICIPATION OF ANY INMATE SENTENCED FOR A SEX CRIME; TO STATE THE GOALS OF THE WORK RELEASE PROGRAM; TO REQUIRE THE COMMISSIONER TO COLLECT DATA AND TRANSMIT THE DATA TO THE PEER COMMITTEE; TO SET FORTH ELIGIBILITY REQUIREMENTS; TO ESTABLISH A PROCEDURE FOR THE WORK RELEASE PROGRAM; TO REQUIRE PEER TO REVIEW THE WORK RELEASE PROGRAMS CREATED UNDER THIS ACT AND TO FILE A REPORT WITH THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2583:** Corrections; Appropriations

AN ACT TO ENACT THE "MISSISSIPPI JUSTICE REINVESTMENT ACT"; TO CREATE THE MISSISSIPPI JUSTICE REINVESTMENT FUND TO INCENTIVIZE EFFECTIVE STRATEGIES TO ASSIST FORMER INMATES IN THEIR RETURN TO THE GENERAL POPULATION, TO REDUCE THE RECIDIVISM RATES OF INMATES, TO INCREASE PUBLIC SAFETY AND TO REDUCE BUDGETARY CONSTRAINTS PRESENTLY CREATED BY PRISON-RELATED COSTS; TO CREATE THE JUSTICE REINVESTMENT STEERING COMMITTEE WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PRESCRIBE THE DUTIES OF THE COMMITTEE; TO REQUIRE THE COMMITTEE TO APPROVE OR DENY REQUESTS FOR DISBURSEMENTS FROM THE JUSTICE REINVESTMENT FUNDS; TO PROVIDE FOR APPOINTMENT OF THE COMMITTEE; TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CALL THE FIRST MEETING OF THE COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2584:** Corrections; Judiciary, Division B

AN ACT TO ENACT THE "REENTRY COURT ACT OF 2022"; TO DEFINE TERMS; TO AUTHORIZE PILOT REENTRY COURTS IN CERTAIN COUNTIES; TO GRANT THE NECESSARY JURISDICTION TO REENTRY COURTS TO EFFECTUATE THE PURPOSES OF THIS ACT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO REQUIRE REENTRY COURTS TO WORK IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND THE MISSISSIPPI INTERVENTION COURT COMMISSION TO ESTABLISH BEST PRACTICES; TO REQUIRE THE REENTRY COURT TO ENSURE THAT A DEFENDANT CONSENTS TO BE SENTENCED TO THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AFTER CERTAIN DISCLOSURES TO THE DEFENDANT; TO AUTHORIZE THE REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY SECOND OR SUBSEQUENT OFFENDER TO SENTENCE THE DEFENDANT TO THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SUBJECT TO PARTICIPATION IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM; TO PROVIDE THAT UPON SUCCESSFUL COMPLETION OF THE PROGRAM AND ANY OTHER TERMS REQUIRED BY THE REENTRY COURT, THE REENTRY COURT SHALL SUSPEND THE REMAINDER OF THE DEFENDANT'S SENTENCE AND PLACE THE DEFENDANT ON INTENSIVE SUPERVISION OF THE REENTRY COURT; TO PROVIDE THAT IN THE EVENT OF A DEFENDANT FAILING TO COMPLETE THE PROGRAM, THE REENTRY COURT SHALL ORDER THE DEFENDANT TO SERVE ALL OR PART OF THE REMAINDER OF THE SENTENCE FOR THE ORIGINAL CHARGE; TO PROVIDE PUNISHMENTS FOR THE VIOLATION

OF PROBATION; TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM MENTIONING OR OFFERING PARTICIPATION IN THE PROGRAM AS AN INDUCEMENT TO ANY PERSON ACCUSED OF A CRIME; TO REQUIRE PEER TO FILE A REPORT WITH THE LEGISLATURE; TO PROVIDE THAT THE ACT SHALL REPEAL ON A DATE CERTAIN; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2585:** Labor; Judiciary, Division A

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE DEFINITIONS; TO PROVIDE ENTITLEMENT REQUIREMENTS AND CONDITIONS FOR PAID LEAVE; TO AUTHORIZE INTERMITTENT OR REDUCED LEAVE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED WITH SIMILAR PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2586:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO DEFINE EMPLOYERS AND EMPLOYEES SUBJECT TO THE MINIMUM WAGE LAW; TO EMPOWER THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO ENFORCE AND ADMINISTER THE PROVISIONS OF THE MINIMUM WAGE LAW; TO PROVIDE CRIMINAL PENALTIES AND A CIVIL CAUSE OF ACTION AGAINST EMPLOYERS FOR VIOLATIONS OF THE MINIMUM WAGE LAW; TO AMEND SECTION 17-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING AUTHORITIES, IN THEIR DISCRETION, TO MANDATE A WAGE THAT IS MORE THAN THE STATE MINIMUM WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood, Jordan, Thomas, Hickman, Simmons (13th)

**S. B. No. 2587:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-9-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN MOVING VIOLATIONS UNDER TITLE 63 AGAINST THE HOLDER OF THE COMMERCIAL DRIVER'S LICENSE SHALL BE TREATED AS IF THE MOVING VIOLATION WAS AGAINST A PERSON WHO ONLY HOLDS A REGULAR DRIVER'S LICENSE; TO EXEMPT MOVING VIOLATIONS UNDER CHAPTER 11 OF TITLE 63 FROM THIS REQUIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Tate, Wiggins, Suber, Williams, McCaughn, Thompson, Simmons (12th), Whaley

**S. B. No. 2588:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ONLINE VOTER REGISTRATION FOR FIRST-TIME VOTERS; TO AMEND SECTIONS 23-15-13, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2589:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-357, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT CERTAIN WORDS SHALL BE PRINTED ON THE FRONT OF ALL PAPER BALLOTS ISSUED UNDER THE AUTHORITY OF TITLE 23; TO AMEND SECTION 23-15-649, MISSISSIPPI CODE OF 1972, TO REQUIRE AN OFFICIAL WATERMARK ON ALL ABSENTEE VOTER BALLOTS; TO REQUIRE THE SECRETARY OF STATE TO FURNISH THE OFFICIAL WATERMARK; TO AMEND SECTIONS 23-15-333, 23-15-367, 23-15-639 AND 23-15-649, MISSISSIPPI CODE OF

1972, TO CONFORM; TO BRING FORWARD SECTIONS 23-15-359 AND 23-15-361 FOR POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2590:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 23-15-153.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE SECRETARY OF STATE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO COMPARE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM (SEMS) WITH PUBLIC RECORDS TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE IN THIS STATE, TO PROVIDE THAT IF EVIDENCE EXISTS THAT A PARTICULAR REGISTERED VOTER IS NOT A CITIZEN, THE SYSTEM SHALL NOTIFY THE REGISTRAR WHO SHALL NOTIFY THE REGISTERED VOTER TO PROVIDE PROOF OF CITIZENSHIP, TO PRESCRIBE CRITERIA FOR PROOF OF CITIZENSHIP, TO PROVIDE THAT IF THE VOTER DOES NOT PROVIDE SUCH PROOF, THE REGISTRAR SHALL PURGE HIS NAME FROM THE SYSTEM, TO PROVIDE FOR AN APPEAL FROM SUCH DECISION, AND TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2591:** Elections; Accountability, Efficiency, Transparency

AN ACT TO ENACT THE "MISSISSIPPI ELECTION REFORM ACT OF 2022"; TO CODIFY A NEW SECTION TO ENSURE THAT ONLY CITIZEN'S OF THE UNITED STATES BE PERMITTED TO VOTE IN MISSISSIPPI; TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972 TO PROVIDE THAT AN ELIGIBLE, UNREGISTERED PERSON MAY REGISTER TO VOTE ONLINE; TO CODIFY NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY REGISTRAR OR COUNTY ELECTION COMMISSION SHALL REMOVE FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM THOSE ELECTORS WHO FAIL TO RESPOND TO A CONFIRMATION NOTICE FOR A PERIOD OF CONSECUTIVE YEARS; TO DEFINE TERMS; TO REQUIRE ELECTION COMMISSIONERS TO SEND REGISTERED ELECTORS WHO DO NOT VOTE FOR A CERTAIN PERIOD A CONFIRMATION NOTICE; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO CODIFY NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO REGULATE THE REVIEW, CERTIFICATION, DECERTIFICATION AND IMPLEMENTATION OF VOTING SYSTEMS; TO AMEND SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI CODE OF 1972, TO DELETE THE OPTION OF MARKING ELECTION BALLOTS WITH INDELIBLE PENCIL; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION FOR AN ABSENTEE ELECTOR'S BALLOT; TO AMEND SECTION 23-15-1053, MISSISSIPPI CODE OF 1972, TO REQUIRE POLITICAL PARTIES THAT SEEK REGISTRATION IN MISSISSIPPI TO SELECT INTERIM OFFICERS TO FULFILL THE REGISTRATION REQUIREMENTS OF THE ARTICLE; TO AMEND SECTIONS 23-15-13, 23-15-33, 23-15-35, 23-15-37, 23-15-39, 23-15-41, 23-15-79, 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES DOCUMENTATION OF NATURALIZED PERSONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2592:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-851, MISSISSIPPI CODE OF 1972, TO PROVIDE WHAT OCCURRENCES CONSTITUTE A VACANCY IN EITHER HOUSE OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2593:** Elections; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE SECRETARY OF STATE TO CONDUCT A STUDY ON THE FEASIBILITY OF ALLOWING STUDENTS WHO ARE REGISTERED VOTERS WHO ARE ATTENDING SCHOOL OUTSIDE THE COUNTY IN WHICH THEY ARE REGISTERED, TO VOTE IN ANY ELECTION HELD IN THIS STATE FROM THE LOCATION WHERE THEY ARE ATTENDING SCHOOL THROUGH THE USE OF THE INTERNET; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2594:** Municipalities; Judiciary, Division A

AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AN ELECTION BE HELD IN ANY PART OF A COUNTY WHICH IS THE SUBJECT OF A MUNICIPAL ANNEXATION OR REMOVAL ORDINANCE; TO PROVIDE THAT THE COSTS OF THE ELECTION SHALL BE PAID BY THE GOVERNING AUTHORITY OF THE MUNICIPALITY THAT IS SEEKING THE ANNEXATION OR REMOVAL OF THE PROPOSED TERRITORY IN THE COUNTY; TO AMEND SECTION 21-1-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MUNICIPAL AUTHORITIES TO PAY ATTORNEY'S FEES AND ALL COSTS OF COURT WHEN APPEALING THE ELECTION RESULTS; TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHANCELLOR MAY CONSIDER ELECTION RESULTS AS EVIDENCE; TO AMEND SECTIONS 21-1-35 AND 21-1-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO REPEAL SECTION 21-1-29, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A MUNICIPAL ENLARGEMENT OR CONTRACTION PETITION TO BE FILED IN CHANCERY COURT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2595:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT UNIFORM REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF CRIMINAL PROCEDURE; TO AUTHORIZE THE CREATION OF AN ADVISORY COMMITTEE TO PROMOTE TRANSPARENCY BY FACILITATING THE AVAILABILITY OF COMPARABLE AND UNIFORM COUNTY JAIL CENSUS DATA; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2596:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO PRE-RELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO

BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2597:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SUPERVISION INFRACTION" AND TO REVISE THE DEFINITION OF THE TERM "TECHNICAL VIOLATION" FOR PURPOSES OF PROBATION AND PAROLE; TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI PAROLE BOARD SHALL IMPOSE GRADUATED SANCTIONS RATHER THAN REVOKE PAROLE FOR SUPERVISION INFRACTIONS; TO AMEND SECTION 47-7-34, MISSISSIPPI CODE OF 1972, TO LIMIT THE TERM OF POST-RELEASE SUPERVISION TO TWO YEARS; TO AMEND SECTION 47-7-37, MISSISSIPPI CODE OF 1972, TO LIMIT THE TERM OF PROBATION TO TWO YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2598:** Corrections; Judiciary, Division B

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO POST-RELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2599:** Judiciary, Division B; Constitution

AN ACT TO PROVIDE THAT THE GOVERNOR MAY RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT A PERSON SHALL BE ENFRANCHISED AFTER COMPLETING ANY SENTENCE AND PAYING ANY FINES IMPOSED BY THE SENTENCING COURT FOR SUCH CRIME; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS OR THE SENTENCING COURT, WHICHEVER IS APPROPRIATE, TO ISSUE A WRITTEN REPORT TO THE GOVERNOR ON PERSONS WHO MEET THE REQUISITE CONDITIONS FOR RESTORATION OF SUFFRAGE RIGHTS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO PRESENTS AN EXECUTIVE ORDER RESTORING THE RIGHT OF SUFFRAGE SHALL NOT BE DENIED THE RIGHT TO REGISTER TO VOTE BASED ON A CONVICTION OF A DISENFRANCHISING CRIME; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK SHALL KEEP A FILE OF CERTIFIED COPIES OF EXECUTIVE ORDERS RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE BY EXECUTIVE ORDER IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS BEEN ISSUED AN EXECUTIVE ORDER RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 47-7-41, 47-5-157 AND 47-7-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO INVESTIGATE AND ISSUE REGULAR WRITTEN REPORTS TO THE GOVERNOR ON THOSE PERSONS WHO SHOULD BE CONSIDERED FOR EXECUTIVE PARDON; TO CREATE A SECTION OF LAW TO PROVIDE THAT ANY PERSON GRANTED AN EXECUTIVE PARDON SHALL BE ENTITLED TO HAVE HIS OR HER RECORD EXPUNGED; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2600:** Corrections

AN ACT TO ENACT THE COMMUNITY REBOUND ACT OF 2022; TO DEFINE TERMS; TO PROVIDE FOR THE ALLOCATION OF FUNDS; TO REQUIRE THE DIVISION OF COMMUNITY OF CORRECTIONS TO DEFINE AND TRACK SPECIFIC OUTCOME-BASED MEASURES; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, IN CONSULTATION WITH THE DIVISION OF COMMUNITY CORRECTIONS TO CALCULATE THE MARGINAL COST OF INCARCERATION FOR PRISON; TO REQUIRE THE DIVISION OF COMMUNITY CORRECTIONS TO GATHER DATA TO CALCULATE CERTAIN PROGRAM RATES; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, TO CALCULATE THE AMOUNT THAT EACH SUPERVISION JURISDICTION IS ELIGIBLE TO RECEIVE AS AN INCENTIVE PAYMENT FOR REDUCING PROBATION AND PAROLE FAILURE RATES IN THE MOST RECENTLY COMPLETED FISCAL YEAR; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO SUBMIT A COMPREHENSIVE REPORT TO CERTAIN ENTITIES; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2601:** Judiciary, Division B

AN ACT TO CREATE THE MISSISSIPPI PINK ALERT SYSTEM ACT OF 2022; TO PROVIDE CERTAIN DEFINITIONS; TO PROVIDE THE CRITERIA TO REQUEST AN ACTIVATION FOR A PINK ALERT; TO PROVIDE THE CRITERIA FOR ACTIVATION OF A PINK ALERT; TO PROVIDE CERTAIN DUTIES OF LOCAL LAW ENFORCEMENT

AGENCIES AND THE DEPARTMENT OF PUBLIC SAFETY RELATING TO THE IMPLEMENTATION OF THE ACT; TO PROVIDE THE PROCEDURE THAT LAW ENFORCEMENT AGENCIES AND THE DEPARTMENT OF PUBLIC SAFETY MUST FOLLOW WHEN A MISSING PERSON CASE DOES NOT MEET THE PINK ALERT CRITERIA; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2602:** Labor; Judiciary, Division A

AN ACT TO CREATE THE "BAN THE BOX ACT"; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN PUBLIC EMPLOYERS FROM USING CRIMINAL HISTORY INFORMATION AS A PRELIMINARY BAR TO EMPLOYMENT; TO PROVIDE FOR JURISDICTION OVER COMPLAINTS FOR VIOLATION OF THE TERMS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2603:** Labor; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 45-6-16, MISSISSIPPI CODE OF 1972, TO CREATE A RIGHT TO FOLLOW-UP TESTING FOR A LAW ENFORCEMENT OFFICER WHO TESTS POSITIVE FOR ILLEGAL DRUG USE AND TO PROVIDE FOR TERMS OF SUSPENSION PENDING THE RECEIPT OF RESULTS FROM THE FOLLOW-UP TEST; TO AMEND SECTION 45-6-17, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Boyd

**S. B. No. 2604:** Energy

AN ACT TO CREATE THE MISSISSIPPI BROADBAND EXPANSION ACT; TO DEFINE TERMS USED IN THE ACT; TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) BROADBAND COMMISSION FOR THE PURPOSE OF REVIEWING APPLICATIONS FOR FUNDING BROADBAND INFRASTRUCTURE PROJECTS AND MAKING RECOMMENDATIONS TO THE LEGISLATURE OF THE PROJECTS TO BE FUNDED USING ARPA FUNDS; TO PROVIDE FOR THE MEMBERS OF THE COMMISSION AND TO PRESCRIBE POWERS AND DUTIES; TO PROVIDE THAT THE COMMISSION SHALL CONSIDER CERTAIN FACTORS IN MAKING ITS RECOMMENDATIONS; TO REQUIRE THE COMMISSION TO ESTABLISH AND PUBLISH ON ITS WEBSITE ITS CRITERIA FOR COMPETITIVELY SCORING APPLICATIONS; TO REQUIRE AN APPLICANT TO PROVIDE CERTAIN INFORMATION AT A MINIMUM ON THE APPLICATION; TO REQUIRE THE COMMISSION TO MAKE PRELIMINARY RECOMMENDATIONS; TO REQUIRE THE COMMISSION TO ACCEPT COMMENTS AND OBJECTIONS CONCERNING EACH PRELIMINARY RECOMMENDATION; TO REQUIRE THE COMMISSION TO MAKE ITS FINAL RECOMMENDATIONS TO THE LEGISLATURE AFTER CONSIDERING ALL COMMENTS AND OBJECTIONS AND INVESTIGATING THEM AS NEEDED; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2605:** Elections

AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO ESTABLISH A SECURE WEBSITE TO ENABLE STUDENT VOTERS TO SUBMIT ELECTRONIC ABSENTEE BALLOT APPLICATIONS; TO ESTABLISH THE DOCUMENTS WHICH MUST BE SUBMITTED BY THE STUDENT TO APPROVE SUCH APPLICATIONS; TO PROVIDE THAT UPON APPROVAL, STUDENT ABSENTEE VOTERS MAY BE AUTOMATICALLY MAILED ABSENTEE BALLOTS FOR ALL ELECTIONS THAT OCCUR FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTIONS 23-15-627, 23-15-631, 23-15-715 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2606:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CODIFY NEW SECTION 23-15-15.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES A SINGLE TIME TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2607:** Elections

AN ACT TO ESTABLISH THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO PROVIDE THAT MISSISSIPPI CITIZENS WHO RESIDE OUTSIDE THE COUNTY OR MUNICIPALITY OF THEIR RESIDENCE BECAUSE OF THEIR ENROLLMENT AT AN INSTITUTION OF HIGHER LEARNING MAY REQUEST AND RECEIVE AN ABSENT ELECTOR'S BALLOT; TO DEFINE THE TERM "ABSENT VOTER" UNDER THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS AS MAY BE NECESSARY; TO PROVIDE THAT ABSENT VOTERS MUST USE A DULY EXECUTED MISSISSIPPI POSTCARD APPLICATION TO REQUEST AN ABSENTEE BALLOT; TO PROVIDE THAT A REQUEST FOR AN ABSENTEE BALLOT SHALL SERVE AS A REQUEST FOR AN ABSENTEE BALLOT FOR EACH ELECTION HELD WITHIN THE CALENDAR YEAR FOR WHICH THE VOTER IS ELIGIBLE TO VOTE; TO AUTHORIZE THE USE OF ELECTRONIC FACSIMILE DEVICES, POSTAL MAIL AND ELECTRONIC MAIL TO TRANSMIT ABSENTEE BALLOTS, TO RECEIVE VOTED ABSENTEE BALLOTS AND TO RECEIVE COMPLETED MISSISSIPPI POSTCARD APPLICATIONS UNDER THE STUDENT ABSENTEE VOTER ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2608:** Elections; Constitution

AN ACT TO AMEND SECTIONS 23-15-563 AND 23-15-573, MISSISSIPPI CODE OF 1972, TO REDUCE THE LENGTH OF TIME AFTER THE ELECTION WITHIN WHICH A VOTER WHO IS UNABLE TO PRESENT ACCEPTABLE PHOTOGRAPHIC IDENTIFICATION MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE TO PRESENT PHOTOGRAPHIC IDENTIFICATION OR EXECUTE A RELIGIOUS EXEMPTION AFFIDAVIT; TO PROVIDE THAT SUCH VOTERS MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE WITHIN THREE RATHER THAN FIVE DAYS TO ENSURE THAT HIS OR HER BALLOT IS COUNTED; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2609:** Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO REVISE VOTER REGISTRATION FILE FEES; TO PROVIDE THAT AN INDIVIDUAL VOTER MAY OBTAIN ANY VOTER INFORMATION CONTAINED IN THAT VOTER'S RECORD FREE OF CHARGE; TO PROVIDE THAT VOTER REGISTRATION FILES SHALL BE MADE AVAILABLE TO GOVERNMENTAL ENTITIES FOR INVESTIGATIVE PURPOSES OR FOR THE PURPOSE OF JURY SELECTION AND FREE OF CHARGE; TO REQUIRE THE SECRETARY OF STATE TO DEPOSIT MONIES COLLECTED UNDER THIS SECTION IN THE ELECTIONS SUPPORT FUND; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2610:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES

IN THE COUNTIES OF THIS STATE; TO REQUIRE THE REGISTRAR OF EACH COUNTY TO SUBMIT CERTAIN TOTALS TO THE SECRETARY OF STATE WITHIN A PERIOD OF DAYS AFTER AN ELECTION; TO AUTHORIZE THE SECRETARY OF STATE TO CONDUCT AN AUDIT IF A DISCREPANCY IN THE SUBMITTED TOTALS MEETS OR EXCEEDS ENUMERATED THRESHOLDS; TO REQUIRE RANDOM AUDITS; TO PROVIDE CERTAIN PROCEDURES FOR THE AUDIT; TO CREATE NEW SECTION 23-15-617, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A RISK-LIMITING AUDIT FOR ELECTIONS THAT OCCUR AFTER AUGUST 31, 2026; TO REQUIRE THE ELECTION COMMISSIONERS IN CONJUNCTION WITH THE REGISTRARS TO CONDUCT AN AUDIT UPON THE SELECTION OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO SET CERTAIN RISK-LIMITING THRESHOLDS; TO REQUIRE A MANUAL RECOUNT OF AN ELECTION IN THE EVENT OF A DIFFERENCE BETWEEN THE TABULATION FROM THE MANUAL RECOUNT AND THE TABULATION REPORTED FROM A VOTING SYSTEM; TO PROVIDE PROCEDURES FOR THE RISK-LIMITING AUDIT; TO DEFINE THE TERM "AUDITABLE VOTING SYSTEM"; TO PROVIDE WHICH RECORD IS THE OFFICIAL RECORD OF THE VOTE CAST IN THE EVENT OF A RISK-LIMITING AUDIT; TO AUTHORIZE A PILOT PROGRAM FOR AT LEAST FIVE COUNTIES BEGINNING WITH THE ELECTION TAKING PLACE ON NOVEMBER 8, 2022; TO AMEND SECTIONS 23-15-153 AND 23-15-603, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES CERTAIN ELECTION OFFICIALS TO REPORT RESIDUAL VOTES TO THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2611:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IMPUTATION OF INCOME SHALL NOT BE BASED UPON A STANDARD AMOUNT IN LIEU OF FACT-GATHERING; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2612:** Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI FAIR HOUSING ACT"; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO MAKE LEGISLATIVE DECLARATION THAT THE OPPORTUNITY TO OBTAIN HOUSING AND OTHER REAL ESTATE WITHOUT DISCRIMINATION IS A CIVIL RIGHT; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE TRANSACTIONS WITH EXCEPTION; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE FINANCING WITH EXCEPTION; TO PROHIBIT CERTAIN REPRESENTATIONS IN REAL ESTATE TRANSACTIONS; TO PROHIBIT RETALIATION; TO PROVIDE A CIVIL REMEDY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2613:** Judiciary, Division A; Elections

AN ACT TO PROVIDE THAT THE SECRETARY OF STATE SHALL PROMULGATE RULES AND REGULATIONS FOR THE VERIFICATION BY THE REGISTRAR OF A PERSON'S ELIGIBILITY TO BE AN ELECTOR; TO PROVIDE THAT THOSE RULES AND REGULATIONS SHALL ALSO PRESCRIBE THE PROCEDURE FOR VERIFYING A PERSON'S CITIZENSHIP IN THE UNITED STATES; TO AMEND SECTIONS 23-15-33 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

**S. B. No. 2614:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI STATUTORY THRESHOLDS FOR SETTLEMENTS INVOLVING MINORS LAW; TO PROVIDE WHEN A PERSON HAVING LEGAL CUSTODY OF A MINOR MAY ENTER INTO A SETTLEMENT AGREEMENT WITH A PERSON AGAINST WHOM THE MINOR HAS A CLAIM; TO PROVIDE HOW

MONIES SHALL BE PAID; TO PROVIDE LIABILITY PROTECTION FOR CERTAIN PERSONS ACTING IN GOOD FAITH; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2615:** Judiciary, Division A

AN ACT TO STRENGTHEN THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS; TO CREATE NEW SECTION 75-76-58, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GAMING COMMISSION TO COORDINATE WITH THE DEPARTMENT OF HUMAN SERVICES TO PROMULGATE RULES AND REGULATIONS PROVIDING FOR THE WITHHOLDING OF PAYMENTS OF PROGRESSIVE SLOT MACHINE ANNUITIES AND CASH GAMING WINNINGS OF PERSONS WHO HAVE OUTSTANDING CHILD SUPPORT ARREARAGES AS REPORTED TO THE GAMING COMMISSION, FOR ANY AND ALL PAYMENTS FOR WHICH AN ENTITY LICENSED OR PERMITTED UNDER THE GAMING CONTROL ACT IS REQUIRED TO FILE FORM W2-G, OR A SUBSTANTIALLY EQUIVALENT FORM, WITH THE UNITED STATES INTERNAL REVENUE SERVICE; TO AUTHORIZE ANY LICENSED OR PERMITTED GAMING ENTITY TO DEDUCT AN ADMINISTRATIVE FEE FROM EACH PAYMENT OF A PROGRESSIVE SLOT MACHINE ANNUITY, BEGINNING WITH THE SECOND ANNUITY PAYMENT, OR CASH GAMING WINNINGS OF PERSONS WHO HAVE OUTSTANDING CHILD SUPPORT ARREARAGES OR OWE CHILD SUPPORT OVERPAYMENTS PER SINGULAR OR PERIODIC PAYMENT, NOT TO EXCEED \$35.00; TO REQUIRE THE GAMING COMMISSION TO ADOPT PROCEDURES DESIGNED TO PREVENT EMPLOYEES FROM WILLFULLY FAILING TO WITHHOLD PAYMENTS OF PROGRESSIVE SLOT MACHINE ANNUITIES OR CASH GAMING WINNINGS FROM PERSONS WHO HAVE OUTSTANDING CHILD SUPPORT ARREARAGES OR CHILD SUPPORT OVERPAYMENTS, BASED ON THE INFORMATION PROVIDED BY THE DEPARTMENT OF HUMAN SERVICES THAT ALLOWS THE LICENSEE TO IDENTIFY SUCH PERSONS; TO REQUIRE THE GAMING COMMISSION AND THE DEPARTMENT OF HUMAN SERVICES TO INSTITUTE PROCEDURES FOR EXCHANGING INFORMATION FOR EFFECTUATING THE PURPOSES OF THIS ACT; TO AMEND SECTION 75-76-3, MISSISSIPPI CODE OF 1972, TO ADD A STATEMENT OF LEGISLATIVE INTENT IN CONFORMITY THERETO; TO AMEND SECTION 43-19-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE TREASURER TO INTERCEPT UNCLAIMED PROPERTY TO SATISFY A CHILD SUPPORT ARREARAGE; TO AMEND SECTION 89-12-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE TREASURER TO COOPERATE WITH THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE IF A CLAIMANT OF UNCLAIMED PROPERTY OWES A CHILD SUPPORT ARREARAGE; TO REQUIRE THE TREASURER TO TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES ANY PORTION OF A CLAIM TO SATISFY THE CHILD SUPPORT ARREARAGE; TO AMEND SECTION 93-11-71, MISSISSIPPI CODE OF 1972, TO SUBJECT UNCLAIMED PROPERTY TO INTERCEPTION OR SEIZURE WITHOUT REGARD TO THE ENTRY OF THE JUDGMENT ON THE JUDGMENT ROLL OF THE SITUS DISTRICT OR JURISDICTION TO SATISFY CHILD SUPPORT ARREARAGES; TO CREATE NEW SECTION 43-19-50, MISSISSIPPI CODE OF 1972, TO REQUIRE INSURERS TO COOPERATE WITH THE DEPARTMENT TO ENFORCE CHILD SUPPORT OBLIGATIONS; TO REQUIRE INSURERS TO PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT OR OTHER ENFORCING AUTHORITY; TO REQUIRE INSURERS TO WITHHOLD FUNDS IN THE AMOUNT OF A CHILD SUPPORT ARREARAGE FROM INSURANCE DISBURSEMENTS OVER A CERTAIN AMOUNT WITH ENUMERATED EXCEPTIONS; TO PROVIDE A LIMITATION OF LIABILITY FOR INSURERS OPERATING IN GOOD FAITH IN COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2616:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 75-76-58, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GAMING COMMISSION TO COORDINATE WITH THE

DEPARTMENT OF HUMAN SERVICES TO PROMULGATE RULES AND REGULATIONS PROVIDING FOR THE WITHHOLDING OF PAYMENTS OF PROGRESSIVE SLOT MACHINE ANNUITIES AND CASH GAMING WINNINGS OF PERSONS WHO HAVE OUTSTANDING CHILD-SUPPORT ARREARAGES AS REPORTED TO THE GAMING COMMISSION, FOR ANY AND ALL PAYMENTS FOR WHICH AN ENTITY LICENSED OR PERMITTED UNDER THE GAMING CONTROL ACT IS REQUIRED TO FILE FORM W2-G, OR A SUBSTANTIALLY EQUIVALENT FORM, WITH THE UNITED STATES INTERNAL REVENUE SERVICE; TO AUTHORIZE ANY LICENSED OR PERMITTED GAMING ENTITY TO DEDUCT AN ADMINISTRATIVE FEE FROM EACH PAYMENT OF A PROGRESSIVE SLOT MACHINE ANNUITY, BEGINNING WITH THE SECOND ANNUITY PAYMENT, OR CASH GAMING WINNINGS OF PERSONS WHO HAVE OUTSTANDING CHILD-SUPPORT ARREARAGES OR OWE CHILD-SUPPORT OVERPAYMENTS PER SINGULAR OR PERIODIC PAYMENT, NOT TO EXCEED \$35.00; TO REQUIRE THE GAMING COMMISSION TO ADOPT PROCEDURES DESIGNED TO PREVENT EMPLOYEES FROM WILLFULLY FAILING TO WITHHOLD PAYMENTS OF PROGRESSIVE SLOT MACHINE ANNUITIES OR CASH GAMING WINNINGS FROM PERSONS WHO HAVE OUTSTANDING CHILD-SUPPORT ARREARAGES OR CHILD-SUPPORT OVERPAYMENTS, BASED UPON THE INFORMATION PROVIDED BY THE DEPARTMENT OF HUMAN SERVICES THAT ALLOWS THE LICENSEE TO IDENTIFY SUCH PERSONS; TO REQUIRE THE GAMING COMMISSION AND THE DEPARTMENT OF HUMAN SERVICES TO INSTITUTE PROCEDURES FOR EXCHANGING INFORMATION FOR EFFECTUATING THE PURPOSES OF THIS ACT; TO AMEND SECTION 75-76-3, MISSISSIPPI CODE OF 1972, TO ADD A STATEMENT OF LEGISLATIVE INTENT IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2617:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE STATE OF MISSISSIPPI AND POLITICAL SUBDIVISIONS THEREOF TO COMPENSATE LAW ENFORCEMENT OFFICERS WHO ARE NONEXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA) BY MANDATING AT LEAST THE REGULAR HOURLY RATE BE PAID, OR HOUR-FOR-HOUR COMPENSATORY TIME, FOR THE FIRST 43 HOURS IN A WEEK, 86 HOURS IN A TWO-WEEK PERIOD OR 171 HOURS IN A 28-DAY PERIOD; TO REQUIRE COMPLIANCE WITH THE FLSA FOR HOURS WORKED IN EXCESS OF THOSE STATED AMOUNTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2618:** Judiciary, Division A

AN ACT ENACT THE MISSISSIPPI RESIDENTIAL LANDLORD TENANT ACT; TO CREATE NEW SECTION 89-8-101, MISSISSIPPI CODE OF 1972, TO PROVIDE A SHORT TITLE; TO CREATE NEW SECTION 89-8-103, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 89-8-105, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE APPLICATION OF THE CHAPTER; TO REQUIRE A DUTY OF GOOD FAITH AND A DUTY OF MITIGATION; TO CREATE NEW SECTION 89-8-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RENTAL AGREEMENTS SHALL BE CONSCIONABLE AT THEIR INCEPTION; TO PROVIDE FOR A JUDICIAL REMEDY FOR UNCONSCIONABLE RENTAL AGREEMENTS; TO CREATE NEW SECTION 89-8-109, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR NOTICE UNDER THE CHAPTER; TO CREATE NEW SECTION 89-8-111, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A TENANCY FOR A FIXED TERM AND A PERIODIC TENANCY; TO SPECIFY CERTAIN PROVISIONS AS UNCONSCIONABLE; TO CREATE NEW SECTION 89-8-113, MISSISSIPPI CODE OF 1972, TO REQUIRE A LANDLORD TO MAKE CERTAIN DISCLOSURES TO A TENANT BEFORE ACCEPTING AN APPLICATION FEE; TO REQUIRE A LANDLORD TO SPECIFY CERTAIN INFORMATION TO A TENANT BEFORE THE COMMENCEMENT OF A RENTAL AGREEMENT; TO CREATE NEW SECTION 89-8-115, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN DISCLOSURES OF THE TENANT; TO CREATE NEW

SECTION 89-8-117, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ADOPTION AND ENFORCEMENT OF USE AND OCCUPANCY RULES; TO CREATE NEW SECTION 89-8-119, MISSISSIPPI CODE OF 1972, TO REQUIRE A LANDLORD TO DELIVER PHYSICAL POSSESSION OF A DWELLING UNIT AT THE COMMENCEMENT OF THE RENTAL AGREEMENT AND PROVIDE A REMEDY FOR FAILURE TO DO SO; TO CREATE NEW SECTION 89-8-123, MISSISSIPPI CODE OF 1972, TO PROVIDE RENT PAYMENT TERMS; TO CREATE NEW SECTION 89-8-125, MISSISSIPPI CODE OF 1972, TO PROSCRIBE LANDLORD DUTIES UNDER THE CHAPTER; TO CREATE NEW SECTION 89-8-127, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE TENANT TO DELIVER NOTICE TO THE LANDLORD OF BREACH AND OFFER AN OPPORTUNITY TO REMEDY; AUTHORIZE THE TENANT TO IMMEDIATELY TERMINATE THE RENTAL AGREEMENT IF THE CONDITION OF THE DWELLING UNIT IS A SERIOUS THREAT TO THE HEALTH OR SAFETY OF THE TENANT; TO CREATE NEW SECTION 89-8-129, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE TENANT TO REPAIR THE DEFECTS IN A DWELLING UNIT; TO CREATE NEW SECTION 89-8-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN ACTIONS BY THE TENANT IF THE LANDLORD FAILS TO PROVIDE AN ESSENTIAL SERVICE UPON A PERIOD OF NOTICE OF THE FAILURE; TO CREATE NEW SECTION 89-8-133, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A LANDLORD'S REASONABLE ACCESS TO A DWELLING UNIT AND A REMEDY FOR THE UNREASONABLE DENIAL OF ENTRY; TO CREATE NEW SECTION 89-8-135, MISSISSIPPI CODE OF 1972, TO PROSCRIBE A TENANT'S DUTIES; TO CREATE NEW SECTION 89-8-137, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LANDLORD TO DELIVER NOTICE TO THE TENANT OF BREACH OF THE RENTAL AGREEMENT OR THE TENANT'S DUTIES AND OF THE FACT THAT THE RENTAL AGREEMENT OR TENANCY WILL TERMINATE IF THE BREACH IS NOT CURED WITHIN A CERTAIN TIMEFRAME; TO AUTHORIZE THE LANDLORD TO DELIVER NOTICE TO THE TENANT OF NONPAYMENT OF RENT AND STATES THAT THE LANDLORD WILL PURSUE A CIVIL ACTION IF THE RENT IS NOT PAID WITHIN A CERTAIN TIMEFRAME; TO CREATE NEW SECTION 89-8-139, MISSISSIPPI CODE OF 1972, TO ABOLISH DISTRAINT FOR RENT; TO CREATE NEW SECTION 89-8-141, MISSISSIPPI CODE OF 1972, TO PROVIDE A PROCEDURE FOR THE TENANT'S ABANDONMENT OF THE RENTAL AGREEMENT; TO REQUIRE A LANDLORD TO MITIGATE THE LANDLORD'S DAMAGES IF THE LANDLORD ELECTS TO TREAT A TENANT'S ABANDONMENT OF A RENTAL AGREEMENT AS A BREACH OF THE RENTAL AGREEMENT; TO CREATE NEW SECTION 89-8-143, MISSISSIPPI CODE OF 1972, TO PROVIDE THE RIGHTS OF LANDLORD AND TENANTS AT THE EXPIRATION OF A TERM RENTAL AGREEMENT; TO CREATE NEW SECTION 89-8-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THE RIGHTS OF LANDLORD AND TENANTS AT THE EXPIRATION OF A PERIODIC TENANCY; TO CREATE NEW SECTION 89-8-147, MISSISSIPPI CODE OF 1972, TO PENALIZE A TENANT WHO FAILS TO VACATE A DWELLING UNIT AT THE EXPIRATION OF A TERM RENTAL AGREEMENT THAT HAS NOT BECOME A PERIODIC TENANCY; TO CREATE NEW SECTION 89-8-149, MISSISSIPPI CODE OF 1972, TO REQUIRE A LANDLORD TO RETURN A TENANT'S SECURITY DEPOSIT AND UNEARNED RENT BY A CERTAIN DAY; TO AUTHORIZE A LANDLORD TO RETAIN A PORTION OF THE SECURITY DEPOSIT UNDER CERTAIN CIRCUMSTANCES; TO CREATE NEW SECTION 89-8-151, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EVICTION IN CERTAIN CIRCUMSTANCES; TO CREATE NEW SECTION 89-8-153, MISSISSIPPI CODE OF 1972, TO PROHIBIT SELF-HELP EVICTION; TO CREATE NEW SECTION 89-8-155, MISSISSIPPI CODE OF 1972, TO PROVIDE A PROCEDURE FOR COMMENCING AN EVICTION; TO CREATE NEW SECTION 89-8-157, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE SUMMONS FOR AN EVICTION; TO CREATE NEW SECTION 89-8-159, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE JUDGMENT FOR THE LANDLORD SHALL NOT EXCEED THE RELIEF THE LANDLORD REQUESTED IN THE LANDLORD'S COMPLAINT; TO AUTHORIZE THE TENANT TO APPEAR AND DEFEND; TO AUTHORIZE A CLAIM FOR RENT REDUCTION OR FOR DIMINUTION IN VALUE; TO CREATE NEW SECTION 89-8-161, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CONTINUANCES; TO CREATE NEW SECTION 89-8-163, MISSISSIPPI

CODE OF 1972, TO REQUIRE A JUDGMENT OF POSSESSION TO REQUIRE THE TENANT TO VACATE THE PREMISES BY A DATE CERTAIN; TO PROVIDE FOR A WARRANT OF REMOVAL; TO PROVIDE THAT AFTER THE EXECUTION OF THE WARRANT OF REMOVAL THE TENANT SHALL HAVE 72 HOURS TO REMOVE THE TENANT'S PERSONAL PROPERTY; TO CREATE NEW SECTION 89-8-165, MISSISSIPPI CODE OF 1972, TO PROVIDE A REMEDY AGAINST A TENANT WHO WILLFULLY DAMAGES THE DWELLING UNIT; TO CREATE NEW SECTION 89-8-167, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED TENANT MANAGEMENT ORGANIZATIONS; TO CREATE NEW SECTION 89-8-169, MISSISSIPPI CODE OF 1972, TO REENACT THE DERICK BEARD ACT WHICH IS A PROVISION THAT RELATES TO THE TERMINATION OF A RENTAL AGREEMENT; TO CREATE NEW SECTION 89-8-171, MISSISSIPPI CODE OF 1972, TO AUTHORIZE APPELLATE REVIEW; TO REPEAL SECTIONS 89-8-1, 89-8-3, 89-8-5, 89-8-7, 89-8-9, 89-8-11, 89-8-13, 89-8-15, 89-8-17, 89-8-19, 89-8-21, 89-8-23, 89-8-25, 89-8-27 AND 89-8-29, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE RESIDENTIAL LANDLORD AND TENANT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request), Jackson (11th) (By Request)

**S. B. No. 2619:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO AID THE DEPARTMENT OF HUMAN SERVICES TO COMPLY WITH FEDERAL LAW; TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-11-71 AND 93-5-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2620:** Judiciary, Division A

AN ACT TO AMEND SECTION 25-61-9, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO AWARD ATTORNEY'S FEES FOR A THIRD PARTY'S COSTS IN SEEKING ADDITIONAL PROTECTIVE ORDERS FOR PUBLIC RECORD REQUESTS THAT ARE THE SUBJECT OF EXISTING PROTECTIVE ORDERS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2621:** Judiciary, Division A

AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NON-GOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2622:** Judiciary, Division A

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 34, MISSISSIPPI CODE OF 1972, TO ENACT THE REMOTE ONLINE NOTARIZATION

ACT; TO DEFINE TERMS; TO PROVIDE FOR REMOTE NOTARIZATION USING COMMUNICATION TECHNOLOGY; TO PROSCRIBE CERTAIN RESTRICTIONS; TO PROVIDE A PROCEDURE FOR A CERTIFICATE OF THE NOTARIAL ACT; TO PROVIDE FOR THE RETENTION OF RECORDS; TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES; TO AMEND SECTIONS 25-34-7, 25-34-9, 25-34-15, 25-34-31, 25-34-37 AND 25-34-39, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2623:** Judiciary, Division A; County Affairs

AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO LIMIT THE FINANCIAL RESPONSIBILITY OF THE BOARD OF SUPERVISORS FOR PAYMENT OF TREATMENT COSTS NEEDED BY CERTAIN MENTALLY ILL COUNTY RESIDENTS UNDER ORDER OF COMMITMENT WHO ARE INDIGENT TO A NEGOTIATED DISCOUNTED FEE OR, IN THE ABSENCE OF A NEGOTIATED FEE SCHEDULE, TO THE MEDICAID REIMBURSEMENT RATE; TO AMEND SECTION 41-21-73, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2624:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI ARCHITECTS AND ENGINEERS GOOD SAMARITAN ACT; TO PROVIDE IMMUNITY FROM LIABILITY FOR ANY CIVIL ACTIONS ARISING FROM WORK PERFORMED BY ARCHITECTS OR ENGINEERS AT THE REQUEST OF AN ELECTED OFFICIAL DURING A STATE OF EMERGENCY; TO PROVIDE THAT THE IMMUNITY PROVIDED BY THIS ACT SHALL ONLY APPLY TO SAFETY ASSESSMENT SERVICES; TO BRING FORWARD SECTION 11-46-9, WHICH EXEMPTS GOVERNMENTAL ENTITIES FROM LIABILITY UNDER CERTAIN CIRCUMSTANCES FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2625:** Judiciary, Division A

AN ACT TO ESTABLISH THE "MISSISSIPPI PAY EQUITY ACT" TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF A DIFFERENT GENDER IS PAID FOR EQUAL WORK; TO PROVIDE THAT AN EMPLOYEE MAY FILE A PETITION IN THE PROPER CIRCUIT COURT; TO PROHIBIT RETALIATORY DISCHARGE; AND FOR RELATED PURPOSES

By Senator(s) Horhn

**S. B. No. 2626:** Judiciary, Division A

AN ACT TO ENACT THE COMPREHENSIVE LANDLORD AND TENANT ACT; TO MAKE NECESSARY AMENDMENTS TO TITLE 89, CHAPTERS 7 AND 8 OF THE MISSISSIPPI CODE OF 1972, TO COMPLY WITH A FEDERAL JUDICIAL RULING; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS OF AN EVICTION ACTION; TO INFORM THE TENANT IN THE SUMMONS THAT IF THE JUDGMENT OF POSSESSION IS BASED ON NONPAYMENT OF RENT, THE TENANT DOES NOT HAVE TO MOVE OUT IF THE TENANT PAYS ALL UNPAID RENT AND OTHER SUMS AWARDED; TO INFORM THE TENANT IN THE SUMMONS THAT IF THE TENANT DOES NOT MOVE OUT BY THE COURT-ORDERED DATE, THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY THAT THE LANDLORD HAS NOT ASSERTED A LIEN AGAINST; TO INFORM THE TENANT THAT THE LANDLORD MAY DISPOSE OF ANY PERSONAL PROPERTY LEFT AT THE PREMISES AFTER THE PERIOD OF TIME AFFORDED THE TENANT; TO REQUIRE THAT THE SERVICE OF SUMMONS BE MADE PURSUANT TO THE APPLICABLE MISSISSIPPI RULES OF COURT; TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE

DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO PREFILE FOR A WARRANT OF REMOVAL; TO REQUIRE THE CLERK TO IMMEDIATELY NOTIFY THE SHERIFF OR CONSTABLE OF THE PREFILING FOR A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO AFFIRM TO THE CLERK THAT THE TENANT HAS NOT RELINQUISHED POSSESSION OF THE RENTAL UNIT OR TENDERED FULL PAYMENT TO THE LANDLORD AFTER THE MOVE-OUT DATE HAS PASSED; TO REQUIRE THE CLERK TO ISSUE THE WARRANT OF REMOVAL UPON THE AFFIRMATION OF THE LANDLORD; TO REQUIRE THE SHERIFF OR CONSTABLE TO EXECUTE THE WARRANT WITHIN AN EXPEDITED TIMEFRAME IF NOTICE OF THE PREFILING WAS GIVEN; TO PROVIDE THAT A LANDLORD HAS A DUTY OF GOOD FAITH TO ACCEPT THE TENDER OF FULL PAYMENT PRIOR TO THE ISSUANCE OF THE WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO AUTHORIZE THE LANDLORD TO RECOVER POSSESSION OF A RENTAL UNIT, WITHOUT A BREACH OF THE PEACE, IF THE TENANT OR ANY OTHER PERSON REGAINS POSSESSION OF THE RENTAL UNIT DURING THE PERIOD OF 72 HOURS PROVIDED TO THE TENANT FOR THE REMOVAL OF PERSONAL PROPERTY; TO PROVIDE A PROCEDURE FOR THE SUBSEQUENT EXECUTION OF THE WARRANT OF REMOVAL IF NECESSARY; TO REPEAL SECTIONS 89-7-31, 89-7-33, 89-7-35 AND 89-7-41, MISSISSIPPI CODE OF 1972, WHICH GOVERN THE ISSUANCE OF SUMMONS, THE SERVICE OF SUMMONS, THE ISSUANCE OF A WARRANT OF REMOVAL, AND THE FORM OF JUDGMENT IN ACTIONS FOR EVICTION OF A TENANT; TO REPEAL SECTIONS 89-7-1 THROUGH 89-7-49, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE SUBSTANTIVE PROVISIONS OF LANDLORD TENANT LAW IN THE STATE, ON JANUARY 1, 2023; TO REPEAL SECTIONS 89-8-1 THROUGH 89-8-29, MISSISSIPPI CODE OF 1972, WHICH IS THE "RESIDENTIAL LANDLORD AND TENANT ACT," ON JANUARY 1, 2023; TO ENACT THE COMPREHENSIVE LANDLORD AND TENANT ACT AS A SEPARATE CHAPTER WITHIN TITLE 89; TO PROVIDE FOR APPLICABILITY OF THE CHAPTER; TO DEFINE TERMS; TO PROVIDE JURISDICTION FOR THE GRANT OF RELIEF AND ENFORCEMENT OF RIGHTS; TO PROVIDE THAT EVERY DUTY UNDER THIS CHAPTER IMPOSES A DUTY OF GOOD FAITH; TO DEFINE WHEN A PERSON HAS KNOWLEDGE OF A FACT UNDER THIS CHAPTER; TO PROVIDE FOR NOTICE UNDER THE CHAPTER; TO REQUIRE LANDLORDS TO MAKE CERTAIN DISCLOSURES AND TO PROVIDE CERTAIN INFORMATION; TO REQUIRE TENANT'S TO MAKE CERTAIN DISCLOSURES; TO PROVIDE GENERAL PROVISIONS FOR A FIXED TERM TENANCY; TO PROVIDE GENERAL PROVISIONS FOR A PERIODIC TENANCY; TO PROVIDE GENERAL PROVISIONS FOR PAYMENT OF RENT; TO PROVIDE FOR THE EFFECT OF AN UNSIGNED RENTAL AGREEMENT; TO PROHIBIT CERTAIN RENTAL AGREEMENT TERMS; TO PROVIDE FOR LANDLORD'S AND TENANT'S RIGHTS WITHOUT NOTICE TO THE OTHER PARTY UPON THE EXPIRATION OF A TERM RENTAL AGREEMENT; TO PROVIDE FOR EXPIRATION OF A PERIODIC TENANCY UPON A CERTAIN NOTICE; TO PROVIDE A REMEDY FOR LANDLORD'S WHO HAVE A TENANT HOLD OVER UPON EXPIRATION OF THE TENANCY; TO PROVIDE FOR ATTORNEY'S FEE AND COSTS UNDER THE CHAPTER; TO REQUIRE THE LANDLORD TO DELIVER POSSESSION TO THE TENANT; TO PRESCRIBE THE A RESIDENTIAL LANDLORD'S DUTIES FOR DWELLING UNITS; TO PROVIDE FOR AN AGREEMENT BETWEEN A LANDLORD AND A TENANT FOR THE TENANT TO PERFORM CERTAIN REPAIRS; TO AUTHORIZE A LANDLORD TO CONTRACT WITH AN AGENT; TO AUTHORIZE A RESIDENTIAL LANDLORD TO ADOPT WRITTEN RULES OR REGULATIONS CONCERNING USE OR OCCUPANCY; TO REQUIRE THE TENANT TO GIVE THE LANDLORD NOTICE OF A BREACH AND AN OPPORTUNITY TO REMEDY THE BREACH; TO PROVIDE THE TENANT WITH CERTAIN REMEDIES UPON THE NONCOMPLIANCE OF THE LANDLORD; TO PROVIDE FOR A LIMITATION ON REMEDIES IF THE RENTAL UNIT OR OTHER PART OF THE PREMISES IS

SUBSTANTIALLY DAMAGED OR DESTROYED; TO PROVIDE THE TENANT WITH CERTAIN REMEDIES UPON THE MATERIAL NONCOMPLIANCE OF THE LANDLORD; TO PROVIDE FOR THE TERMINATION OF THE RENTAL AGREEMENT UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE A REMEDY FOR A LANDLORD'S FAILURE TO DELIVER POSSESSION TO A TENANT; TO PRESCRIBE A TENANT'S DUTIES FOR THE RENTAL UNIT; TO PROVIDE A REMEDY FOR THE LANDLORD WHEN A TENANT FAILS TO PAY RENT OR IS IN MATERIAL NONCOMPLIANCE WITH THE RENTAL AGREEMENT OR THIS CHAPTER; TO AUTHORIZE A LANDLORD TO DELIVER NOTICE OF THE IMMEDIATE TERMINATION OF THE TENANCY WITH AN OPPORTUNITY TO REMEDY THE BREACH IF A TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OR THIS CHAPTER, HAS THREATENED THE HEALTH OR SAFETY OF OTHERS, OR THREATENS SUBSTANTIAL DAMAGE TO THE PREMISES; TO PROVIDE A PROCEDURE FOR A LANDLORD, WITH THE ASSISTANCE OF LAW ENFORCEMENT, TO ATTAIN TEMPORARY POSSESSION OF THE RENTAL UNIT IF A TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OR THIS CHAPTER, HAS THREATENED THE HEALTH OR SAFETY OF OTHERS, OR THREATENS SUBSTANTIAL DAMAGE TO THE PREMISES; TO PROVIDE FOR AN EXPEDITED HEARING WHERE THE LANDLORD HAS ATTAINED TEMPORARY POSSESSION OF A RENTAL UNIT UNDER THIS CHAPTER; TO ABOLISH DISTRAINT OR DISTRESS FOR RENT FOR RESIDENTIAL UNITS; TO PROHIBIT LIENS ON RESIDENTIAL TENANTS' PROPERTY; TO PROVIDE FOR THE ABANDONMENT OF A RENTAL UNIT BY A TENANT; TO IMPOSE A DUTY OF MITIGATION ON A LANDLORD WHO TREATS A TENANT'S ABANDONMENT OF A FIXED TERM RENTAL AGREEMENT AS A BREACH; TO PROVIDE THAT A LANDLORD IS ENTITLED TO REASONABLE ACCESS TO A DWELLING UNIT; TO PROHIBIT A TENANT FROM UNREASONABLY REFUSING ENTRY; TO PROVIDE A LANDLORD A REMEDY FOR UNREASONABLE REFUSAL OF ENTRY; TO CREATE A PROCEDURE TO BE FOLLOWED UPON THE DEATH OF A TENANT OF A DWELLING UNIT OR MOBILE HOME LOT; TO REENACT THE DERRICK BEARD ACT, WHICH IS THE ACT THAT GOVERNS THE TERMINATION OF A RENTAL AGREEMENT BY A CO-SIGNER UPON THE DEATH OF A LESSEE; TO CREATE A PROCEDURE FOR THE DISPOSITION OF A TENANT'S PERSONAL PROPERTY WITHIN A DWELLING UNIT; TO CREATE A PROCEDURE FOR THE DISPOSITION OF A TENANT'S PERSONAL PROPERTY FROM A MOBILE HOME LOT; TO CREATE A PROCEDURE FOR THE REMOVAL OF PERSONAL PROPERTY OF A DECEASED TENANT BY A TENANT REPRESENTATIVE; TO CREATE A PROCEDURE FOR THE DISPOSITION OF THE PERSONAL PROPERTY OF A DECEASED TENANT WITHOUT A TENANT REPRESENTATIVE; TO REQUIRE A LANDLORD TO RETURN THE SECURITY DEPOSIT AND ANY UNEARNED RENT WITHIN A CERTAIN PERIOD AFTER THE TERMINATION OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO WITHHOLD ANY AMOUNTS FROM THE SECURITY DEPOSIT OR UNEARNED RENT IN GOOD FAITH; TO PROVIDE FOR A LANDLORD'S REMEDIES TO GAIN POSSESSION OF A RENTAL UNIT WITHOUT SEEKING AN EVICTION; TO PROHIBIT A LANDLORD FROM PERFORMING CERTAIN ACTIONS; TO PROVIDE WHEN EVICTION IS ALLOWED UNDER THIS CHAPTER; TO PRESCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION; TO PROHIBIT THE COURT FROM REQUIRING A LANDLORD TO FILE THE RENTAL AGREEMENT; TO AUTHORIZE A COURT TO TREAT A TENANCY AS A PERIODIC TENANCY WHERE THE LANDLORD FAILS TO PROVIDE THE COURT WITH A COPY OF THE RENTAL AGREEMENT; TO PROVIDE FOR AN EXPEDITED HEARING DATE WHERE A LANDLORD REQUESTS A JUDGMENT OF POSSESSION ONLY; TO REQUIRE THE CLERK TO NOTICE THE LANDLORD OF CERTAIN INFORMATION UPON FILING OF AN ACTION; TO REQUIRE THAT THE ISSUANCE AND SERVICE OF SUMMONS BE MADE PURSUANT TO THE APPLICABLE MISSISSIPPI RULES OF COURT; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS; TO INFORM THE TENANT IN THE SUMMONS THAT IF THE JUDGMENT OF POSSESSION IS BASED ON NONPAYMENT OF RENT, THE TENANT DOES NOT HAVE TO MOVE OUT IF THE TENANT PAYS ALL UNPAID RENT AND OTHER SUMS AWARDED; TO INFORM THE

TENANT OF A DWELLING UNIT IN THE SUMMONS THAT IF THE TENANT DOES NOT MOVE OUT BY THE COURT-ORDERED DATE, THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY; TO INFORM THE TENANT OF A DWELLING UNIT THAT THE LANDLORD MAY DISPOSE OF ANY PERSONAL PROPERTY LEFT AT THE PREMISES AFTER THE PERIOD OF TIME AFFORDED THE TENANT OF THE DWELLING UNIT; TO INFORM THE TENANT OF A COMMERCIAL UNIT IN THE SUMMONS THAT IF THE TENANT DOES NOT MOVE OUT BY THE COURT-ORDERED DATE, THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY THAT THE LANDLORD HAS NOT ASSERTED A LIEN AGAINST; TO INFORM THE TENANT OF A COMMERCIAL UNIT THAT THE LANDLORD MAY DISPOSE OF ANY PERSONAL PROPERTY LEFT AT THE PREMISES AFTER THE PERIOD OF TIME AFFORDED THE TENANT; TO PROVIDE FOR A DEFAULT JUDGMENT WHEN THE TENANT DOES NOT APPEAR; TO PROVIDE FOR A MANDATORY JUDGMENT FOR THE LANDLORD WHEN THE TENANT DOES NOT PRESENT A VALID DEFENSE; TO PROVIDE FOR CERTAIN CONTINUANCES; TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO PREFILE FOR A WARRANT OF REMOVAL; TO REQUIRE THE CLERK TO IMMEDIATELY NOTIFY THE SHERIFF OR CONSTABLE OF THE PREFILING FOR A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO AFFIRM TO THE CLERK THAT THE TENANT HAS NOT RELINQUISHED POSSESSION OF THE RENTAL UNIT OR TENDERED FULL PAYMENT TO THE LANDLORD AFTER THE MOVE-OUT DATE HAS PASSED; TO REQUIRE THE CLERK TO ISSUE THE WARRANT OF REMOVAL UPON THE AFFIRMATION OF THE LANDLORD; TO REQUIRE THE SHERIFF OR CONSTABLE TO EXECUTE THE WARRANT WITHIN AN EXPEDITED TIMEFRAME IF NOTICE OF THE PREFILING WAS GIVEN; TO PROVIDE THAT A LANDLORD HAS A DUTY OF GOOD FAITH TO ACCEPT THE TENDER OF FULL PAYMENT PRIOR TO THE ISSUANCE OF THE WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO AUTHORIZE THE LANDLORD TO RECOVER POSSESSION OF A RENTAL UNIT, WITHOUT A BREACH OF THE PEACE, IF THE TENANT OR ANY OTHER PERSON REGAINS POSSESSION OF THE RENTAL UNIT DURING THE PERIOD OF 72 HOURS PROVIDED TO THE TENANT FOR THE REMOVAL OF PERSONAL PROPERTY; TO PROVIDE A PROCEDURE FOR THE SUBSEQUENT EXECUTION OF THE WARRANT OF REMOVAL IF NECESSARY; TO PROVIDE A REMEDY AGAINST A TENANT WHO WILLFULLY DAMAGES A RENTAL UNIT DURING AN EVICTION; TO AUTHORIZE GOVERNMENTAL AUTHORITIES TO CONTRACT WITH QUALIFIED TENANT MANAGEMENT ORGANIZATIONS; TO REQUIRE A COURT IN EVICTION PROCEEDINGS TO PRESERVE CERTAIN FILINGS; TO PROVIDE THAT APPEALS FROM FINAL JUDGMENTS UNDER THIS CHAPTER SHALL BE PURSUANT TO APPLICABLE MISSISSIPPI RULES OF COURT; TO CREATE A NEW CODE SECTION IN TITLE 75, CHAPTER 73, MISSISSIPPI CODE OF 1972, TO GOVERN THE RELATIONSHIP OF CAMPGROUND OWNERS AND GUESTS OF A CAMPGROUND; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2627:** Business and Financial Institutions

AN ACT TO REQUIRE BANKS TO ENSURE THAT ANY COMPUTER SYSTEM CAPABLE OF PERFORMING OPERATIONS RELATED TO FINANCIAL TRANSACTIONS ORIGINATING FROM, TERMINATING IN, OR PASSING THROUGH A NETWORK LOCATED IN THE STATE STORES ALL IDENTIFYING INFORMATION FOR A CERTAIN PERIOD OF TIME; TO ALLOW ACCOUNT HOLDERS AND

COMPUTER SYSTEM OWNERS ACCESS TO THAT DATA UPON REQUEST; TO INSTITUTE A HOLD ON CERTAIN TRANSACTIONS AT THE REQUEST OF AN ACCOUNT HOLDER; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2628:** Judiciary, Division A

AN ACT TO CREATE THE PUBLIC SPEECH PROTECTION ACT; TO ENACT DEFINITIONS; TO PROVIDE FOR MOTIONS TO STRIKE UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE FOR DISCOVERY; TO SET FORTH THE RIGHT OF A MOVANT UNDER THE ACT; TO ALLOW RECOVERY OF ATTORNEY'S FEES; TO ENACT EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2629:** Business and Financial Institutions

AN ACT TO CREATE THE COMMERCIAL FINANCING DISCLOSURE LAW; TO ENACT DEFINITIONS; TO REQUIRE CERTAIN DISCLOSURES; TO PROVIDE EXEMPTIONS; TO SPECIFY PENALTIES AND PROVIDE FOR ENFORCEMENT OF THE ACT; TO DIRECT CODIFICATION; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2630:** Business and Financial Institutions

AN ACT TO CREATE THE HOME BUSINESS RELIEF ACT OF 2022; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN RESTRICTIONS ON CERTAIN HOME-BASED SMALL BUSINESSES BY LOCAL GOVERNMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2631:** Business and Financial Institutions

AN ACT TO AMEND SECTION 75-15-3, MISSISSIPPI CODE OF 1972, TO ENACT A DEFINITION OF VIRTUAL CURRENCY; TO AMEND SECTION 75-15-7, MISSISSIPPI CODE OF 1972, TO EXEMPT VIRTUAL CURRENCIES FROM THE MISSISSIPPI MONEY TRANSMITTERS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2632:** Business and Financial Institutions; Judiciary, Division A

AN ACT TO CREATE A DIGITAL ASSET ACT; TO CLASSIFY DIGITAL ASSETS; TO SPECIFY THAT DIGITAL ASSETS ARE PROPERTY WITHIN THE UNIFORM COMMERCIAL CODE; TO AUTHORIZE SECURITY INTERESTS IN DIGITAL ASSETS; TO ESTABLISH AN OPT-IN FRAMEWORK FOR BANKS TO PROVIDE CUSTODIAL SERVICES FOR DIGITAL ASSET PROPERTY AS CUSTODIANS; TO SPECIFY STANDARDS AND PROCEDURES FOR CUSTODIAL SERVICES UNDER THIS ACT; TO CLARIFY THE JURISDICTION OF MISSISSIPPI COURTS RELATING TO DIGITAL ASSETS; TO AUTHORIZE A SUPERVISION FEE; TO AMEND SECTION 81-5-33, MISSISSIPPI CODE OF 1972, CONCERNING POWERS OF BANKS IN REGARD TO TRUSTS TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2633:** Business and Financial Institutions

AN ACT TO CREATE NEW SECTION 75-71-206, MISSISSIPPI CODE OF 1972, TO CREATE AN EXEMPTION FOR OPEN BLOCKCHAIN TOKENS FROM SECURITIES LAWS; TO AMEND SECTION 75-71-102, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS UNDER THE MISSISSIPPI SECURITIES ACT OF 2010 TO CONFORM; TO AMEND SECTION 75-15-7, MISSISSIPPI CODE OF 1972, TO REVISE EXEMPTIONS UNDER THE MISSISSIPPI MONEY TRANSMITTERS ACT TO CONFORM; TO AMEND SECTION 75-15-32, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE COMMISSIONER TO INVESTIGATE SUSPECTED VIOLATIONS OF THE MISSISSIPPI MONEY TRANSMITTERS ACT EVEN IF A BLOCKCHAIN TOKEN EXEMPTION IS ASSERTED; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2634:** Business and Financial Institutions; Finance

AN ACT TO CREATE THE MISSISSIPPI SAVINGS INITIATIVE; TO AUTHORIZE THE CREATION OF INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME INDIVIDUALS THAT MAY BE UTILIZED BY THE ACCOUNT HOLDER FOR CERTAIN PURPOSES; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONTRACT WITH FIDUCIARY ORGANIZATIONS TO SERVE AS INTERMEDIARIES BETWEEN INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS AND FINANCIAL INSTITUTIONS HOLDING ACCOUNT FUNDS; TO PROVIDE THAT THE GROSS HOUSEHOLD INCOME OF INDIVIDUAL RETIREMENT ACCOUNT HOLDERS MAY NOT EXCEED 185% OF THE POVERTY LEVEL AND THE ACCOUNT HOLDER'S NET WORTH MAY NOT EXCEED \$10,000.00; TO REQUIRE INDIVIDUALS OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT TO ENTER INTO AN AGREEMENT WITH A FIDUCIARY ORGANIZATION; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE MATCHING FUNDS FOR AMOUNTS CONTRIBUTED TO THE INDIVIDUAL DEVELOPMENT ACCOUNT BY THE INDIVIDUAL DEVELOPMENT ACCOUNT HOLDER; TO LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE PROVIDED FOR AN INDIVIDUAL DEVELOPMENT ACCOUNT; TO PROVIDE THE PURPOSES FOR WHICH INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE UTILIZED; TO PROVIDE CIVIL PENALTIES FOR THE WITHDRAWAL OF INDIVIDUAL DEVELOPMENT ACCOUNT FUNDS FOR PURPOSES OTHER THAN THOSE AUTHORIZED UNDER THIS ACT; TO REQUIRE FIDUCIARY ORGANIZATIONS TO MAKE QUARTERLY REPORTS TO THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE CONTAINING CERTAIN INFORMATION; TO PROVIDE THAT FUNDS DEPOSITED IN AN INDIVIDUAL DEVELOPMENT ACCOUNT SHALL NOT BE COUNTED AS INCOME, ASSETS OR RESOURCES OF THE INDIVIDUAL IN DETERMINING FINANCIAL ELIGIBILITY FOR ASSISTANCE OR SERVICES PURSUANT TO ANY FEDERAL, FEDERALLY ASSISTED, STATE OR MUNICIPAL PROGRAM BASED ON NEED; TO AUTHORIZE THE USE OF TEMPORARY ASSISTANCE OF NEEDY FAMILY FUNDS AS MATCHING FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Caughman

**S. B. No. 2635:** Business and Financial Institutions; Finance

AN ACT TO AMEND SECTIONS 57-10-501 THROUGH 57-10-525, MISSISSIPPI CODE OF 1972, TO REPURPOSE THE MISSISSIPPI SMALL BUSINESS ASSISTANCE ACT INTO A MISSISSIPPI SMALL BUSINESS RECOVERY AND REVITALIZATION PROGRAM; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO CONTRACT WITH PRIVATE ENTITIES TO PROVIDE PROFESSIONAL SERVICES TO SMALL BUSINESSES INCLUDING TAX PREPARATION, EMPLOYEE PAYROLL, WORKING CAPITAL, OUTSTANDING BUSINESS EXPENSE AND ADAPTIVE BUSINESS PRACTICES NEEDED TO REMAIN OPEN DURING THE ECONOMIC DOWNTURN; TO INCREASE THE AMOUNT THAT MAY BE LOANED TO INDIVIDUAL APPLICANTS UNDER THE PROGRAM; TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS WHICH MAY BE INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FUND THIS PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2636:** Business and Financial Institutions; Municipalities

AN ACT TO AMEND SECTION 27-17-457, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CONTRACTOR WHO HOLDS A CURRENT CERTIFICATE OF RESPONSIBILITY ISSUED BY THE STATE BOARD OF CONTRACTORS SHALL BE ALLOWED TO DO BUSINESS IN ANY MUNICIPALITY OR COUNTY IN THE STATE WITHOUT BEING REQUIRED TO OBTAIN A SEPARATE LICENSE IN THE MUNICIPALITY OR COUNTY, PROVIDED HE FURNISHES EVIDENCE OF THE CERTIFICATE AND PAYS THE LOCAL PRIVILEGE TAX; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2637:** Business and Financial Institutions

AN ACT TO AMEND SECTIONS 27-105-5, 27-105-303, 27-105-305, 27-105-315 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO ALLOW UNITED STATES TREASURY-CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND CREDIT UNIONS WHOSE ACCOUNTS ARE INSURED BY THE NATIONAL CREDIT UNION ADMINISTRATION TO QUALIFY AS PUBLIC FUNDS DEPOSITORIES AND ACCEPT PUBLIC FUNDS FROM COUNTIES, MUNICIPALITIES AND OTHER LOCAL GOVERNMENTAL UNITS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2638:** Business and Financial Institutions

AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO, ON JULY 1, 2022, HAS SERVED AS A RESIDENT TRAINEE FOR NOT LESS THAN FIVE (5) YEARS UNDER THE SUPERVISION OF A PERSON LICENSED FOR THE PRACTICE OF FUNERAL SERVICE IN THIS STATE AND IN AN ESTABLISHMENT LICENSED IN THIS STATE SHALL BE AUTOMATICALLY GRANTED A LICENSE FOR THE PRACTICE OF FUNERAL SERVICE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2639:** Business and Financial Institutions

AN ACT TO ALLOW CONSUMER FINANCE LICENSEES TO WORK FROM A REMOTE LOCATION UNDER CERTAIN CIRCUMSTANCES; TO AUTHORIZE THE COMMISSIONER OF BANKING AND CONSUMER FINANCE TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2640:** Business and Financial Institutions

AN ACT TO AMEND SECTION 81-5-85, MISSISSIPPI CODE OF 1972, TO REVISE THE LAW PROVIDING FOR THE CONSOLIDATION, CONVERSION OR MERGER OF BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS IN ORDER TO BE CONSISTENT WITH THE MISSISSIPPI BUSINESS CORPORATION ACT; TO AMEND SECTION 81-5-97, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN THE COMMISSIONER MAY APPROVE BANK OR BANK BRANCH CLOSURES; AND FOR RELATED PURPOSES.

By Senator(s) Caughman, Sparks

**S. B. No. 2641:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-1-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY JUDGE OF THE MILITARY COURT TO SOLEMNIZE RITES OF MATRIMONY ANYWHERE IN THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2642:** Judiciary, Division A

AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NON-GOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Tate, Suber, McLendon, McCaughn, Younger

**S. B. No. 2643:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHERE WHEN THE COURT FINDS THERE HAS BEEN AN

IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.  
By Senator(s) Wiggins, Suber, Boyd, England, McCaughn, Fillingane, Turner-Ford, Hickman

**S. B. No. 2644:** Insurance

AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND CONTRACTS SHALL PROVIDE COVERAGE FOR HEARING AIDS AND SERVICES FOR DEAF AND HEARING IMPAIRED; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (13th), Boyd, Jordan, Jackson (11th), Barnett, Seymour, Simmons (12th)

**S. B. No. 2645:** Veterans and Military Affairs; Appropriations

AN ACT TO CREATE IN THE STATE TREASURY A SPECIAL TRUST FUND DESIGNATED AS THE "MISSISSIPPI VETERANS HOME PERPETUAL CARE FUND" TO BE USED UPON REQUISITION TO THE STATE TREASURER BY THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI VETERANS AFFAIRS BOARD FOR THE ADMINISTRATION AND MAINTENANCE OF THE MISSISSIPPI VETERANS NURSING HOMES; TO PROVIDE FOR EXPENDITURES FROM THE FUND; AND FOR RELATED PURPOSES.  
By Senator(s) Seymour

**S. B. No. 2646:** Veterans and Military Affairs; Appropriations

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL VETERANS RESOURCE ADVISORS TO BE CERTIFIED BY THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD AND BE ENTITLED TO COMPENSATION; AND FOR RELATED PURPOSES.  
By Senator(s) Seymour

**S. B. No. 2647:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE BOARD OF COSMETOLOGY AND BARBERING; TO AMEND SECTION 73-7-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE MEMBERS OF THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE QUALIFICATIONS OF THE EXECUTIVE DIRECTOR OF THE BOARD; TO AMEND SECTION 73-7-13, MISSISSIPPI CODE OF 1972, TO ALLOW APPLICANTS FOR A COSMETOLOGY LICENSE TO COMPLETE AN APPRENTICESHIP PROGRAM CERTIFIED BY THE BOARD; TO AMEND SECTION 73-7-21, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS TO OBTAIN A MANICURIST LICENSE; TO AMEND SECTION 73-5-12, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE LITERACY REQUIREMENT FOR COSMETOLOGIST; TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO ALLOW THE STATE PERSONNEL BOARD TO DEVELOP RECOMMENDED STANDARDS FOR STATE AGENCIES TO USE IN DETERMINING WHETHER AN AGENCY'S EXECUTIVE DIRECTOR MAY RECEIVE COMPENSATORY LEAVE; TO AMEND SECTIONS 73-7-2, 73-7-12, 73-7-18, 73-7-29, 73-7-31, 73-5-1, 73-5-7, 73-5-8, 73-5-11, 73-5-15, 73-5-17, 73-5-19, 73-5-25, 73-5-27, 73-5-33, 73-5-35 AND 73-5-41, MISSISSIPPI CODE OF 1972, TO CONFORM THERETO; TO REPEAL SECTIONS 73-5-3 AND 73-5-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ELECTION OF OFFICERS AND FOR THE SPECIAL FUND FOR DEPOSITS FOR THE BOARD OF BARBER EXAMINERS, RESPECTIVELY; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell, Younger, Norwood, Chassaniol, Polk, Kirby

**S. B. No. 2648:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 35-1-3, 35-1-13 AND -15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE STATE VETERANS AFFAIRS BOARD SHALL BE NOMINATED BY THE BOARD TO THE GOVERNOR WHO SHALL APPOINT THE DIRECTOR TO A FOUR-YEAR TERM SUBJECT TO CONFIRMATION BY THE SENATE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2649:** Veterans and Military Affairs; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 33-7-119, MISSISSIPPI CODE OF 1972, TO REVISE PLACEMENT OF CERTAIN FEDERALLY RECOGNIZED OFFICER OR ENLISTED MAN ON THE RETIRED LIST; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2650:** Veterans and Military Affairs; Appropriations

AN ACT TO CREATE IN THE STATE TREASURY A SPECIAL TRUST FUND DESIGNATED AS THE "MISSISSIPPI VETERANS CEMETERY PERPETUAL CARE FUND" TO BE USED UPON REQUISITION TO THE STATE TREASURER BY THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI VETERANS AFFAIRS BOARD FOR THE ADMINISTRATION AND MAINTENANCE OF THE MISSISSIPPI VETERANS CEMETERIES; TO PROVIDE FOR EXPENDITURES FROM THE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2651:** Municipalities

AN ACT TO AUTHORIZE AND REQUIRE LOCAL GOVERNMENTAL ENTITIES TO TRANSMIT LAND-USE PLANS AND PROPOSALS TO THE MISSISSIPPI MILITARY INSTALLATION LOCATED WITHIN ITS JURISDICTION FOR REVIEW AND COMMENT ON THE EFFECT OF THE PROPOSAL ON ITS MISSION; TO PROVIDE THAT A REPRESENTATIVE OF THE AFFECTED MILITARY INSTALLATION SHALL SERVE AS AN EX OFFICIO NONVOTING MEMBER OF THE APPROPRIATE LOCAL PLANNING OR ZONING BOARD TO EXCHANGE INFORMATION IN ORDER TO ENCOURAGE COMPATIBLE LAND USE, PREVENT INCOMPATIBLE ENCROACHMENT AND FACILITATE THE CONTINUED PRESENCE OF MAJOR MILITARY INSTALLATIONS IN THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2652:** Gaming

AN ACT TO AMEND SECTION 97-33-1, MISSISSIPPI CODE OF 1972, TO LEGALIZE ONLINE BETTING, GAMING AND WAGERING ON SPORTING EVENTS, ATHLETIC EVENTS AND EVENTS AUTHORIZED BY THE MISSISSIPPI GAMING COMMISSION UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2653:** Gaming; Finance

AN ACT TO AMEND SECTIONS 67-1-71, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GAMING TO BE CONDUCTED ON VESSELS AS DEFINED IN SECTION 27-109-1 WHENEVER SUCH VESSEL IS ON THE PEARL RIVER WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WITH A POPULATION OF 150,000 OR MORE ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2654:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EMPLOYERS ARE PROHIBITED FROM TAKING ANY ADVERSE EMPLOYMENT ACTION AGAINST AN INDIVIDUAL WHO DECLINES TO RECEIVE A COVID-19 VACCINATION DUE TO RELIGIOUS BELIEF; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2655:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-51, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD OF EXECUTION OF A PERSON SENTENCED TO DEATH; TO AMEND SECTION 99-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DESIGNATION BY THE GOVERNOR OF THE STATE EXECUTIONER; TO AMEND SECTION 99-19-55, MISSISSIPPI CODE OF 1972, TO REVISE EXECUTION PROCEDURES AND DISPOSITION OF THE BODY; AND FOR RELATED PURPOSES.  
By Senator(s) Fillingane

**S. B. No. 2656:** Insurance; Appropriations

AN ACT TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO INCREASE FUNDS UNDER THE MUNICIPAL FIRE PROTECTION FUND AND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO INCREASE FUNDS UNDER THE COUNTY VOLUNTEER FIRE PROTECTION FUND AND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Michel

**S. B. No. 2657:** Medicaid; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO IMPOSE A MORATORIUM ON NEW MEDICAID-ENROLLED PROVIDERS OF PERSONAL CARE AND RESPITE CARE SERVICES; AND FOR RELATED PURPOSES.  
By Senator(s) Horhn

**S. B. No. 2658:** Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT REQUIRED THE DIVISION OF MEDICAID'S RATES OF REIMBURSEMENT, SERVICES, CHARGES AND FEES TO NOT BE INCREASED, DECREASED OR OTHERWISE CHANGED UNLESS THEY ARE AUTHORIZED BY AN AMENDMENT BY THE LEGISLATURE; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell

**S. B. No. 2659:** Medicaid

AN ACT TO BRING FORWARD SECTION 43-13-122, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DIVISION OF MEDICAID TO APPLY FOR WAIVERS AND RESEARCH GRANTS WITH THE CENTER FOR MEDICARE AND MEDICAID SERVICES OF THE UNITED STATES DEPARTMENT OF HEALTH, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-13-139, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NOTHING IN THE ARTICLE SHALL BE CONSTRUED TO PREVENT THE GOVERNOR FROM LIMITING MEDICAL ASSISTANCE TO INDIVIDUALS IN ACCORDANCE WITH FEDERAL LAW; FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell

**S. B. No. 2660:** Elections; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT AN ELECTED OFFICIAL'S QUALIFICATION AS A CANDIDATE FOR A PUBLIC OFFICE SHALL BE DEEMED A RESIGNATION AND VACANCY OF THE OFFICIAL'S OFFICE IF THE TERM OF THE PUBLIC OFFICE THAT IS SOUGHT BEGINS DURING THE TERM FOR WHICH THE ELECTED OFFICIAL CURRENTLY SERVES; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell, Whaley, Younger

**S. B. No. 2661:** Medicaid; Appropriations

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

FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; TO EXTEND REPEALER THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Blount, Norwood, Frazier, Butler (38th), Butler (36th), Hickman, Thomas, Horhn, Blackmon, Turner-Ford, Jordan, Bryan, Jackson (11th), Simmons (13th)

**S. B. No. 2662:** Medicaid; Appropriations

AN ACT TO CREATE NEW SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL REIMBURSE FOR OUTPATIENT HOSPITAL SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES UNDER THE AGE OF 21 BY BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITALS; TO PROVIDE THAT THE DIVISION SHALL SEEK ANY NECESSARY WAIVERS AND MAKE ANY REQUIRED AMENDMENTS TO ITS STATE PLAN; TO PROVIDE THAT ON OR AFTER JANUARY 1, 2022, SUCH SERVICES SHALL BE REIMBURSED BASED ON REASONABLE COSTS WITH INTERIM PAYMENTS AND A YEAR-END COST SETTLEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Whaley, Parks, Parker, Sparks

**S. B. No. 2663:** Insurance; Public Health and Welfare

AN ACT TO PROHIBIT HEALTH INSURANCE PLANS FROM MODIFYING, ON RENEWAL, AN INSURED'S CONTRACTED BENEFIT LEVEL FOR ANY PRESCRIPTION DRUG THAT WAS APPROVED OR COVERED UNDER THE PLAN IN THE IMMEDIATELY PRECEDING PLAN YEAR AND PRESCRIBED DURING THAT YEAR FOR A MEDICAL CONDITION OR MENTAL ILLNESS; TO LIST MODIFICATIONS PROHIBITED; TO CLARIFY WHAT IS NOT PROHIBITED; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2664:** Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIVISION OF MEDICAID TO REIMBURSE FOR SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES BY A LICENSED BIRTHING CENTER IN A METHOD AND MANNER TO BE DETERMINED BY THE DIVISION IN ACCORDANCE WITH FEDERAL LAWS AND FEDERAL REGULATIONS; TO REQUIRE THE DIVISION TO SEEK ANY NECESSARY WAIVERS, MAKE ANY REQUIRED AMENDMENTS TO ITS STATE PLAN OR REVISE ANY CONTRACTS AUTHORIZED UNDER THE SECTION AS NECESSARY TO PROVIDE THE SERVICES AUTHORIZED UNDER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2665:** Insurance

AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AIRPORT AUTHORITIES TO PAY CERTAIN GROUP LIFE AND HEALTH INSURANCE PREMIUMS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2666:** Insurance

AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND CONTRACTS SHALL PROVIDE COVERAGE FOR ALL COLORECTAL CANCER EXAMINATIONS AND LABORATORY TESTS FOR COVERED PERSONS WHO ARE 45 YEARS OF AGE OR OLDER AND COVERED PERSONS AT HIGH RISK OF COLORECTAL CANCER; TO REQUIRE THE POLICIES TO PROVIDE COVERAGE FOR YEARLY COLONOSCOPIES FOR COVERED PERSONS AT HIGH RISK OF COLORECTAL CANCER IF THE COLONOSCOPY HAS BEEN RECOMMENDED BY THEIR TREATING PHYSICIAN; TO PROVIDE LEGISLATIVE FINDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2667:** Veterans and Military Affairs; Public Property

AN ACT TO AMEND SECTION 33-11-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ADJUTANT GENERAL TO TRANSFER ON BEHALF OF THE STATE REAL PROPERTY THAT IS IN THE BEST INTEREST OF THE MILITARY DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2668:** Insurance

AN ACT TO ESTABLISH THE NON-TRANSPORT EMERGENCY MEDICAL SERVICES ACT; TO ESTABLISH DEFINITIONS OF NON-TRANSPORT EMERGENCY MEDICAL SERVICES AND PERSONNEL UNDER THIS ACT; TO ALLOW THE DEPARTMENT OF INSURANCE TO AUTHORIZE FIRST RESPONDERS UNDER THIS ACT; TO ESTABLISH DUTIES OF THE COMMISSIONER OF INSURANCE UNDER THIS ACT; TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "NON-TRANSPORT EMERGENCY MEDICAL SERVICES" UNDER THE EMERGENCY MEDICAL SERVICES ACT OF 1974; TO AMEND SECTION 41-59-35, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2669:** Insurance

AN ACT TO AMEND SECTIONS 27-15-205, 27-15-223, 83-5-71 AND 83-17-25, MISSISSIPPI CODE OF 1972, TO MAKE THE TERM OF CERTAIN LICENSES AND CERTIFICATES ISSUED BY THE COMMISSIONER OF INSURANCE PERPETUAL UNTIL SUCH TIME AS THE COMMISSIONER OF INSURANCE REVOKES THE LICENSE OR CERTIFICATE, OR THE LICENSE OR CERTIFICATE IS FORFEITED BY THE LICENSEE OR CERTIFICATE HOLDER; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2670:** Insurance

AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL RESPONSIBILITY AS REQUIRED BY THIS CHAPTER BEFORE RECEIVING MOTOR VEHICLE LICENSE TAGS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2671:** Veterans and Military Affairs; Highways and Transportation

AN ACT TO AMEND SECTIONS 73-50-1 AND 63-1-208, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE PROVISIONS OF THE MILITARY FAMILY FREEDOM ACT SPECIFICALLY APPLY TO PERSONS POSSESSING CERTAIN FEDERALLY APPROVED MILITARY DOCUMENTATION OF COMMERCIAL DRIVING EXPERIENCE ALLOWING THE PERSON TO APPLY FOR A COMMERCIAL DRIVER'S LICENSE LEARNING PERMIT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2672:** Insurance; Judiciary, Division A

AN ACT TO AMEND SECTION 71-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCLUSIVE REMEDY PROVISION UNDER THE WORKERS' COMPENSATION LAW TO EXEMPT GROSS NEGLIGENT CLAIMS WHERE THE INJURY WAS SUBSTANTIALLY CERTAIN TO OCCUR; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2673:** Appropriations

AN ACT TO CREATE THE "MISSISSIPPI FRONTLINE NURSES AND HEALTH CARE WORKERS RETENTION ACT"; TO PROVIDE THE LEGISLATIVE FINDINGS AND DETERMINATIONS REGARDING THE IMPORTANCE AND URGENCY OF THE ACT; TO ESTABLISH THE "MISSISSIPPI FRONTLINE NURSES AND HEALTH CARE

WORKERS RETENTION GRANT PROGRAM" IN THE MISSISSIPPI DEPARTMENT OF HEALTH AND PRESCRIBE ITS COMPONENTS; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED HOSPITALS TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI FRONTLINE NURSES AND LICENSED/CERTIFIED HEALTH CARE WORKERS PROVIDING BEDSIDE CARE WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED LONG-TERM CARE FACILITIES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI FRONTLINE NURSES AND LICENSED/CERTIFIED HEALTH CARE WORKERS PROVIDING BEDSIDE CARE WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED AMBULANCE SERVICES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI FRONTLINE NURSES AND LICENSED/CERTIFIED HEALTH CARE WORKERS PROVIDING BEDSIDE CARE WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF HEALTH FOR PROVIDING FUNDS TO ELIGIBLE ENTITIES UNDER THIS ACT TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI FRONTLINE NURSES AND LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY TO BE DISTRIBUTED IN THE MANNER THAT THE DEPARTMENT DETERMINES IS THE MOST EQUITABLE AND EFFICIENT TO SUPPLEMENT THE FUNDS OTHERWISE PROVIDED AND TO EFFECTUATE THE PURPOSES OF THIS ACT; TO PROVIDE THAT MISSISSIPPI FRONTLINE NURSES AND LICENSED/CERTIFIED HEALTH CARE WORKERS THAT QUALIFY FOR PREMIUM PAY UNDER THIS SECTION SHALL RECEIVE PREMIUM PAY NOT TO EXCEED A CERTAIN AMOUNT WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS ACT IN RECOGNITION OF THE RECIPIENT'S CURRENT AND FUTURE WORK PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY AND SUBJECT TO THE RECIPIENT'S WRITTEN AGREEMENT WITH THE DEPARTMENT TO CONTINUE EMPLOYMENT WITH THE RECIPIENT'S PRIMARY CURRENT EMPLOYER FOR FIVE MONTHS FOLLOWING THE RECEIPT OF SUCH PREMIUM PAY; TO FURTHER PROVIDE THAT THE WRITTEN AGREEMENT SHALL BE DEVELOPED BY THE DEPARTMENT AND INCLUDE A PROVISION THAT THE MISSISSIPPI FRONTLINE NURSE OR LICENSED/CERTIFIED HEALTH CARE WORKER MAY BE REQUIRED TO REPAY TO THE STATE OF MISSISSIPPI THE AMOUNT OF THEIR PREMIUM PAY FUNDS IF THE TERMS OF THE AGREEMENT ARE NOT MET; TO PROVIDE CERTAIN REPORTING AND APPROVAL REQUIREMENTS UNDER THIS ACT; TO PROVIDE THAT NONE OF THE FUNDS PROVIDED UNDER THIS SECTION MAY BE USED TO PROVIDE PREMIUM PAY TO ANY FRONTLINE NURSES OR LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE WORKING UNDER A CONTRACT WITH A STAFFING AGENCY TO PROVIDE SERVICES IN THE STATE OF MISSISSIPPI FOR A LIMITED DURATION OF LESS THAN ONE YEAR, SUCH AS TRAVEL NURSES, AS DETERMINED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2674:** Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN APPEAL RIGHTS TO LICENSED EDUCATORS AND ADMINISTRATORS WHO HAVE HAD THEIR LICENSE SUSPENDED OR REVOKED; TO PROVIDE THAT REVOCATION, SUSPENSION OR SURRENDER OF AN APPLICANT'S LICENSE BY ANOTHER STATE SHALL RESULT IN IMMEDIATE DENIAL OF LICENSURE UNTIL SUCH TIME THAT THE RECORDS PREDICATING SUCH ACT IN THE PRIOR STATE HAVE BEEN CLEARED; TO PROVIDE THAT THE

BOARD OF EDUCATION MAY REVOKE, SUSPEND OR REFUSE TO RENEW ANY TEACHER OR ADMINISTRATOR LICENSE FOR A LICENSE HOLDER KNOWINGLY OR WILLFULLY COMMITTING ANY ACTS AFFECTING VALIDITY OF ACCOUNTABILITY RESULTS; TO DELETE CERTAIN OUTDATED PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2675:** Education; Appropriations

AN ACT TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO MODIFY THE FORMULA FOR CALCULATING THE AMOUNT OF PRO RATA AD VALOREM FUNDS TO BE PAID TO CHARTER SCHOOLS BY LOCAL SCHOOL DISTRICTS TO ENSURE EQUITABLE FUNDING BETWEEN EACH SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Jackson (11th), Horhn, Butler (36th), Blount, Simmons (12th)

**S. B. No. 2676:** Judiciary, Division A; Appropriations

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI SCHOOL PROTECTION ACT; TO ENACT DEFINITIONS; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL-PROTECTION TEAM MEMBERS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL-PROTECTION TEAM MEMBERS FROM PUBLIC DISCLOSURE; TO PROVIDE A TRAINING AND CERTIFICATION PROCESS AND TO ENACT STANDARDS; TO AUTHORIZE A CERTIFICATION FEE NOT TO EXCEED \$350.00; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF LAW REGARDING ISSUANCE OF CERTAIN CONCEALED-CARRY LICENSES AND TO MAKE TECHNICAL AMENDMENTS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2677:** Education; Finance

AN ACT TO AMEND SECTION 37-7-104.4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE WINONA-MONTGOMERY CONSOLIDATED SCHOOL DISTRICT IS AUTHORIZED AND EMPOWERED TO CONSTRUCT A HIGH SCHOOL FOR THE STUDENTS OF ITS DISTRICT ON ANY PARCEL OF SIXTEENTH SECTION LAND WITHIN ITS CONTROL AND JURISDICTION; TO PROVIDE THAT THE BOARD MAY RAISE FUNDS TO BUILD THE HIGH SCHOOL FROM PRIVATE DONATIONS, BONDS OR ANY OTHER ALLOWABLE METHOD AS PROVIDED FOR IN LAW; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Chassaniol

**S. B. No. 2678:** Education; Appropriations

AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO ALLOW NOT MORE THAN ONE LEAVE DAY PER SEMESTER AS AN EDUCATOR MENTAL HEALTH DAY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Norwood, Jackson (11th), Tate, Simmons (12th)

**S. B. No. 2679:** Education

AN ACT ENTITLED THE "TRANSPARENCY IN EDUCATION ACT"; TO PROVIDE PARENTS OF PUBLIC SCHOOL STUDENTS CERTAIN RIGHTS RELATED TO THEIR CHILD'S EDUCATION, INCLUDING THE RIGHT TO REVIEW A SYLLABUS, CURRICULUM AND TEACHER-TRAINING MATERIALS AND MEET WITH THE TEACHER TO DISCUSS COURSE CONTENT, TO REQUIRE PUBLIC SCHOOLS TO ADOPT PROCEDURES TO ENSURE THAT A PARENT PROVIDES WRITTEN PERMISSION BEFORE THEIR CHILD PARTICIPATES IN IDENTITY CURRICULUM OR CRITICAL THEORY CURRICULUM AND ALLOW PARENTS TO EXEMPT THEIR

CHILD FROM ANY SPECIFIC LESSONS THAT ARE OBJECTIONABLE TO THE FAMILY, TO DIRECT PUBLIC SCHOOLS TO HOLD A CURRICULUM NIGHT TO ALLOW PARENTS TO REVIEW THE CURRICULUM AND MEET WITH TEACHERS AND STAFF, TO PROVIDE PARENTAL ACCESS TO CERTAIN SCHOOL DISTRICT RECORDS CONCERNING THEIR CHILD, TO PROVIDE COMPLAINT PROCEDURES; TO AMEND SECTION 37-13-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2680:** Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT END-OF-COURSE ASSESSMENTS REQUIRED FOR HIGH SCHOOL GRADUATION SHALL INCLUDE ONLY THOSE REQUIRED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, McCaughn

**S. B. No. 2681:** Education; Technology

AN ACT TO AMEND SECTION 37-3-83, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT LOCAL SCHOOL DISTRICTS TO INCLUDE IN THEIR REQUIRED SCHOOL SAFETY PLAN THE SELECTION OF TECHNOLOGY PROTECTION MEASURES TO FILTER OR BLOCK INTERNET ACCESS TO CERTAIN OBSCENE OR HARMFUL MATERIALS ON SCHOOL ISSUED COMPUTERS; TO PRESCRIBE THE COMPONENTS OF THE CONTENT FILTERING SOLUTION; TO REQUIRE REPORTS THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2682:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE SECOND AND THIRD PHASE OF PREKINDERGARTEN FUNDING COMMITMENT FOR THE "EARLY LEARNING COLLABORATIVE ACT OF 2013"; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2683:** Education

AN ACT TO AMEND SECTIONS 37-13-91 AND 37-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; TO REQUIRE SUCH KINDERGARTEN-AGE CHILDREN TO ATTEND LICENSED PUBLIC, PAROCHIAL, NONPUBLIC OR HOMESCHOOL KINDERGARTEN PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2684:** Education

AN ACT RELATING TO CIVIC EDUCATION CURRICULUM; REVISING THE SOCIAL STUDIES HIGH SCHOOL GRADUATION CREDIT REQUIREMENT; REQUIRING THE STATE DEPARTMENT OF EDUCATION TO DEVELOP OR APPROVE AN INTEGRATED CIVIC EDUCATION CURRICULUM THAT MEETS CERTAIN REQUIREMENTS; REQUIRING THE DEPARTMENT TO USE ORAL HISTORY RESOURCES TO BE USED ALONG WITH SUCH CURRICULUM; REQUIRING THE DEPARTMENT TO APPROVE THE CIVIC EDUCATION CURRICULA SUBMITTED BY LOCAL SCHOOL DISTRICTS AND CHARTER SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2685:** Education; Appropriations

AN ACT TO CREATE THE MISSISSIPPI YEAR-ROUND SCHOOL GRANT PROGRAM; TO PROVIDE THE LEGISLATIVE INTENT OF THE PROGRAM; TO PROVIDE GRANT AWARDS TO PUBLIC SCHOOL DISTRICTS TO INCENTIVIZE THE ADOPTION OF A MODIFIED SCHOOL CALENDAR AND TO OFFSET COSTS

ASSOCIATED WITH ADOPTING A MODIFIED SCHOOL CALENDAR; TO REQUIRE THE SCHOOLS TO USE THE FUNDS PROVIDED IN A WAY THAT BEST FACILITATES THEIR PLAN TO TRANSITION TO A MODIFIED SCHOOL CALENDAR AND MAXIMIZE STUDENT ACHIEVEMENT; TO SET RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION IN ADMINISTERING THE GRANT PROGRAM; TO SET THE ELIGIBILITY FOR GRANT FUNDS TO BE BASED ON SCHOOL DISTRICTS' AVERAGE DAILY MEMBERSHIP; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE MISSISSIPPI YEAR-ROUND SCHOOL GRANT PROGRAM; TO REQUIRE THE DEPARTMENT TO PROVIDE A COMPREHENSIVE REPORT ON THE USE OF FUNDS DISTRIBUTED AND THE EFFECTIVENESS OF MODIFIED CALENDAR SCHOOL DISTRICTS TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS AND EDUCATION COMMITTEES BY OCTOBER 1, 2022; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2686:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR ADDITIONAL ASSISTANT TEACHERS IN "C," "D" AND "F" SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2687:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE A SALARY SUPPLEMENT, REIMBURSEMENT FOR MOVING EXPENSES, AND REIMBURSEMENT FOR INTERVIEWING EXPENSES FOR ANY TEACHER WHO HAS FIVE OR MORE YEARS OF EXPERIENCE AND CHOOSES TO TEACH IN AN "F"-DESIGNATED SCHOOL WITHIN AN "F"-DESIGNATED SCHOOL DISTRICT; TO AMEND SECTION 37-159-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2688:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO REQUIRE THE MINIMUM TEACHER SALARY SCALE FOR THE 2023-2024 SCHOOL YEAR TO EQUAL, AT A MINIMUM, THE SOUTHEASTERN AVERAGE SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; TO REQUIRE THE MINIMUM ASSISTANT TEACHER SALARY FOR THE 2023-2024 SCHOOL YEAR TO EQUAL, AT A MINIMUM, THE SOUTHEASTERN AVERAGE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES

By Senator(s) Blackmon

**S. B. No. 2689:** Education; Appropriations

AN ACT TO AMEND SECTION 27-104-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FROM MID-YEAR BUDGET REDUCTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2690:** Universities and Colleges

AN ACT TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI

UNIFORM AGENTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2691:** Universities and Colleges

AN ACT TO CREATE THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER HOSPITAL BOARD FOR THE PURPOSE OF OVERSEEING THE FINANCES AND BUSINESS OPERATIONS OF THE HOSPITAL; TO PROVIDE FOR THE COMPOSITION AND APPOINTMENTS OF THE BOARD; TO SET THE VOTING REQUIREMENTS OF THE BOARD; TO PROVIDE THAT THE BOARD SHALL BE RESPONSIBLE FOR APPROVING A MULTI-YEAR BUSINESS PLAN FOR THE HOSPITAL'S OPERATION ALONG WITH THE GENERAL OVERSIGHT OF THE HOSPITAL'S FINANCIAL OPERATION; TO PROVIDE THAT THE BOARD SHALL NOT HAVE AUTHORITY OVER THE TEACHING, RESEARCH ENDEAVORS OR PERSONNEL OF THE MEDICAL CENTER; TO REQUIRE THE BOARD TO PROVIDE A COMPREHENSIVE REPORT ON THE HOSPITAL TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRMEN OF SPECIFIC COMMITTEES IN THE HOUSE AND SENATE BY OCTOBER 1 OF EVERY YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2692:** Universities and Colleges

AN ACT TO PROHIBIT STATE INSTITUTIONS OF HIGHER LEARNING FROM AWARDING TENURE OR ENTERING EMPLOYMENT CONTRACTS OF MORE THAN FOUR YEARS DURATION WITH EMPLOYEES HIRED AFTER DECEMBER 31, 2022; TO TERMINATE EXISTING TENURE PROGRAMS WHEN NO COVERED EMPLOYEES REMAIN EMPLOYED BY THE INSTITUTION; TO PROVIDE BEGINNING WITH THE 2024-2025 SCHOOL YEAR ALL FULL-TIME FACULTY AND TENURED FACULTY AT PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL TEACH AT LEAST TWO UNDERGRADUATE CLASSES IN THE FALL AND SPRING SEMESTERS EACH YEAR, AND TO PROVIDE AN EXCEPTION FOR FACULTY EMPLOYED IN DEPARTMENTS OR SCHOOLS ONLY OFFERING GRADUATE DEGREES; AND TO PROVIDE CERTAIN RELATED REPORTING REQUIREMENTS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2693:** Universities and Colleges; Appropriations

AN ACT TO CREATE NEW SECTION 37-106-80, MISSISSIPPI CODE OF 1972, TO CREATE THE STATE RESIDENT FORGIVABLE STUDENT LOAN PROGRAM; TO PROVIDE THAT IN LIEU OF LOAN REPAYMENT, A LOAN RECIPIENT MAY ELECT TO BECOME A RESIDENT OF THE STATE FOR A PERIOD OF FIVE CONTINUOUS YEARS AFTER GRADUATION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2694:** Universities and Colleges; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI GRANT PROGRAM FOR COMMUNITY AND JUNIOR COLLEGE STUDENTS IN MISSISSIPPI; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE ELIGIBILITY REQUIREMENTS FOR STUDENTS AT PUBLIC COMMUNITY AND JUNIOR COLLEGES IN MISSISSIPPI TO RECEIVE GRANTS; TO SPECIFY THAT SUCH GRANTS MAY BE APPLIED ONLY TO TUITION AND FEES NOT COVERED BY A FEDERAL GRANT; TO AUTHORIZE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE RULES AND REGULATIONS GOVERNING THE GRANT PROGRAM; TO PROVIDE THAT THE PROGRAM MAY BE FUNDED FROM THE AMOUNTS ALLOCATED TO COMMUNITY AND JUNIOR COLLEGE ATHLETIC PROGRAMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL BE ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE

MISSISSIPPI ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2695:** Universities and Colleges; Appropriations

AN ACT TO REPEAL SECTION 37-106-29, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM AND TO REPEAL SECTION 37-106-31, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REQUIRE A STUDENT TO OBTAIN A MINIMUM CUMULATIVE GRADE POINT AVERAGE OF 3.0 CALCULATED ON A 4.0 SCALE TO BE ELIGIBLE FOR PARTICIPATION IN THE PROGRAM; TO INCREASE THE INCOME THRESHOLD FOR ELIGIBILITY OF THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 100% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF \$30,000.00 OR LESS; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 50% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF MORE THAN \$30,000.00 BUT LESS THAN \$45,000.00; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 25% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF LESS THAN \$55,000.00, AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2696:** Education

AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO ALLOW ADDITIONAL PAID LEAVE DAYS FOR INFECTIOUS DISEASES THAT REQUIRE QUARANTINE ACCORDING TO CDC GUIDELINES; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2697:** Universities and Colleges

AN ACT TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER AND OTHER STATE-FUNDED PUBLIC UNIVERSITIES TO DEVELOP A MECHANISM TO COMPILE EXISTING DATA SOURCES REGARDING STATE-FUNDED PROJECTS TO PRODUCE AN ANNUAL REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, McMahan, Chassaniol, Polk

**S. B. No. 2698:** Universities and Colleges; Appropriations

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Carter

**S. B. No. 2699:** Housing; Appropriations

AN ACT TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO IMPLEMENT A DOWN-PAYMENT ASSISTANCE PROGRAM WHICH PROVIDES A SLIDING SCALE FOR UNIVERSITY GRADUATES BASED UPON LEVEL OF DEGREE AND REQUIRING THE INDIVIDUAL TO RESIDE IN MISSISSIPPI FOR FIVE YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2700:** Universities and Colleges

AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONSTRUCTION AND MAINTENANCE PROJECTS OF THE INSTITUTIONS UNDER ITS JURISDICTION; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2701:** Education

AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO ENACT THE OUR CHILDREN'S HEALTH IMPACTS OUR FUTURE LAW; TO REQUIRE THAT WHEN ANY CHILD APPLIES FOR ADMISSION OR ENROLLMENT IN ANY PUBLIC SCHOOL IN THE STATE, THE CHILD'S PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN SHALL RECEIVE NOTICE ON THE SCHOOL REGISTRATION FORM OF THE IMPORTANCE THAT HIS OR HER CHILD RECEIVES A MEDICAL AND DENTAL PHYSICAL; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2702:** Education; Appropriations

AN ACT TO AMEND SECTION 37-181-3, MISSISSIPPI CODE OF 1972, WHICH IS THE DEFINITIONS SECTION OF THE "EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT," TO REVISE THE DEFINITIONS FOR "ELIGIBLE STUDENT" AND "ELIGIBLE SCHOOL" TO REFLECT THE INCLUSION OF STUDENTS DIAGNOSED WITH DYSLEXIA WHO DO NOT RECEIVE THE ASSISTANCE OF A MISSISSIPPI DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2703:** Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2704:** Education; Appropriations

AN ACT TO REQUIRE STUDENTS IN HIGH SCHOOL TO EARN THE CIVIC LITERACY REQUIREMENT BEFORE ENROLLING IN A PUBLIC COMMUNITY COLLEGE OR UNIVERSITY IN THIS STATE; TO AMEND THE CIVIC LITERACY REQUIREMENT FOR POSTSECONDARY EDUCATION TO INCLUDE BOTH AN ASSESSMENT AND A COURSE OF INSTRUCTION; TO REQUIRE THE CHARACTER DEVELOPMENT CURRICULUM FOR PUBLIC SCHOOL STUDENTS IN THE 11TH AND 12TH GRADES TO INCLUDE INSTRUCTIONS ON VOTING USING THE PRIMARY AND GENERAL ELECTION BALLOT; TO AMEND SECTIONS 37-13-181, 37-13-183 AND 37-13-185, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2705:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PARTY REQUESTING A HEARING ON AN APPLICATION FOR A HEALTH CARE CERTIFICATE OF NEED WHO DOES NOT PREVAIL AT THE HEARING SHALL PAY COSTS AND ATTORNEY FEES, AND TO APPLY THE SAME REQUIREMENT TO ANY PARTY WHO APPEALS AN ORDER OF THE HEARING OFFICER TO THE PROPER COURT AND LOSES ON APPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2706:** Education

AN ACT TO CREATE THE COVID IMPACT LITERACY-BASED PROMOTION MODIFICATION ACT; TO PROVIDE THAT FOR THE 2021-2022 SCHOOL YEAR, STUDENTS IN THIRD GRADE WHO RECEIVE WHAT IS CONSIDERED A FAILING SCORE ON THE READING SCREENER SHALL STILL BE CONSIDERED READY FOR PROMOTION TO THE NEXT GRADE, HOWEVER STUDENTS WHO FAIL THE ASSESSMENT SHALL BE GIVEN THE REMEDIAL INSTRUCTION PROVIDED FOR IN THE LITERACY-BASED PROMOTION ACT; TO AMEND SECTIONS 37-177-1, 37-177-9, 37-177-11 AND 37-177-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT STUDENTS WHO FAIL THE ASSESSMENT SHALL STILL BE GIVEN THE INSTRUCTION PROVIDED FOR UNDER THIS CHAPTER; TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Williams, Hickman, Parker, McLendon, Blackwell, Sparks

**S. B. No. 2707:** Education; Appropriations

AN ACT TO AMEND SECTION 37-151-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO FULLY FUND THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2708:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-43-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE NAME OF THE STATE BOARD OF MEDICAL LICENSURE TO THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE; TO AMEND SECTION 73-43-3, MISSISSIPPI CODE OF 1972, TO ADD THREE CONSUMER MEMBERS TO THE BOARD; TO PROVIDE THAT EACH PHYSICIAN MEMBER OF THE BOARD SHALL HOLD A CURRENT MISSISSIPPI LICENSE TO PRACTICE MEDICINE; TO REVISE THE MEMBERSHIP OF THE BOARD AND THE APPOINTMENT DEADLINES; TO AMEND SECTION 73-43-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONSUMER MEMBERS OF THE BOARD MAY DISCUSS, VOTE AND NOMINATE CANDIDATES FOR OFFICE BUT SHALL NOT HOLD OFFICE; TO AMEND SECTION 73-43-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE QUORUM OF THE BOARD; TO AMEND SECTION 73-43-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD, THROUGH ITS EXECUTIVE DIRECTOR, HIRE INVESTIGATORS TO CONDUCT INVESTIGATIONS; TO AMEND SECTION 73-43-14, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE BOARD TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2709:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS COMPASSION ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO PROVIDE FOR THE LEGISLATIVE INTENT; TO PROVIDE CERTAIN PROTECTIONS FOR QUALIFIED PATIENTS, DESIGNATED CAREGIVERS AND HEALTH CARE PRACTITIONERS; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HEALTH TO LICENSE AND REGULATE MEDICAL CANNABIS MANUFACTURERS; TO PROVIDE FOR THE LICENSING PROCESS FOR MEDICAL CANNABIS MANUFACTURERS AND SPECIALTY PHARMACIES; TO REQUIRE THE BOARD OF PHARMACY TO LICENSE SPECIALTY PHARMACIES; TO REQUIRE MEDICAL CANNABIS SPECIALTY PHARMACIES AND QUALIFIED HEALTH CARE PRACTITIONERS TO COMPLY WITH THE PRESCRIPTION MONITORING PROGRAM; TO PROVIDE FOR THE SEED-TO-SALE PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO ESTABLISH AND ADMINISTER THE MISSISSIPPI MEDICAL CANNABIS PATIENT REGISTRY SYSTEM; TO ALLOW THE DEPARTMENT OF HEALTH TO SET THE MAXIMUM DAILY DOSAGE OF MEDICAL CANNABIS; TO SET CERTAIN REQUIREMENTS FOR THE SECURITY AND OPERATION OF MEDICAL CANNABIS MANUFACTURERS AND SPECIALTY PHARMACIES; TO ALLOW STATE-FUNDED PUBLIC UNIVERSITIES THE FIRST

RIGHT OF REFUSAL TO BE LICENSED AS A MEDICAL CANNABIS MANUFACTURER; TO PROHIBIT ANY COMPANY FROM BEING LICENSED AS A MANUFACTURER OR SPECIALTY PHARMACY IF IT IS OWNED WHOLLY OR IN PART BY ANY STATE EMPLOYEE OR A MEMBER OF A STATE EMPLOYEE'S IMMEDIATE FAMILY; TO REQUIRE ALL EMPLOYEES OF MANUFACTURERS AND SPECIALTY PHARMACIES TO PASS A BACKGROUND CHECK; TO PROVIDE FOR VIOLATIONS OF THE ACT; TO SET LICENSING FEES OF MANUFACTURERS AND SPECIALTY PHARMACIES; TO PROVIDE FOR CERTAIN LIMITATIONS OF THE USE OF MEDICAL CANNABIS; TO REQUIRE THE BOARD OF PHARMACY AND THE DEPARTMENT OF HEALTH TO ADOPT RULES AND REGULATIONS RELATING TO MEDICAL CANNABIS; TO REQUIRE THAT THE DEPARTMENT OF HEALTH PROVIDE CERTAIN REPORTS TO THE LEGISLATURE REGARDING THE MEDICAL CANNABIS PROGRAM; TO ALLOW THE DEPARTMENT OF HEALTH AND BOARD OF PHARMACY TO EXAMINE THE BUSINESS AFFAIRS AND CONDITIONS OF MEDICAL CANNABIS MANUFACTURERS OR SPECIALTY PHARMACIES; TO PROHIBIT THE DEPARTMENT OF HEALTH AND BOARD OF PHARMACY FROM LICENSING SPECIALTY PHARMACIES AND MEDICAL CANNABIS MANUFACTURERS IN A COUNTY OR MUNICIPALITY UNLESS THE COUNTY OR MUNICIPALITY HAS AUTHORIZED THE OPERATION WITHIN ITS BOUNDARIES; TO PROVIDE THAT SPECIALTY PHARMACIES AND MEDICAL CANNABIS MANUFACTURERS SHALL COLLECT AND REMIT THE SALES TAX LEVIED IN SECTION 27-65-17(1)(a) FROM THE GROSS PROCEEDS DERIVED FROM EACH SALE OF MEDICAL CANNABIS; TO ESTABLISH THE MEDICAL CANNABIS RESEARCH AND OPPORTUNITY FUND IN THE STATE TREASURY; TO AMEND SECTIONS 25-53-5, 27-104-203, 27-65-111, 33-13-520, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141, 41-29-143, 59-23-7, 63-11-30, 71-3-7, 71-3-121, 73-21-127, 73-25-29 AND 83-9-22, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Chism

**S. B. No. 2710:** Public Health and Welfare

AN ACT TO PROVIDE THAT AN INDIVIDUAL OR PARENT OR LEGAL GUARDIAN OF A CHILD MAY SIGN A RELIGIOUS EXEMPTION TO THE COVID VACCINE TO ATTEST THAT THE INDIVIDUAL OR CHILD IS AN ADHERENT OR FOLLOWER OF A RELIGION, THE TEACHINGS OF WHICH ARE OPPOSED TO SUCH IMMUNIZATION; TO PROVIDE THAT A PERSON, BUSINESS ENTITY OR A GOVERNMENTAL ENTITY SHALL NOT REFUSE, WITHHOLD FROM OR DENY TO A PERSON ANY LOCAL OR STATE SERVICES, GOODS, FACILITIES, ADVANTAGES, PRIVILEGES, LICENSING, EDUCATIONAL OPPORTUNITIES, HEALTH CARE ACCESS OR EMPLOYMENT OPPORTUNITIES BASED ON THE PERSON'S RELIGIOUS OBJECTION TO THE COVID VACCINE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2711:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ADVANCED PRACTICE REGISTERED NURSE TO INCLUDE ACUTE CARE NURSE PRACTITIONERS; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO INCLUDE ACUTE CARE NURSE PRACTITIONERS AS ADVANCED PRACTICE REGISTERED NURSES; TO PROVIDE THAT ACUTE CARE NURSE PRACTITIONERS MAY PERFORM AESTHETIC SERVICES, INCLUDING, BUT NOT LIMITED TO, DERMAL FILLERS AND TOXINS, BUT MUST PRACTICE ACCORDING TO PROTOCOLS APPROVED BY THE BOARD OF NURSING AND THAT HAS BEEN AGREED UPON BY THE NURSE PRACTITIONER AND A LICENSED PHYSICIAN; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2712:** Public Health and Welfare; Appropriations

AN ACT TO ESTABLISH THE RURAL NURSE RECRUITMENT AND RETENTION INCENTIVE GRANT PROGRAM ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2713:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-11-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A NURSING HOME RESIDENT OR A LEGAL REPRESENTATIVE TO HAVE A MONITORING DEVICE INSTALLED IN THE ROOM OF THE RESIDENT; TO ESTABLISH CONDITIONS FOR THE INSTALLATION AND USE OF MONITORING DEVICES IN NURSING HOMES; TO PROVIDE FOR CONSENT RELATIVE TO THE INSTALLATION AND USE OF SUCH DEVICES; TO PROVIDE LIMITATIONS ON THE USE OF SUCH DEVICES; TO REQUIRE NURSING HOMES TO MAKE CERTAIN ACCOMMODATIONS RELATIVE TO SUCH DEVICES; TO LIMIT LIABILITY IN CASES IN WHICH A MONITORING DEVICE IS INSTALLED WITHOUT PROPER AUTHORIZATION OR USED IMPROPERLY; TO PROHIBIT CERTAIN CONDUCT BY NURSING HOMES; TO ESTABLISH ADMINISTRATIVE PENALTIES; TO PROVIDE FOR ADMINISTRATIVE RULEMAKING; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2714:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-23-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "PHYSICAL THERAPY AIDE" OR "PHYSICAL THERAPY TECHNICIAN" FOR THE PURPOSES OF THE PHYSICAL THERAPY PRACTICE LAW; TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-39, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF PERSONS WHO ARE PERMITTED TO PRACTICE PHYSICAL THERAPY IN THIS STATE WITHOUT OBTAINING A MISSISSIPPI LICENSE; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE BOARD OF PHYSICAL THERAPY; TO DELETE THE PROHIBITION ON BEING APPOINTED FOR MORE THAN TWO CONSECUTIVE TERMS ON THE BOARD; TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO DETERMINE AND COLLECT, AT THE TIME OF NEW LICENSURE AND LICENSURE RENEWAL, A CORE SET OF DATA ELEMENTS DEEMED NECESSARY FOR THE PURPOSE OF WORKFORCE PLANNING; TO AMEND SECTION 73-23-51, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS AUTHORIZING THE LICENSING OF PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS BY RECIPROCITY; TO AMEND SECTION 73-23-53, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF THE BOARD TO ISSUE A TEMPORARY LICENSE TO PHYSICAL THERAPISTS OR PHYSICAL THERAPIST ASSISTANTS LICENSED IN OTHER STATES DURING A DISASTER OR EMERGENCY; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL TO THE AMENDMENT TO SECTION 73-23-35 IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2715:** Medicaid; Accountability, Efficiency, Transparency

AN ACT ENTITLED THE "WOMEN'S ECONOMIC SECURITY ACT OF 2022"; TO REQUIRE MINIMUM SPENDING LEVELS ON THE CHILD CARE PAYMENT PROGRAM (CCPP) FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA) BEGINNING JULY 1, 2022; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA); TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO EXPAND THE MISSISSIPPI STATE WORKFORCE INVESTMENT BOARD TO INCLUDE A WOMAN WITH

EXPERTISE IN ASSISTING WOMEN IN JOB TRAINING AND SECURING EMPLOYMENT IN NONTRADITIONAL OCCUPATIONS; TO AMEND SECTION 7-1-355, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ACHIEVE GENDER EQUITY IN THE WORKFORCE INVESTMENT ACT OR WORKFORCE INNOVATION OPPORTUNITY ACT WORKFORCE DEVELOPMENT SYSTEM; TO REQUIRE CERTAIN INFORMATION TO BE INCLUDED IN AN ANNUAL REPORT TO THE LEGISLATURE; TO REQUIRE EQUAL PAY CERTIFICATES OF COMPLIANCE; TO CREATE WOMEN AND HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS GRANT PROGRAM; TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT; TO AMEND TITLE 71, LABOR AND INDUSTRY, CHAPTER 1, EMPLOYER AND EMPLOYEE, TO ADD A SECTION PROHIBITING DISCRIMINATION IN EMPLOYMENT BASED ON PREGNANCY, CHILDBIRTH, OR A RELATED CONDITION; TO PROVIDE FOR PAID SICK AND SAFE LEAVE TIME; TO INCREASE THE STATE MINIMUM WAGE; TO ENACT THE EVELYN GANDY FAIR PAY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2716:** Economic and Workforce Development

AN ACT TO RATIFY THE INTERSTATE COMPACT BETWEEN THE STATES OF ARKANSAS, MISSISSIPPI AND TENNESSEE CREATING THE REGIONSMART DEVELOPMENT DISTRICT AND THE REGIONSMART DEVELOPMENT AGENCY OF THE GREATER MEMPHIS REGION; TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE REGIONSMART DEVELOPMENT AGENCY SHALL BE VESTED IN A BOARD OF COMMISSIONERS CONSISTING OF 15 MEMBERS, ALL OF WHOM SHALL BE RESIDENTS OF THE DISTRICT; TO NAME THE AUTHORITIES APPOINTING THE COMMISSIONERS, AND TO FIX THE TERMS OF THE COMMISSIONERS; TO PROVIDE THE POWERS AND DUTIES OF THE BOARD OF COMMISSIONERS; TO PROVIDE THAT THE COMPACT SHALL BECOME EFFECTIVE UPON PASSAGE OF APPROPRIATE LEGISLATION IN TWO OF THE THREE STATES IN SUBSTANTIALLY SIMILAR FORM; TO PROVIDE THAT THE COMPACT MAY ONLY BE AMENDED BY THE PASSAGE OF APPROPRIATE LEGISLATION APPROVED BY THE STATES WHICH ARE THEN PARTIES TO THE COMPACT CONCURRING IN THE AMENDMENT; TO REQUIRE THE REGIONSMART DEVELOPMENT AGENCY, NOT LATER THAN MARCH 31 OF EACH YEAR, TO SUBMIT AN ANNUAL REPORT TO THE STATE LEGISLATURES AND GOVERNORS, AND TO THE INDIVIDUALS AND ENTITIES HOLDING THE POWERS OF APPOINTMENT OF THE BOARD OF COMMISSIONERS; TO PROVIDE THAT NO PART OF THE INCOME AND EARNINGS OF THE REGIONSMART DEVELOPMENT AGENCY SHALL INURE TO THE BENEFIT OR PROFIT OF A PRIVATE INDIVIDUAL OR ENTITY; TO SET REQUIREMENTS REGARDING THE DISTRIBUTION OF THE ASSETS OF THE REGIONSMART DEVELOPMENT AGENCY UPON ITS DISSOLUTION; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2717:** Economic and Workforce Development; Finance

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HINDS COUNTY SHALL BE A SEPARATE WORKFORCE INVESTMENT AREA UNDER THE FEDERAL WORKFORCE INVESTMENT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2718:** Economic and Workforce Development; Appropriations

AN ACT TO ESTABLISH A "PARTNERSHIPS FOR GROWTH" GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO CREATE A FUND FOR THAT PURPOSE; TO PRESCRIBE THE PURPOSES AND CONDITIONS FOR THE EXPENDITURE OF FUNDS; TO AMEND SECTION 57-1-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2719:** Economic and Workforce Development

AN ACT TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF MEMBERS OF BOARDS OF SUPERVISORS; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2024, AND FROM AND AFTER JANUARY 1, 2028, MEMBERS OF BOARDS OF SUPERVISORS MAY RECEIVE CERTAIN ADDITIONAL INCREASES IF THE MEMBERS OF THE BOARD OF SUPERVISORS APPROVE SUCH INCREASES; TO PROHIBIT STATE REVENUE FROM BEING USED TO FUND SALARY INCREASES FOR MEMBERS OF BOARDS OF SUPERVISORS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2720:** Economic and Workforce Development; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TERMS AND CONDITIONS FOR ALLOWING STATE EMPLOYEES TO ENGAGE IN TELEWORK; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2721:** Economic and Workforce Development; Appropriations

AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT PROGRAM; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO PROVIDE THAT THE PROGRAM SHALL BE DIRECTED BY THE OFFICE OF WORKFORCE DEVELOPMENT FOR THE PURPOSE OF PROVIDING EDUCATION AND TRAINING TO CITIZENS SEEKING EMPLOYMENT IN HIGH-DEMAND, HIGH-WAGE INDUSTRIES IN THE STATE WHICH WERE IMPACTED BY THE DISRUPTION TO THE ECONOMY AND WORKFORCE CAUSED BY COVID-19; TO PROVIDE THAT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, ALLOCATIONS TO RECIPIENTS SHALL BE AWARDED BY THE OFFICE THROUGH AN APPLICATION PROCESS; TO SPECIFY REQUIREMENTS FOR APPLICANTS; TO SPECIFY THE RESPONSIBILITIES OF THE OFFICE OF WORKFORCE DEVELOPMENT IN ADMINISTERING THE PROGRAM; TO CREATE AS A SPECIAL FUND IN THE STATE TREASURY THE AMERICAN RESCUE PLAN ACT WORKFORCE DEVELOPMENT PROGRAM FUND, FROM WHICH THE GRANTS AUTHORIZED BY THIS ACT SHALL BE DISBURSED BY THE OFFICE; TO REQUIRE THE OFFICE TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE OF APPROPRIATED FUNDS UNDER THIS ACT IS IN COMPLIANCE WITH THE UNITED STATES TREASURY GUIDELINES; TO SPECIFY THAT THE USE OF FUNDS ALLOCATED UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO FEDERAL AND STATE AUDIT, AND THAT RECIPIENTS FOUND TO BE FULLY OR PARTIALLY NONCOMPLIANT WITH THE REQUIREMENTS OF THIS ACT SHALL RETURN TO THE STATE ALL OR A PORTION OF THE FUNDS RECEIVED; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO PROVIDE A COMPREHENSIVE REPORT ON THE USE AND EFFECTIVENESS OF FUNDS DISTRIBUTED UNDER THE GRANT PROGRAM, TO THE GOVERNOR AND LEGISLATURE BY OCTOBER 1 EACH YEAR OF THE EXISTENCE OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2722:** Economic and Workforce Development; Appropriations

AN ACT TO CREATE A NEW SECTION IN TITLE 71, CHAPTER 5, MISSISSIPPI CODE OF 1972, TO BE KNOWN AS THE "BACK TO WORK MISSISSIPPI ACT"; TO SET LIMITS ON THE DURATION OF UNEMPLOYMENT COMPENSATION BENEFITS BASED ON THE STATE AVERAGE UNEMPLOYMENT RATE; TO DIRECT THE DEPARTMENT OF EMPLOYMENT SECURITY TO ESTABLISH A PROCESS BY WHICH OPEN POSITIONS SUBMITTED TO ANY STATE-ADMINISTERED JOB BOARD BY EMPLOYERS WILL BE DIRECTLY SHARED WITH UNEMPLOYMENT CLAIMANTS BY THE DEPARTMENT AND A PROCESS BY WHICH THE DEPARTMENT SHALL REFER UNEMPLOYMENT CLAIMANTS TO SUCH OPEN POSITIONS, INCLUDING FACILITATING CONTACT BETWEEN EMPLOYERS AND

CLAIMANTS AND MONITORING WHETHER CLAIMANTS ARE SUFFICIENTLY RESPONSIVE TO A REFERRAL; AND FOR RELATED PURPOSES.

By Senator(s) Chism

**S. B. No. 2723:** Economic and Workforce Development

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN APPOINTMENTS TO THE STATE WORKFORCE INVESTMENT BOARD; TO AMEND SECTIONS 71-5-353, 71-5-355 AND 71-5-453, MISSISSIPPI CODE OF 1972, TO REPLACE THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING FUND, THE STATE WORKFORCE INVESTMENT FUND AND THE MISSISSIPPI WORKS FUND WITH THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT FUND, AND TO DESIGNATE DECEMBER 31 AS THE DATE FOR CALCULATING THE EXPOSURE CRITERION FOR CALENDAR YEARS 2020 AND 2021; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE OFFICE OF WORKFORCE DEVELOPMENT ON TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAMS RELATED TO JOB PLACEMENT, JOB TRAINING AND JOB RETENTION; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 TO ESTABLISH EDUCATION, TRAINING AND WORKFORCE DEVELOPMENT PROGRAMS IN COLLABORATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT AND OTHER RELEVANT STATE AND FEDERAL AGENCIES; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2724:** Appropriations

AN ACT TO ESTABLISH THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE MISSISSIPPI DEPARTMENT OF HEALTH UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADMINISTER THE MAICU GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND DESIGNATED AS THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTIONS 27-104-3 AND 41-3-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Parks, Polk, Butler (36th), DeBar, Frazier, Michel, Williams

**S. B. No. 2725:** Public Health and Welfare

AN ACT TO CREATE NEW SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTHCARE PROVIDERS TO PROVIDE MEDICAL RECORDS AND BILLING RECORDS THAT ARE IN THEIR POSSESSION OR CUSTODY TO A PATIENT WITHIN 30 DAYS FROM THE DATE THAT IT RECEIVES A VALID REQUEST; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2726:** Public Health and Welfare

AN ACT TO CREATE NEW SECTION 41-23-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY GOVERNMENTAL ENTITY THAT RECEIVES STATE FUNDING SHALL NOT REQUIRE THAT AN INDIVIDUAL RECEIVE A COVID VACCINE NOR DENY AN INDIVIDUAL ANY SERVICE BASED ON THAT INDIVIDUAL'S

VACCINATION STATUS OR POSSESSION OF AN IMMUNITY PASSPORT; TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Tate, McLendon, McCaughn, Hill, Branning, Seymour, DeBar, Younger, Blackwell, Moran, Whaley, Caughman, Williams, Suber, Chassaniol, Fillingane, Carter, Wiggins

**S. B. No. 2727:** Public Health and Welfare; Appropriations

AN ACT TO CREATE THE SNAP HEALTHY FOOD INCENTIVE PROGRAM ACT OF 2022; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES, SUBJECT TO APPROPRIATION, TO MAKE AN ANNUAL GRANT TO FUND A QUALIFIED NONPROFIT ORGANIZATION; TO REQUIRE THE ORGANIZATION TO DISTRIBUTE TO PARTICIPATING FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR THE DOLLAR VALUE OF SNAP BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th), Simmons (13th), Butler (36th), Norwood, Horhn, Jordan, Frazier, Simmons (12th), Thomas

**S. B. No. 2728:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI SAVE ADOLESCENTS FROM EXPERIMENTATION (SAFE) ACT; TO PROVIDE FOR THE LEGISLATIVE FINDINGS RELATED TO THE SAFE ACT; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE THAT A PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL SHALL NOT PROVIDE GENDER TRANSITION PROCEDURES TO ANY INDIVIDUAL UNDER 18 YEARS OF AGE; TO PROVIDE THAT A PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL SHALL NOT REFER ANY INDIVIDUAL UNDER 18 YEARS OF AGE TO ANY HEALTH CARE PROFESSIONAL FOR GENDER TRANSITION PROCEDURES; TO ALLOW FOR CERTAIN EXCEPTIONS TO THE PROHIBITION THAT PHYSICIANS CANNOT PROVIDE SUCH SERVICES; TO PROVIDE THAT PUBLIC FUNDS SHALL NOT BE DISTRIBUTED TO ANY ENTITY OR INDIVIDUAL THAT PROVIDES GENDER TRANSITION PROCEDURES TO AN INDIVIDUAL UNDER 18 YEARS OF AGE; TO PROVIDE FOR ENFORCEMENT OF THE ACT; TO PROHIBIT A HEALTH BENEFIT PLAN UNDER AN INSURANCE PLAN FROM PROVIDING INSURANCE COVERAGE OF GENDER TRANSITION PROCEDURES FOR MINORS; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2729:** Public Health and Welfare

AN ACT TO AMEND SECTION 27-69-9, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE SALE OF SINGLE OR LOOSE UNPACKED CIGARETTES; TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL BAN THE SALE OF TOBACCO FROM THE PHYSICAL PREMISES IN WHICH A VIOLATION OF THE SECTION OCCURS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett, Boyd

**S. B. No. 2730:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO INCLUDE BOARD CERTIFIED OCCUPATIONAL THERAPIST WHO ARE EMPLOYED BY A LOCAL SCHOOL BOARD OR BY A STATE AGENCY UNDER THE STATE PERSONNEL BOARD AS ELIGIBLE EMPLOYEES FOR ANNUAL SALARY SUPPLEMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, Boyd

**S. B. No. 2731:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-12-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO USE A COMBINATION OF REPORTING SYSTEMS TO LOWER THE AGENCY'S ERROR RATE AND CIRCUMVENT FEDERAL FINES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2732:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-32, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN GROUNDS FOR REINSTATEMENT OF A PHYSICIANS LICENSE THAT HAS BEEN REVOKED BY THE BOARD OF MEDICAL LICENSURE FOR VIOLATION OF STATUTE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2733:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OF A 60-BED NURSING FACILITY IN ANY UNDERSERVED MINORITY ZIP CODE AREA IN THE STATE THAT MEETS CERTAIN QUALIFICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2734:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DEPARTMENT OF HUMAN SERVICES FROM PROVIDING ANY ASSISTANCE TO ANY PERSON CONVICTED OF MORE THAN TWO FELONY OFFENSES; TO REPEAL SECTION 43-12-71, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT OPTS MISSISSIPPI OUT OF 21 USC SECTION 862a(a); AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2735:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 41-75-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF FREESTANDING EMERGENCY ROOM TO INCLUDE RURAL EMERGENCY HOSPITALS AND TO ESTABLISH THAT IN ORDER TO BE ELIGIBLE FOR LICENSURE, THE HOSPITALS AND EMERGENCY ROOMS SHALL BE LOCATED AT LEAST 15 MILES FROM THE NEAREST HOSPITAL-BASED EMERGENCY ROOM IN ANY RURAL COMMUNITY WHERE THE FEDERAL CMMS HAS DESIGNATED AS A MEDICALLY UNDERSERVED AREA IN A COUNTY WITHOUT A EMERGENCY HOSPITAL THAT IS OPEN 24 HOURS A DAY AND THE OWNER OR MANAGER IS A HOSPITAL OPERATOR OF AN EXISTING RURAL MISSISSIPPI HOSPITAL AT THE TIME OF LICENSURE; TO BRING FORWARD SECTION 41-75-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Jackson (11th), McCaughn, McLendon, Sparks

**S. B. No. 2736:** Economic and Workforce Development; Appropriations

AN ACT TO AMEND SECTION 71-5-513, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT DISCHARGE FROM EMPLOYMENT FOR FAILURE TO COMPLY WITH AN EMPLOYER-REQUIRED VACCINE MANDATE SHALL BE GOOD CAUSE FOR PURPOSES OF DETERMINING ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION; TO AMEND SECTION 71-5-507, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN INDIVIDUAL WHO WAS DISCHARGED FROM EMPLOYMENT FOR FAILURE TO COMPLY WITH AN EMPLOYER-REQUIRED VACCINE MANDATE SHALL BE ENTITLED DURING ANY BENEFIT YEAR TO THE ENTIRE AMOUNT OF HIS TOTAL WAGES FOR INSURED WORK PAID DURING HIS BASE PERIOD; TO CREATE A NEW CODE SECTION TO PROVIDE THAT AN EMPLOYER SHALL REIMBURSE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR THE TOTAL AMOUNT OF CLAIMS PAID TO INDIVIDUALS WHO WERE DISCHARGED FROM THE EMPLOYER'S EMPLOYMENT FOR FAILURE TO COMPLY WITH AN EMPLOYER-REQUIRED VACCINE MANDATE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2737:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISCIPLINARY SANCTIONS BY THE STATE BOARD OF MEDICAL LICENSURE AGAINST A LICENSED PHYSICIAN FOR CHARGING FOR OUTPATIENT ANATOMIC PATHOLOGY SERVICES UNLESS THE SERVICES WERE RENDERED PERSONALLY BY THE LICENSED PRACTITIONER OR UNDER HIS SUPERVISION; TO AUTHORIZE DISCIPLINARY SANCTIONS AGAINST A PHYSICIAN FOR THE DIVISION OF FEES OR ARRANGEMENT TO DIVIDE THE FEES RECEIVED FOR PROFESSIONAL SERVICES WITH ANY PERSON FOR REFERRING A PATIENT; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2738:** Insurance

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO REQUIRE HEALTH INSURANCE AND EMPLOYEE BENEFIT PLANS TO REIMBURSE PROVIDERS FOR TELEMEDICINE SERVICES USING THE PROPER MEDICAL CODES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Michel

**S. B. No. 2739:** Medicaid

AN ACT TO DEFINE NONEMERGENCY MEDICAL TRANSPORTATION PROVIDER AND SERVICES; TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY ISSUE A PERMIT TO NONEMERGENCY MEDICAL TRANSPORTATION PROVIDERS IF THE PROVIDER MEETS ALL REQUIREMENTS OF THE ACT AND THE RULES AND REGULATIONS SET BY THE DEPARTMENT; TO SET THE MODES OF TRANSPORTATION ALLOWED BY PROVIDERS; TO REQUIRE THE DEPARTMENT OF HEALTH TO ADOPT CERTAIN RULES AND REGULATIONS FOR THE OPERATION OF NONEMERGENCY MEDICAL TRANSPORTATION PROVIDERS; TO SET THE MINIMUM QUALIFICATIONS REQUIRED; TO REQUIRE ENTITIES THAT ARE APPLYING FOR A PERMIT TO PROVIDE THE DEPARTMENT OF HEALTH WITH THE NECESSARY DOCUMENTATION REQUIRED BY THE ACT AND THE DEPARTMENT; TO REQUIRE ALL LONG-TERM CARE FACILITIES, HOSPITALS AND OTHER MEDICAL FACILITIES IN THIS STATE TO ONLY CONTRACT FOR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES WITH NONEMERGENCY MEDICAL TRANSPORTATION PROVIDERS THAT HAVE BEEN ISSUED A PERMIT BY THE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Blackwell

**S. B. No. 2740:** Public Health and Welfare; Judiciary, Division B

AN ACT TO ENACT THE MATERNAL HEALTH REPORTING ACT; TO PROVIDE THE LEGISLATIVE FINDINGS AND INTENT; TO PROVIDE THAT THE PURPOSE OF THE ACT IS TO PROMOTE THE HEALTH AND SAFETY OF WOMEN BY ADDING TO THE SUM OF MEDICAL AND PUBLIC HEALTH KNOWLEDGE THROUGH THE COMPILATION OF RELEVANT DATA ON ALL ABORTIONS PERFORMED OR TREATED IN THE STATE; TO PROVIDE APPLICABLE DEFINITIONS OF THE ACT; TO REQUIRE A REPORT TO BE COMPLETED BY THE HOSPITAL OR OTHER FACILITY IN WHICH AN ABORTION OCCURRED AND TO REQUIRE THE REPORT BE TRANSMITTED TO THE DEPARTMENT OF HEALTH; TO SET THE MINIMUM INFORMATION REQUIRED TO BE INCLUDED IN THE REPORT; TO PROVIDE THAT THE REPORT SHALL NOT CONTAIN THE NAME OF THE WOMAN OR ANY OTHER COMMON IDENTIFIERS; TO REQUIRE THE DEPARTMENT OF HEALTH TO PREPARE A COMPREHENSIVE ANNUAL STATISTICAL REPORT FOR THE LEGISLATURE BASED UPON THE DATA GATHERED FROM REPORTS; TO REQUIRE CERTAIN REPORTING RELATED TO ABORTION COMPLICATIONS; TO REQUIRE THE DEPARTMENT OF HEALTH TO CREATE FORMS; TO SET CERTAIN PUNISHMENTS AND FELONIES FOR VIOLATION OF THE ACT; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; TO PROVIDE THAT THE ATTORNEY GENERAL

AND THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE SHALL HAVE THE AUTHORITY TO BRING ACTIONS TO ENFORCE THE PROVISIONS OF THIS ACT; TO AMEND SECTION 41-41-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO ABORTION-INDUCING DRUG SHALL BE PROVIDED WITHOUT THE INFORMED CONSENT OF THE PREGNANT WOMAN TO WHOM THE DRUG IS PROVIDED; TO REQUIRE THAT AN INFORMED CONSENT FORM BE PROVIDED TO THE PATIENT BEFORE THE PHYSICIAN MAY PROVIDE THE ABORTION-INDUCING DRUG; TO THAT REQUIRE CERTAIN INFORMATION BE INCLUDED IN THE FORM; TO AMEND SECTION 41-41-31, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE DEFINITION OF ABORTION; TO AMEND SECTION 41-41-143, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Fillingane

**S. B. No. 2741:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE BAPTIST HEALTH FOUNDATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.  
By Senator(s) Blackwell

**S. B. No. 2742:** Finance

AN ACT TO CREATE THE RETAILER TAX FAIRNESS ACT; TO DEFINE TERMS; TO EXCLUDE THE AMOUNT OF CERTAIN STATE AND LOCAL TAXES AND FEES FROM THE AMOUNT ON WHICH AN INTERCHANGE FEE IS CHARGED FOR AN ELECTRONIC PAYMENT TRANSACTION; TO REQUIRE A PAYMENT CARD NETWORK EITHER TO DEDUCT THE AMOUNT OF ANY TAX IMPOSED FROM THE CALCULATION OF INTERCHANGE FEES SPECIFIC TO EACH FORM OR TYPE OF ELECTRONIC PAYMENT TRANSACTION AT THE TIME OF SETTLEMENT, OR TO REBATE PROMPTLY AN AMOUNT OF INTERCHANGE FEE PROPORTIONATE TO THE AMOUNT ATTRIBUTABLE TO THE TAX OR FEE; TO PROVIDE THAT A PAYMENT CARD NETWORK THAT VIOLATES THIS ACT SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$1,000.00 PER VIOLATION, PAYABLE TO THE PLAINTIFF, AND SHALL REFUND THE SURCHARGE TO EACH MERCHANT OR SELLER; TO PROHIBIT THE ALTERATION OR MANIPULATION OF THE COMPUTATION AND IMPOSITION OF INTERCHANGE FEES BY INCREASING THE RATE OR AMOUNT OF THE FEE APPLICABLE TO OR IMPOSED UPON THAT PORTION OF AN ELECTRONIC PAYMENT TRANSACTION NOT ATTRIBUTABLE TO A STATE OR LOCAL TAX OR FEE TO CIRCUMVENT THE EFFECT OF THIS ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Sparks, Boyd, McCaughn, Suber

**S. B. No. 2743:** Finance

AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF LAW THAT REGULATE ALTERNATIVE NICOTINE PRODUCTS; TO AMEND SECTION 97-32-21, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE ATTORNEY GENERAL TO PERFORM RANDOM CHECKS; TO AMEND SECTION 67-1-81, MISSISSIPPI CODE OF 1972, TO REQUIRE HOLDERS OF A PACKAGE RETAIL PERMIT TO HAVE AN INDEPENDENT, THIRD-PARTY AGE VERIFICATION SERVICE AVAILABLE ON THE PROPERTY OF THE LOCATION IN WHICH ALCOHOLIC BEVERAGES ARE SOLD; AND FOR RELATED PURPOSES.  
By Senator(s) Harkins

**S. B. No. 2744:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SUNFLOWER COUNTY MINISTERIAL ALLIANCE COUNSELING SERVICES (SCMACS), INC., IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A TRANSITIONAL SHELTER IN

INDIANOLA, MISSISSIPPI, TO PROVIDE HOUSING AND EMPOWERING SKILLS TO INDIVIDUALS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Thomas, Simmons (12th), Jackson (11th), Jordan

**S. B. No. 2745:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE ALL PARCELS ZONED FOR MIXED-USE DEVELOPMENT LOCATED WEST OF MISSISSIPPI HIGHWAY 589, MORE THAN 400 FEET NORTH OF OLD HIGHWAY 24, EAST OF PARKER'S CREEK AND BLACK CREEK, AND SOUTH OF J.M. BURGE ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2746:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF NEW FACILITIES FOR, AND THE RELOCATION OF, THE MISSISSIPPI STATE VETERANS HOME IN THE JACKSON, MISSISSIPPI, METROPOLITAN AREA; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2747:** Finance

AN ACT TO AMEND SECTION 67-11-11, MISSISSIPPI CODE OF 1972, TO CORRECT THE PRIVILEGE LICENSE TAX PROVISION TO CONFORM WITH THE AMOUNT SPECIFIED IN SECTION 27-71-5; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2748:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLARKE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE AND MAINTENANCE OF EQUIPMENT SUPPORTING VOTING BY PAPER BALLOTS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2749:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE PRO-LIFE BILLBOARD INITIATIVE; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2750:** Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PHASE OUT THE MISSISSIPPI STATE INCOME TAX BASED ON GENERAL FUND REVENUE COLLECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel, Sojourner

**S. B. No. 2751:** Finance

AN ACT TO AMEND SECTIONS 27-19-56.480 AND 27-19-44, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MARTY WILSON FOUNDATION ONE GULF ONE GOAL FROM THE REQUIREMENTS OF SUBMITTING PROOF SATISFACTORY TO THE DEPARTMENT OF REVENUE THAT AT LEAST 300 DISTINCTIVE LICENSE TAGS WILL BE PURCHASED, AND OF DEPOSITING WITH THE DEPARTMENT AN AMOUNT NECESSARY TO PURCHASE 300 DISTINCTIVE LICENSE TAGS, WITHIN THREE YEARS OF THE AUTHORIZATION OF THE TAGS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2752:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH PLANNING, DESIGN AND INFRASTRUCTURE CONSTRUCTION RELATED TO THE JACKSON METRO AEROPLEX INFRASTRUCTURE DEVELOPMENT PROJECT, INCLUDING, BUT NOT LIMITED TO, ACCESS ROADS FOR THE PROJECT, AND WATER, SEWER, NATURAL GAS AND ELECTRICAL SERVICE FOR THE PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2753:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI DISC GOLF; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2754:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING IN PROVIDING THE REMAINDER OF THE AMOUNT, ADJUSTED FOR INFLATION, THAT IT WAS CHARGED WITH RAISING FOR A PRIVATELY FUNDED ENDOWMENT FOR JACKSON STATE UNIVERSITY, MISSISSIPPI VALLEY STATE UNIVERSITY AND ALCORN STATE UNIVERSITY UNDER THE SETTLEMENT OF AYERS V. MUSGROVE; TO PROVIDE THAT THE PRIVATELY FUNDED ENDOWMENT SHALL BE USED FOR PROGRAM STABILIZATION, PROGRAM DEVELOPMENT AND EXPANSION AT THE THREE BENEFICIARY UNIVERSITIES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2755:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2756:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A MENTAL AND BEHAVIORAL HEALTH COURT/COLLABORATIVE AND/OR MENTAL HEALTH FACILITY IN HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2757:** Finance

AN ACT TO AMEND SECTION 27-3-79, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH AN AMNESTY PROGRAM FOR TAXPAYERS HAVING AN UNPAID TAX LIABILITY DUE AFTER JANUARY 1, 2005, AND BEFORE DECEMBER 31, 2019; TO PROVIDE THAT THE PROGRAM SHALL BEGIN ON SEPTEMBER 1, 2022, AND END ON DECEMBER 31, 2022; TO PROVIDE THAT TAX AMNESTY SHALL BE AVAILABLE TO ANY TAXPAYER WHO IS LIABLE FOR TAXES ADMINISTERED BY THE DEPARTMENT, INCLUDING, BUT NOT LIMITED TO, TAXPAYERS SUBJECT TO TAX-RELATED CRIMINAL INVESTIGATIONS OR PROSECUTION, TO INTEREST AND PENALTIES COLLECTED

UNDER THE INTERNATIONAL FUEL TAX AGREEMENT OR INTERNATIONAL REGISTRATION PLAN, TO ESTIMATED PAYMENTS MADE UNDER THE MISSISSIPPI INCOME TAX WITHHOLDING LAW OF 1968 OR TO ANY TAXPAYER WHO PARTICIPATED IN THE 2004 TAX AMNESTY PROGRAM; TO PROVIDE THAT ALL INTEREST AND PENALTIES THAT HAVE ACCRUED SINCE A LIABILITY BECAME A FINALLY DETERMINED TAX LIABILITY SHALL BE WAIVED FOR AN ELIGIBLE TAXPAYER WHO MAKES A TOTAL PAYMENT OF THE ORIGINAL TAX LIABILITY DURING THE AMNESTY PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2758:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND DEVELOPMENT OF THE BYRAM-CLINTON PARKWAY PROJECT IN HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2759:** Finance

AN ACT TO AMEND SECTION 57-26-1, MISSISSIPPI CODE OF 1972, TO INCLUDE CERTAIN HOTELS WITHIN THE DEFINITION OF THE TERM "TOURISM PROJECT" FOR PURPOSES OF THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2760:** Finance

AN ACT TO AMEND SECTION 69-2-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT THAT MAY BE LOANED TO ANY ONE BORROWER FROM THE EMERGING CROPS FUND TO ASSIST IN PROVIDING FINANCING FOR MINORITY ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2761:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE RESTORATION AND RENOVATION OF THE SCOTT FORD MIDWIFE HOUSES IN DOWNTOWN JACKSON, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Horhn

**S. B. No. 2762:** Finance

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114 AND 25-11-117, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS FOR PERSONS HAVING JOINED THE SYSTEM ON OR AFTER JULY 1, 2007, BUT HAVING AT LEAST FOUR YEARS OF SERVICE IN THE SYSTEM AS FIRST RESPONDERS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2763:** Finance

AN ACT TO AMEND SECTION 27-19-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, AS AN ALTERNATIVE TO A PERSONALIZED LICENSE TAG BEING OF THE SAME COLOR AS REGULAR LICENSE TAGS, AN OWNER OF A MOTOR VEHICLE OR NONCOMMERCIAL TRAILER MAY CHOOSE A PERSONALIZED TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2764:** Finance

AN ACT TO AMEND SECTION 57-1-303, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE CERTAIN MONIES IN THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING LOAN FUND FOR ORDINARY AND NECESSARY GENERAL SUPPORT OF THE AUTHORITY; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2765:** Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY INDIVIDUALS TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY BUSINESS ENTERPRISES TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2766:** Finance

AN ACT TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ONE VEHICLE OWNED BY A STATE-LICENSED TEACHER EMPLOYED BY A PUBLIC SCHOOL DISTRICT SITUATED WITHIN A GEOGRAPHICAL AREA OF THE STATE WHERE THERE EXISTS A CRITICAL SHORTAGE OF TEACHERS, AS DESIGNATED BY THE STATE BOARD OF EDUCATION; TO PROVIDE A 50% DISCOUNT OFF THE AD VALOREM TAX ON ONE MOTOR VEHICLE OWNED BY A STATE-LICENSED TEACHER EMPLOYED BY ANY OTHER PUBLIC SCHOOL DISTRICT IN THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2767:** Finance

AN ACT TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION 20% OF THE ASSESSED VALUE OF ONE MOTOR VEHICLE OWNED BY A PERSON EMPLOYED FULL TIME AS A CLASSROOM TEACHER BY A PUBLIC SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2768:** Finance

AN ACT TO REQUIRE THAT ANY LOCAL TAX WHICH IS TO BE COLLECTED AND PAID TO THE DEPARTMENT OF REVENUE IN THE SAME OR SIMILAR MANNER THAT STATE SALES TAXES ARE COLLECTED AND PAID, WHETHER AUTHORIZED UNDER THE GENERAL LAW OR UNDER A LOCAL AND PRIVATE LAW OF THIS STATE, BE PLACED ON THE BALLOT FOR THE APPROVAL OF AT LEAST 60% OF THE QUALIFIED ELECTORS WHO VOTE IN THE ELECTION OF THE LOCAL GOVERNMENT, BOTH FOR INITIAL IMPOSITION AND FOR CONTINUATION OR RENEWAL; TO SPECIFY THAT NOTICE REQUIREMENTS SHALL BE THE SAME FOR A VOTE ON THE CONTINUATION OR RENEWAL OF A TAX AS FOR A VOTE ON ITS INITIAL IMPOSITION; TO PROVIDE THAT ANY PROPOSED LOCAL TAX FAILING TO RECEIVE THE REQUIRED 60% APPROVAL SHALL NOT BE IMPOSED, AND THE

AUTHORITY FOR ANY EXISTING LOCAL TAX FAILING TO RECEIVE THE REQUIRED 60% APPROVAL SHALL LAPSE ON THE DATE OF ITS REPEAL; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2769:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO ANY FOUNDATION ORGANIZED AS A NONPROFIT CORPORATION THAT IS EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT RECEIVES, INVESTS AND ADMINISTERS PRIVATE SUPPORT FOR A STATE-SUPPORTED INSTITUTION OF HIGHER LEARNING, OR BY ANY ENTITY WHOLLY OWNED AND WHOLLY CONTROLLED BY SUCH A FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2770:** Finance

AN ACT TO AMEND SECTION 27-7-22.40, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX JOB CREDIT FOR ENTERPRISES THAT ARE PRIMARILY ENGAGED IN PROVIDING INLAND WATER TRANSPORTATION OF CARGO ON LAKES, RIVERS AND INTRACOASTAL WATERWAYS FOR EACH FULL-TIME EMPLOYEE EMPLOYED BY THE ENTERPRISE IN A MISSISSIPPI FULL-TIME JOB, TO EXTEND THE REPEALER ON THE CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2771:** Finance

AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972; TO REENACT SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS THAT USE THE AIRPORT FACILITIES AT PUBLIC AIRPORTS FOR CERTAIN CHARGES PAID BY THE TAXPAYER ON THE EXPORT OR IMPORT OF CARGO; TO AMEND REENACTED SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 27-7-22.26, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH INCOME TAX CREDIT; TO AMEND SECTION 3, CHAPTER 442, LAWS OF 2005, AS LAST AMENDED BY SECTION 6, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.25 AND 27-7-22.26, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2772:** Finance

AN ACT TO AMEND SECTION 57-10-601, MISSISSIPPI CODE OF 1972, TO FACILITATE MISSISSIPPI'S PARTICIPATION IN THE STATE SMALL BUSINESS CREDIT INITIATIVE BY AUTHORIZING THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FORM A PRIVATE NONPROFIT ENTITY THAT IS EXEMPT FROM FEDERAL INCOME TAXATION, THE PURPOSE OF WHICH IS TO PROMOTE, AID AND ENCOURAGE ECONOMIC DEVELOPMENT IN THIS STATE OR A LOCALITY OR

REGION OF THIS STATE, AND FOR OTHER ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2773:** Finance

AN ACT TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES AN INCOME TAX CREDIT FOR ANY COMPANY THAT TRANSFERS OR RELOCATES ITS NATIONAL OR REGIONAL HEADQUARTERS TO THE STATE OF MISSISSIPPI FROM OUTSIDE THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2774:** Finance

AN ACT TO CREATE THE "FIRST RESPONDER APPRECIATION AND RECRUITMENT ACT"; TO CREATE A NEW SECTION IN TITLE 25, CHAPTER 11, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO IMPLEMENT THE "FIRST RESPONDERS RETIREMENT INCENTIVE"; TO PROVIDE, FOR THIS INCENTIVE, THAT ANY MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 2011, SHALL EARN ONE YEAR OF CREDITABLE SERVICE AT NO COST TO MEMBERS FOR EVERY FIVE YEARS SERVED AS A FIRST RESPONDER IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT, IN ORDER TO USE THIS INCENTIVE, THE FIRST RESPONDER MUST NOT HAVE ANY FELONY CONVICTIONS AT THE TIME OF RETIREMENT; TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114 AND 25-11-117, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS FOR PERSONS HAVING JOINED THE SYSTEM ON OR AFTER JULY 1, 2007, BUT HAVING AT LEAST FOUR YEARS OF SERVICE IN THE SYSTEM AS FIRST RESPONDERS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2775:** Appropriations

AN ACT TO ESTABLISH THE "MISSISSIPPI ECONOMICALLY DISADVANTAGED COMMUNITY (EDC) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE MISSISSIPPI DEPARTMENT OF HEALTH UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA) BLENDED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO ECONOMICALLY DISADVANTAGED COMMUNITIES AND TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER THE GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY SPECIAL FUNDS DESIGNATED AS THE "MISSISSIPPI ECONOMICALLY DISADVANTAGED COMMUNITY (EDC) INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTIONS 49-2-9 AND 41-3-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2776:** Appropriations

AN ACT TO AMEND SECTION 43-13-407, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS THAT PROVIDE FOR THE ESTABLISHMENT OF THE HEALTH CARE EXPENDABLE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2777:** Appropriations

AN ACT TO AMEND SECTIONS 25-31-5 AND 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS AND INVESTIGATORS FOR THE SEVENTH CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2778:** Appropriations

AN ACT TO AMEND SECTION 27-104-351, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS BY WHICH A STATE AGENCY MAY PROVIDE A RECIPIENT ENTITY PASS-THROUGH FUNDING UNDER THE LINE-ITEM APPROPRIATION TRANSPARENCY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2779:** Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL, THE MISSISSIPPI BUREAU OF NARCOTICS AND THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2780:** Appropriations

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS CAPITAL PROJECTS FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE SPENT UPON APPROPRIATION BY THE LEGISLATURE AND SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE FOR CERTAIN TRANSFERS TO THE GENERAL FUND DURING FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2781:** Appropriations

AN ACT TO AMEND CHAPTER 102, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; TO AMEND CHAPTER 100, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022; TO AMEND CHAPTER 82, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022; TO AMEND CHAPTER 51, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2022; TO AMEND CHAPTER 46, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2782:** Appropriations

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "CAUSE OF DEATH" UNDER THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS' DEATH BENEFITS TRUST FUND TO INCLUDE THE PRESUMPTION OF ELIGIBILITY FOR DEATH BENEFITS FOR OFFICERS WITH COVID-19 PROVIDED BY THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Frazier, Hopson, Polk, Butler (36th), DeBar, Michel, Parks, Williams

**S. B. No. 2783:** Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TO APPLY FOR AND DRAW DOWN AVAILABLE COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS FUNDS (CDBG-CV-PPR) AND UTILIZE SAID FUNDS TO PROVIDE GRANTS TO DISADVANTAGED, LOW-MODERATE INCOME COMMUNITIES IN THE STATE TO REVITALIZE COMMUNITIES AFFECTED BY CORONAVIRUS UNDER FEDERAL GUIDELINES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2784:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE SECRETARY OF STATE TO DEFRAY EXPENSES FOR THE IMPLEMENTATION OF THE VOTER MODERNIZATION GRANT PROGRAM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2785:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE VILLAGE OF PACHUTA IN CLARKE COUNTY TO DEFRAY EXPENSES FOR THE COMPLETION OF THE VILLAGE'S VETERANS MEMORIAL FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2786:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLARKE COUNTY FOR FISCAL YEAR 2023 TO DEFRAY EXPENSES FOR THE PURCHASE AND MAINTENANCE OF EQUIPMENT THAT SUPPORTS VOTING BY PAPER BALLOTS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2787:** Appropriations

AN ACT TO AMEND SECTION 27-104-351, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS BY WHICH A STATE AGENCY MAY PROVIDE A RECIPIENT ENTITY PASS-THROUGH FUNDING UNDER THE LINE-ITEM APPROPRIATION TRANSPARENCY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Polk

**S. B. No. 2788:** Appropriations

AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE STATE FIRE MARSHAL AND THE STATE FIRE ACADEMY BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 45-11-3, 45-11-5 AND 45-11-7, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES OF THE STATE FIRE MARSHAL AND THE STATE FIRE ACADEMY TO BE DEFRAYED BY APPROPRIATION FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2789:** Appropriations

AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE MISSISSIPPI PUBLIC SERVICE COMMISSION BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 77-1-6, 77-1-15, 77-1-29, 77-1-53, 77-3-8, 77-3-87, 77-3-89, 77-3-503, 77-3-507, 77-3-509, 77-7-127, 77-7-333, 77-7-337, 77-7-339, 77-9-489 AND 77-11-201, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE

COMMISSION TO BE DEFRAYED BY APPROPRIATION FROM THE STATE GENERAL FUND; TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REQUIRING USER FEES AND CHARGES COLLECTED UNDER THE MISSISSIPPI TELEPHONE SOLICITATION ACT TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2790:** Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPENSATION PARAMETERS OF CERTAIN LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2791:** Appropriations

AN ACT TO BRING FORWARD SECTION 25-3-31, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-39, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-71, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-9-133, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-3-13, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD, AND AMEND TO MAKE TECHNICAL CORRECTIONS, SECTION 47-5-20, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD, AND AMEND TO MAKE TECHNICAL CORRECTIONS, SECTION 47-5-28, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-1-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD, AND AMEND TO MAKE TECHNICAL CORRECTIONS, SECTION 65-1-2, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 81-1-69, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-9-147, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-34, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2792:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UTILIZING THE CONSTRUCTION MANAGER AT-RISK METHOD OF PROJECT DELIVERY, THE DEPARTMENT OF FINANCE AND ADMINISTRATION MAY REQUIRE THE MANAGER TO PROCURE ANY AND ALL RESULTING CONSTRUCTION CONTRACTS NECESSARY TO COMPLETE THE PROJECT; TO PROVIDE THAT ALL SUCH CONTRACTS SHALL BE BETWEEN THE MANAGER AND THE CONTRACTORS AND SHALL BE EXEMPT FROM THE PROVISIONS OF THE BID LAW; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2793:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EXEMPTION FOR ATTORNEY SERVICES WITH REGARD TO OVERSIGHT BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 7-5-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ATTORNEY GENERAL TO DISAPPROVE ANY CONTRACT FOR OUTSIDE COUNSEL THAT CONTAINS NONLEGAL SERVICES IF THE ADDITIONAL SERVICES FALL UNDER THE PURVIEW OF THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Chassaniol, Younger, McMahan, Norwood, Kirby

**S. B. No. 2794:** Appropriations

AN ACT TO AMEND SECTION 5-1-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EACH SENATOR AND REPRESENTATIVE AND THE LIEUTENANT GOVERNOR SHALL RECEIVE THE STATUTORY OFFICE EXPENSE ALLOWANCE FOR EVERY MONTH OF HIS TERM; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

**S. B. No. 2795:** Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION PAID TO CIRCUIT CLERKS FOR THE PERFORMANCE OF DUTIES DURING ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2796:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO ENTER INTO A CONTRACT WITH Q-RISQ ANALYTICS FOR A PILOT PROGRAM TO PROVIDE LIVE STORM IMPACT DATA TO ALL GOVERNMENT AGENCIES AND EMERGENCY MANAGEMENT PERSONNEL; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2797:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "DEFICIT PREVENTION ACT"; TO REQUIRE A STATE AGENCY, DEPARTMENT OR INSTITUTION TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES WITHIN FIFTEEN (15) DAYS OF A DETERMINATION THAT THE LIKELIHOOD OF A DEFICIT FOR THE CURRENT FISCAL YEAR EXISTS; TO REQUIRE A STATE AGENCY, DEPARTMENT INSTITUTION TO WORK WITH THE OFFICE OF THE STATE AUDITOR AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP A PLAN TO AVOID OR LIMIT ANY DEFICIT; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2798:** Accountability, Efficiency, Transparency

AN ACT TO CREATE A JOINT STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING THE STRUCTURE OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Blackwell

**S. B. No. 2799:** Accountability, Efficiency, Transparency

AN ACT ENTITLED THE "MISSISSIPPI COASTAL MASTER PLAN ACT OF 2022" TO DECLARE LEGISLATIVE FINDINGS AND THE PURPOSE OF THE ACT; TO CREATE A TECHNICAL ADVISORY BOARD (TAB) TO DEVELOP AND ANNUALLY REVISE AN INITIAL MASTER PLAN FOR RESTORATION, CONSTRUCTION, STORM PROTECTION, HABITAT CONSTRUCTION AND RESTORATION, AND WATER QUALITY PROJECTS ON THE MISSISSIPPI GULF COAST; TO PROVIDE FOR THE COMPOSITION OF THE TECHNICAL ADVISORY BOARD AND ITS ORGANIZATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE STATE AND LOCAL AGENCIES TO COOPERATE WITH THE FUNCTIONS OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE AN ANNUAL REPORT; TO AMEND SECTIONS 49-15-305, 49-2-13 AND 29-15-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, DeLano, Carter, Wiggins, England

**S. B. No. 2800:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE PROVISION REQUIRING REVERSE AUCTION AS THE PRIMARY

METHOD OF RECEIVING BIDS SHALL NOT APPLY TO TERM CONTRACT PURCHASES; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2801:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT TO INCLUDE BATTLEFIELD PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2802:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 57-1-57, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES A COPY OF ITS STUDY TO DETERMINE IF THERE IS A SIGNIFICANT STATISTICAL DISPARITY IN THE TOTAL NUMBER OF QUALIFIED MINORITY CONTRACTORS OF GOODS AND SERVICES DOING BUSINESS IN THE STATE OF MISSISSIPPI AND THE ACTUAL NUMBER OF SUCH MINORITY CONTRACTORS WITH WHOM THE STATE OF MISSISSIPPI, OR WITH WHOM A PRIME CONTRACTOR WITH THE STATE OF MISSISSIPPI, HAS CONTRACTED TO PROVIDE GOODS AND SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2803:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF SHERIFFS FOR COUNTIES WITH A CERTAIN POPULATION; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2804:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY UNDER THE PUBLIC PURCHASING LAW THAT REVERSE AUCTION SHALL NOT BE USED FOR TERM CONTRACTS FOR ROAD MAINTENANCE COMMODITIES; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2805:** Accountability, Efficiency, Transparency

AN ACT TO ENACT THE "ARPA ACCOUNTABILITY ACT" TO ENSURE THAT FEDERAL AMERICAN RESCUE PLAN ACT OF 2021 FUNDS ARE PROPERLY SPENT; TO ESTABLISH THE POSITION OF ARPA OMBUDSMAN IN THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE OVERSIGHT ON ARPA SPENDING AND TO SOLICIT PUBLIC FEEDBACK; TO DIRECT THE ARPA OMBUDSMAN TO DEVELOP AN ANNUAL REPORT ON THE EXPENDITURE OF ARPA FUNDS AND TO MAKE RECOMMENDATIONS REGARDING IMPROVEMENTS TO THE EXPENDITURES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

**S. B. No. 2806:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF REVERSE AUCTIONS FOR THE PUBLIC PROCUREMENT OF ANY LABOR OR SERVICES, WHETHER DESIGN OR CONSTRUCTION, OR FOR THE PUBLIC PROCUREMENT OF ANY GOODS OR MATERIALS THAT MUST BE FABRICATED, CONSTRUCTED OR INSTALLED THROUGH THE USE OF DESIGN OR CONSTRUCTION LABOR OR SERVICES, TO ANY EXTENT, REGARDLESS OF WHETHER THE SAME CONTRACT INCLUDES OR RELATES TO THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2807:** Technology; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO ALLOW THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO AUTHORIZE CERTAIN EMERGENCY CONTRACTS AND PURCHASES, TO REQUIRE ADOPTION OF A ONE-YEAR LIMIT FOR EMERGENCY PROCUREMENT CONTRACTS, AND TO JOINTLY STUDY THE STATE'S PURCHASING LAWS WITH THE PUBLIC PROCUREMENT REVIEW BOARD ON A BIENNIAL BASIS; TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ADOPTION OF EMERGENCY PROCUREMENT RULES AS PART OF THE STATE'S EMERGENCY MANAGEMENT PLAN AND TO PROHIBIT EMERGENCY DECLARATIONS FROM SUSPENDING SUCH RULES; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE PUBLIC PROCUREMENT BOARD LIMIT EMERGENCY CONTRACTS APPROVED TO A TERM OF ONE YEAR, AND TO JOINTLY STUDY WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES THE STATE'S PURCHASING LAWS ON A BIENNIAL BASIS; TO REPEAL SECTION 5-3-72, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE PEER COMMITTEE TO BIENNIALLY REVIEW THE STATE'S PURCHASING LAWS AND TO REPORT TO THE LEGISLATURE ON THE REVIEW; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Kirby

**S. B. No. 2808:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERFORMANCE BOND IS NOT REQUIRED WHEN A CONTRACT FOR THE CONSTRUCTION, ALTERATION OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK IS LESS THAN \$50,000.00 AND THE PUBLIC BODY ELECTS TO MAKE TWO PAYMENTS VALUED AT 50% OF THE CONTRACT AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2809:** Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT THE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS FROM DISCRIMINATING AGAINST, OR GRANTING PREFERENTIAL TREATMENT TO, ANY INDIVIDUAL OR GROUP ON THE BASIS OF RACE, SEX, GENDER, SEXUAL ORIENTATION, COLOR, ETHNICITY OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, PUBLIC EDUCATION OR PUBLIC CONTRACTING; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2810:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TERMS AND CONDITIONS FOR ALLOWING STATE EMPLOYEES TO ENGAGE IN TELEWORK; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, McMahan, Polk, Norwood

**S. B. No. 2811:** Universities and Colleges

AN ACT TO AMEND SECTIONS 25-65-7 AND 25-65-9, MISSISSIPPI CODE OF 1972, TO REQUIRE INTERNAL AUDIT OFFICES TO BE ESTABLISHED IN THE UNIVERSITIES AND CERTAIN STATE AGENCIES; TO PROVIDE FOR AN INTERNAL AUDIT UNIT TO BE ESTABLISHED AT THE MISSISSIPPI COMMUNITY COLLEGES BOARD TO SERVE THE INTERNAL AUDIT NEEDS OF THE STATE'S COMMUNITY COLLEGES; TO PRECONDITION THE ESTABLISHMENT OF A COMMUNITY COLLEGE INTERNAL AUDIT FUNCTION ON THE SPECIFIC APPROPRIATION OF FUNDS FOR THAT PURPOSE TO THE STATE BOARD FOR COMMUNITY COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Polk

**S. B. No. 2812:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "CAUSE OF DEATH" UNDER THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO INCLUDE THE

SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT AND OTHER FEDERAL LAWS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2813:** Accountability, Efficiency, Transparency

AN ACT TO INCREASE THE COMPENSATION PAID TO CERTAIN COUNTY OFFICIALS; TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE LIMIT ON THE COMPENSATION FOR CHANCERY CLERKS AND CIRCUIT CLERKS; TO BRING FORWARD SECTION 25-60-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF COUNTY ASSESSORS OR TAX COLLECTORS, OR BOTH IF THE OFFICE OF ASSESSOR HAS BEEN COMBINED WITH THE OFFICE OF TAX COLLECTOR; TO BRING FORWARD SECTION 25-3-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A CAP ON THE SALARIES OF TAX ASSESSORS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPENSATION PAID TO REGISTRARS; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2814:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI WATER QUALITY COMMISSION FOR THE PURPOSE OF PROVIDING OVERSIGHT TO LOCAL GOVERNMENTS AND NON-PROFIT ENTITIES IN ORDER TO CREATE OR MAINTAIN EFFICIENT, SAFE, AND RELIABLE WATER AND SEWER SYSTEMS FOR CITIZENS; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO REQUIRE ANY LOCAL GOVERNMENT OR NON-PROFIT ENTITY RESPONSIBLE FOR THE ADMINISTRATION OF A WATER OR SEWER SYSTEM TO NOTIFY THE COMMISSION UPON RECEIVING A VIOLATION NOTICE OF ANY RELATED STATE OR FEDERAL LAW; TO AUTHORIZE THE COMMISSION TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2815:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO ALLOW PUBLIC SCHOOLS, INCLUDING PUBLIC CHARTER SCHOOLS, AND PUBLIC SCHOOL DISTRICTS TO SOLICIT BIDS WITH A METHOD OTHER THAN A REVERSE AUCTION WHEN PURCHASING PRODUCTS THAT ARE NOT TYPICALLY RESOLD; TO REQUIRE THE SCHOOLS AND DISTRICTS TO PRESENT THE PROPOSED ALTERNATIVE METHOD TO THEIR LOCAL SCHOOL BOARD FOR APPROVAL; TO REQUIRE THE ALTERNATIVE METHOD TO PROMOTE OPEN COMPETITION AND TO MEET THE REQUIREMENTS OF THE OFFICE OF PURCHASING AND TRAVEL; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2816:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-93, MISSISSIPPI CODE OF 1972, TO ALLOW LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS WHO HAVE TAKEN PERSONAL LEAVE DUE TO A WORK-RELATED INJURY TO BUY BACK THOSE LEAVE HOURS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-3-95, MISSISSIPPI CODE OF 1972, TO ALLOW LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS WHO HAVE TAKEN MAJOR MEDICAL LEAVE DUE TO A WORK-RELATED INJURY TO BUY BACK THOSE LEAVE HOURS UNDER CERTAIN CIRCUMSTANCES; TO BRING FORWARD SECTION 25-11-117, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2817:** Corrections

AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVIDING OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2818:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTIONS 41-3-43 AND 41-3-53, MISSISSIPPI CODE OF 1972, AND BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE LOCAL BOARDS OF SUPERVISORS TO COMPLY WITH APPLICABLE HEALTH AND SAFETY STANDARDS AS SET BY THE STATE BOARD OF HEALTH IN THE CONSTRUCTION, MAINTENANCE, EQUIPPING, STAFFING AND SUPPORT LOCAL COUNTY HEALTH DEPARTMENT BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2819:** Finance

AN ACT TO CODIFY SECTION 71-5-128, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MINIMUM REQUIREMENTS THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY MUST MEET RELATED TO ITS ACTIVITIES CONCERNING FRAUD PREVENTION, DETECTION AND RECOVERY IN ITS UNEMPLOYMENT COMPENSATION PROGRAM; TO BRING FORWARD SECTIONS 71-5-11, 71-5-13, 71-5-355, 71-5-503, 71-5-505 AND 71-5-507, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2820:** Public Health and Welfare; Appropriations

AN ACT TO ESTABLISH THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROVIDE FUNDS TO HOSPITALS TO INCREASE TREATMENT CAPACITY RELATED TO THE COVID-19 PANDEMIC; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROMULGATE RULES AND REGULATIONS TO GOVERN THE ADMINISTRATION OF THE PROGRAM; TO ESTABLISH CERTAIN CONDITIONS ON THE USE OF FUNDS UNDER THE PROGRAM; TO CREATE A SPECIAL FUND IN THE STATE TREASURY FOR PROGRAM FUNDS; TO SET CERTAIN REQUIREMENTS ON THE USE AND ACCEPTANCE OF FUNDS UNDER THE PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO REPORT ON THE STATUS OF THE PROGRAM; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO EXEMPT THE CONSTRUCTION OR ADDITION OF INTENSIVE CARE UNITS OR NEGATIVE PRESSURE ROOMS FUNDED BY THIS PROGRAM FROM THE PROVISIONS OF THE HEALTHCARE CERTIFICATE OF NEED LAW; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Polk, DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 2821:** Economic and Workforce Development; Appropriations

AN ACT ENTITLED THE "MISSISSIPPI NURSE/HEALTH SCIENCE TRAINING AND RETENTION ACT"; TO ESTABLISH IN THE OFFICE OF WORKFORCE DEVELOPMENT OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY THE "MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM"; TO PRESCRIBE COMPONENTS OF THE GRANT PROGRAM AND TO DIRECT THE OFFICE OF WORKFORCE DEVELOPMENT TO PROMULGATE RULES AND REGULATIONS NECESSARY TO ADMINISTER THE PROGRAM; TO PROVIDE FOR MULTIPLE

ROUNDS OF GRANT AWARDS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND KNOWN AS THE "MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM FUND"; TO ESTABLISH IN THE OFFICE OF WORKFORCE DEVELOPMENT OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY THE "MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM"; TO PRESCRIBE COMPONENTS OF THE GRANT PROGRAM AND DIRECT THE OFFICE OF WORKFORCE DEVELOPMENT TO PROMULGATE RULES AND REGULATIONS NECESSARY TO ADMINISTER THE PROGRAM; TO PROVIDE FOR MULTIPLE ROUNDS OF GRANT AWARDS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND KNOWN AS THE "MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.  
By Senator(s) Parker, Polk, Butler (36th), Frazier, Michel, Parks, Williams

**S. B. No. 2822:** Appropriations

AN ACT TO ESTABLISH THE "MISSISSIPPI WATER AND WASTEWATER TRANSFORMATION INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE MISSISSIPPI DEPARTMENT OF HEALTH UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO MUNICIPALITIES, COUNTIES AND RURAL WATER ASSOCIATIONS ON A ONE-TO-ONE MATCHING BASIS AND TO PROVIDE AN ADDITIONAL GRANT TO SMALLER MUNICIPALITIES BASED ON CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO PROVIDE FOR MULTIPLE ROUNDS OF WATER AND WASTEWATER INFRASTRUCTURE GRANT PROJECTS; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER THE MCWWI AND RWWI GRANT PROGRAMS AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY SPECIAL FUNDS DESIGNATED AS THE "MISSISSIPPI WATER AND WASTEWATER INFRASTRUCTURE (MWWI) MUNICIPAL GRANT PROGRAM FUND" AND THE "MISSISSIPPI RURAL WATER AND WASTEWATER INFRASTRUCTURE (RWWI) GRANT PROGRAM FUND"; TO AMEND SECTIONS 49-2-9 AND 41-3-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.  
By Senator(s) Michel, Polk, Butler (36th), Frazier, Parks, Williams

**S. B. No. 2823:** Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 25, CHAPTER 11, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO IMPLEMENT THE "FIRST RESPONDERS RETIREMENT INCENTIVE"; TO PROVIDE, FOR THIS INCENTIVE, THAT ANY MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 2011, SHALL EARN ONE YEAR OF CREDITABLE SERVICE AT NO COST TO MEMBERS FOR EVERY FIVE YEARS SERVED AS A FIRST RESPONDER IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT, IN ORDER TO USE THIS INCENTIVE, THE FIRST RESPONDER MUST NOT HAVE ANY FELONY CONVICTIONS AT THE TIME OF RETIREMENT; AND FOR RELATED PURPOSES.  
By Senator(s) DeLano

**S. B. No. 2824:** Rules

AN ACT AUTHORIZING A NEW MISSISSIPPI OFFICIAL STATE SONG ENTITLED "MISSISSIPPI BEAUTIFUL"; AND FOR RELATED PURPOSES.  
By Senator(s) Horhn

**S. B. No. 2825:** Rules

AN ACT TO CREATE THE STATE TRUTH COMMISSION; TO PRESCRIBE POWERS AND DUTIES OF THE COMMISSION; TO PROVIDE FOR THE

ESTABLISHMENT OF PROCEDURES TO INVESTIGATE GRIEVANCES REGISTERED WITH THE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2826:** Rules

AN ACT TO AMEND SECTION 23-15-1037, MISSISSIPPI CODE OF 1972, TO REAPPORTION THE CONGRESSIONAL DISTRICTS OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Jackson (11th), Jordan, Butler (38th), Hickman, Turner-Ford, Horhn, Simmons (13th), Blount, Butler (36th), Blackmon, Norwood, Thomas, Barnett, Frazier

**S. B. No. 2827:** Rules

AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGAL HOLIDAYS BY REMOVING CONFEDERATE MEMORIAL DAY AND DESIGNATING THE NINETEENTH DAY OF JUNE AS JUNETEENTH FREEDOM DAY; TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED IF THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Blount, Norwood, Jackson (11th), Jordan, Thomas

**S. B. No. 2828:** Finance; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING NEW ALTERNATIVE FUELING INFRASTRUCTURE FOR CERTAIN ALTERNATIVE FUELS; TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING A RESIDENTIAL COMPRESSED NATURAL GAS FUELING SYSTEM; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE THE MAXIMUM AMOUNT OF THE ONE-TIME CREDIT, BASED ON THE TYPE OF QUALIFIED CLEAN-BURNING MOTOR VEHICLE FUEL PROPERTY, WHICH MAY BE CLAIMED IN A TAXABLE YEAR; TO PROVIDE THAT ANY UNUSED PORTION OF THE CREDIT MAY BE CARRIED FORWARD FOR THE SUCCEEDING FIVE TAX YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2829:** Finance

AN ACT TO BRING FORWARD SECTION 27-5-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPORTIONMENT OF FUEL TAXES BY THE DEPARTMENT OF REVENUE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2830:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE ANY FACILITY USED BY A SOCCER CLUB AND LOCATED ON OLD HIGHWAY 11 BETWEEN ONE-TENTH AND TWO-TENTHS OF A MILE FROM ITS INTERSECTION WITH OAK GROVE ROAD, IN A COUNTY IN WHICH U.S. HIGHWAY 98 AND MISSISSIPPI HIGHWAY 589 INTERSECT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2831:** Finance

AN ACT TO BRING FORWARD SECTIONS 27-65-3, 27-65-7, 27-65-9, 27-65-19, 27-65-23, 27-65-101, 27-67-3, 27-67-5, 27-67-7 AND 27-67-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2832:** Finance

AN ACT TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR MISSISSIPPI STATE UNIVERSITY MAY BE USED; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2833:** Finance

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO ADD THE NAME AND EMBLEM OF EACH BRANCH OF THE UNITED STATES ARMED FORCES TO THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG FOR VETERANS RATED AS HAVING 100% PERMANENT SERVICE-CONNECTED DISABILITY BY THE VETERANS' ADMINISTRATION; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Butler (36th), Simmons (12th), Thomas

**S. B. No. 2834:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS OF CONSTRUCTION, DEVELOPMENT AND IMPROVEMENTS ON THE DOWNTOWN GREEN SPACE ASSOCIATED WITH THE NEW FEDERAL COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2835:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST JACKSON STATE UNIVERSITY IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW CAFETERIA OR RENOVATION OF ITS EXISTING CAFETERIA; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2836:** Finance

AN ACT TO AMEND SECTION 63-17-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF IS ELIGIBLE, THROUGH ANY PARENT, SUBSIDIARY OR AFFILIATED ENTITY, TO DIRECTLY OWN ANY OWNERSHIP INTEREST IN, OPERATE OR CONTROL ANY MOTOR VEHICLE DEALER OR DEALERSHIP FOR THE SAME TYPE OR CLASSIFICATION OF MOTOR VEHICLE THAT IT MANUFACTURES OR DISTRIBUTES, TO APPLY FOR A MOTOR VEHICLE DEALERS LICENSE OR TO BE LICENSED AS A NEW MOTOR VEHICLE DEALER IN THIS STATE; TO AMEND SECTION 63-17-109, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN EXCEPTIONS OF THE APPLICATION OF THE SECTION AND THE CHAPTER; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2837:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, WHICH PROVIDES MISCELLANEOUS EXEMPTIONS TO THE SALES TAX, TO EXTEND THE DATE OF REPEAL ON THE EXEMPTION OF SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO THE MISSISSIPPI'S TOUGHEST KIDS FOUNDATION FOR USE IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED FACILITIES AND INFRASTRUCTURE AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2838:** Finance

AN ACT TO AMEND SECTION 27-51-15, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ASSESSMENT OF MOTOR VEHICLE AD VALOREM TAXES BASED ON THE ACTUAL PURCHASE PRICE OF EACH VEHICLE; TO AMEND SECTIONS 27-51-25, 27-53-23 AND 27-3-4, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO REPEAL SECTIONS 27-51-19, 27-51-21, 27-51-23, 27-

51-35, 27-51-37, 27-51-39 AND 27-51-45, MISSISSIPPI CODE OF 1972, WHICH CONCERN MOTOR VEHICLE ASSESSMENT SCHEDULES FOR PURPOSES OF AD VALOREM TAXES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2839:** Finance

AN ACT TO AMEND SECTION 25-11-121, MISSISSIPPI CODE OF 1972, TO INCREASE, FROM 10% TO 20% OF THE TOTAL BOOK VALUE OF ALL INVESTMENTS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE LIMIT ON THE TOTAL BOOK VALUE OF INVESTMENTS NOT OTHERWISE AUTHORIZED IF IN THE FORM OF A SEPARATE ACCOUNT MANAGED BY A SECURITIES AND EXCHANGE COMMISSION REGISTERED INVESTMENT ADVISORY FIRM RETAINED AS AN INVESTMENT MANAGER BY THE BOARD OF TRUSTEES OF THE SYSTEM, OR A LIMITED PARTNERSHIP OR COMMINGLED FUND APPROVED BY THE BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2840:** Finance

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW ANY COUNTY, MUNICIPALITY, TRIBE OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES ON SUNDAY IN A MANNER SET FORTH UNDER LOCAL REFERENDUM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2841:** Finance

AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, WHICH SETS OUT THE POWERS AND DUTIES OF THE STATE BOND COMMISSION, TO EXTEND THE REVERTER ON THE PROVISION OF LAW GRANTING THE STATE BOND COMMISSION THE AUTHORITY TO DETERMINE THE APPROPRIATE METHOD FOR THE SALE OF BONDS, INCLUDING THE NEGOTIATION OF THE SALE OF BONDS AS AN ALTERNATIVE TO THE ISSUANCE AND SALE BONDS ON SEALED BIDS AT PUBLIC SALE; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2842:** Finance

AN ACT TO REENACT SECTIONS 57-117-1, 57-117-3, 57-117-5, 57-117-7, 57-117-9 AND 57-117-11, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND REENACTED SECTION 57-117-3, MISSISSIPPI CODE OF 1972, TO MAKE MINOR FORMATTING REVISIONS; TO AMEND REENACTED SECTION 57-117-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT CERTAIN AD VALOREM TAX EXEMPTIONS, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH EXEMPTIONS FOR HEALTH CARE INDUSTRY FACILITIES AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH AGREEMENTS FOR PROJECTS TOTALING OVER \$100,000,000.00 BY QUALIFIED BUSINESSES, AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT, MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES INDUSTRIAL EXEMPTIONS TO THE SALES TAX, TO EXTEND THE DATE OF REPEAL ON THE

EXEMPTION OF SALES OF MATERIALS USED IN THE CONSTRUCTION OF A HEALTH CARE INDUSTRY FACILITY, OR ADDITIONS OR IMPROVEMENTS THEREON, AND SALES OF CERTAIN RELATED MACHINERY AND EQUIPMENT TO QUALIFIED BUSINESSES AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2843:** Finance

AN ACT TO AMEND SECTION 27-19-99, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE STANDARD LICENSE TAG FEE DEPOSITED INTO THE STATE GENERAL FUND, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE ADDITIONAL FEE DEPOSITED INTO THE STATE GENERAL FUND FROM THE SALE OF DISTINCTIVE LICENSE TAGS DISPLAYING THE EMBLEMS OF CERTAIN PUBLIC OR PRIVATE UNIVERSITIES LOCATED IN OTHER STATES, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.24, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE DUCKS UNLIMITED, INC., DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND IF THERE IS NO MISSISSIPPI CHAPTER OF DUCKS UNLIMITED, INC., SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.137, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE REBUILD THE COAST.ORG DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND WHEN REBUILD THE COAST.ORG IS DISSOLVED, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTIONS 27-19-45, 27-19-47, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.11, 27-19-56.13 AND 27-19-56.467, MISSISSIPPI CODE OF 1972, TO REMOVE THE PORTIONS OF OTHER DISTINCTIVE LICENSE TAG ADDITIONAL FEES THAT ARE CURRENTLY DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE PROVISION THAT UNEXPENDED AMOUNTS ABOVE \$500,000.00 IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND SHALL LAPSE ANNUALLY INTO THE STATE GENERAL FUND, SO THAT THEY WILL LAPSE INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-51-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2844:** Finance

AN ACT TO DIRECT THE DEPARTMENT OF REVENUE TO PROVIDE FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE ALCOHOLIC BEVERAGE CONTROL DIVISION IN THE JACKSON, MISSISSIPPI, METROPOLITAN AREA; TO PROVIDE THAT LAND ACQUISITION AND WAREHOUSE DESIGN AND CONSTRUCTION SHALL BE FUNDED WITH MONIES FROM THE ABC WAREHOUSE CONSTRUCTION FUND AND SUCH OTHER MONIES AS THE LEGISLATURE MAY MAKE AVAILABLE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE WAREHOUSE; TO DIRECT THE DEPARTMENT TO CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO SPECIFY THAT THE OPERATOR SHALL TAKE RESPONSIBILITY FOR OPERATIONS AT THE WAREHOUSE CURRENTLY USED BY THE DEPARTMENT AND SHALL THEREAFTER ASSUME RESPONSIBILITY FOR OPERATIONS AT THE NEW WAREHOUSE AFTER ITS CONSTRUCTION; TO PROVIDE THAT THE DEPARTMENT SHALL PAY REGULAR MAINTENANCE EXPENSES AND SHALL REIMBURSE THE OPERATOR FOR SERVICES PERFORMED UNDER THE CONTRACT OUT OF MONIES APPROPRIATED BY THE LEGISLATURE; TO PROVIDE THAT THE STATE SHALL PAY THE OPERATOR COST-

PLUS ON THESE OPERATIONS AT A SET DOLLAR AMOUNT PER CASE OF ALCOHOLIC BEVERAGES SOLD; TO REQUIRE THE CALCULATION OF SHIPPING COSTS EVERY QUARTER, BASED ON THE ACTUAL SHIPPING COSTS OF THE PREVIOUS QUARTER, AND TO PROVIDE THAT THE CONTRACT SHALL SPECIFY CATEGORIES OF EXPENSES THAT MAY BE CONSIDERED ACTUAL SHIPPING COSTS; TO PROVIDE FOR THE EVEN SHARING BETWEEN THE OPERATOR AND THE STATE OF ANY DISCOUNT NEGOTIATED BY THE OPERATOR OFF THE PRICE OF ALCOHOLIC BEVERAGES TO BE DISTRIBUTED ON BEHALF OF THE STATE; TO PROVIDE THAT EXPENSES ASSOCIATED WITH OCCASIONAL IMPROVEMENTS TO THE WAREHOUSE AND ITS EQUIPMENT SHALL BE PAID FROM MONIES IN THE ABC WAREHOUSE IMPROVEMENTS FUND; TO REQUIRE THAT ALL EMPLOYEES NEEDED FOR WAREHOUSE AND DISTRIBUTION OPERATIONS BE EMPLOYEES OF THE OPERATOR; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO REQUIRE THE COMMISSIONER OF REVENUE TO DEVELOP A PLAN DEMONSTRATING THE METHOD BY WHICH THE STATE WOULD RESUME CONTROL OF THE WAREHOUSE UPON TERMINATION OF THE CONTRACT; TO REQUIRE THAT THE PLAN BE SUBMITTED FOR REVIEW AND COMMENT TO THE GOVERNOR AND THE LEGISLATURE; TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL DESIGNATE AN EXISTING DEPARTMENT EMPLOYEE AS A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND SHALL ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; TO REQUIRE THE CONTRACT COMPLIANCE OFFICER TO REPORT AT LEAST ANNUALLY, OR AS REQUESTED, TO THE GOVERNOR AND THE LEGISLATURE; TO CREATE THE ABC WAREHOUSE CONSTRUCTION FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF, THE WAREHOUSE; TO CREATE THE ABC WAREHOUSE IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN PAYING THE COSTS ASSOCIATED WITH OCCASIONAL MAINTENANCE, REPAIRS, UPGRADES AND OTHER IMPROVEMENTS FOR THE WAREHOUSE AND ITS EQUIPMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN AN AMOUNT OF \$55,000,000.00 FOR THE ABC WAREHOUSE CONSTRUCTION FUND; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO ADD A \$0.25 CHARGE TO THE COST OF EACH CASE OF ALCOHOLIC BEVERAGES SHIPPED BY THE DEPARTMENT OR ITS WAREHOUSE OPERATOR, TO BE DEPOSITED INTO THE ABC WAREHOUSE IMPROVEMENTS FUND; TO PERIODICALLY SUSPEND THE CHARGE WHEN THE AMOUNT IN THE ABC WAREHOUSE IMPROVEMENTS FUND REACHES CERTAIN THRESHOLDS; TO AMEND SECTION 27-71-29, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO PROVIDE THAT PROCEEDS REMAINING IN THE ABC SHIPPING FUND ON AUGUST 1 OF ANY FISCAL YEAR SHALL NOT LAPSE INTO THE GENERAL FUND; TO AMEND SECTIONS 27-65-5 AND 27-65-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX ON WHOLESALE PURCHASES OF ALCOHOLIC BEVERAGES; TO AMEND SECTIONS 7-7-211, 27-71-7, 27-71-9, 27-71-13, 27-71-15, 27-71-17, 67-1-5, 67-1-9, 67-1-19, 67-1-33, 67-1-41, 67-1-43, 67-1-45, 67-1-49, 67-1-51, 67-5-5, 67-5-11, 67-5-13, 67-11-9 AND 67-11-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2845:** Public Health and Welfare

AN ACT TO CREATE THE RIGHT TO VISIT ACT TO PREVENT ALL HEALTH CARE FACILITIES THAT HAVE RECEIVED A CERTIFICATE OF NEED FROM THE DEPARTMENT OF HEALTH FROM INSTITUTING ANY POLICY THAT LIMITS PATIENTS' ABILITIES TO BE VISITED BY DESIGNATED FAMILY MEMBERS OR FRIENDS DURING ANY HOSPITALIZATION OR TREATMENT; TO ALLOW THE FACILITIES TO IMPOSE REASONABLE SAFETY REQUIREMENTS; TO PROVIDE

THAT NO FACILITY SHALL BE HELD LIABLE FOR DAMAGES IN AN ACTION INVOLVING A LIABILITY CLAIM AGAINST SUCH FACILITY ARISING FROM THE FACILITY'S COMPLIANCE WITH THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2846:** Finance

AN ACT TO REENACT SECTIONS 57-10-401 THROUGH 57-10-445, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO REENACT SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CREDIT AGAINST STATE INCOME TAXES FOR CERTAIN COMPANIES FOR DEBT SERVICE PAID BY SUCH COMPANIES UNDER FINANCING AGREEMENTS ENTERED INTO WITH THE MISSISSIPPI BUSINESS FINANCE CORPORATION UNDER SECTION 57-10-409; TO AMEND SECTION 57-10-449, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL OCTOBER 1, 2026, THE REPEAL DATE ON SECTIONS 57-10-401 THROUGH 57-10-445 AND SECTION 27-7-22.3; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2847:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO REVISE THE RIVERS MCGRAW MENTAL HEALTH DIVERSION PROGRAM TO ENACT THE RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE STATEMENT OF INTENT; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO AMEND SECTION 9-27-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO ESTABLISH AND IMPLEMENT A UNIFORM CERTIFICATION PROCESS FOR ALL NEW OR EXISTING MENTAL HEALTH TREATMENT COURTS TO ENSURE THAT THESE COURTS MEET MINIMUM STANDARDS FOR MENTAL HEALTH TREATMENT COURT OPERATIONS; TO PROSCRIBE THE CONTENTS OF THE CERTIFICATIONS; TO ESTABLISH A TIERED CERTIFICATION PROCESS; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO PROMULGATE RULES; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO SET ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN A MENTAL HEALTH TREATMENT COURT; TO AMEND SECTION 9-27-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE REQUIREMENT OF A CHEMICAL OR DRUG TEST; TO CREATE NEW SECTION 9-27-16, MISSISSIPPI CODE OF 1972, TO PROSCRIBE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS UNDER THIS ACT; TO AMEND SECTION 9-27-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EXPUNGEMENTS UNDER THIS ACT ARE NOT SUBJECT TO OTHER REQUIREMENTS PROVIDED BY LAW; TO PROVIDE THAT IF THE PARTICIPANT IS A RESPONDENT TO A CIVIL CASE AND SUCCESSFULLY COMPLETES ALL REQUIREMENTS UNDER THE ACT THAT THE PARTICIPANT'S PETITION FOR COMMITMENT SHALL BE DISMISSED; TO AMEND SECTIONS 9-27-9 AND 9-27-17 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2848:** Veterans and Military Affairs; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972; TO AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO ENTER INTO AGREEMENTS WITH AMERICAN LEGION ORGANIZATIONS TO PROVIDE VETERANS WITH TRANSPORTATION TO THE VETERANS ADMINISTRATION HOSPITAL AND COMMUNITY-BASED HEALTH CLINICS; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Butler (36th), Simmons (12th), Thomas, Horhn

**S. B. No. 2849:** Tourism; Appropriations

AN ACT TO ESTABLISH THE COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM FOR THE PURPOSE OF PROMOTING TOURISM BY AWARDING GRANTS TO DESTINATION MARKETING ORGANIZATIONS FROM FUNDS PROVIDED BY THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT THE DIVISION OF TOURISM, MISSISSIPPI DEVELOPMENT AUTHORITY, SHALL ADMINISTER THE GRANT PROGRAM; TO CREATE A SPECIAL FUND IN THE STATE TREASURY FOR PROGRAM FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Polk, Butler (36th), DeBar, Frazier, Michel, Parks

**S. B. No. 2850:** Accountability, Efficiency, Transparency; Education

AN ACT TO PROHIBIT SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISIONS FROM REQUIRING ANTI-COVID VACCINES OR FACE COVERINGS; TO PROHIBIT DISCRIMINATION BASED ON A PERSON'S VACCINATION STATUS; TO PROVIDE THAT A SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION SHALL NOT REQUIRE A PERSON TO RECEIVE AN ANTI-COVID VACCINE OR TO WEAR A FACE COVERING; TO PROVIDE FOR EXCEPTIONS TO WHAT SHALL BE CONSIDERED AN UNLAWFUL DISCRIMINATORY PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

**S. B. No. 2851:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT TWO MEMBERS FROM THE CITY OF JACKSON TO SERVE ON THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2852:** Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EXEMPTION OF RELIGIOUS INSTITUTIONS AS TO COMPLIANCE WITH NORMAL CHARITY FILING REQUIREMENTS; TO AMEND SECTION 79-11-511, MISSISSIPPI CODE OF 1972, TO CLARIFY NOTICE REQUIREMENTS FOR ALL CHARITABLE ENTITIES, WHETHER IN-STATE OR OUT-OF-STATE, CONSISTENT WITH THE REGISTERED AGENT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2853:** Judiciary, Division A; Judiciary, Division B

AN ACT TO REQUIRE A COURT OF ORIGINAL JURISDICTION TO ISSUE AN INJUNCTION WHERE A PLAINTIFF DEMONSTRATES THE VIOLATION OF A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES BY A DEFENDANT'S COMMUNICATIONS ON THE SOCIAL MEDIA COMPANY'S PLATFORM; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO ENJOIN THE DEFENDANT, ANY SOCIAL MEDIA COMPANY THAT DISTRIBUTES, HOSTS OR DISSEMINATES THE DEFENDANT'S COMMUNICATION, OR ANY CORPORATE SPONSOR OF THE DEFENDANT; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO CONSIDER THE FILING OF CRIMINAL CHARGES RELATED TO THE COMMUNICATIONS TO BE ENJOINED AS A FACTOR IN DETERMINING WHETHER THE DEFENDANT HAS VIOLATED A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES; TO PROVIDE THAT A CRIMINAL CONVICTION RELATED TO THE COMMUNICATIONS THAT ARE THE SUBJECT OF THE PETITION SHALL BE SUFFICIENT EVIDENCE TO MERIT THE ISSUANCE OF A PERMANENT INJUNCTION UNDER THIS SECTION; TO AMEND SECTION 97-45-15, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HARASS"; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2854:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS CONCERNING THE PRACTICE OF CERTAIN PROFESSIONS,

INCLUDING COSMETOLOGY, WIGOLOGY AND MANICURING; TO AMEND SECTION 73-7-7, MISSISSIPPI CODE OF 1972, TO REVISE THE RULE-MAKING AUTHORITY OF THE BOARD OF COSMETOLOGY; TO AMEND SECTION 73-7-9, MISSISSIPPI CODE OF 1972, TO REVISE LICENSURE UNDER THE ACT; TO AMEND SECTION 73-7-11, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DISPLAY OF A LICENSE UNDER THE ACT; TO AMEND SECTION 73-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY EXAMINATIONS BY THE BOARD; TO AMEND SECTION 73-7-14, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATUS OF ADDITIONAL LICENSES; TO AMEND SECTION 73-7-16, MISSISSIPPI CODE OF 1972, TO CLARIFY WHICH SCHOOLS REQUIRE LICENSURE UNDER THE ACT; TO AMEND SECTION 73-7-17, MISSISSIPPI CODE OF 1972, TO ALLOW SPAS TO BE LICENSED UNDER THE ACT; TO AMEND SECTION 73-7-18, MISSISSIPPI CODE OF 1972, TO CLARIFY LICENSURE; TO AMEND SECTION 73-7-21, MISSISSIPPI CODE OF 1972, TO CLARIFY LICENSURE; TO AMEND SECTION 73-7-23, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF HOURS REQUIRED; TO AMEND SECTION 73-7-25, MISSISSIPPI CODE OF 1972, TO CLARIFY DEMONSTRATOR REQUIREMENTS; TO AMEND SECTION 73-7-29, MISSISSIPPI CODE OF 1972, TO REVISE FEES; TO AMEND SECTION 73-7-33, MISSISSIPPI CODE OF 1972, TO CLARIFY LICENSURE; TO AMEND SECTION 73-7-35, MISSISSIPPI CODE OF 1972, TO CLARIFY PLACE AND MANNER OF PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2855:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-23-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE INTERVENTION COURTS ADVISORY COMMITTEE TO PROMULGATE RULES AND REGULATIONS THAT ALLOW THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE ADDITIONAL FUNDING TO INTERVENTION COURTS BASED ON THE FINANCIAL NEEDS OF THE COURT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM CERTIFICATION STANDARDS FOR OPERATION OF AN INTERVENTION COURT OR PROBLEM SOLVING COURT BY REQUIRING THE PROVISION OF MENTAL HEALTH SERVICES; TO AMEND SECTION 41-113-1, MISSISSIPPI CODE OF 1972, TO INCLUDE DRUG ABUSE IN THE LEGISLATIVE INTENT FOR THE TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-113-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE DIRECTOR OF THE OFFICE OF TOBACCO CONTROL TO INCLUDE IMPLEMENTATION OF A FENTANYL DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-114-1, MISSISSIPPI CODE OF 1972, TO INCLUDE VAPORIZING DEVICES IN THE DEFINITION OF "SMOKE" OR "SMOKING" FOR THE PROVISIONS OF LAW THAT RESTRICT TOBACCO USE IN PUBLIC FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2856:** Insurance

AN ACT TO AMEND SECTION 73-69-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ELECTRONIC PROTECTIVE SYSTEM" AS USED IN THE MISSISSIPPI ELECTRONIC PROTECTION LICENSING ACT TO INCLUDE A BATTERY-CHARGED SECURITY FENCE; TO DEFINE THE TERM "BATTERY-CHARGED SECURITY FENCE"; TO AMEND SECTION 73-69-27, MISSISSIPPI CODE OF 1972, TO PROHIBIT MUNICIPAL OR COUNTY ORDINANCES WHICH IMPOSE CERTAIN REQUIREMENTS RELATING TO THE INSTALLATION OR USE OF A BATTERY-CHARGED FENCE; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Williams

**S. B. No. 2857:** Medicaid; Appropriations

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

By Senator(s) Simmons (12th)

**S. B. No. 2858:** Accountability, Efficiency, Transparency; Public Health and Welfare

AN ACT TO AMEND SECTION 79-1-9, MISSISSIPPI CODE OF 1972, PURSUANT TO ARTICLE 7, SECTION 191 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO INCREASE THE PENALTY FOR UNLAWFUL INTERFERENCE WITH THE SOCIAL, CIVIL, OR POLITICAL RIGHTS OF A CORPORATION'S AGENTS OR EMPLOYEES; TO PROVIDE THAT A CORPORATION'S ENFORCEMENT OF A VACCINE MANDATE OR THE DISCHARGE OF ANY OF ITS AGENTS OR EMPLOYEES DUE TO VACCINATION STATUS SHALL BE UNLAWFUL INTERFERENCE WITH THE SOCIAL, CIVIL, OR POLITICAL RIGHTS OF ITS AGENTS OR EMPLOYEES; TO AUTHORIZE AGENTS OR EMPLOYEES TO SEEK A PERMANENT INJUNCTION AGAINST A CORPORATION FOR UNLAWFUL INTERFERENCE; TO PROVIDE A REBUTTABLE PRESUMPTION IN FAVOR OF A CORPORATION THAT DEMONSTRATES TO A REASONABLE PERSON STANDARD THAT IT PROVIDED NOTICE TO ITS AGENTS OR EMPLOYEES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2859:** Gaming

AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO PERMIT AN AIRPORT AUTHORITY TO AUTHORIZE THE USE OF SLOT MACHINES IN THE AIRPORT UNDER ITS JURISDICTION, IF THAT AIRPORT OFFERS PASSENGER SERVICE; TO PROVIDE THAT A LICENSEE PLACING SLOT MACHINES IN AN AIRPORT SHALL BE SUBJECT TO THE MISSISSIPPI GAMING CONTROL ACT; TO AMEND SECTION 75-76-183, MISSISSIPPI CODE OF 1972, TO SPECIFY THAT THE PLACEMENT OF SLOT MACHINES IN AIRPORTS SHALL BE SUBJECT TO APPLICATION FEES AND ANNUAL LICENSE FEES UNDER THE GAMING CONTROL ACT; TO AMEND SECTIONS 67-1-71, 75-76-33, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2860:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "CAUSE OF DEATH" UNDER THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO INCLUDE THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT AND OTHER FEDERAL LAWS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2861:** Insurance

AN ACT TO CREATE THE "MISSISSIPPI PROFESSIONAL EMPLOYER ORGANIZATION RECOGNITION AND REGISTRATION ACT"; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE LIMITATIONS OF THE PROFESSIONAL EMPLOYER ORGANIZATION AND CO-EMPLOYMENT RELATIONSHIP; TO REQUIRE REGISTRATION WITH THE DEPARTMENT OF INSURANCE; TO PROVIDE REGISTRATION FEES; TO REQUIRE EACH PEO OR PEO GROUP TO MAINTAIN A MINIMUM AMOUNT OF WORKING

CAPITAL OR OTHER FINANCIAL REQUIREMENTS; TO PROVIDE RIGHTS AND DUTIES OF EMPLOYER, EMPLOYEE AND CLIENT; TO PROHIBIT CERTAIN ACTS AND TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO TAKE DISCIPLINARY ACTIONS FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2862:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE PURPOSE OF PROVIDING ENHANCED SERVICES TO CHILD WELFARE-INVOLVED FAMILIES AND FOSTER YOUTH THAT WERE NEGATIVELY IMPACTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams, Branning, McLendon, Moran, Parker

**S. B. No. 2863:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO DEFRAY ELIGIBLE COVID-19 EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams, Branning, Jordan, McLendon, Moran, Parker

**S. B. No. 2864:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE MISSISSIPPI NATIONAL GUARD FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), Frazier, Michel, Parks, Williams, Branning, McLendon, McMahan, Moran, Parker

**S. B. No. 2865:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ASSISTING WITH BEHAVIORAL AND MENTAL HEALTH NEEDS EXACERBATED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, RESPONDING TO OTHER PUBLIC HEALTH IMPACTS, ASSISTING COMMUNITY MENTAL HEALTH CENTERS, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams, Branning, Jordan, McLendon, Moran, Parker

**S. B. No. 2866:** Finance

AN ACT TO AMEND SECTION 31-31-11, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN RESTRICTIONS ON AUTHORIZED EXPENDITURES WHICH MAY BE MADE FROM THE MISSISSIPPI TELECOMMUNICATION CONFERENCE AND TRAINING FACILITY/CONVENTION CENTER RESERVE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2867:** County Affairs; Insurance

AN ACT TO AMEND SECTION 25-15-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE POLITICAL SUBDIVISIONS TO OFFER SUPPLEMENTAL COMPENSATION TO EMPLOYEES WHO DECLINE COVERAGE UNDER THE POLITICAL SUBDIVISION'S GROUP INSURANCE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2868:** Judiciary, Division B; Finance

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY HAVING A POPULATION OF 140,000 OR MORE TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY, AND EXCLUDING ANY INTERSTATE HIGHWAY; TO FORBID THE LEVY OF ANY FINE ASSOCIATED WITH THE ISSUANCE OF A CITATION WHERE A DRIVER IS DETECTED TO HAVE BEEN TRAVELING IN EXCESS OF THE POSTED SPEED LIMIT, AS DETECTED BY THE SHERIFF OR HIS DEPUTIES THROUGH THE USE OF RADAR SPEED DETECTION EQUIPMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, England

**S. B. No. 2869:** Judiciary, Division B; Finance

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY HAVING A POPULATION OF 50,000 OR MORE TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY, AND EXCLUDING ANY INTERSTATE HIGHWAY; TO FORBID THE LEVY OF ANY FINE ASSOCIATED WITH THE ISSUANCE OF A CITATION WHERE A DRIVER IS DETECTED TO HAVE BEEN TRAVELING IN EXCESS OF THE POSTED SPEED LIMIT, AS DETECTED BY THE SHERIFF OR HIS DEPUTIES THROUGH THE USE OF RADAR SPEED DETECTION EQUIPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2870:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE MANDATORY EDUCATION, TRAINING AND PROFESSIONAL DEVELOPMENT FOR CERTAIN MUNICIPAL OFFICIALS; TO ESTABLISH THE MISSISSIPPI MUNICIPAL TRAINING AND DEVELOPMENT COMMITTEE WHICH SHALL DEVELOP THE CURRICULUM FOR THE MANDATORY EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2871:** Municipalities

AN ACT TO AMEND SECTION 73-69-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ELECTRONIC PROTECTIVE SYSTEM" AS USED IN THE MISSISSIPPI ELECTRONIC PROTECTION LICENSING ACT TO INCLUDE A BATTERY-CHARGED SECURITY FENCE; TO DEFINE THE TERM "BATTERY-CHARGED SECURITY FENCE"; TO AMEND SECTION 73-69-27, MISSISSIPPI CODE OF 1972, TO PROHIBIT MUNICIPAL OR COUNTY ORDINANCES WHICH IMPOSE CERTAIN REQUIREMENTS RELATING TO THE INSTALLATION OR USE OF A BATTERY-CHARGED FENCE; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2872:** Appropriations

AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE BUDGET CONTINGENCY FUND TO THE SPECIAL FUND CREATED BY THIS ACT; TO CREATE THE "MISSISSIPPI TOURISM RECOVERY FUND - ROUND 2" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DISTRIBUTE FUNDS TO DESTINATION MARKETING ORGANIZATIONS UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2873:** Tourism; Appropriations

AN ACT TO ESTABLISH A MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION TO DEVELOP PROGRAMS FOR OBSERVING THE 250TH ANNIVERSARY OF THE UNITED STATES OF AMERICA; TO AUTHORIZE COOPERATION WITH THE UNITED STATES SEMIQUINCENTENNIAL COMMISSION AND THE AMERICA250 FOUNDATION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS; TO DESIGNATE SPECIFIC OBJECTIVES OF THE COMMISSION; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COMMISSION; TO PROVIDE FOR REIMBURSEMENT OF EXPENSES; TO PROHIBIT SOLICITATION OF FUNDS BY MEMBERS WHO ARE ELECTED OFFICIALS OR PUBLIC EMPLOYEES; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE OFFICER AND SECRETARY TO THE COMMISSION; TO PROVIDE FOR ADVISORY COMMITTEES; TO ENCOURAGE THE COOPERATION OF STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND FUNDS FROM PRIVATE AND PUBLIC SOURCES FOR THIS CELEBRATION; TO CREATE THE MISSISSIPPI SEMIQUINCENTENNIAL CELEBRATION FUND IN THE STATE TREASURY; TO REQUIRE AN ANNUAL REPORT OF THE COMMISSION TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol, Fillingane

**S. B. No. 2874:** Tourism; Appropriations

AN ACT TO AMEND SECTION 39-25-1, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY, RATHER THAN MANDATORY, THAT THE LEASE OR CONTRACT FOR THE OPERATION OF THE MISSISSIPPI ARTS AND ENTERTAINMENT CENTER REQUIRE A NONPROFIT CORPORATION TO PAY UTILITY COSTS; AND FOR RELATED PURPOSES;

By Senator(s) Tate, McCaughn

**S. B. No. 2875:** Finance

AN ACT TO AMEND SECTION 67-3-3, MISSISSIPPI CODE OF 1972, TO REDEFINE BEER AS A FERMENTED BEVERAGE OF ANY NAME OR DESCRIPTION HAVING AN ALCOHOLIC CONTENT OF NOT MORE THAN 8% BY WEIGHT, BREWED OR PRODUCED FROM MALT, IN WHOLE OR IN PART, OR FROM ANY MALT SUBSTITUTE, OR AS A PRODUCT, NOT EXCEEDING AN ALCOHOLIC CONTENT OF 8% BY WEIGHT, DESCRIBED OR DEFINED AS "BEER" OR A "MALT BEVERAGE" IN EITHER THE FEDERAL ALCOHOL ADMINISTRATION ACT AT 27 U.S.C. SECTION 211(A)(7) OR THE INTERNAL REVENUE CODE AT 26 U.S.C. SECTION 5052(A) OR ANY REGULATION OR RULE PROMULGATED BY THE ALCOHOL AND TOBACCO TAX AND TRADE BUREAU OR THE INTERNAL REVENUE SERVICE PERTAINING TO "BEER" OR "MALT BEVERAGES"; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol, Blackwell, Younger, Barnett

**S. B. No. 2876:** Tourism; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI HOTEL AND LODGING REVIEW BOARD AS PART OF THE MISSISSIPPI HOTEL AND LODGING ASSOCIATION FOR THE PURPOSE OF UPHOLDING INDUSTRY STANDARDS OF CLEANLINESS, SAFETY AND SECURITY; TO ESTABLISH THE MEMBERSHIP OF THE BOARD AND THE TERMS OF BOARD MEMBERS; TO SET OUT THE BOARD'S POWERS AND DUTIES; TO EXEMPT FROM THIS ACT ANY PROPERTY OWNED AND MANAGED BY A GAMING CASINO AND REGULATED BY THE MISSISSIPPI GAMING COMMISSION; TO PROVIDE THAT THE BOARD SHALL BE CONSTITUTED NO LATER THAN DECEMBER 31, 2022, AND SHALL ADOPT RULES AND STANDARDS NO LATER THAN JUNE 30, 2023; TO PROVIDE THAT THIS ACT SHALL STAND REPEALED ON JUNE 30, 2026; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2877:** County Affairs; Insurance

AN ACT TO AMEND SECTION 25-15-101, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO PROVIDE INSURANCE COVERAGE TO THE ELECTION COMMISSIONERS OF THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2878:** Tourism; Appropriations

AN ACT TO ESTABLISH A MISSISSIPPI FREEDOM TRAIL COMMISSION TO DEVELOP A PLAN TO PROMOTE MISSISSIPPI FREEDOM TRAIL LOCATIONS AND HISTORY FOR PURPOSES OF ECONOMIC DEVELOPMENT; TO PRESCRIBE THE FUNCTIONS AND DUTIES OF THE COMMISSION; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND GRANT FUNDS; TO PROVIDE FOR INTERDEPARTMENTAL COOPERATION; TO AUTHORIZE THE COMMISSION TO PURCHASE AND ERECT "MISSISSIPPI FREEDOM TRAIL" HISTORICAL MARKERS WITH THE ASSISTANCE OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol, Fillingane, Jordan, Jackson (11th), Barnett, Simmons (13th), Thomas, Butler (36th), Norwood, Horhn, Blackmon

**S. B. No. 2879:** Elections; Appropriations

AN ACT TO ENACT THE MISSISSIPPI VOTING MODERNIZATION ACT FOR THE PURPOSE OF MODERNIZING VOTING SYSTEMS IN THE STATE; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI VOTING MODERNIZATION GRANT PROGRAM TO BE ADMINISTERED BY THE SECRETARY OF STATE FOR THE PURPOSE OF REIMBURSING COUNTIES FOR THE PURCHASE OF MODERN VOTING SYSTEMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL RECEIVE ANY FUNDS APPROPRIATED THEREFOR; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE PROCEDURES AND CERTIFICATIONS; TO PRESCRIBE A TIMEFRAME FOR THE GRANT OR DENIAL OF AN APPLICATION; TO PROVIDE THAT EACH COUNTY IS ELIGIBLE FOR A PRO RATA SHARE OF THE FUNDS APPROPRIATED OR MADE AVAILABLE TO THE PROGRAM; TO PRESCRIBE CERTAIN ELIGIBILITY REQUIREMENTS; TO AUTHORIZE COUNTIES TO APPLY FOR THE GRANT PROGRAM; TO REQUIRE THE SECRETARY OF STATE TO REPORT ON THE GRANT PROGRAM; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2880:** Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS; TO AMEND SECTION 73-42-7, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN A PERSON MAY ACT AS AN ATHLETE AGENT BEFORE REGISTRATION; TO AMEND SECTION 73-42-9, MISSISSIPPI CODE OF 1972, TO REQUIRE ADDITIONAL INFORMATION FROM AN APPLICANT FOR REGISTRATION AS AN ATHLETE AGENT; TO AMEND SECTION 73-42-11, MISSISSIPPI CODE OF 1972, TO CLARIFY GROUNDS FOR DENIAL OF REGISTRATION AND PROCEDURE FOR RENEWAL; TO AMEND SECTION 73-42-13, MISSISSIPPI CODE OF 1972, TO SPECIFY GROUNDS FOR DENIAL, SUSPENSION, REVOCATION OR REFUSAL TO RENEW REGISTRATION; TO AMEND SECTION 73-42-17, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY TO CHARGE ADDITIONAL FEES; TO AMEND SECTION 73-42-19, MISSISSIPPI CODE OF 1972, TO CLARIFY CONTRACTUAL REQUIREMENTS FOR AGENCY CONTRACTS; TO AMEND SECTION 73-42-21, MISSISSIPPI CODE OF 1972, TO SPECIFY REQUIREMENTS FOR NOTICE TO EDUCATIONAL INSTITUTIONS; TO AMEND SECTION 73-42-23, MISSISSIPPI CODE OF 1972, TO RECOGNIZE RIGHTS OF PARENTS OR GUARDIANS OF MINORS; TO AMEND SECTION 73-42-27, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ACTS

PROHIBITED BY AN ATHLETE AGENT AND TO AUTHORIZE PAYMENT OF CERTAIN EXPENSES OF THE STUDENT-ATHLETE; TO AMEND SECTION 73-42-31, MISSISSIPPI CODE OF 1972, TO RECOGNIZE A STUDENT ATHLETE'S RIGHT TO BRING AN ACTION; TO AMEND SECTION 73-42-33, MISSISSIPPI CODE OF 1972, TO REVISE THE MAXIMUM CIVIL PENALTY; TO AMEND SECTION 73-42-34, MISSISSIPPI CODE OF 1972, TO CONFORM WITH VENUE REQUIREMENTS FOR CERTAIN SUSPENSIONS; TO CREATE NEW SECTION 73-42-41, MISSISSIPPI CODE OF 1972, TO RECOGNIZE THE AUTHORITY AND AUTONOMY OF EDUCATIONAL INSTITUTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2881:** Public Health and Welfare; Education

AN ACT RELATING TO PARENTS' BILL OF RIGHTS; PROVIDING THAT THE STATE, ITS POLITICAL SUBDIVISIONS, OTHER GOVERNMENTAL ENTITIES, OR OTHER INSTITUTIONS MAY NOT INFRINGE ON PARENTAL RIGHTS WITHOUT DEMONSTRATING SPECIFIED INFORMATION; PROVIDING THAT A PARENT OF A MINOR CHILD HAS SPECIFIED RIGHTS RELATING TO HIS OR HER MINOR CHILD; PROHIBITING THE STATE FROM INFRINGING UPON SPECIFIED PARENTAL RIGHTS; PROVIDING THAT CERTAIN ACTIONS BY SPECIFIED INDIVIDUALS ARE GROUNDS FOR DISCIPLINARY ACTIONS AGAINST SUCH INDIVIDUALS; PROHIBITING SPECIFIED PARENTAL RIGHTS FROM BEING DENIED OR ABRIDGED; REQUIRING EACH DISTRICT SCHOOL BOARD TO DEVELOP AND ADOPT A POLICY TO PROMOTE PARENTAL INVOLVEMENT IN THE PUBLIC SCHOOL SYSTEM; PROVIDING REQUIREMENTS FOR SUCH POLICY; DEFINING THE TERM "INSTRUCTIONAL MATERIALS"; AUTHORIZING A DISTRICT SCHOOL BOARD TO PROVIDE SUCH POLICY ELECTRONICALLY OR ON ITS WEBSITE; AUTHORIZING A PARENT TO REQUEST CERTAIN INFORMATION IN WRITING; PROVIDING A PROCEDURE FOR THE DENIAL OF SUCH INFORMATION; PROHIBITING CERTAIN HEALTH CARE PRACTITIONERS AND THEIR EMPLOYEES FROM TAKING SPECIFIED ACTIONS WITHOUT A PARENT'S WRITTEN PERMISSION; PROHIBITING A HEALTH CARE FACILITY FROM ALLOWING CERTAIN ACTIONS WITHOUT A PARENT'S WRITTEN PERMISSION; PROVIDING EXCEPTIONS; PROVIDING FOR DISCIPLINARY ACTIONS AND CRIMINAL PENALTIES; PROVIDING THAT CERTAIN VIOLATIONS RELATING TO PARENTAL CONSENT ARE GROUNDS FOR ADMINISTRATIVE FINES FOR HEALTH CARE FACILITIES; PROVIDING THAT FAILURE TO COMPLY WITH CERTAIN PARENTAL CONSENT REQUIREMENTS IS GROUNDS FOR DISCIPLINARY ACTION FOR HEALTH CARE PRACTITIONERS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2882:** Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPLICANTS FOR A STANDARD TEACHER LICENSE SHALL SUBMIT TO THE DEPARTMENT OF EDUCATION AN OFFICIAL TRANSCRIPT OF COMPLETION OF A TEACHER EDUCATION PROGRAM IN ACCORDANCE WITH THE STANDARDS SET FORTH BY THE NATIONAL ACCREDITOR FOR EDUCATOR PREPARATION PROVIDERS APPROVED BY THE STATE BOARD OF EDUCATION; TO REQUIRE THE TEACH MISSISSIPPI INSTITUTE TO INCLUDE A TWO SEMESTER SIX-HOUR SUPERVISED INTERNSHIP; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2883:** Education

AN ACT TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS WITH SIGNIFICANT DEVELOPMENTAL DISABILITIES, COMPLEX COMMUNICATION NEEDS, SIGNIFICANT LANGUAGE OR LEARNING DEFICITS, WHO ARE UNABLE TO SUFFICIENTLY HAVE THEIR EDUCATIONAL NEEDS MET WITHIN THEIR PUBLIC SCHOOL'S REGULAR OR SPECIAL EDUCATION PROGRAM, TO RECEIVE EDUCATIONAL INSTRUCTION, TRAINING AND SPECIAL EDUCATION SERVICES FROM A STATE-SUPPORTED UNIVERSITY OR COLLEGE

AUTHORIZED BY THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SUCH INSTRUCTION AND TRAINING; TO AUTHORIZE QUALIFIED INSTRUCTORS WHO HOLD THE APPROPRIATE LICENSURE ENDORSEMENTS TO SERVE AS THE LEAD TEACHER FOR CHILDREN ENROLLED WITHIN THE UNIVERSITY-BASED PROGRAM (UBP) THROUGH THE IDEA-PART C AND IDEA-PART B ELIGIBILITY AND PLACEMENT PROCESS; TO ALLOW CERTAIN SPEECH-LANGUAGE PATHOLOGISTS AND EDUCATIONAL AUDIOLOGISTS TO SERVE AS THE LEAD INSTRUCTOR WITH AN EDUCATOR SERVING AS A RELATED SERVICE PROVIDER AS NECESSARY TO MEET THE EDUCATIONAL NEEDS OF THE CHILD; TO PROVIDE THAT THE JUSTIFICATION FOR THE PLACEMENT OF EXCEPTIONAL STUDENTS AGES 3 TO 21 IS DETERMINED IN CONJUNCTION WITH THE LOCAL SCHOOL DISTRICT THROUGH THE STUDENT'S IEP; TO AMEND SECTION 37-23-35, MISSISSIPPI CODE OF 1972, TO REQUIRE IDEA-PART B AND PRESCHOOL ALLOCATIONS FOR THE EDUCATIONAL INSTRUCTION FOR PUBLIC SCHOOL STUDENTS ENROLLED IN A UBP TO BE CALCULATED BY THE STATE DEPARTMENT OF EDUCATION BASED ON THE NUMBER OF STUDENTS PLACED IN THE UBP BY THE LOCAL PUBLIC SCHOOL DISTRICT; TO REQUIRE THE DEPARTMENT TO INFORM THE LOCAL SCHOOL DISTRICT OF THE AMOUNT OF FUNDS TO BE FORWARDED TO THE UBP PROVIDING THE EDUCATIONAL SERVICES ON INSTRUCTION AND TRAINING; TO REQUIRE A COLLABORATIVE AGREEMENT BETWEEN THE LOCAL PUBLIC SCHOOL DISTRICT AND THE UBP IF THE STATE-SUPPORTED UNIVERSITY OR COLLEGE CHARGES THE SCHOOL DISTRICT AN AMOUNT THAT IS IN EXCESS OF THE STATE AND FEDERAL FUNDS ALLOCATED FOR EACH ENROLLED SPECIAL EDUCATION STUDENT; TO REQUIRE THE DEPARTMENT TO DISTRIBUTE ALL NECESSARY STATE FUNDS DIRECTLY TO THE STATE-SUPPORTED UNIVERSITY OR COLLEGE; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2884:** Education; Appropriations

AN ACT TO BRING FORWARD SECTIONS 37-68-1, 37-68-3 AND 37-68-5, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "EQUITY IN DIGITAL LEARNING ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 37-68-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO ESTABLISH AND ADMINISTER THE VOLUNTARY EQUITY IN DISTANCE LEARNING GRANT PROGRAM FOR SCHOOLS CHOOSING TO PARTICIPATE FOR THE PURPOSE OF PURCHASING TECHNOLOGY DEVICES AND HARDWARE TO AID IN FACILITATING DISTANCE LEARNING AND SAFE CLASSROOM OR REMOTE INSTRUCTION; TO REQUIRE PARTICIPATING SCHOOLS TO PROVIDE, AS MATCHING FUNDS, A PRO RATA SHARE OF ITS TOTAL EQUIPMENT COST, CALCULATED BY PERCENTAGE, BASED ON THE TOTAL EQUIPMENT PURCHASE COST FOR ALL PARTICIPATING SCHOOL DISTRICTS; TO AMEND SECTION 37-68-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO CONDUCT A STATEWIDE TECHNOLOGY NEEDS-ASSESSMENT SURVEY OF SCHOOL DISTRICTS TO DETERMINE THE NEED OR DESIRE TO UPDATE DEVICES AND HARDWARE USED TO FACILITATE DISTANCE LEARNING AND SAFE CLASSROOM OR REMOTE INSTRUCTION; TO REQUIRE THE DEPARTMENT TO ANNUALLY REVISE THE ADOPTED EPL BASED UPON PURCHASING DEMANDS AS NEEDED TO PROVIDE SCHOOLS WITH CHOICES IN THE SELECTION OF THE ELECTRONIC DEVICES; TO AMEND SECTION 37-68-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PRO RATA SHARE OF THE MONIES USED BY A SCHOOL DISTRICT FOR PURPOSES OF THIS ACT SHALL BE ALLOCATED FROM ANY OF THE DISTRICT'S AVAILABLE AND UNOBLIGATED ESSER FUNDS, ESSER II FUNDS OR ESSER III FUNDS; TO AMEND SECTION 37-68-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LEGISLATURE SHALL MAKE AN INITIAL APPROPRIATION OF \$10,000,000.00 TO THE EQUITY IN DISTANCE LEARNING FUND; TO AMEND SECTION 37-68-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO SUBMIT AN ANNUAL COMPREHENSIVE

REPORT TO THE LEGISLATION ON THE USE OF FUNDS DISTRIBUTED UNDER THE GRANT PROGRAM BY DECEMBER 31; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2885:** Education; Appropriations

AN ACT TO REENACT SECTIONS 37-69-1, 37-69-3, 37-69-5, 37-69-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PROVISIONS THAT AUTHORIZE THE BOARD OF TRUSTEES OF THE VICKSBURG-WARREN SCHOOL DISTRICT AND THE CLAIBORNE COUNTY BOARD OF EDUCATION TO ESTABLISH WITH THE ENERGY INDUSTRY LOCATED WITHIN THE STATE OF MISSISSIPPI, WARREN COUNTY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR AN ENERGY HIGH SCHOOL ACADEMY AND THAT PRESCRIBE THE MEMBERSHIP OF THE ENERGY HIGH SCHOOL ACADEMY PARTNERSHIP COUNCIL TO ADMINISTER THE ACADEMY; TO AMEND SECTION 5, CHAPTER 482, LAWS OF 2019 TO EXTEND THE DATE OF REPEAL ON SECTIONS 37-69-1, 37-69-3, 37-69-5 AND 37-69-7, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2886:** Education

AN ACT TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO ALLOW THE PARENT OR LEGAL GUARDIAN OF A STUDENT TO CHOOSE TO ENROLL A STUDENT IN AND TRANSPORT THE STUDENT TO A PUBLIC SCHOOL IN AN ADJACENT SCHOOL DISTRICT WHICH HAS AVAILABLE SPACE AND HAS A PROGRAM WITH SERVICES THAT PROVIDE DAILY DYSLEXIA THERAPY SESSIONS DELIVERED BY A CERTIFIED ACADEMIC LANGUAGE THERAPIST; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2887:** Education

AN ACT TO BRING FORWARD SECTIONS 37-41-81, 37-41-83, 37-41-85 AND 37-41-101, MISSISSIPPI CODE OF 1972, WHICH ALLOW FOR THE PURCHASE OF SCHOOL TRANSPORTATION VEHICLES AND EQUIPMENT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2888:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO AMEND CERTAIN DEFINITIONS OF THE PHARMACY BENEFIT PROMPT PAY ACT; TO DELETE PHARMACY BENEFIT MANAGER AFFILIATE FROM THE DEFINITIONS; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PHARMACY BENEFIT MANAGER OR THIRD-PARTY PAYER SHALL NOT CHARGE A PATIENT A COPAYMENT IN EXCESS OF THE AMOUNT REIMBURSED TO THE PHARMACY FOR THE CLAIM; TO SET CERTAIN PROHIBITIONS ON PHARMACY BENEFIT MANAGERS; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF PHARMACY TO COORDINATE AUDITS OF APPEALS TO PHARMACY BENEFIT MANAGERS INCLUSIVE OF ALL RELATED EVIDENCE; TO PROHIBIT A PHARMACY BENEFIT MANAGER FROM RETALIATING AGAINST A PHARMACY OR PHARMACY BASED ON THE PHARMACIST'S OR PHARMACY'S EXERCISE OF ANY RIGHT OR REMEDY UNDER THE CHAPTER; TO INCLUDE CERTAIN EXEMPTIONS FROM WHAT IS CONSIDERED AS RETALIATION; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PHARMACY OR PHARMACY BENEFIT MANAGER SHALL BE PROHIBITED FROM INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2889:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE MULTISPECIALTY CERTIFICATES OF NEED TO AN EXISTING AMBULATORY SURGERY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2890:** Public Health and Welfare

AN ACT TO CREATE THE NO PATIENT LEFT ALONE ACT; TO PROVIDE THAT MINOR AND ADULT PATIENTS SHALL HAVE THE RIGHT TO DESIGNATE A VISITOR WITH VISITATION RIGHTS; TO AUTHORIZE HOSPITALS TO ESTABLISH CERTAIN VISITATION POLICIES; TO ALLOW HOSPITAL TO MANDATE CERTAIN SAFETY PROTOCOLS AND THE ABILITY TO REVOKE VISITATION RIGHTS FOR FAILURE TO COMPLY; TO PROHIBIT THE TERMINATION, SUSPENSION OR WAIVER OF VISITATION RIGHTS BY CERTAIN PARTIES; TO PROVIDE CERTAIN LIMITATIONS TO THESE RIGHTS; TO PROHIBIT HOSPITALS FROM REQUIRING PATIENTS WAIVER OF CERTAIN RIGHTS; TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVELOP CERTAIN INFORMATIONAL MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2891:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PURPOSE OF THE CHAPTER, THE PRACTICE OF MEDICINE SHALL MEAN THE PRACTICE OF ALLOPATHIC AND OSTEOPATHIC MEDICINE AND THAT PHYSICIAN SHALL MEAN A MEDICAL DOCTOR OR A DOCTOR OF OSTEOPATHIC MEDICINE; TO AMEND SECTION 73-25-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EVERY PERSON WHO DESIRES TO OBTAIN A LICENSE TO PRACTICE MEDICINE MUST APPLY TO THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE; TO PROVIDE THAT THE BOARD SHALL REQUIRE A FORM SIGNED BY THE APPLICANT CONSENTING TO THE USE OF IDENTIFICATION METHODS; TO AMEND SECTION 73-25-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN APPLICANT FOR A LICENSE TO INCLUDE THEIR ACTIVE AND VALID SOCIAL SECURITY NUMBER WHEN FILING AN APPLICATION; TO AMEND SECTION 73-25-14, MISSISSIPPI CODE OF 1972, TO CHANGE THE LICENSE RENEWAL FEE THAT THE BOARD MAY CHARGE; TO PROVIDE FOR CERTAIN PROCEDURES FOR RENEWAL WHEN A LICENSE HAS LAPSED AND THE PHYSICIAN FAILED TO MEET THE DEADLINE DUE TO EXTRAORDINARY OR OTHER LEGITIMATE REASONS; TO ALLOW PHYSICIANS WHO WISH TO RETAIN THEIR LICENSE BUT NOT ACTIVELY PRACTICE MEDICINE TO REQUEST RETIRED STATUS FOR THEIR LICENSE; TO DELETE CERTAIN PROVISIONS RELATING TO LICENSURE AND THE RENEWAL OF A LICENSE; TO AMEND SECTION 73-25-17, MISSISSIPPI CODE OF 1972, TO ALLOW THE EXECUTIVE DIRECTOR OF THE BOARD TO ISSUE A TEMPORARY LICENSE TO PRACTICE MEDICINE; TO DELETE PROVISIONS RELATING TO THE ISSUANCE OF A TEMPORARY LICENSE; TO AMEND SECTION 73-25-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NONRESIDENT PHYSICIANS WHO DO NOT HOLD A LICENSE FROM THE STATE SHALL NOT BE PERMITTED TO PRACTICE MEDICINE UNDER ANY CIRCUMSTANCES UNLESS THEY POSSESS AN APPLICABLE TEMPORARY LICENSE; TO AMEND SECTION 73-25-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE ACT AND TO DELETE THE PROVISIONS RELATING TO THE LICENSING OF OUT-OF-STATE PHYSICIANS AND PHYSICIANS WHO GRADUATED FROM CERTAIN CANADIAN MEDICAL SCHOOLS; TO AMEND SECTION 73-25-23, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE GRANTING OF LIMITED INSTITUTIONAL LICENSES TO GRADUATES FROM A FOREIGN MEDICAL SCHOOL; TO AMEND SECTION 73-25-27, MISSISSIPPI CODE OF 1972, TO ALLOW THE BOARD TO SEND CERTAIN NOTICES ELECTRONICALLY; TO ALLOW THE BOARD TO SEEK THE ISSUANCE OF ADMINISTRATIVE INSPECTION WARRANTS; TO AMEND SECTION 73-25-28, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A BOARD MEMBER ACCOMPANY THE BOARD DURING AN INVESTIGATION INTO

DISCIPLINARY ACTION AGAINST A LICENSEE; TO PROVIDE THAT REASONABLE CAUSE FOR AN INVESTIGATION SHALL BE DEMONSTRATED BY ALLEGATIONS OF ONE OR MORE VIOLATIONS OF STATE STATUTE OR THE ADMINISTRATIVE CODE; TO AMEND SECTION 73-25-29, MISSISSIPPI CODE OF 1972, TO REVISE THE GROUNDS FOR NONISSUANCE, SUSPENSION, REVOCATION OR RESTRICTION OF A LICENSE OR THE DENIAL OF REINSTATEMENT OR RENEWAL OF A LICENSE; TO AMEND SECTION 73-25-30, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO THE DISCIPLINE OF LICENSEES; TO PROVIDE FOR THE MAXIMUM ASSESSMENT THAT THE BOARD MAY ASSESS A LICENSEE FOR REASONABLE COSTS EXPENDED BY THE BOARD IN THE INVESTIGATION OF A DISCIPLINARY ACTION; TO AMEND SECTION 73-25-32, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PETITION TO REINSTATE A LICENSE BE ACCOMPANIED BY LETTERS OF RECOMMENDATIONS; TO SET THE TIME PERIOD TO REINSTATE A LICENSE FOR A PERSON WHO HAS HAD THEIR LICENSE REVOKED; TO PROVIDE THAT THE BOARD MAY REQUIRE AN APPLICANT TO SUBMIT TO A PROFESSIONAL COMPETENCY EVALUATION TO HAVE THEIR LICENSE REINSTATED; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE PRACTICE OF MEDICINE; TO ALLOW THE BOARD TO CHARGE AND FINE INDIVIDUALS ENGAGED IN THE UNLAWFUL PRACTICE OF MEDICINE; TO SET THE FINES FOR VIOLATIONS OF THE ACT; TO AMEND SECTION 73-25-34, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO THE UNLICENSED PRACTICE OF MEDICINE; TO AMEND SECTION 73-25-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON HOLDING A PROFESSIONAL LICENSE FROM THE BOARD SHALL BE SUBJECT TO RESTRICTION, SUSPENSION OR REVOCATION IN CASE OF INABILITY OF THE LICENSEE TO PRACTICE MEDICINE WITH REASONABLE SKILL OR SAFETY TO PATIENTS BY REASONS OF BEHAVIORAL CONDUCT; TO AMEND SECTIONS 73-25-55, 73-25-57, 73-25-59, 73-25-61, 73-25-63, 73-25-65 AND 73-25-67, MISSISSIPPI CODE OF 1972, TO CHANGE THE INTERNAL REFERENCES FROM PHYSICIAN TO LICENSEE TO CONFORM TO THE ACT; TO AMEND SECTION 73-25-87, MISSISSIPPI CODE OF 1972, TO ALLOW THE BOARD TO IMPOSE A FINE AGAINST A PERSON FOUND TO BE UNQUALIFIED BECAUSE OF ANY OF THE GROUNDS AS SET FORTH BY THE PROVISIONS OF THIS ACT, TO AMEND SECTION 73-25-89, MISSISSIPPI CODE OF 1972, TO REVISE THE HEARING TIMELINE FOR CERTAIN BOARD INVESTIGATIONS; TO AMEND SECTION 73-25-18, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATING TO THE SPECIAL VOLUNTEER MEDICAL LICENSURE; TO REPEAL SECTIONS 73-25-7, 73-25-9, 73-25-15, 73-25-25, 73-25-39 AND 73-25-81, MISSISSIPPI CODE OF 1982, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2892:** Education; Appropriations

AN ACT TO AMEND SECTION 37-28-7, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE CHARTER SCHOOL AUTHORIZER BOARD TO ESTABLISH TERMS OF OFFICE FOR APPOINTEES; TO AMEND SECTION 37-28-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LEGISLATURE SHALL ANNUALLY APPROPRIATE FUNDS AND ALLOCATE POSITIONS TO THE MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE AMOUNT OF FUNDS PAYABLE TO CHARTER SCHOOLS SHALL BE CALCULATED BY USING A FORMULA DEVELOPED BY THE CHARTER SCHOOL AUTHORIZER BOARD AND APPROVED BY THE STATE DEPARTMENT OF EDUCATION; TO REQUIRE THAT THE FORMULA ENSURE THAT THE PRO RATA DISTRIBUTION OF LOCAL AD VALOREM FUNDS BE EQUITABLE BETWEEN THE SCHOOL DISTRICTS AND THE CHARTER SCHOOLS; TO REQUIRE LOCAL AD VALOREM PAYMENTS BE RECONCILED LIKE ADEQUATE EDUCATION PROGRAM PAYMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Polk

**S. B. No. 2893:** Universities and Colleges; Appropriations

AN ACT TO AUTHORIZE JACKSON STATE UNIVERSITY TO ENTER INTO A GROUND LEASE, SALE, MANAGEMENT OR MAINTENANCE AGREEMENTS WITH A PRIVATE ENTITY RELATED TO THE DEVELOPMENT OF LAND OWNED BY THE UNIVERSITY'S FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2894:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO DEFINE NEW TERMS UNDER THE PHARMACY BENEFIT PROMPT PAY ACT; TO CREATE NEW SECTION 73-21-154, MISSISSIPPI CODE OF 1972, TO PROHIBIT HEALTH INSURANCE ISSUERS AND PHARMACY BENEFIT MANAGERS FROM CERTAIN DISCRIMINATORY PRACTICES RELATING TO ENTITIES PARTICIPATING IN THE FEDERAL 340B DRUG DISCOUNT PROGRAM; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS FROM REIMBURSING A PHARMACY OR PHARMACIST FOR A PRESCRIPTION DRUG OR PHARMACIST SERVICE IN A NET AMOUNT LESS THAN THE NATIONAL AVERAGE DRUG ACQUISITION COST FOR THE PRESCRIPTION DRUG OR PHARMACIST SERVICE IN EFFECT AT THE TIME THE DRUG OR SERVICE IS ADMINISTERED OR DISPENSED, PLUS A PROFESSIONAL DISPENSING FEE; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE TO ALLOW PHARMACIES TO CHALLENGE A REIMBURSEMENT FOR A SPECIFIC DRUG OR DRUGS AS BEING BELOW THE REIMBURSEMENT RATE REQUIRED BY THE PRECEDING PROVISION; TO PROVIDE THAT IF THE APPEAL IS UPHELD, THE PHARMACY BENEFIT MANAGER SHALL MAKE THE CHANGE IN THE PAYMENT TO THE REQUIRED REIMBURSEMENT RATE; TO AMEND SECTIONS 73-21-157 AND 73-21-159, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE LICENSING AND REGULATION OF PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS BY THE STATE BOARD OF PHARMACY; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACIES, PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM ORDERING A PATIENT TO USE AN AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR OFFERING OR IMPLEMENTING PLAN DESIGNS THAT PENALIZE A PATIENT WHEN A PATIENT CHOOSES NOT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM PENALIZING OR RETALIATING AGAINST A PHARMACIST, PHARMACY OR PHARMACY EMPLOYEE FOR EXERCISING ANY RIGHTS UNDER THIS ACT, INITIATING ANY JUDICIAL OR REGULATORY ACTIONS, OR APPEARING BEFORE ANY GOVERNMENTAL AGENCY, LEGISLATIVE MEMBER OR BODY OR ANY JUDICIAL AUTHORITY; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF PHARMACY TO BRING INJUNCTIVE ACTIONS AND IMPOSE MONETARY PENALTIES ON PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS FOR NONCOMPLIANCE WITH THE PHARMACY BENEFIT PROMPT PAY ACT; TO AMEND SECTIONS 73-21-83 AND 73-21-91, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2895:** Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE SOUTH MISSISSIPPI REGIONAL HEALTH CARE AUTHORITY ACT OF 2022; TO DECLARE THE LEGISLATIVE PURPOSE OF THE ACT; TO PRESCRIBE THE POWERS AND DUTIES OF THE AUTHORITY; TO GRANT THE AUTHORITY CERTAIN POWERS; TO EXEMPT THE AUTHORITY FROM CERTAIN STATUTES APPLICABLE TO COMMUNITY HOSPITALS AND OTHER GOVERNING

AUTHORITIES; TO PROVIDE IMMUNITY FOR CERTAIN ACTS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2896:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF CERTAIN MUNICIPALITIES TO ESTABLISH A PROGRAM TO ADDRESS DELINQUENT WATER ACCOUNTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2897:** Public Health and Welfare; Appropriations

AN ACT TO CREATE A HEALTH CARE PROGRAM TO SERVE SPECIAL NEEDS PATIENTS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2898:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE SECTION ALLOWING CERTAIN MUNICIPALITIES TO ADOPT RULES AND PROCEDURES FOR ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR WATER AND SEWER SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Horhn, Norwood, Frazier

**S. B. No. 2899:** Public Health and Welfare

AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI SHALL NOT DENY ANY COMMUNITY MENTAL HEALTH CENTER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE COMMUNITY MENTAL HEALTH CENTER AGREES TO PROVIDE THE MENTAL HEALTH SERVICES THAT MEET THE TERMS OF REQUIREMENTS SET FORTH BY THE INSURER UNDER THE POLICY OR PLAN AND AGREES TO THE TERMS OF REIMBURSEMENT SET FORTH BY THE INSURER; TO PROVIDE THAT CERTIFICATION/LICENSURE OF ALL MENTAL HEALTH PROVIDERS BY THE BOARD OF MENTAL HEALTH SHALL BE RECOGNIZED BY THE INSURER AND SHALL NOT BE USED AS A REASON TO DENY ANY MENTAL HEALTH PROVIDER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2900:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-21-201, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF THE NEWBORN SCREENING PROGRAM TO PROVIDE THAT OTHER CONDITIONS IN THE PROGRAM SHALL BE SPECIFIED BY THE STATE BOARD OF HEALTH AND OUTLINED BY THE RECOMMENDED UNIFORM SCREENING PANEL OF THE ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN; TO REQUIRE THE STATE BOARD OF HEALTH TO ENSURE THAT EACH CONDITION LISTED ON THE RECOMMENDED UNIFORM SCREENING PANEL IS INCLUDED IN THE NEWBORN SCREENING PROGRAM WITHIN TWO YEARS OF BEING ADDED TO THE PANEL; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2901:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-7-1, MISSISSIPPI CODE OF 1972, TO CREATE THE POSITION OF EXECUTIVE DIRECTOR FOR THE STATE BOARD OF COSMETOLOGY; TO INCREASE THE NUMBER OF MEMBERS OF THE STATE BOARD OF COSMETOLOGY; TO REVISE THE REQUIREMENTS FOR MEMBERS OF

THE BOARD OF COSMETOLOGY; TO AMEND SECTIONS 73-7-13, 73-7-18, AND 73-7-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN REQUIREMENTS FOR THE LICENSURE OF COSMETOLOGISTS, MANICURISTS AND AESTHETICIANS; TO REMOVE THE LICENSURE REQUIREMENT FOR ENGLISH FLUENCY; TO REDUCE THE MINIMUM AGE AND EDUCATION FOR LICENSING; TO ALLOW FOR APPRENTICESHIP HOURS IN LIEU OF SCHOOLING HOURS FOR LICENSURE EXAMINATION QUALIFICATIONS; TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE MISSISSIPPI STATE PERSONNEL BOARD DEVELOP A RECOMMENDED POLICY FOR AGENCIES REGARDING THE APPROPRIATE PROCESS FOR THE REQUESTING, APPROVAL AND USE OF COMPENSATORY TIME; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Chassaniol, Polk, Kirby

**S. B. No. 2902:** Appropriations

AN ACT TO ESTABLISH A "HAZARD PAY FOR ESSENTIAL HEALTH CARE WORKERS" GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROVIDE A ONE-TIME \$1,500.00 BONUS TO COMPENSATE HEALTH CARE WORKERS WHO PERFORM JOBS IN PUBLIC SETTINGS AT HEIGHTENED RISK OF EXPOSURE TO COVID-19; TO PROVIDE THAT THE HAZARD PAY PROGRAM SHALL BE FUNDED FROM AMERICAN RESCUE PLAN ACT (ARPA) FUNDS; TO DEFINE "ESSENTIAL HEALTH CARE WORKERS; TO PROVIDE A PROCEDURE FOR EMPLOYERS OF ESSENTIAL HEALTH CARE WORKERS TO APPLY FOR SUCH GRANT FUNDS; TO PROVIDE THAT THE GRANT SHALL ONLY BE APPLICABLE DURING THE COVID-19 PUBLIC HEALTH EMERGENCY; TO AMEND SECTION 41-3-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood (By Request)

**S. B. No. 2903:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-11-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL CARE HOMES MUST BE LICENSED AND REGULATED BY THE STATE DEPARTMENT OF HEALTH IF THEY PROVIDE INDIVIDUAL OR GROUP LIVING ARRANGEMENTS FOR ONE OR MORE PERSONS WHO ARE UNRELATED TO THE OPERATOR; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2904:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF MEMBERS IN REGIONAL COMMISSIONS FOR THE FACILITIES AND SERVICES FOR INDIVIDUALS WITH MENTAL ILLNESSES AND INTELLECTUAL DISABILITIES; TO SET CERTAIN MEMBERSHIP REQUIREMENTS FOR COMMISSIONS THAT CONSIST OF ONLY TWO COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2905:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE ESTABLISHMENT OR EXPANSION OF CURRENTLY APPROVED SERVICE AREA OF A HOME HEALTH AGENCY OR THE CONTRACTING OF A BRANCH OFFICE OF SUCH HOME HEALTH AGENCY; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2906:** Accountability, Efficiency, Transparency; Elections

AN ACT TO PROVIDE PROCEDURES BY WHICH QUALIFIED ELECTORS OF THIS STATE MAY INITIATE PROPOSED AMENDMENTS TO THE MISSISSIPPI CODE OF 1972, TO BE APPROVED BY THE ELECTORATE AT THE NEXT STATEWIDE GENERAL ELECTION; TO PROVIDE FOR THE MANNER AND TIME FOR FILING INITIATIVE PETITIONS WITH THE SECRETARY OF STATE; TO PRESCRIBE THE

DUTIES AND POWERS OF THE SECRETARY OF STATE WITH REGARD TO RECEIVING, FILING AND CERTIFYING INITIATIVE MEASURES AND PETITIONS; TO PRESCRIBE THE FORM OF INITIATIVE PETITIONS AND THE FORMS OF SUCH MEASURES FOR THE BALLOTS; TO AUTHORIZE APPEALS FROM ADVERSE FINDINGS OF THE SECRETARY OF STATE REGARDING INITIATIVE MEASURES AND PETITIONS; TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN CONDUCT PRESCRIBED AS UNLAWFUL UNDER THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2907:** Insurance

AN ACT TO CREATE NEW SECTIONS 83-9-401 THROUGH 83-9-419, MISSISSIPPI CODE OF 1972, TO ENACT THE HEALTH CARE CONTRACTING SIMPLIFICATION ACT; TO PROVIDE DEFINITIONS FOR THE ACT; TO PROHIBIT THE ALL-PRODUCTS CLAUSE; TO PROHIBIT THE MOST-FAVORED-NATION CLAUSE; TO PROVIDE FURTHER REQUIREMENTS OF HEALTH CARE CONTRACTS; TO PROVIDE THAT THE MISSISSIPPI INSURANCE DEPARTMENT SHALL ENFORCE THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2908:** Insurance

AN ACT TO TRANSFER ALL OF THE RIGHTS, BENEFITS, OBLIGATIONS, POWERS AND DUTIES OF THE MISSISSIPPI RATING BUREAU TO THE DEPARTMENT OF INSURANCE, AND TO TRANSFER ALL PROPERTY, REAL PERSONAL AND MIXED, AND ALL DEBTS BELONGING TO THE MISSISSIPPI RATING BUREAU TO THE DEPARTMENT OF INSURANCE; TO AMEND SECTIONS 83-3-5, 83-3-7, 83-3-9 AND 83-3-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO BRING FORWARD SECTIONS 83-3-13, 83-3-17, 83-3-19, 83-3-21, 83-3-23, 83-3-24 AND 83-3-121, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI RATING BUREAU, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 83-34-1, 83-34-3, 83-34-4, 83-34-5, 83-34-7, 83-34-9, 83-34-10, 83-34-12, 83-34-13, 83-34-15, 83-34-17, 83-34-19, 83-34-21, 83-34-23, 83-34-25, 83-34-27, 83-34-29, 83-34-31, 83-34-33, 83-34-35 AND 83-34-37, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI WINDSTORM UNDERWRITING ASSOCIATION, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Michel (By Request)

**S. B. No. 2909:** Finance

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

By Senator(s) Jackson (11th)

**S. B. No. 2910:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF MARKS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PLANNING AND CONSTRUCTION OF THE CIVIL RIGHTS RHYTHM & BLUES HALL OF FAME; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2911:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF QUITMAN COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RESTORATION OF THE COUNTY COURTHOUSE IN MARKS, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2912:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE CITY OF CLARKSDALE TO PROVIDE A GROCERY STORE TO ADDRESS REGIONAL FOOD DESERT ISSUES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

**S. B. No. 2913:** County Affairs; Judiciary, Division B

AN ACT TO AMEND SECTION 19-17-17, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE CLERK OF THE BOARD OF SUPERVISORS TO REPORT TO THE GRAND JURY THE RESULTS OF THE AUDIT REQUIRED BY THIS SECTION; TO DELETE THE CRIMINAL PENALTY AGAINST THE CLERK OF THE BOARD OF SUPERVISORS FOR FAILING TO REPORT TO THE GRAND JURY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2914:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO COPIAH-LINCOLN COMMUNITY COLLEGE TO DEFRAY EXPENSES FOR THE EDUCATIONAL, PERFORMING ARTS, AND ATHLETIC CENTER (EPAAC) ON THE WESSON CAMPUS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2915:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF WALTHALL COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF NEW FACILITIES FOR THE SHERIFF'S OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2916:** Public Health and Welfare

AN ACT TO ENACT INTO LAW THE PROFESSIONAL COUNSELING COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-30-3, 73-30-5, 73-30-7, 73-30-9, 73-30-11, 73-30-21, 73-30-23 AND 73-30-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. C. R. No. 518:** Constitution

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

By Senator(s) McDaniel

**S. C. R. No. 519:** Rules

A CONCURRENT RESOLUTION DECLARING THAT PUBLIC SAFETY TELECOMMUNICATORS ARE FIRST RESPONDERS IN MISSISSIPPI AND SHALL BE RECOGNIZED AS SUCH IN POLICY CONSIDERATIONS REGARDING FIRST RESPONDERS.

By Senator(s) Williams

**S. C. R. No. 520:** Constitution; Elections

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT PERSONS DISENFRANCHISED BY CONVICTION OF A FELONY SHALL BE ELIGIBLE TO VOTE UPON MEETING CERTAIN CONDITIONS; AND PROPOSING THE REPEAL OF SECTION 244A, MISSISSIPPI CONSTITUTION OF 1890, WHICH AUTHORIZES THE LEGISLATURE TO PRESCRIBE ADDITIONAL DISENFRANCHISING CRIMES.

By Senator(s) Blount

**S. C. R. No. 521:** Accountability, Efficiency, Transparency; Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) Seymour

**S. C. R. No. 522:** Rules

A CONCURRENT RESOLUTION CELEBRATING THE LIFE OF LEGENDARY MISSISSIPPI BASKETBALL COACH LAFAYETTE "STRIB" STRIBLING, REMEMBERING HIS HISTORIC CAREER AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

By Senator(s) Norwood, Jackson (11th), Jordan, Blount, Frazier, Horhn, Thomas, Simmons (12th), Butler (36th)

**S. C. R. No. 523:** Rules

A CONCURRENT RESOLUTION APOLOGIZING FOR THE ROLE MISSISSIPPI PLAYED IN THE MURDER OF EMMETT TILL AND THE ACQUITTAL OF HIS KILLERS.

By Senator(s) Norwood, Jackson (11th), Simmons (13th), Frazier, Thomas, Horhn, Butler (36th), Jordan, Turner-Ford, Simmons (12th)

**S. C. R. No. 524:** Rules

A CONCURRENT RESOLUTION URGING CONGRESS TO PROPOSE AND SUBMIT TO THE STATES FOR RATIFICATION AN AMENDMENT TO THE UNITED STATES CONSTITUTION PROVIDING THAT AN INCREASE IN THE FEDERAL DEBT REQUIRES APPROVAL FROM A MAJORITY OF LEGISLATURES OF THE SEPARATE STATES.

By Senator(s) Wiggins

**S. C. R. No. 525:** Rules

A CONCURRENT RESOLUTION COMMENDING JAMES A. BARBER, FORMER EXECUTIVE DIRECTOR OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) AND HIS CONTRIBUTIONS TO LEGISLATIVE OVERSIGHT IN MISSISSIPPI AND THE FIELD OF PROGRAM EVALUATION, ON THE OCCASION OF HIS RETIREMENT.

By Senator(s) Blackwell, Chassaniol, Younger, Norwood, Polk

**S. C. R. No. 526:** Rules

A CONCURRENT RESOLUTION EXPRESSING THE DEEPEST SYMPATHY OF THE LEGISLATURE ON THE PASSING OF LUSIA "LUCY" HARRIS OF MINTER CITY, MISSISSIPPI, AND REMEMBERING HER LEGACY AS A PIONEER OF WOMEN'S

BASKETBALL ON THE OCCASION OF THE PREMIER OF THE DOCUMENTARY FILM "THE QUEEN OF BASKETBALL" RELEASED IN HER HONOR.

By Senator(s) Jordan, Harkins, McMahan, Blackwell, Simmons (12th), Chassaniol, McCaughn, DeLano, Wiggins, Norwood, Frazier, Thomas, Seymour, Suber, Thompson, Blount, Williams, Butler (36th), Sparks, Barnett, Jackson (11th), Simmons (13th), Hickman, Polk, Younger, Whaley, McLendon, Hopson

**S. C. R. No. 527:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" WOMEN'S GOLF TEAM AND COACH KORY HENKES FOR WINNING THEIR FIRST WOMEN'S NATIONAL TITLE IN SCHOOL HISTORY.

By Senator(s) Michel, Parks, Williams, Boyd, McCaughn, Kirby, Blackwell, Hopson, DeBar, Suber, Seymour, McMahan, Frazier, Harkins, Chassaniol, Wiggins, Younger, Barnett, Sparks, Caughman, Barrett

**S. C. R. No. 528:** Accountability, Efficiency, Transparency; Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) McDaniel

**S. C. R. No. 529:** Accountability, Efficiency, Transparency; Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 33, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE LEGISLATURE BY GENERAL LAW MAY PROVIDE FOR A CITIZEN INITIATIVE PROCEDURE FOR PROPOSING AMENDMENTS TO MISSISSIPPI STATUTES.

By Senator(s) Blount

**S. R. No. 5:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BRANDON HIGH SCHOOL "LADY BULLDOGS" VOLLEYBALL TEAM AND COACH KELSA WALKER FOR WINNING THE 2021 MHSAA STATE VOLLEYBALL 6A CHAMPIONSHIP.

By Senator(s) Kirby, Harkins

**S. R. No. 6:** Rules

A RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE, LEGACY AND CHRISTIAN SERVICE OF MRS. MARY ELIZABETH DANIEL AND EXPRESSING DEEPEST SYMPATHY TO HER FAMILY AND FRIENDS UPON HER PASSING.

By Senator(s) Blackmon

**S. R. No. 7:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING NAKOBE DEAN, OUTSIDE LINEBACKER FOR THE NATIONAL CHAMPION UNIVERSITY OF GEORGIA "BULLDOGS" FOOTBALL TEAM FROM HORN LAKE HIGH SCHOOL, FOR HIS OUTSTANDING COLLEGE FOOTBALL CAREER.

By Senator(s) Jackson (11th), Barrett, McMahan, Jordan, Simmons (13th), Norwood, McLendon, McCaughn, Thomas, Frazier, Horhn, Branning, Chassaniol, Hickman, Butler (36th), Polk

**S. R. No. 8: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN HIGH SCHOOL "PANTHERS" BOYS CROSS-COUNTRY TEAM AND COACH SHANNON KNOTT FOR THEIR THIRD CONSECUTIVE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Barrett

**S. R. No. 9: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE PEARL HIGH SCHOOL "PIRATES" BOYS TRACK TEAM AND COACH CHRIS BARNETT FOR WINNING THE MHSAA STATE 6A CHAMPIONSHIP FOR THE THIRD CONSECUTIVE YEAR.

By Senator(s) Kirby

**S. R. No. 10: Rules**

A RESOLUTION RECOGNIZING THE SPORTS AND CIVIC LEGACY OF COACH L.D. READY, SR., OF RICHTON, MISSISSIPPI.

By Senator(s) Johnson, DeBar

**S. R. No. 11: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN ACADEMY "LADY COUGARS" SOFTBALL TEAM AND COACH BECKY FLOWERS FOR WINNING THE MISSISSIPPI ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) 5A STATE CHAMPIONSHIP.

By Senator(s) Barrett

**S. R. No. 12: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE LOYD STAR HIGH SCHOOL "HORNETS" BOYS GOLF TEAM AND COACHES LYDIA KING AND CHRIS KING FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 1 STATE CHAMPIONSHIP.

By Senator(s) Barrett

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FIFTEENTH DAY, TUESDAY, JANUARY 18, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Absent--Butler K. (38th), England. Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senators England and Butler K. (38th).  
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The invocation was delivered by Bishop Leroy Horne, Pastor, New Jerusalem Church, Shuqualak, MS.  
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Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.  
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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.  
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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.  
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Senator Caughman called up the motion to reconsider the vote whereby **S. B. No. 2097** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2097:** MS Real Estate Commission; require to establish program using administrative hearing officers.

The foregoing motion prevailed.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William A. "Bill" Gates of Wiggins, MS.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Judy (Herrington) Ladner of Silver Run Community, MS.  
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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Rachel Carter Graddy and Doris Goolsby Farrow of Ripley, MS.  
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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of William Early "Wes" Smith, II of Brandon, MS.  
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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Charlie Skipper, Wanda Harrington, Fred E. Stewart, Jr. and Anna Katherine Prescott of Columbus, MS.  
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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Glendal Eugene Reid of Ackerman, MS.  
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Senators Sparks, McMahan, McLendon, England (in his absence), Seymour and McCaughn moved that when the Senate adjourns, it adjourn in memory of Jimmy Rowland of Baldwin, MS.

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Senators Thompson and Moran moved that when the Senate adjourns, it adjourn in memory of Abigail "Abby" Lorene Bosarge of Pass Christian, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Angalene Cartwright Fisher of Pass Christian, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Neal Gatian of Long Beach, MS.

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Senators Jordan and Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Atlonia B. Chairs of Minter City, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Sam Roger Gilkey of Macon, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Dr. Charles Johnson of Meridian, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 531:** AN ACT TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2022; TO AMEND SECTION 27-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PERSONAL EXEMPTIONS UNDER THE STATE INCOME TAX LAW FOR SINGLE INDIVIDUALS, MARRIED INDIVIDUALS AND HEAD OF FAMILY INDIVIDUALS AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE AMOUNTS OF SUCH PERSONAL EXEMPTIONS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON THE SALE OF TANGIBLE PERSONAL PROPERTY; TO REDUCE THE SALES TAX RATE ON RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON SALES OF TELECOMMUNICATIONS SERVICES; TO AMEND SECTION 27-65-22, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON AMUSEMENT AND ENTERTAINMENT ADMISSIONS; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON VARIOUS SERVICES; TO AMEND SECTION 27-65-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON RETAIL SALES OF ALCOHOLIC BEVERAGES; TO AMEND SECTION

27-65-26, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE FROM 7% TO 8-1/2% ON THE SALE, RENTING OR LEASING OF SPECIFIED DIGITAL PRODUCTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES REVENUE COLLECTED FROM INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE MOTOR VEHICLE AD VALOREM TAX CREDIT REIMBURSEMENT FUND CREATED BY THIS ACT AND THAT THE REMAINDER OF THE STATE SALES REVENUE COLLECTED FROM INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND; TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE USE TAX REVENUE COLLECTED AS A RESULT OF THE INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE MOTOR VEHICLE AD VALOREM TAX CREDIT REIMBURSEMENT FUND CREATED BY THIS ACT AND THAT THE REMAINDER OF THE STATE USE TAX REVENUE COLLECTED AS A RESULT OF THE INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES CERTAIN MUNICIPALITIES TO LEVY A MUNICIPAL SPECIAL SALES TAX, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AUTHORIZE A MOTOR VEHICLE AD VALOREM TAX CREDIT; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JANUARY 1 OF THE NEXT SUCCEEDING YEAR AFTER THE DATE THAT THE COMMISSIONER OF REVENUE CERTIFIES THAT THE REDUCTION IN REVENUE MANDATED BY SECTION 27-7-21, MISSISSIPPI CODE OF 1972, EQUALS OR EXCEEDS THE REMAINING REVENUE PRODUCED BY THE INDIVIDUAL INCOME TAX, THE INDIVIDUAL INCOME TAX SHALL BE REPEALED; TO BRING FORWARD SECTION 27-7-3, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE STATE INCOME TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE INCOME TAXATION OF ESTATES AND TRUSTS FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-7-22.5, 27-7-22.15, 27-7-22.21, 27-7-22.22, 27-7-22.32, 27-7-22.33, 27-7-22.37, 27-7-22.39, 27-7-22.41 AND 27-7-207, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS INCOME TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 57-62-9 AND 57-62-11, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE MISSISSIPPI ADVANTAGE JOBS ACT; TO BRING FORWARD SECTIONS 27-7-312, 57-62-5 AND 57-62-13, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-89-3 AND 57-89-7, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 57-99-1, 57-99-3 AND 57-99-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM; TO BRING FORWARD SECTIONS 57-99-7, 57-99-21, 57-99-23, 57-99-25 AND 57-99-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-148-3 AND 37-148-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-105-1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX AND INSURANCE

PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-503 AND 27-25-505, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE OIL SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-703 AND 27-25-705, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE GAS SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-65-101, 27-65-103, 27-65-105, 27-65-107 AND 27-65-111, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS SALES TAX EXEMPTIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 19, 2022.

The motion prevailed, and at 10:13 AM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of William A. "Bill" Gates, Judy (Herrington) Ladner, Jimmy Rowland, Abigail "Abby" Lorene Bosarge, Angalene Cartwright Fisher, Neal Gatian, Atlonia B. Chairs, Sam Roger Gilkey, Dr. Charles Johnson, Rachel Carter Graddy, Doris Goolsby Farrow, William Early "Wes" Smith, II, Charlie Skipper, Wanda Harrington, Fred E. Stewart, Jr., Anna Katherine Prescott and Glendal Eugene Reid.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR TUESDAY, JANUARY 18, 2022

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SIXTEENTH DAY, WEDNESDAY, JANUARY 19, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Branning, Butler K. (38th), England, Hill. Total--4.

The Secretary announced a quorum present.

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Leave of absence was granted to Senators England and Butler K. (38th).

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The invocation was delivered by Reverend Chris Cumbest, Pastor, Wells United Methodist Church, Jackson, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Lionell Goodyear, Della "Maxine" Rosalis Swetman, Rosalie Flanagan Richard and Ronald Wayne Krohn of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Glennis Gerald Smith, Edna Lenita Ladner and Kenneth "Kenny" Wesley Spiers of Poplarville, MS.

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Senators Seymour and DeLano moved that when the Senate adjourns, it adjourn in memory of Charlotte Maxine Husley of Saucier Community, MS.

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Senators Norwood, Frazier and Michel moved that when the Senate adjourns, it adjourn in memory of Pastor Lonn Macon Oswalt of Clinton, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Robert Houston "Jack" Vandiver of Blue Mountain, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. Booker Stamps and Ms. Doris Stamps of Utica, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. M. C. Weaver and Mr. Reuben 'Dorsey' Mixon of Jackson, MS.

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Senator Jordan moved that when the Senate adjourns, it adjourn in memory of Lusia "Lucy" Harris Stewart of Minter City, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 20, 2022.

The motion prevailed, and at 10:12 AM, the Senate stood in recess.

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MESSAGE FROM THE GOVERNOR  
January 19, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Everett Marshall, Jr., Bude, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026, vice Reed Nelson.

Mark Timothy Wiggins, Oxford, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2022 and ending March 31, 2028.

Christopher Wade (Chris) Freeze, Ridgeland, Mississippi, Crime Stoppers Advisory Council, two year term effective immediately and ending June 30, 2023.

Krissy Casey Nobile, Madison, Mississippi, Director of the Mississippi Office of Capital Post-Conviction Counsel, four year term beginning August 1, 2021 and ending July 31, 2025.

Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023.

Mark Alan Odom, Valley Park, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator representing the First Supreme Court District, four year term beginning June 6, 2021 and ending June 5, 2025.

Arthur Reginald (Reggie) Dampier, Jr., O.D., Madison, Mississippi, Mississippi State Board of Optometry to represent the Third Congressional District as it existed in 1980, five year term beginning June 20, 2021 and ending June 19, 2026.

Ronald Len (Ron) Beckham, Oxford, Mississippi, Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2025.

Dan Henry (Hank) Singley, Jr., DMD, Meridian, Mississippi, Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024.

Richard D. (Dickie) Stevens, Isola, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2023.

Thomas Henry Watts, Natchez, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Everett Marshall, Jr., Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026, Finance.

Mark Timothy Wiggins, Mississippi Business Finance Corporation, six year term effective April 1, 2022 and ending March 31, 2028, Finance.

Christopher Wade (Chris) Freeze, Crime Stoppers Advisory Council, two year term effective immediately and ending June 30, 2023, Judiciary, Division B.

Krissy Casey Nobile, Director of the Mississippi Office of Capital Post-Conviction Counsel, four year term beginning August 1, 2021 and ending July 31, 2025, Judiciary, Division A.

Taylor Patten Stringer, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023, Corrections.

Mark Alan Odom, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four year term beginning June 6, 2021 and ending June 5, 2025, Public Health and Welfare.

Arthur Reginald (Reggie) Dampier, Jr., O.D., Mississippi State Board of Optometry to represent the Third Congressional District as it existed in 1980, five year term beginning June 20, 2021 and ending June 19, 2026, Public Health and Welfare.

Ronald Len (Ron) Beckham, Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2025, Veterans and Military Affairs.

Dan Henry (Hank) Singley, Jr., DMD, Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024, Veterans and Military Affairs.

Richard D. (Dickie) Stevens, Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2023, Veterans and Military Affairs.

Thomas Henry Watts, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024, Veterans and Military Affairs.

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#### REPORT OF COMMITTEE ON CORRECTIONS

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

**S. B. No. 2269:** Community Service Revolving Fund; extend repealer on authority to collect fees for deposit into. Title Sufficient. Do Pass.

**S. B. No. 2272:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. Title Sufficient. Do Pass.

**S. B. No. 2276:** State Parole Board; extend repealer on. Title Sufficient. Do Pass.

**S. B. No. 2277:** Prison Overcrowding Emergency Powers Act; extend repealer on. Title Sufficient. Do Pass.

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2275:** Pilot Work Release Program; extend repealer. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of James Lionell Goodyear, Della "Maxine" Rosalis Swetman, Robert Houston "Jack" Vandiver, Mr. Booker Stamps, Ms. Doris Stamps, Mr. M. C. Weaver, Mr. Reuben 'Dorsey' Mixon, Lusia "Lucy" Harris Stewart, Rosalie Flanagan Richard, Ronald Wayne Krohn, Glennis Gerald Smith, Edna Lenita Ladner, Kenneth "Kenny" Wesley Spiers, Charlotte Maxine Husley and Pastor Lonn Macon Oswalt.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 19, 2022

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SEVENTEENTH DAY, THURSDAY, JANUARY 20, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Hill, Parks. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Bill Boulton, Heidelberg Baptist Church, Heidelberg, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Lt. Governor Delbert Hosemann yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Fannie Gathwright of Marks, MS.

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Senators Blackmon and Horhn moved that when the Senate adjourns, it adjourn in memory of Mary Daniel of Jackson, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Willie Hugh Whitehead of Ripley, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Willie Curtis Blake of New Albany, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Sandra Collette of Brandon, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Roy Albert Roberts of Winona, MS.

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Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Bobbie Jean Sampson-Cooley of Heidelberg, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Dr. Craig Bradford of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Jakob Porter of Ferriday, LA.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Joanne Salbego Samson of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William Crisler of Yazoo City, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Joanne Marion Zasucha Zaninelli of Hattiesburg, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mildred Martin Raspberry, Donna Carol Poole, Dwight M. Napp, James Wayne Lewis and Clint Alexander Dearman of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Robert Walter Ivy, Patricia Conner, Rebecca Ann Taylor, Merle H. McInnis and Bobby Ray Williams of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Roger Dale Rich of Enterprise, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of David Eugene Talley of Snell, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Joan McMillan "JoAnn" Carpenter of Shubuta, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Mary Louise Moran of Picayune, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, January 21, 2022.

The motion prevailed, and at 10:11 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON EDUCATION

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

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year. Title Sufficient. Do Pass.

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments. Title Sufficient. Do Pass.

**S. B. No. 2113:** Critical Race Theory; prohibit. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

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REPORT OF COMMITTEE ON INSURANCE

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

**S. B. No. 2024:** Travel Insurance Act of 2022; create. Title Sufficient. Do Pass.

**S. B. No. 2326:** Mississippi Insurance E-Commerce Act; create. Title Sufficient. Do Pass.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year. Title Sufficient. Do Pass.

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance. Title Sufficient. Do Pass.

MICHEL, Chairman

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 8:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI STATE UNIVERSITY BULLDOGS BASEBALL TEAM FOR WINNING THE 2021 NCAA BASEBALL NATIONAL CHAMPIONSHIP.

**H. C. R. No. 21:** A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds. Title Sufficient. Do Pass.

HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2444:** Teachers' salaries; provide increase to minimum salary. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create. Education; Appropriations.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Fannie Gathwright, Mary Daniel, William Crisler, Joeanne Marion Zasuca Zaninelli, Mildred Martin Rasberry, Donna Carol Poole, Dwight M. Napp, James Wayne Lewis, Clint Alexander Dearman, Robert Walter Ivy, Patricia Conner, Rebecca

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Ann Taylor, Willie Hugh Whitehead, Merle H. McInnis, Bobby Ray Williams, Roger Dale Rich, David Eugene Talley, Joan McMillan "JoAnn" Carpenter, Mary Louise Moran, Willie Curtis Blake, Sandra Collette, Joanne Salbego Samson, Roy Albert Roberts, Bobbie Jean Sampson-Cooly, Dr. Craig Bradford and Jakob Porter.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, JANUARY 20, 2022

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EIGHTEENTH DAY, FRIDAY, JANUARY 21, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Hill, Parks, Seymour, Turner-Ford. Total--4.

The Secretary announced a quorum present.

The invocation was delivered by Senator Sparks.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Lt. Governor Delbert Hosemann yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

Senator DeBar called up the following entitled bill:

**S. B. No. 2113:** Critical Race Theory; prohibit.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senator Simmons D. T. (12th) requested that S. B. No. 2113 be read.

President Pro Tempore Kirby yielded the gavel to Senator Hopson who presided over the Senate.

YEAS AND NAYS On S. B. No. 2113. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Blount, Bryan. Total--2.

Absent and those not voting--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Hill, Hopson, Horhn, Jackson (11th), Jordan, Norwood, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--18.

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Unanimous consent was granted to add Senators McDaniel, Moran, Sojourner and Williams as co-authors of **S. B. No. 2113**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2444:** Teachers' salaries; provide increase to minimum salary.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senator Hopson yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

Senator Moran moved the previous question and the motion prevailed.

YEAS AND NAYS On S. B. No. 2444. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--None.

Absent and those not voting--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Hill, Horhn, Jackson (11th), Jordan, Norwood, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--17.

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Unanimous consent was granted to add Senators Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Moran, Parker, Polk, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams and Younger as co-authors of **S. B. No. 2444**.

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On motion of Senator DeBar, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2444.

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Senator Simmons D. T. (12th) requested that the following explanation be placed in the journal.

#### EXPLANATION

Senate Democrats have always led the charge on teacher pay raises and have championed establishment of fair career plans that show our appreciation for the job our teachers do. However, the roll call vote today to pass Senate Bill 2444 – our teacher pay plan – was quickly called up and passed without discussion immediately after members of our caucus walked out in protest of a vague bill that would ban “critical race theory” in Mississippi’s public schools and universities without creating boundaries. We felt it was unfair to have such a bill introduced or passed as it really demeans a large segment of our population. Though our votes were not counted because of the chain of events, Senate Democrats stand in support of raises for our educators.

*Derrick T. Simmons*

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Senators Carter, Thompson and Moran moved that when the Senate adjourns, it adjourn in memory of Robert Kirk Lambert of Gulfport, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Thomas J. O’Beirne of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of William Lee Heard, Jr. of Baton Rouge, LA.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mitchell Revette and Edna Ficklin of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Harold Franklin Wolfe of Lake, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Kay Knight, Erdis Chaney, Shelby Breland, Leon Myers, Jonathan Brayden Lilley and Keith Posey of Philadelphia, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Brady Stuart, Barry Irons, Floyd Williamson, Jr., Virginia Jackson and Brenda Fletcher of Philadelphia, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Martha Ann Barrett Crosby and Helen Nowell of Union, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Kelso Fisackerly of Sebastopol, MS.

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Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Aero G. English of Amory, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 232:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE 20 FENTANYL-RELATED SUBSTANCES, MT-45, NM2201, 5F-CUMYL-P7AICA AND PMMA AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO ALPHABETIZE CERTAIN SUBSTANCES TO CONFORM THE LIST OF SCHEDULE I OPIATES TO THE CODE OF FEDERAL REGULATIONS; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE OLICERIDINE AS A SCHEDULE II CONTROLLED SUBSTANCE BECAUSE OLICERIDINE HAS A CURRENTLY ACCEPTED MEDICAL USE BUT HAS A HIGH POTENTIAL FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL DEPENDENCE; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE LEMBOREXANT AND REMIMAZOLAM AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE CENOBAMATE AND LASMIDITAN AS SCHEDULE V CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE IV; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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## REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 527:** Commend University of Mississippi Women's Golf Team and Coach Kory Henkes for winning their first National Title in school history. Title Sufficient. Do Be Adopted.

**S. R. No. 6:** Mourn the loss and commend the life of Mrs. Mary Elizabeth Daniel. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 770:** AN ACT TO CREATE THE MISSISSIPPI EQUAL PAY ACT; TO PROVIDE DEFINITIONS FOR "EMPLOYEE", "EMPLOYER", "WAGE", "RATE", AND "UNPAID WAGES"; TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF THE OPPOSITE SEX IN THE SAME ESTABLISHMENT IS PAID FOR EQUAL WORK ON A JOB, THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL, EFFORT AND RESPONSIBILITY, AND WHICH IS PERFORMED UNDER SIMILAR WORKING CONDITIONS; TO PROVIDE REMEDIES; TO PROVIDE THE TIME IN WHICH A CIVIL ACTION MUST BE FILED; AND FOR RELATED PURPOSES.

**H. B. No. 813:** AN ACT TO CREATE THE "MISSISSIPPI STUDY ON THE AFFORDABILITY OF INSULIN ACT"; TO REQUIRE THE STATE HEALTH OFFICER OF THE MISSISSIPPI STATE DEPARTMENT OF HEALTH TO CONDUCT A STUDY THAT EXAMINES CERTAIN INFORMATION REGARDING DIABETES AND SUBMIT TO THE CHAIRMEN OF BOTH THE HOUSE AND SENATE DRUG POLICY COMMITTEES A REPORT ON SUCH STUDY BY NO LATER THAN DECEMBER 31,2022; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate adjourn until 4:00 PM, Monday, January 24, 2022.

The motion prevailed, and at 11:00 AM, the Senate stood adjourned in memory of Robert Kirk Lambert, Thomas J. O'Beirne, Brenda Fletcher, Kay Knight, Erdis Chaney, Shelby Breland, Leon Myers, Jonathan Brayden Lilley, Keith Posey, Martha Ann Barrett Crosby, Helen Nowell, Kelso Fisackerly, Mitchell Revette, Aero G. English, Edna Ficklin, Harold Franklin Wolfe, William Lee Heard, Jr., Brady Stuart, Barry Irons, Floyd Williamson, Jr. and Virginia Jackson.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR FRIDAY, JANUARY 21, 2022

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TWENTY-FIRST DAY, MONDAY, JANUARY 24, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Seymour, Simmons S. (13th). Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Dwight Martin, 24th Street Church of Christ, McComb, MS.

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Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. C. R. No. 8:** Mississippi State University Bulldogs Baseball Team; commend for winning the 2021 NCAA Baseball National Championship. Rules.

**H. C. R. No. 21:** State of the State; authorize joint session for January 25, 2022, at 4:00 p.m. Rules.

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

**S. B. No. 2018:** MS Department of Banking and Consumer Finance conduct periodic joint-bank examinations; extend repealer. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2019:** Mississippi Debt Management Services Act; extend repealer. Title Sufficient. Do Pass.

**S. B. No. 2039:** Real estate appraisal management companies; extend repealer on registration provisions. Title Sufficient. Do Pass.

**S. B. No. 2640:** State-chartered banks; revise merger law to conform to the Mississippi Business Corporation Act. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

Senator Hopson called up the following entitled bill:

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

YEAS AND NAYS On S. B. No. 2862. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Turner-Ford. Total--1.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

Unanimous consent was granted to add Senators Branning, McLendon, Moran and Parker as co-authors of **S. B. No. 2862**.

Senator Hopson called up the following entitled bill:

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

YEAS AND NAYS On S. B. No. 2863. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

Voting Present--Turner-Ford. Total--1.

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Unanimous consent was granted to add Senators Branning, Jordan, McLendon, Moran and Parker as co-authors of **S. B. No. 2863**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds.

YEAS AND NAYS On S. B. No. 2864. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

Not Voting--DeBar. Total--1.

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Unanimous consent was granted to add Senators Branning, McLendon, McMahan, Moran and Parker as co-authors of **S. B. No. 2864**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

YEAS AND NAYS On S. B. No. 2865. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

Voting Present--Horhn, Turner-Ford. Total--2.

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Unanimous consent was granted to add Senators Branning, Jordan, McLendon, Moran and Parker as co-authors of **S. B. No. 2865**.

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REPORT OF COMMITTEE ON RULES

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

**H. C. R. No. 21:** State of the State; authorize joint session for January 25, 2022, at 4:00 p.m. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 21**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**H. C. R. No. 21:** State of the State; authorize joint session for January 25, 2022, at 4:00 p.m.

YEAS AND NAYS On H. C. R. No. 21. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

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Senator Kirby called up the following entitled bill:

**S. B. No. 2001:** Mississippi congressional districts; reapportion.

Senator Kirby moved that **S. B. No. 2001** be recommitted to Rules, and the motion prevailed.

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 527:** Commend University of Mississippi Women's Golf Team and Coach Kory Henkes for winning their first National Title in school history.

YEAS AND NAYS On S. C. R. No. 527. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Seymour, Simmons S. (13th). Total--2.

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Senator Barnett entered a motion to reconsider the vote whereby **S. B. No. 2444** passed the Senate.

**S. B. No. 2444:** Teachers' salaries; provide increase to minimum salary.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dr. Cecil Jenkins of Ridgeland, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Billy Foxx Swilley of Brandon, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Willie Tucker and Mr. Joe Lowry, III of Jackson, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of John Necaie and Peggy Ann Haas Ladner of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Preston Pellegrin and Stuart Suffern of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Evelyn Winch of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Regina Catherine Necaie of Bay St. Louis, MS.

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Senators McMahan, Suber and Bryan moved that when the Senate adjourns, it adjourn in memory of Lee Co. Sheriff Officer Johnny Patterson of Tupelo, MS.

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Senators Younger and Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Randall (Kirk) Reid of Madison, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Phyllis Ann Fratesi Doolittle of Columbus, MS.

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Senators Butler K. (38th) and Parker moved that when the Senate adjourns, it adjourn in memory of Sam Mims of McComb, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Lavern Cook, Tyrone P. Brownlow and Charlene W. McGee Dear of Yazoo City, MS.

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Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 25, 2022.

The motion prevailed, and at 4:57 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 501:** Commend Philadelphia automobile dealer Bill Griffis for his nomination for the 2022 TIME Dealer of the Year Award. Title Sufficient. Do Be Adopted.

**S. C. R. No. 502:** Commend former Mississippi Representative Honorable Fred Banks on his receipt of "2021 Lifetime Achievement Award" by MS BAR. Title Sufficient. Do Be Adopted.

**S. C. R. No. 503:** Mourn the passing of former Senator Joseph Stogner of Sandy Hook, Mississippi, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

**S. C. R. No. 504:** Commend Columbia High School "Wildcats" Football Team for first State Championship since 1982. Title Sufficient. Do Be Adopted.

**S. C. R. No. 505:** Recognize legacy of NFL Hall of Fame Running Back Walter Payton and dedication of "Walter Payton Field" in Columbia, Mississippi. Title Sufficient. Do Be Adopted.

**S. C. R. No. 506:** Commend Mississippi Humanities Council on the occasion of its 50th Anniversary. Title Sufficient. Do Be Adopted.

**S. C. R. No. 507:** Extending the deepest sympathy on the passing of former Mississippi First Lady and community activist Elise Winter. Title Sufficient. Do Be Adopted.

**S. C. R. No. 508:** Paying tribute to public health career and contributions of respected state health officer and first Medicaid Director Dr. Alton Cobb. Title Sufficient. Do Be Adopted.

**S. C. R. No. 509:** Commend State Parole Board Chairman Steven Pickett on the occasion of his retirement. Title Sufficient. Do Be Adopted.

**S. C. R. No. 510:** Commend Mississippi "Braves" Baseball Team for winning the Double A South Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 514:** Congratulate MSU 2021 Baseball Team on National Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 8:** Mississippi State University Bulldogs Baseball Team; commend for winning the 2021 NCAA Baseball National Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Dr. Cecil Jenkins, Billy Foxx Swilley, Lee Co. Sheriff Officer Johnny Patterson, Dr. Randall (Kirk) Reid, Phyllis Ann Fratesi Doolittle, Sam Mims, Lavern Cook, Tyrone P. Brownlow, Charlene W. McGee Dear, Mrs. Willie Tucker, Mr. Joe Lowry, III, John Necaise, Peggy Ann Haas Ladner, Preston Pellegrin, Stuart Suffern, Evelyn Winch and Regina Catherine Necaise.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, JANUARY 24, 2022

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TWENTY-SECOND DAY, TUESDAY, JANUARY 25, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Absent--Simmons S. (13th). Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Simmons S. (13th).

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The invocation was delivered by Reverend Herrie Jenkins, Jr., Pastor of Chapel Hill Missionary Baptist Church, Yazoo City, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON INSURANCE

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

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property. Title Sufficient. Do Pass.

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority. Title Sufficient. Do Pass.

**S. B. No. 2450:** MS Windstorm Underwriting Association; divert nonadmitted policy fee to the State and School Employees' Insurance Fund. Title Sufficient. Do Pass.

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited. Title Sufficient. Do Pass.

**S. B. No. 2856:** Mississippi Electronic Protection Licensing Act; revise definitions to include a battery-charged security fence. Title Sufficient. Do Pass.

MICHEL, Chairman

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

The motion prevailed, and at 10:23 AM, the Senate stood in recess.

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The Senate resumed business at 10:37 AM, pursuant to recess, with President Hosemann presiding.

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Senator Blackmon entered a motion to reconsider the vote whereby **S. B. No. 2862** passed the Senate.

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

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Senator Blackmon entered a motion to reconsider the vote whereby **S. B. No. 2865** passed the Senate.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

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Senator Polk moved that the Senate stand in recess until 1:00 PM.

The motion prevailed, and at 10:46 AM, the Senate stood in recess.

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The Senate resumed business at 1:00 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs. Title Sufficient. Do Pass.

**S. B. No. 2764:** Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. Title Sufficient. Do Pass.

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises. Title Sufficient. Do Pass.

**S. B. No. 2771:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. Title Sufficient. Do Pass.

**S. B. No. 2773:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state. Title Sufficient. Do Pass.

HARKINS, Chairman

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MESSAGE FROM THE LT. GOVERNOR  
January 24, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

David John Machado, Biloxi, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027.

Delbert Hosemann  
LT. GOVERNOR

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The executive nomination in the foregoing message was referred to committee as follows:

David John Machado, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027, Finance.

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Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 16, **S. B. No. 2095**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2095** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting lines 377 and 378 in their entirety and by re-lettering all of the following paragraphs in that section.

AMEND FURTHER on page 19 by deleting all of the language beginning with the letter "(a)" on line 551 through the letter "(b)" on line 560

AMEND FURTHER on lines 564 and 565 by deleting "the responsibilities delegated to the MDAC under this subsection" and inserting "any responsibilities"

AMEND FURTHER on lines 548, 1102, 1109, 1121, 1744, 1748 and 1990 by deleting ", MDAC"

AMEND FURTHER on lines 560, 561, 563, 566 and 2376 by changing "MDAC" to "MDOH"

AMEND FURTHER on line 617 by deleting ", MDAC," and inserting "and"

AMEND FURTHER on line 745 by deleting "MDAC and"

AMEND FURTHER on lines 773, 777, 780, 1373, 1474 and 2414 by deleting "MDAC,"

AMEND FURTHER on lines 1737 and 2396 by changing the comma after "MDOH" to "and" and deleting "and MDAC"

AMEND FURTHER on line 2411 by deleting "and MDAC"

AMEND FURTHER on lines 1551 and 1552 by inserting ", commercial" after the word "agricultural"

AMEND FURTHER on lines 1620 and 1621 by changing "seven (7)" to "six (6)"; on line 1623 by changing "twenty-eight (28)" to "twenty-four (24)"; and on line 1628 by changing "thirty-two (32)" to "twenty-eight (28)"

AMEND FURTHER on line 1665 by changing "seven (7)" to "six (6)"; on line 1667 by changing "fourteen (14)" to "twelve (12)"; and on line 1682 by changing "sixteen (16)" to "fourteen (14)"

AMEND FURTHER on line 2614 by deleting "the Mississippi Department of Agriculture and Commerce,"

AMEND FURTHER on lines 2731 and 2732 by deleting "State Department of Agriculture and Commerce, and"

AMEND FURTHER the title by deleting all of the language beginning after the semicolon on line 13 through the semicolon on line 27 and inserting the following:

"TO ALLOW FOR A DEDUCTION FROM INCOME TAXES FOR ALL OF THE ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A BUSINESS AS A MEDICAL CANNABIS ESTABLISHMENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF HEALTH SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE MEDICAL CANNABIS PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO LICENSE CANNABIS CULTIVATION FACILITIES, CANNABIS PROCESSING FACILITIES, CANNABIS TRANSPORTATION ENTITIES, CANNABIS DISPOSAL ENTITIES, CANNABIS TESTING FACILITIES AND CANNABIS RESEARCH FACILITIES; TO REQUIRE THE DEPARTMENT OF REVENUE TO LICENSE MEDICAL CANNABIS DISPENSARIES;"

AMEND FURTHER the title on lines 46 and 65 and 66 by deleting ", DEPARTMENT OF AGRICULTURE AND COMMERCE"; and on lines 90 and 91 by deleting "THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE,"; and on lines 99 and 100 by deleting "STATE DEPARTMENT OF AGRICULTURE AND COMMERCE,"

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On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2095.

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Senators Michel, Harkins, Kirby, DeBar, Fillingane, Chassaniol and Parker moved that when the Senate adjourns, it adjourn in memory of Sylvia Barton Upchurch of Lexington, MS.

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Senators Harkins, Michel, Parker and Kirby moved that when the Senate adjourns, it adjourn in memory of James "Jim" M. White of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Anne Duncan MacNealy of Inverness, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ron A. Franklin of Austin, TX.

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Senators Blount and Norwood moved that when the Senate adjourns, it adjourn in memory of Gladys McCray Sykes of Jackson, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Wade Craig of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Francis Leo Young, Jr. of Ferriday, LA.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Bettye "Bette" Ann Clements McShan Baumhauer of Tuscaloosa, AL.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Velma Anita White Rush of Yazoo City, MS.

Senator Polk moved that the Senate stand in recess until 4:00 PM, at which time it would reconvene for the Joint Session on the south steps of the New Capitol Building and that at the conclusion of the Joint Session, the Senate would then adjourn until 10:00 AM, Wednesday, January 26, 2022.

The motion prevailed, and at 1:07 PM, the Senate stood in recess.

The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.  
Senators Bryan, Blackwell, Wiggins.

#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

Representatives White, Mims, Yancey

Andrew Ketchings, Clerk of the House of Representatives

#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**S. B. No. 2460:** Mississippi Domestic Law Task Force; reconstitute. Title Sufficient. Do Pass.

WIGGINS, Chairman

#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**S. B. No. 2643:** Divorce; authorize where marriage is irretrievably broken. Title Sufficient. Do Pass.

WIGGINS, Chairman

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**S. B. No. 2731:** Mississippi Department of Human Services; authorize to use a combined reporting system. Title Sufficient. Do Pass.

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider. Title Sufficient. Do Pass.

**S. B. No. 2900:** Newborn screening program; revise certain provisions of. Title Sufficient. Do Pass.

**S. B. No. 2729:** Single or loose cigarettes; prohibit sale of and set certain penalties for violations. Title Sufficient. Do Pass.

BRYAN, Chairman

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JOINT SESSION

Pursuant to H. C. R. No. 21, a Joint Session was held on the south steps of the New Capitol Building.

The House received the Senate.

The Joint Session was convened by Speaker Philip Gunn.

Speaker Philip Gunn introduced Representative Ronnie Crudup of Hinds County who delivered the Invocation.

Speaker Philip Gunn introduced Lt. Governor Delbert Hosemann who presided over the Joint Session.

Lt. Governor Delbert Hosemann introduced members of the 41st Army Band who performed the National Anthem.

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

Lt. Governor Delbert Hosemann called on the committee composed of Senators Boyd, Parker and Jordan and Representatives Crudup, Weathersby and Summers to escort Governor Tate Reeves and First Lady Elee Reeves to the dais.

Lt. Governor Delbert Hosemann introduced Governor Tate Reeves who addressed the joint assembly:

Thank you, Lieutenant Governor Hosemann and Speaker Gunn.

To the members of the legislature and other elected officials – thank you. Thank you for your commitment to bettering our state. Thank you for your dedication to our people.

Together, we can do great things. I look forward to partnering with you this session to continue making Mississippi the best state in the nation to live, to work, and to raise a family.

I would also be remiss if I did not thank the person who enables me to stand here in the first place. Someone who always puts others before herself. Someone who is an amazing ambassador for our state – our great First Lady. Elee, thank you for everything you do for me and for Mississippi. I could not ask for a better partner and Mississippi could not ask for a better First Lady.

Mississippi has weathered great storms in the last two years. We have bent but we did not break. We dug deep and we stood tall. We got through it all because we decided to get through it all together.

That is why, after recession and pandemic and hurricanes and tornadoes, I can still stand before you tonight and declare, without reservation, and without qualification, that the state of our state is not only strong, but stronger than it has ever been.

I would like to start with what I consider to be the crowning achievement of Mississippi's ride through the pandemic and recession – our educators.

It is the most basic promise a state government makes to its people. We tell every young parent: we will be your partner in educating your child. Together, we will make sure that if they work hard, they will learn what they need to know.

It is a solemn promise and one that our state must fulfill – and it is a promise that I am determined to fulfill.

We all know that there are many who enjoy criticizing Mississippi. They trash our way of life, they trash our institutions, and they frequently deride our education.

And at times in our past, they might have been at least a little bit right about our educational system. But Mississippi's schools have made a major turnaround – in fact, a turnaround of historic proportions.

When you look at the data, it looks like a miracle. But it is not a miracle. It is the product of dedication of our teachers, a result of the intelligence of our people, and conservative, common-sense reforms enacted by many of us here today. And most importantly, it is achievement that was earned by Mississippi students.

Mississippi's students with disabilities have seen a graduation rate that has doubled over the last eight years. Overall, our graduation rate is now at an all-time high at 87.7 percent. That's, by the way, better than the national average. And while the graduation rate is at an all-time high, the dropout rate is at an all-time low of just 8.8 percent.

Our passing rate on Advanced Placement exams is also at an all-time high.

The number of students who completed career and technical courses has shot up by 36 percent since 2015.

Mississippi students are learning more, achieving more, and they are more prepared for a prosperous life.

You all know how fond I am of data. I love it. I swim in it. It's what I do for fun – and yes, I realize how uncool that makes me. In fact, just ask my teenage daughters if you have any doubt about how uncool I am.

But this is not merely data on a page. These numbers are real people. These are real lives that have been transformed – and family trajectories that have been forever altered.

The Mississippi kids who have out-performed previous generations in the classroom are going to make our state better as adults. We are talking about generational change in careers and horizons – and it is happening in every corner of Mississippi.

I attribute these educational gains to three important factors. First, the parents and guardians of our students. Without you investing in your children's educations, without you pushing them to be their very best, none of these gains would be possible.

It all starts and ends with parents. Mississippi schools and teachers answer to parents. They are paid for by you. They work for you.

It is shocking to me, that in some corners of this country, the basic right of parents to determine their child's education is ignored. We must strive to be better than that. We recognize that no classroom can replace a parent's care. Your voice should not just be heard, it should be sought. It should reign. All public servants answer to the people. In education, we answer to the parents and as long as I'm governor, we always will.

We've also seen these historic gains because of the conservative and effective education reforms we've implemented over the last decade.

Expect more and you will get more. That is a lesson Mississippi has had to learn.

The rigorous reading standards that we put in place have transformed lives and the data prove it.

Since those standards were created, we've experienced incredible gains in fourth grade reading. Just a few months ago The Economist noted, Mississippi's fourth graders rose 20 places – from 49<sup>th</sup> to 29<sup>th</sup> – on the National Assessment of Educational Progress (NAEP), and in 2019 we were the "only state in the nation to improve its scores."

Now, I want to repeat that. In 2019, Mississippi was the only state in the nation to improve our scores. The only state. Out of 50, we were the very best at improving reading scores.

Students of all backgrounds are having academic success in Mississippi. According to 2019 NAEP results, our students living in poverty are outperforming their peers nationally. Black, white, and Hispanic students from low-income households achieved higher scores than the national average in all four NAEP subjects.

For decades we were at the bottom, but now we are not. It takes time to go from last to first. But Mississippi kids are on the move, and it is revitalizing our state's future.

Now, they say imitation is the sincerest form of flattery. Well, all of you should be flattered. Again, according to The Economist – and this is a direct quote – "Many states have noticed Mississippi's success and have passed similar legislation."

When is the last time you heard that? From Pascagoula to Iuka and from Natchez to Tunica, every single person in Mississippi should be proud.

These education reforms and the gains they have wrought, is what happens when Republicans and Democrats come together. When we set aside our differences, and focus on what matters most, there is no limit to what Mississippians can achieve.

That is why I am asking the legislature to keep it up, and to invest in math coaches, just as we did for reading, to ensure that we continue to see improved results.

The final vital factor in our education gains is our teachers. Unlike other states throughout the pandemic, most of Mississippi's teachers stepped up. They did not cower in fear and refuse to come into the classroom. In fact, it was just the opposite. While other states resorted to Zoom for years on end, Mississippi's teachers took to the chalkboard. When teachers in other states said, "no we won't," Mississippi's teachers said, "yes we will."

They did not walk out, they stepped up. Now I want you to stand up for them. I would like for everyone to take just a moment and give our teachers the applause they deserve.

Thank you.

As the great Mississippian B.B. King once said, "The beautiful thing about learning is that no one can take it away from you."

Those who pushed long-term school closures would have taken that opportunity away from our children. In other states, students remained out of the classroom and locked away from their teachers and their peers.

But we chose to not let that happen. Teachers in Mississippi did not, and will not, back down amid this unprecedented educational battle between a virus and a child's right to learn.

That is why we must give our teachers the pay raise they deserve.

Y'all know that I am a conservative. Many of you are too. As conservatives, we believe in rewarding hard work and success. There is no doubt that Mississippi teachers fit that mold.

I'm confident that in this session, working together, we will get a significant teacher pay raise done. It is my number one priority. Credit goes to where credit is due and in COVID-19, Mississippi teachers deserve the credit.

There is one cloud on the horizon for our schools and it's one that we need to address.

Across the country, there is a looming threat in too many schools. It is propaganda that seeks to divide us. It's what's called critical race theory. It doesn't really matter what you call it. And I'm not interested in semantics. I'm interested in the integrity of our civic education. In too many schools in other states, they teach the lie that America is inherently racist. They teach students that by virtue of the color of your skin you are inherently a victim or oppressor. They teach this for a purpose.

It is designed to allow a small group of ideologues to pose as saviors—false heroes. It is arrogance and ambition, masquerading as education. When you are a victim by birth, only their generosity can save you. When you are an oppressor by birth, only your silent cooperation with their radical worldview can sanctify you.

There is no country on this earth without sin in its past. That is because there is no person on this earth without sin. Sin is inherent in the human condition. Injustice is still too present today. We must teach that truth. We must learn from our history.

But we can also proudly teach that America is the first nation in history to be born of ideals—not just blood and soil. We are not a nation created by a tribe, but a melting pot of people committed to common purpose.

We work to live up to those ideals every single day. Yes, sometimes, we fall short. But then we get up. We keep stretching towards that promise, enshrined in our founding documents: that all Americans are created equal with rights bestowed by their creator.

With the radical founding of America, we set the world on a course towards greater prosperity and freedom. Racism is not unique to America. Injustice is not unique to America. It is endemic in humanity because humanity is sinful. But the American notion that God grants rights that no one can take away – that notion is still transforming the entire planet.

When we teach American children to fear one another because of their skin, we reverse the great trend towards achieving our American dream. The promise of America is replaced with a vicious lie: that you are doomed to failure or evil based on your race. We must stop this trend in its tracks, and we can do our part in Mississippi.

Today, I am calling on the State Board of Education to adopt the values that combat critical race theory in their educational efforts. To affirm that Mississippi's public educators will not indoctrinate students in ideology that insists this country, or this state, are inherently racist. We will not teach that your race determines your status as a victim or oppressor. No school district shall teach that one race is inherently superior or that an individual is unconsciously or inherently racist because of how they are born. No child will be divided or humiliated because of their race. We will strive for equality, and our education will support that aspiration.

This is an important common step we can take to ensure that Mississippi is committed to equality. Honesty about our past, and bold and optimistic determination about our future.

The legislature can bolster that effort by passing legislation to this effect. We will teach all of our history — good and bad. And that will lead to a brighter future. I know that our teachers can and will lead the way and I ask the legislature to set down that path.

These investments in our schools are not a pipe dream.

We can afford them. We can afford them in large part, because of our economic resilience.

Mississippi continues to be in the best fiscal shape and the best financial shape in its history. Mississippi ended the year a billion dollars over revenue estimates.

This was not an accident.

We kept our businesses open and helped ensure Mississippians could continue putting food on their table. And they kept working. Bravely and calmly and rationally, they put on their boots, they showed up for work, and our state is better for it.

We also refuse to incentivize the opposite. Mississippi was one of the first states to end the massive pandemic unemployment benefits, because we knew we needed to return to meaningful work. The results are clear:

In November, Mississippi's weekly unemployment claims reached their lowest point since 2018. That's because, in Mississippi, jobs are plentiful. In the four months after we announced the ending of the pandemic unemployment benefits, employers hired at a pace nearly 60 percent faster than before the announcement. In the month of June

alone, Mississippi's businesses hired more than 72,000 workers. That's more than any other month in state history.

While we are proud of how we weathered the economic storm, survival is simply not enough.

We should never be satisfied until every Mississippian has access to the best jobs, skills, and upward mobility needed to better themselves and their families.

That's why one of my top priorities is to continue investing in our people. To continue investing in workforce and skills training Mississippians need to thrive in today's economy.

I said in my first address, upon taking this office, that at the end of my time as governor we will measure our success in the wages of our workers. We don't just want people to have any job. We want them to have a career. A family-supporting career that gives them not just a paycheck, but joy.

One of the things we should all be able to agree on, is that together, we passed one of the most consequential pieces of workforce development legislation in Mississippi's history. When we created Accelerate Mississippi, we set our state up to better prepare Mississippians for the jobs of the next 50 years, not the jobs of the last 50 years. Through that legislation, we were able to streamline our workforce development efforts to ensure we have a clear strategy – a strategy that will meet the needs of employers and fill the vacancies for jobs that offer above average wages.

To date, we have awarded over \$11.5 million in RESTORE Act funds towards high-value workforce development programs. Additionally, Accelerate has awarded almost \$12 million in grants to get more people into good careers.

Careers like commercial trucking, advanced manufacturing, welding, utility line working, and fiber. They pay well and they offer security.

Doing things the right way to build a skilled labor pool takes time. Companies realize this and so should we. Our work is just beginning. Months, and in some cases years, for people to acquire the skills they need to obtain these high-paying jobs.

The time is now to continue building the pipeline. In my most recent Executive Budget Recommendation I proposed allocating \$130 million in American Rescue Plan Act funds to support this effort. I believe that if we make this investment, Mississippi will develop that workforce of the future and set up our state for success for years to come.

We also know that for Mississippi to grow, we must attract more economic activity. We need to be bold. We need to attract the kind of work that creates wealth for all Mississippians.

First, we need to take care of the basics. We have a historic opportunity to invest in our core infrastructure – to take nearly \$2 billion of federal money and put it into real, transformative projects.

I want to echo and appreciate the sentiment from Lieutenant Governor Hosemann: We must stay focused on those investments that will have an impact not for one or two years, but for one or two generations. I whole-heartedly support his plan to put the bulk of that money into local infrastructure projects that can put those concerns behind us for years.

We also need to consider how to attract those companies and economic projects that transform communities—create generational wealth and lift families out of poverty.

This does not just happen one project at a time. It takes a bold vision that lasts forever. The heart of that vision is the elimination of the state's income tax.

By eliminating the income tax, we can put ourselves in a position to stand out. We can win those projects. We can throw out the welcome mat for the dreamers and the visionaries. We can have more money circulating in our economy. And it can lead to more wealth for all Mississippians.

I am begging Mississippi legislators to be bold. Give us another arrow in our quiver to attract more capital and to continue to transform our economy.

When someone in California or Illinois or even Louisiana decides to start their own business, let's make them consider doing it right here in Mississippi. Let's tell them that they are guaranteed to keep more of the first dollar of profit they earn if they come to our state.

The only way to make Mississippi a magnet for the entrepreneurs of our nation is to show them our unmatched culture – married to an unbeatable tax code.

I know that many of you have already demonstrated an appetite for such boldness, and I want to thank you. In the House, Republicans and Democrats voted overwhelmingly for their chamber's bipartisan tax plan, which would eliminate the income tax. Speaker Gunn and Chairman Lamar, thank you for your hard work and your commitment to this ongoing effort. If we can eliminate the income tax, we will achieve an historic victory for this state. We can become a place that money flows more freely, and all Mississippians will benefit.

Please do not let this moment pass without achieving something big. We can invest in our workers, water, and workforce. We can attract more wealth that can transform our economic potential. We can grow this great state to achieve what we all know we are capable of. That should be our ambition throughout this session.

We are governing in a time of plenty. Good decisions have brought us a great harvest.

If we do not lead boldly, when this time of great resources passes, I believe we will look back with regret. We have done the hard work to secure our fiscal situation. Now let us return that largesse to the people and unleash Mississippi's economy.

We know that our economic situation would not be so secure if it were not for our handling of the COVID-19 pandemic. We have lost many Mississippians to this virus. And we mourn their loss every day.

We also know we cannot lock ourselves away behind screens and live in fear. We choose to protect ourselves as we see fit. We choose to reject panic and embrace a life worth living.

And here in Mississippi, we realize that your life is a gift from God, and it is sacred. That comes straight from His word, which reads in Deuteronomy: "I call heaven and earth to witness against you today, that I have set before you life and death, blessing and curse. Therefore choose life, that you and your offspring may live, loving the Lord your God, obeying his voice and holding fast to him, for he is your life and length of days."

In this time of fear, there are many who have suffered from despair. They have wondered if their lives are worth keeping. I want to tell all of you—anyone who needs to hear it—that you are loved. You are valued. Your life has purpose and your life has meaning. Your state needs you. Even if you don't know it, your life is a blessing to others. We are glad that you are here, living and with us.

I pray for the same protection over those who are most vulnerable. Those who need our protection more than any other. Those innocent Mississippi children whose lives are precious. I pray every one of them can be regarded with the same basic respect. That most core human right: the right to life. The right of these children not to be killed before having the chance to be heard.

Mississippians are leading the charge to defend those children. Mississippi and the Supreme Court's landmark case is on a path to preserving millions of lives for generations to come. There is no excuse for America's abortion laws to be closer to the Chinese communists than the rest of the western world.

If we are successful before the Supreme Court, our work will not be done. We must acknowledge and champion the fact that being pro-life is about more than being anti-abortion. We should be doing everything in our power to make Mississippi the most family-oriented state in the country. We should be doing everything in our power to make Mississippi the safest and most supportive state in the country for mothers. And we should be doing everything in our power to promote a culture of life.

In the coming months, we will be promoting plans to further protect mothers in our state. To ensure that they don't just receive the basics— that they get the best possible care during their pregnancy.

We will work to make it even easier to adopt a Mississippi child into a forever home. We will go further than preventing abortion.

I have been proud to push for laws that restrict abortion and protect innocent life. But I do not pretend that those laws mean the work for life is done.

We will lead in the effort to be pro-life in every sense of the word. It is vitally important, and I will be asking all of our legislative allies to commit to that work together.

Another area where our collaboration is going to be key, is improving Mississippi's corrections system. Two years ago, as I took office, we were facing prison riots that resulted in serious violence.

To address the issues in the system, we needed a cultural reset. To ensure that we took control and took proper care of those who were serving time. To preserve the safety of our citizens, we needed to stem the rising tide of violence.

I am proud to say that culture overhaul is happening. The system is different than it was two years ago. We are making incredible progress. Under the leadership of Commissioner Cain, we are hiring more guards. We are combatting gang violence. We are turning the tide and we are taking control.

Time in prison often leads to despair. When you have a lack of hope, you don't just serve your time. You commit to a life of crime. And instead of returning to society, having taken your discipline, the cycle of violence continues. The inmate returns.

We can break that cycle, for hundreds of inmates, and that will lead us to a safer state. We are committed to offering hope of a better life. That begins with opportunity. Today, in state prisons, we are working hard to offer training and meaningful work. That can not only fill the days, it can set an offender up for a peaceful life on the outside.

Just last month, Commissioner Cain unveiled a mobile welding training center that will help train inmates for a career in welding, post-release. The mobile welding training center – which by the way was not paid for with taxpayer funds – can train 32 inmates at a time and will rotate between prisons every 90 days. At the end of the program, trainees who complete it will receive a certification that they can use to find a job.

But that's not the only program we're leveraging to train inmates. For example, the Automotive Service Excellence Certification, where inmates can learn to work on car motors and small engines. Or the National Center for Construction Education and Research Certification, which prepares enrollees in a variety of skills that will help translate to jobs in the construction industry. These programs work, and we need more of them.

Now, some of you may be asking yourself, why should we be offering these types of opportunities to those who have been convicted of a crime? Why should we allocate funds towards educational opportunities for those who are incarcerated? The answer is actually pretty straightforward – because it's a wise investment.

The proof is in the numbers. The average cost to house an inmate in 2020 was over \$50 a day. The cost for vocational training, depending on the program, is approximately \$2,000 a year. The question you may ask is, well is it worth it? The short answer is an emphatic yes.

Here's why. In 2020, the general recidivism rate in Mississippi was 37.4 percent. According to the Department of Corrections, initial data shows that under Commissioner Cain's leadership, the recidivism rate for those who have completed re-entry and vocational training is less than half that.

What does that mean for you? As a taxpayer, a \$2,000 investment can save you over \$18,000 a year. But most importantly, there will be fewer crimes, fewer victims, safer communities, and a skilled workforce that has a second chance at life.

If we want to break the cycle of recidivism, we must invest in a cycle of education and learning. That's why in my most recent Executive Budget Recommendation, I proposed allocating \$2 million for re-entry programs geared toward Mississippians who will be eligible for parole within six months. Additionally, I've proposed funding to expand the work release pilot program – that has already shown so much promise – to each of Mississippi's 82 counties.

I think and we can all agree that no matter how much we invest in training for those reentering society, there will always be a crime element present. It will never be completely eliminated.

That is tragically obvious today. In 2020, our capital city set a record of 130 murders. In 2021, it increased to over 150 murders. That is unacceptable. Let's put these numbers in perspective. In the city of Atlanta, there was a historic crime wave. People there are rushing to reform – electing new city leadership promising to combat the violence. They saw 158 murders in 2021. In Jackson, Mississippi, even though Atlanta is more than triple our size, we saw roughly the same number of murders in that year. The rate of killings in Jackson is three times worse than Chicago. It is worse than St. Louis, Baltimore, and Memphis. The violence scars families for generations. Our community is torn apart by senseless acts of mayhem. If our state is to thrive, we need a capital city of order. Governed by laws, not abandoned to daily violence. We all have an interest in stopping this deadly cycle.

We can do our part to go down a brighter road. Create a capital city that is vibrant, full of life, and safe. A capital city where residents don't have to fear for their safety. A capital city where parents can let their children run around in the yard without having to fear if they'll be home for dinner.

I believe *that* Jackson still exists. I have faith that we have what it takes to make Jackson a city that is a hub for business and capital investment. A city where jobs are plentiful, and opportunity is only limited by how hard you want to work.

Reasonable citizens must take back control from those who only wish harm to their neighbors. Their day is ending in Jackson. The men and women of local law enforcement will always be the first line of defense. The frontline officers who feel abandoned cannot be left to their own devices. That is why I have championed an expansion of the scope of our Capitol Police force. To support local law enforcement and to bring peace back to Jackson.

To our law enforcement officers who wake up every day, put on the badge, and risk their own personal safety to protect and serve us, thank you. As long as I'm governor, I will do everything I can to provide you with the tools and resources you need to keep us, and yourself, safe.

That's why I want to work with the legislature to get you the support you need. It's why I proposed doubling the size of our Capitol Police, so there will be more boots on the ground as you perform your shifts in the Capitol Complex Improvement District. I've said it before and I'll say it again, we have a lot of brave men and women in blue – there's just not enough of them. Doubling the size of our Capitol Police, is the first, most immediate action we can take within the State's jurisdiction. We have the ability to do it, and we must.

We also know that alone is not enough. Capturing violent criminals does nothing if our justice system puts them right back on the streets. I am eager to work with the legislature to develop resources for targeted prosecution and conviction of violent felons here. Catch and release has caused nothing but record crime and chaos. All of us can agree on that. We need to find those who are leading the efforts to flood our capital with illegal drugs and guns—and put them behind bars where they belong. We need to bring focused attention to those orchestrating these efforts. Not to catch more people speeding or loitering. But to arrest, charge, and eradicate the ringleaders who make life hell for the peaceful residents of Jackson.

After the day's shifts have ended, and our law enforcement officers head back to their families, that doesn't mean our support of the men and women in blue is over. It doesn't mean we should stop recognizing the sacrifices they make daily. It doesn't mean we should forget about their gallant actions over the last two years, or the expanded duties placed upon them because of the pandemic. It's one of the reasons why I authorized \$1,000 in one-time hazard pay for each sworn state law enforcement officer who actively served during the COVID-19 State of Emergency. Today, I call on the legislature to do the same for local law enforcement.

Over the last two years, some of our law enforcement officers made the ultimate sacrifice in their service to us. We have benefits in place for those who fell at the hands of violence or in other tragic circumstances in the line of duty. These officers fell victim to an enemy that couldn't even be seen – COVID-19. These officers will never again make it home to their families. There will be missed birthdays, graduations, weddings, birth of children, and more. And if they contracted the virus while serving and protecting, that should be counted as a line of duty death. That's why this session, we need to appropriate additional money towards the Law Enforcement Officers and Firefighters Death Benefits Trust Fund. Doing so will be a final act of gratitude to the men and women who gave it all to keep us safe.

To all our law enforcement officers, Mississippi will always back the blue. Again, thank you for everything you've done and thank you for everything you will do.

We have many great opportunities before us. We can look back on what we've survived. We can look back on the gains we've accomplished. And we can be proud of one another. We must also dedicate ourselves to more hard work. To tackle those challenges and seize chances for greatness. We can do amazing things together if we focus on doing what's right. And, if we have the fortitude to do what's right, boldly. I

know that each of you can commit to that goal, and if so, we will serve our neighbors well.

Thank you. God bless you. And God bless the state of Mississippi.

On motion of Representative Roberson, the Joint Session was dissolved at 4:55 PM, and pursuant to adjournment motion by Senator Polk previously adopted, the Senate stood adjourned at 4:55 PM in memory of Wade Craig, Sylvia Barton Upchurch, Anne Duncan MacNealy, Gladys McCray Sykes, Francis Leo Young, Jr., James "Jim" M. White, Bettye "Bette" Ann Clements McShan Baumhauer, Velma Anita White Rush and Ron A. Franklin.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 25, 2022

**S. B. No. 2917:** Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EDWARD CARTER, SR., OF CLAIBORNE COUNTY, MISSISSIPPI.

By Senator(s) Butler (36th), Norwood, Horhn, Jackson (11th), Jordan, Thomas

**S. B. No. 2918:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR, REHABILITATION, RESURFACING, CONSTRUCTION AND RECONSTRUCTION OF PORTIONS OF BROADWAY STREET LOCATED IN THE CITY OF GREENVILLE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2919:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BROOKHAVEN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS WATER, WASTEWATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, AND RECONSTRUCTION OF AND IMPROVEMENTS TO A SEGMENT OF BROOKWAY BOULEVARD; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2920:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE BUILDING; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2921:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF A VOTING PRECINCT AND COMMUNITY CENTER BUILDING IN DISTRICT 5 IN OR NEAR JONATHAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2922:** Finance

AN ACT TO CREATE NEW SECTION 27-7-5.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE 2022 MISSISSIPPI TAX REBATE FUND IN THE STATE TREASURY; TO PROVIDE THAT UP TO \$150,000,000.00, LESS ADMINISTRATIVE COSTS, SHALL BE DISTRIBUTED BY THE DEPARTMENT OF REVENUE TO PAY REBATES TO TAXPAYERS, WHICH MONIES ARE TO BE CONTINUOUSLY APPROPRIATED; TO PROVIDE THAT, AFTER FILING A 2021 MISSISSIPPI INCOME TAX RETURN, ANY TAXPAYER WHO ALSO FILED A 2020 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A ONE-TIME, NONTAXABLE INCOME TAX REBATE CHECK IN AN AMOUNT APPROXIMATELY EQUAL TO 7-1/2% OF THE 2020 INCOME TAX AMOUNT DUE, IF ANY, BEFORE THE APPLICATION OF ANY TAX CREDITS, OR \$50.00 PER TAXPAYER AND EACH DEPENDENT, WHICHEVER IS MORE; TO PROVIDE A \$1,000.00 REBATE CAP PER TAXPAYER; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2923:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PEARL, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE COMPLETION OF THE PEARL-RICHLAND INTERMODAL CONNECTOR PROJECT, CONNECTING MISSISSIPPI HIGHWAY 468 IN PEARL, MISSISSIPPI, TO U.S. HIGHWAY 49 IN RICHLAND, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2924:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE COMPLETION OF THE BOZEMAN ROAD PROJECT FROM REUNION PARKWAY TO GLUCKSTADT ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Horhn, Thomas, Blackmon

**S. B. No. 2925:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR RESURFACING RUSSUM-WESTSIDE ROAD FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Simmons (13th), Jackson (11th), Thomas, Jordan

**S. B. No. 2926:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO HINDS COUNTY TO DEFRAY EXPENSES FOR TWO WATER WELLS AND WATER TOWERS AT MCDOWELL AND GALLATIN STREETS FOR THE NEW HINDS COUNTY DETENTION CENTER FOR FISCAL YEAR 2023, SUBJECT TO AN INTERLOCAL AGREEMENT BEING ENTERED INTO BETWEEN HINDS COUNTY AND THE CITY OF JACKSON FOR THAT PURPOSE; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2927:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO HINDS COUNTY TO DEFRAY EXPENSES FOR A YOUTH PROGRAM TO PREVENT CRIME VIA CONFLICT RESOLUTION STRATEGIES AND YOUTH EMPOWERMENT FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2928:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO JACKSON STATE UNIVERSITY TO REVISE PUBLIC ENTRY AND EXIT POINTS

TO THE CAMPUS AS A SAFETY PROJECT FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2929:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE CHILDREN'S ADVOCACY CENTERS FUND TO SUPPORT THE CHILDREN'S ADVOCACY CENTERS OF MISSISSIPPI FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2930:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT FOR THE COMPLETION OF THE LYNCH STREET ENTRY TO JACKSON STATE UNIVERSITY AND THE STATE STREET PROJECTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2931:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO THE MAGNET COMMUNITY HEALTH DISPARITY PROGRAM TO BE USED TO ADDRESS THE DISPROPORTIONATE IMPACT ON THE MINORITY AND DISADVANTAGED COMMUNITIES OF CORONAVIRUS INFECTIONS AND DEATHS FROM COVID-19, FOR THE FISCAL YEAR 2023.

By Senator(s) Jackson (11th), Simmons (12th), Barnett, Norwood, Frazier, Horhn, Thomas, Butler (38th), Jordan, Turner-Ford

**S. B. No. 2932:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES FOR A NEW COMMUNITY HEALTH CENTER TO BE KNOWN AT DELTA HEALTH CENTER FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2933:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE JSU AND ENTERGY SUSTAINABLE ENERGY PARTNERSHIP PROGRAM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2934:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF LULA TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2935:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF COAHOMA AND COAHOMA COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER SYSTEM AND FOR THE MOON LAKE SEWER PROJECT BETWEEN COAHOMA COUNTY AND THE TOWN OF COAHOMA TO DEFRAY EXPENSES FOR THE TOWN'S AND COUNTY'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2936:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF ROSEDALE TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2937:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES FOR THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2938:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF GUNNISON TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2939:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF FARRELL TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2940:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2941:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF BENOIT TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2942:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF METCALFE TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2943:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF BEULAH TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. C. R. No. 530:** Rules

A CONCURRENT RESOLUTION CELEBRATING THE LIFE OF BRIDGETTE ROCHELLE HORN OF PHILADELPHIA, MISSISSIPPI, AND COMMENDING HER

MILITARY AND LAW ENFORCEMENT SERVICE TO HER NATION AND HER COMMUNITY.

By Senator(s) Branning

**S. C. R. No. 531:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO AMEND SECTION 99-19-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DELINEATION OF CLASSES OF VICTIMS TRIGGERING AN ENHANCED PENALTY FOR A HATE CRIME; TO AMEND SECTION 99-19-305, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES."

By Senator(s) Blount

**S. C. R. No. 532:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING UNIVERSITY OF MISSISSIPPI QUARTERBACK MATT CORRAL FOR LEADING OLE MISS TO ITS BEST REGULAR SEASON IN TEAM PROGRAM HISTORY.

By Senator(s) Michel, Blackwell, Parks, Williams, Boyd, McCaughn, Hopson, DeBar, Frazier, Suber, Chassaniol, Seymour, Wiggins, Barnett, Kirby, Sparks, Caughman, McMahan

**S. C. R. No. 533:** Rules

A CONCURRENT RESOLUTION URGING CONGRESS TO PROPOSE AND SUBMIT TO THE STATES FOR RATIFICATION AN AMENDMENT TO THE UNITED STATES CONSTITUTION PROVIDING FOR A BALANCED BUDGET.

By Senator(s) Wiggins

**S. R. No. 13:** Rules

A RESOLUTION PAYING TRIBUTE TO THE LEGACY OF CIVIL RIGHTS LEADER REVEREND DR. CHARLES JOHNSON, SR., OF MERIDIAN, MISSISSIPPI, MOURNING HIS PASSING AND EXTENDING THE CONDOLENCES OF THE SENATE TO HIS SURVIVING FAMILY.

By Senator(s) Hickman

**S. R. No. 14:** Rules

A RESOLUTION CELEBRATING THE LIFE AND COMMENDING THE CIVIC SERVICE OF MARVIN HOGAN OF JACKSON, MISSISSIPPI, WHO WAS A RESPECTED TEACHER, COACH, FOUNDER OF FRIENDS OF CHILDREN OF MISSISSIPPI, AND LEADER OF MICRO ENTERPRISE DEVELOPMENT PROJECTS AND EXTENDING THE CONDOLENCES OF THE SENATE TO HIS SURVIVING FAMILY.

By Senator(s) Horhn, Blackmon, Butler (36th), Jackson (11th), Norwood, Butler (38th), Frazier, Thomas, Simmons (12th), Barnett, Jordan

**S. R. No. 15:** Rules

A RESOLUTION CELEBRATING THE LIFE AND COMMENDING THE CIVIC AND BUSINESS LEADERSHIP OF CARROLL V. HOOD OF HAZLEHURST, MISSISSIPPI, AND EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

By Senator(s) Butler (36th), Caughman

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TWENTY-THIRD DAY, WEDNESDAY, JANUARY 26, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Absent--Simmons S. (13th). Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Simmons S. (13th).

The invocation was delivered by Reverend E. Darnell Moffett, Pastor, Calvary Missionary Baptist Church, Magee, MS.

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

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

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 232:** Uniform Controlled Substances Act; revise schedules. Public Health and Welfare.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2095** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2095: Mississippi Medical Cannabis Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Title. This chapter shall be known and may be cited as the "Mississippi Medical Cannabis Act."

SECTION 2. Definitions. For purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Allowable amount of medical cannabis" means an amount not to exceed the maximum amount of Mississippi Medical Cannabis Equivalency Units ("MMCEU").

(b) "Bona fide practitioner-patient relationship" means:

(i) A practitioner and patient have a treatment or consulting relationship, during the course of which the practitioner, within his or her scope of practice, has completed an in-person assessment of the patient's medical history and current mental health and medical condition and has documented their certification in the patient's medical file;

(ii) The practitioner has consulted in person with the patient with respect to the patient's debilitating medical condition; and

(iii) The practitioner is available to or offers to provide follow-up care and treatment to the patient.

(c) "Cannabis" means all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin, including whole plant extracts. Such term shall not mean cannabis derived drug products approved by the federal Food and Drug Administration under Section 505 of the Federal Food, Drug, and Cosmetic Act.

(d) "Cannabis cultivation facility" means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

(e) "Cannabis disposal entity" means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

(f) "Cannabis processing facility" means a business entity that is licensed and registered by the Mississippi Department of Health that:

(i) Acquires or intends to acquire cannabis from a cannabis cultivation facility;

(ii) Possesses cannabis with the intent to manufacture a cannabis product;

(iii) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and

(iv) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

(g) "Cannabis products" means cannabis flower, concentrated cannabis, cannabis extracts and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis products, beverages, topical products, ointments, oils, tinctures and suppositories that contain tetrahydrocannabinol (THC) and/or cannabidiol (CBD) except those products excluded from control under Sections 41-29-113 and 41-29-136.

(h) "Cannabis research facility" or "research facility" means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

(i) "Cannabis testing facility" or "testing facility" means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis.

(j) "Cannabis transportation entity" means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

(k) "Canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering cannabis plants occurs. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature cannabis plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature cannabis plants.

(l) "Cardholder" means a registered qualifying patient or a registered designated caregiver who has been issued and possesses a valid registry identification card.

(m) "Chronic pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated, and which in the generally accepted course of medical practice, no relief or cure of the cause of the pain is possible, or none has been found after reasonable efforts by a practitioner.

(n) "Concentrate" means a substance obtained by separating cannabinoids from cannabis by:

(i) A mechanical extraction process;

(ii) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, food-grade ethanol or steam distillation; or

(iii) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure.

(o) "Debilitating medical condition" means:

(i) Cancer, Parkinson's disease, Huntington's disease, muscular dystrophy, glaucoma, spastic quadriplegia, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis, amyotrophic lateral sclerosis (ALS), Crohn's disease, ulcerative colitis, sickle-cell anemia, Alzheimer's disease, agitation of dementia, post-traumatic stress disorder (PTSD), autism, pain refractory to appropriate opioid management, diabetic/peripheral neuropathy, spinal cord disease or severe injury, or the treatment of these conditions;

(ii) A chronic, terminal or debilitating disease or medical condition, or its treatment, that produces one or more of the following: cachexia or wasting syndrome, chronic pain, severe or intractable nausea, seizures, or severe and persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis; or

(iii) Any other serious medical condition or its treatment added by the Mississippi Department of Health, as provided for in Section 9 of this act.

(p) "Designated caregiver" means a person who:

(i) Has agreed to assist with a registered qualifying patient's medical use of medical cannabis;

(ii) Assists no more than five (5) registered qualifying patients with their medical use of medical cannabis, unless the designated caregiver's registered qualifying patients each reside in or are admitted to a health care facility or facility providing residential care services or day care services where the designated caregiver is employed;

(iii) Is at least twenty-one (21) years of age unless the person is the parent or legal guardian of each qualifying patient the person assists; and

(iv) Has not been convicted of a disqualifying felony offense.

(q) "Disqualifying felony offense" means:

(i) A conviction for a crime of violence, as defined in Section 97-3-2;

(ii) A conviction for a crime that was defined as a violent crime in the law of the jurisdiction in which the offense was committed, and that was classified as a felony in the jurisdiction where the person was convicted; or

(iii) A conviction for a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction where the person was convicted, including the service of any term of probation, incarceration or supervised release within the previous five (5) years and the offender has not committed another similar offense since the conviction. Under this subparagraph (iii), a disqualifying felony offense shall not include a conviction that consisted of conduct for which this chapter would likely have prevented the conviction but for the fact that the conduct occurred before the effective date of this act.

(r) "Edible cannabis products" means products that:

(i) Contain or are infused with cannabis or an extract thereof;

(ii) Are intended for human consumption by oral ingestion; and

(iii) Are presented in the form of foodstuffs, beverages, extracts, oils, tinctures, lozenges and other similar products.

(s) "Entity" means a corporation, general partnership, limited partnership or limited liability company that has been registered with the Secretary of State as applicable.

(t) "MMCEU" means Mississippi Medical Cannabis Equivalency Unit. One unit of MMCEU shall be considered equal to:

(i) Three and one-half (3.5) grams of medical cannabis flower;

(ii) One (1) gram of medical cannabis concentrate; or

(iii) One hundred (100) milligrams of THC in an infused product.

(u) "MDOH" means the Mississippi Department of Health.

(v) "MDOR" means the Mississippi Department of Revenue.

(w) "Medical cannabis" means cannabis, cannabis products and edible cannabis that are intended to be used by registered qualifying patients as provided in this chapter.

(x) "Medical cannabis dispensary" or "dispensary" means an entity licensed and registered with the MDOR that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders.

(y) "Medical cannabis establishment" means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency.

(z) "Medical cannabis establishment agent" means an owner, officer, board member, employee, volunteer or agent of a medical cannabis establishment.

(aa) "Medical use" includes the acquisition, administration, cultivation, processing, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis or equipment relating to the administration of medical cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. The term "medical use" does not include:

(i) The cultivation of cannabis unless the cultivation is done by a cannabis cultivation facility; or

(ii) The extraction of resin from cannabis by mechanical or chemical extraction unless the extraction is done by a cannabis processing facility.

(bb) "Nonresident cardholder" means a person who:

(i) Has been diagnosed with a debilitating medical condition by a practitioner in his or her respective state or territory, or is the parent, guardian, conservator or other person with authority to consent to the medical use of medical cannabis by a person who has been diagnosed with a debilitating medical condition;

(ii) Is not a resident of Mississippi or who has been a resident of Mississippi for less than forty-five (45) days; and

(iii) Has submitted any documentation required by MDOH rules and regulations and has received confirmation of registration.

(cc) "Practitioner" means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state. In relation to a nonresident cardholder, the term means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and under the laws of the state or territory in which the nonresident patient resides. For registered qualifying patients who are minors, "practitioner" shall mean a physician or doctor of osteopathic medicine who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state.

(dd) "Public place" means a church or any area to which the general public is invited or in which the general public is permitted, regardless of the ownership of the area, and any area owned or controlled by a municipality, county, state or federal government, including, but not limited to, streets, sidewalks or other forms of public transportation. Such term shall not mean a private residential dwelling.

(ee) "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition and has been issued a written certification.

(ff) "Registry identification card" means a document issued by the MDOH that identifies a person as a registered qualifying patient, nonresident registered qualifying patient or registered designated caregiver.

(gg) "School" means an institution for the teaching of children, consisting of a physical location, whether owned or leased, including instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, public, private, church and parochial programs for kindergarten, elementary, junior high and high schools. Such term shall not mean a home instruction program.

(hh) "Scope of practice" means the defined parameters of various duties, services or activities that may be provided or performed by a certified nurse practitioner as authorized under Sections 73-15-5 and 73-15-20, by an optometrist as authorized under Section 73-19-1, by a physician as authorized under Section 73-25-33, or by a physician assistant under Section 73-26-5, and rules and regulations adopted by the respective licensing boards for those practitioners.

(ii) "THC" or "Tetrahydrocannabinol" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol, including, but not limited to THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

(jj) "Written certification" means a form approved by the MDOH, signed and dated by a practitioner, certifying that a person has a debilitating medical condition. A written certification shall include the following:

(i) The date of issue and the effective date of the recommendation;

(ii) The patient's name, date of birth and address;

(iii) The practitioner's name, address, and federal Drug Enforcement Agency number; and

(iv) The practitioner's signature.

SECTION 3. Authorization to use medical cannabis; requirements. (1) No person shall be authorized to use medical cannabis in this state unless the person (a) has been diagnosed by a practitioner, with whom the person has a bona fide practitioner-patient relationship within his or her scope of practice, as having a debilitating medical condition for which the practitioner believes, in his or her professional opinion, that the person would likely receive medical or palliative benefit from the medical use of medical cannabis to treat or alleviate the person's debilitating medical condition or symptoms associated with the person's debilitating medical condition, (b) has received a written certification of that diagnosis from the practitioner, and (c) has been issued a registry identification card from the MDOH under Section 12 of this act. A person who has been diagnosed by a practitioner as specified in paragraph (a) of this subsection shall be a qualifying patient, and the practitioner who has diagnosed the patient shall document that diagnosis with a written certification. However, nothing herein shall require a practitioner to issue a written certification.

(2) A written certification shall:

(a) Affirm that it is made in the course of a bona fide practitioner-patient relationship;

(b) Remain current for twelve (12) months, unless the practitioner specifies a shorter period of time;

(c) Be issued only after an in-person assessment of the patient by a practitioner;

(d) Only be issued on behalf of a minor when the minor's parent or guardian is present and provides signed consent; and

(e) Be limited to the allowable amount of cannabis in a thirty-day period..

(3) After a qualifying patient receives a written certification from a practitioner, the patient shall be required to make a follow-up visit with the practitioner not less than six (6) months after the date of issuance of the certification for the practitioner to evaluate and determine the effectiveness of the patient's medical use of medical cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

(4) Before dispensing medical cannabis to a cardholder, the dispensary from which the cardholder is obtaining medical cannabis shall verify the identity of the cardholder and the authority of the cardholder to use medical cannabis as provided in Section 20 of this act and shall determine the maximum amount of medical cannabis that a cardholder is eligible to receive and the amount of medical cannabis that the cardholder has received from all dispensaries during a specified period of time using the statewide seed-to-sale tracking system under Section 6 of this act.

(5) A practitioner shall be registered to issue written certifications to qualifying patients by completing the required application process as set forth by the MDOH. The MDOH shall require a practitioner to complete a minimum of eight (8) hours of continuing education in medical cannabis in order to issue written certifications. After the first year of registration, these practitioners shall complete five (5) hours of continuing education in medical cannabis annually to maintain this registration.

(6) Only physicians and doctors of osteopathic medicine may issue written certifications to registered qualifying patients who are minors.

SECTION 4. General Responsibilities of Departments. (1) The MDOH shall have the ultimate authority for oversight of the administration of the medical cannabis program, and the MDOH shall coordinate the activities of the MDOH and MDOR under the provisions of this chapter in order to best effectuate the purpose and intent of this chapter.

(2) The MDOH may contract with other governmental agencies and public or private third parties to assist the MDOH with carrying out any of the responsibilities delegated to the MDOH under this subsection. However, the MDOH shall be ultimately responsible for the performance of any responsibilities that are exercised by any agency or third party with which the MDOH has contracted under the authority of this subsection.

(3) The MDOH shall be responsible for:

(a) The licensing, oversight and inspection of cannabis testing facilities and cannabis research facilities;

(b) The licensing of cannabis cultivation facilities, cannabis processing facilities, cannabis transportation entities and cannabis disposal entities;

(c) The application and licensing of registry identification cards for qualifying patients and designated caregivers;

(d) The registering of practitioners in accordance with this chapter; and

(e) The selection, certification and oversight of the statewide seed-to-sale tracking system as provided for in Section 6 of this act.

(4) Unless otherwise provided herein, the MDOR shall be responsible for the licensing, inspection and oversight of medical cannabis dispensaries.

(5) The MDOR and MDOH shall accept applications for and award licenses according to their respective duties as provided for in this chapter, subject to the following:

(a) After one hundred twenty (120) days from the effective date of this act, the MDOH shall begin accepting applications, registering and licensing registry identification cards and practitioners.

(b) After one hundred twenty (120) days from the effective date of this act, the MDOH shall begin licensing and registering cannabis cultivation facilities, cannabis processing facilities, cannabis testing facilities, cannabis research facilities, cannabis disposal entities and cannabis transportation entities. After one hundred fifty (150) days from the effective date of this act, the MDOR shall issue licenses for medical cannabis dispensaries as provided for in this chapter within thirty (30) days of receipt of the application from an applicant or within thirty (30) days after the initial one hundred fifty (150) day period, whichever is the later date.

(6) The MDOR and MDOH shall issue a registration certificate and a random ten-digit alphanumeric identification number to each licensed medical cannabis establishment, as applicable.

(7) After one hundred twenty (120) days from the effective date of this act, the MDOH shall issue licenses according to their respective duties as provided for in this chapter within thirty (30) days of receipt of the application from an applicant or within thirty (30) days after the initial one hundred twenty (120) day period, whichever is the later date. After one hundred fifty (150) days from the effective date of this act, the MDOR shall issue licenses according to their respective duties as provided for in this chapter within thirty

(30) days of receipt of the application from an applicant or within thirty (30) days after the initial one-hundred-fifty-day period, whichever is the later date.

(8) It is the intent of the Legislature that the MDOH and MDOR and any other state agency, as needed, shall cooperate and collaborate together to accomplish the purposes of this chapter.

(9) (a) Subject to paragraph (b) of this subsection, the Department of Public Safety shall not be involved in or have any role regarding the administration, regulation or oversight of the medical cannabis program established under this chapter; however, this provision does not prohibit the department from carrying out any law enforcement activities that a law enforcement agency may exercise under this chapter or that the department may exercise under the authority of any other law.

(b) The Department of Public Safety may assist the MDOH in conducting background checks of individuals as required under this chapter.

SECTION 5. Protections for the medical use of cannabis. (1) There is a presumption that a registered qualifying patient is engaged in the medical use of medical cannabis under this chapter if the person is in possession of a registry identification card and an amount of medical cannabis that does not exceed the allowable amount of medical cannabis. There is a presumption that a registered designated caregiver is assisting in the medical use of medical cannabis under this chapter if the person is in possession of a registry identification card and an amount of medical cannabis that does not exceed the allowable amount of medical cannabis. These presumptions may be rebutted by evidence that conduct related to medical cannabis was not for the purpose of treating or alleviating a registered qualifying patient's debilitating medical condition or symptoms associated with the registered qualifying patient's debilitating medical condition under this chapter.

(2) Subject to the conditions, limitations, requirements and exceptions set forth in this chapter, the following activities related to medical cannabis shall be considered lawful:

(a) The purchase, transportation or possession of up to the allowable amount or medical use of medical cannabis;

(b) Financial reimbursement by a registered qualifying patient to the patient's registered designated caregiver for direct costs incurred by the registered designated caregiver for assisting with the registered qualifying patient's medical use of medical cannabis;

(c) Compensating a dispensary for goods or services provided;

(d) The provision, by a professional or occupational licensee, of advice or services related to medical cannabis activities allowed under this chapter, to the extent such advice or services meet or exceed the applicable professional or occupational standard of care;

(e) Providing or selling equipment used to ingest medical cannabis to a cardholder, nonresident cardholder or to a medical cannabis establishment;

(f) Acting as a designated caregiver to assist a registered qualifying patient with the act of using or administering medical cannabis;

(g) Activities by a medical cannabis establishment or a medical cannabis establishment agent that are allowed by its license and registration;

(h) Activities by a dispensary or a dispensary agent to possess, store or sell medical cannabis products, educational materials and products used to ingest medical cannabis to cardholders, nonresident cardholders and other dispensaries, or to purchase

or otherwise acquire medical cannabis products from cannabis cultivation facilities, cannabis processing facilities, cannabis research facilities or other dispensaries;

(i) Activities by a cannabis cultivation facility, cannabis processing facility or agents of these facilities to:

(i) Possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack or store medical cannabis;

(ii) Purchase or otherwise acquire medical cannabis and cannabis products from medical cannabis establishments; or

(iii) Sell, supply or transfer medical cannabis products, equipment used to ingest medical cannabis, and related supplies and educational materials to other cannabis cultivation facilities, cannabis processing facilities or dispensaries.

(j) Activities by a cannabis research facility, a cannabis testing facility or agents of these facilities to:

(i) Purchase or otherwise acquire medical cannabis from medical cannabis establishments;

(ii) Possess, produce, process, compound, convert, prepare, pack, test, repack and store medical cannabis and cannabis products obtained from medical cannabis establishments; or

(iii) Sell, supply or transfer medical cannabis, educational materials and equipment used to ingest medical cannabis to cannabis cultivation facilities, cannabis processing facilities, cannabis testing facilities and cannabis research facilities.

(k) Activities by a cannabis transportation entity or a cannabis disposal entity to transport, supply, deliver, dispose of or destroy cannabis, as applicable.

(3) Any medical cannabis, cannabis product, equipment used to ingest medical cannabis, or other interest in or right to property that is possessed, owned or used in connection with the medical use of medical cannabis as authorized by this chapter, or acts incidental to such use, shall not be seized or forfeited. This chapter shall not prevent the seizure or forfeiture of medical cannabis exceeding the allowable amounts of medical cannabis, nor shall it prevent seizure or forfeiture if the basis for the action is unrelated to the medical cannabis that is possessed, processed, transferred or used pursuant to this chapter.

(4) Possession of, or application for, a registry identification card shall not:

(a) Constitute probable cause or reasonable suspicion;

(b) Be used to support a search of the person or property of the person possessing or applying for the registry identification card; or

(c) Subject the person or property of the person to inspection by any governmental agency.

(5) It is the public policy of the State of Mississippi that contracts related to medical cannabis that are entered into by cardholders, medical cannabis establishments, medical cannabis establishment agents and those who allow property to be used by those persons, should be enforceable to the extent that those activities comply with the other provisions of this chapter. It is the public policy of the State of Mississippi that no contract entered into by a cardholder, a medical cannabis establishment, or a medical cannabis

establishment agent, or by a person who allows property to be used for activities that are authorized under this chapter, shall be unenforceable on the basis that activities related to cannabis are prohibited by federal law.

(6) An applicant for a professional or occupational license shall not be denied a license based on previous employment related to medical cannabis activities that are allowed under this chapter.

SECTION 6. Seed-to-sale tracking system. (1) Each medical cannabis establishment shall use a statewide seed-to-sale tracking system certified by the MDOH to track medical cannabis from seed or immature plant stage until the medical cannabis is purchased by a registered qualifying patient or registered designated caregiver or destroyed. Records entered into the seed-to-sale tracking system shall include each day's beginning inventory, harvests, acquisitions, sales, disbursements, remediations, disposals, transfers, ending inventory, and any other data necessary for inventory control records in the statewide seed-to-sale tracking system. Each medical cannabis dispensary shall be responsible for ensuring that all medical cannabis sold or disbursed to a registered qualifying patient or registered designated caregiver is recorded in the seed-to-sale tracking system as a purchase by or on behalf of the applicable registered qualifying patients.

(2) Amounts of medical cannabis shall be recorded in the following manner:

- (a) For dried, unprocessed cannabis, in ounces or grams;
- (b) For concentrates, in grams; or
- (c) For infused products, by milligrams of THC.

(3) The seed-to-sale tracking system used by cannabis cultivation facilities, dispensaries, cannabis processing facilities, cannabis testing facilities, cannabis research facilities, cannabis transportation entities and cannabis disposal entities shall be capable of:

- (a) Allowing those facilities and entities to interface with the statewide system such that a facility may enter and access information in the statewide system;
- (b) Providing the MDOR and MDOH with access to all information stored in the system's database;
- (c) Maintaining the confidentiality of all patient and caregiver data and records accessed or stored by the system such that all persons or entities other than the MDOR and MDOH may only access the information in the system that they are authorized by law to access;
- (d) Producing analytical reports to the MDOR and MDOH regarding the total quantity of daily, monthly, and yearly sales at the facility per product type; the average prices of daily, monthly, and yearly sales at the facility per product type; and total inventory or sales record adjustments at the facility; and
- (e) The ability to determine the amount of medical cannabis that a registered qualifying patient or registered designated caregiver has purchased that day in real time by searching a patient registration number.

(4) Banks and other financial institutions may be allowed access to specific limited information from the seed-to-sale tracking system. The information that may be available to these institutions shall be limited to financial data of individuals and business entities that have a business relationship with these institutions. This information shall be limited to the information needed for banks to comply with applicable federal regulations and shall

not disclose any medical or personal information about registered cardholders or designated caregivers.

SECTION 7. Limitations. (1) This chapter shall not be construed to do any of the following:

(a) Require an organization for managed care, health benefit plan, private health insurer, government medical assistance program, employer, property and casualty, or workers' compensation insurer or self-insured group providing coverage for a medical, pharmacy or health care service to pay for or reimburse any other individual or entity for costs associated with the medical use of cannabis;

(b) Require any employer to permit, accommodate, or allow the medical use of medical cannabis, or to modify any job or working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of medical cannabis;

(c) Prohibit any employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions, or privileges of employment as a result, in whole or in part, of that individual's medical use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of medical cannabis;

(d) Prohibit or limit the ability of any employer from establishing or enforcing a drug testing policy;

(e) Interfere with, impair or impede any federal restrictions or requirements on employment or contracting, including, but not limited to, regulations adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations;

(f) Permit, authorize, or establish any individual's right to commence or undertake any legal action against an employer for refusing to hire, discharging, disciplining or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions or privileges of employment due to the individual's medical use of medical cannabis;

(g) Affect, alter or otherwise impact the workers' compensation premium discount available to employers who establish a drug-free workplace program in accordance with Section 71-3-201 et seq.;

(h) Affect, alter or otherwise impact an employer's right to deny or establish legal defenses to the payment of workers' compensation benefits to an employee on the basis of a positive drug test or refusal to submit to or cooperate with a drug test, as provided under Section 71-3-7 and Section 71-3-121; or

(i) Affect, alter or supersede any obligation or condition imposed on a parolee, probationer or an individual participating in a pretrial diversion program or other court-ordered substance abuse rehabilitation program.

(2) This chapter does not authorize any individual to engage in, and does not prevent the imposition of any civil, criminal or other penalties for engaging in, the following conduct:

(a) Acting with negligence, gross negligence, recklessness, in breach of any applicable professional or occupational standard of care, or to effect an intentional wrong, as a result, in whole or in part, of that individual's medical use of medical cannabis;

(b) Possessing medical cannabis or otherwise engaging in the medical use of medical cannabis in any correctional facility, unless the correctional facility has elected to allow the cardholder to engage in the use of medical cannabis;

(c) Smoking medical cannabis in a public place or in a motor vehicle; for purposes of this paragraph (c), the term "smoking" includes vaping and any other method of inhalation of medical cannabis;

(d) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, motorboat or other conveyance in a manner that would violate Section 59-23-7, Section 63-11-30 or federal law as a result, in whole or in part, of that individual's medical use of medical cannabis;

(e) Possessing medical cannabis in excess of the allowable amount of medical cannabis; or

(f) Consumption, by a registered designated caregiver, of cannabis provided for use to a registered qualifying patient.

SECTION 8. Discrimination prohibited. (1) A person shall not be denied custody of or visitation rights or parenting time with a minor solely for the person's status as a cardholder.

(2) No school, landlord or employer may be penalized or denied any benefit under state law for enrolling, leasing to or employing a cardholder.

(3) A registered qualifying patient or registered designated caregiver shall not be denied the right to own, purchase or possess a firearm, firearm accessory or ammunition based solely on his or her status as a registered qualifying patient or registered designated caregiver. No state or local agency, municipal or county governing authority shall restrict, revoke, suspend or otherwise infringe upon the right of a person to own, purchase or possess a firearm, firearm accessory or ammunition or any related firearms license or certification based solely on his or her status as a registered qualifying patient or registered designated caregiver.

(4) Facilities such as schools, child care facilities and temporary care providers shall be allowed to administer medical cannabis in the same manner as with medical prescriptions.

(5) Nothing in this chapter shall be construed as to create a private right of action by an employee against an employer.

(6) Nothing in this chapter shall be construed to affect the existing legal relationship between an employer and employee or any existing law or regulation relating to such relationship.

SECTION 9. Addition of debilitating medical conditions. (1) Any resident of Mississippi may petition the MDOH to add serious medical conditions or their treatments to the list of debilitating medical conditions listed in Section 2 of this act. The MDOH shall consider petitions in accordance with its rules and regulations, including public notices and hearings. The MDOH shall approve or deny a petition within sixty (60) days of its submission.

(2) The approval or denial of any petition is a final decision of the MDOH. Any person aggrieved by a final decision may obtain judicial review thereof in accordance with Section 31 of this act.

SECTION 10. Acts not required and acts not prohibited. (1) Nothing in this chapter requires a government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of medical cannabis.

(2) Nothing in this chapter prohibits an employer from disciplining an employee for ingesting medical cannabis in the workplace or for working while under the influence of medical cannabis.

(3) Any person or establishment that is in lawful possession of property may allow a guest, client, customer or other visitor to use medical cannabis on or in that property as authorized under this chapter.

(4) A landlord may, but shall not be required to, allow the lawful cultivation, processing, testing, research, sale or use of medical cannabis on rental property as authorized under this chapter.

SECTION 11. Facility restrictions. (1) Any nursing facility, hospital, hospice, assisted living facility, personal care home, adult day care facility, or adult foster care facility may adopt reasonable restrictions on the use of medical cannabis by registered qualifying patients who are receiving health care services, residential care services, or day care services from the facility, including:

(a) That the facility will not store or maintain the patient's supply of medical cannabis;

(b) That the facility, caregivers, or hospice agencies serving the facility's residents are not responsible for providing the medical cannabis for registered qualifying patients; and

(c) That medical cannabis be consumed only in a place specified by the facility.

(2) Nothing in this section requires a facility listed in subsection (1) of this section to adopt restrictions on the medical use of medical cannabis.

(3) A facility listed in subsection (1) of this section may not unreasonably limit a registered qualifying patient's access to or medical use of medical cannabis authorized under this chapter unless failing to do so would cause the facility to lose a monetary or licensing-related benefit under federal law or regulations.

SECTION 12. Issuance and denial of registry identification cards. (1) No later than one hundred twenty (120) days after the effective date of this act, the MDOH shall begin issuing registry identification cards to qualifying patients who submit the following:

(a) A written certification issued by a practitioner within sixty (60) days immediately preceding the date of the application;

(b) The application or renewal fee;

(c) The name, address, social security number, and date of birth of the qualifying patient;

(d) The name, address, and telephone number of the qualifying patient's practitioner issuing the written certification;

(e) The name, address, social security number, and date of birth of the designated caregiver, or designated caregivers, chosen by the qualifying patient; and

(f) If more than one (1) designated caregiver is designated at any given time, documentation demonstrating that a greater number of designated caregivers is needed due to the patient's age or medical condition.

(2) If the qualifying patient is unable to submit the information required by subsection (1) of this section due to the person's age or medical condition, the person responsible for making medical decisions for the qualifying patient may do so on behalf of the qualifying patient.

(3) Except as provided in subsection (5) of this section, the MDOH shall:

(a) Verify the information contained in an application or renewal submitted under this section and approve or deny an application or renewal within thirty (30) days of receiving a completed application or renewal application; and

(b) Issue registry identification cards to a qualifying patient and his or her designated caregiver(s), if any, within five (5) days of approving the application or renewal. A designated caregiver must have a registry identification card for each of his or her qualifying patients.

(4) The MDOH shall conduct a background check of the prospective designated caregiver or caregivers in order to carry out the provisions of this section. The Department of Public Safety may assist the MDOH in conducting background checks.

(5) The MDOH shall not issue a registry identification card to a qualifying patient who is younger than eighteen (18) years of age unless:

(a) The qualifying patient's practitioner has explained the potential risks and benefits of the medical use of medical cannabis to the custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient; and

(b) The custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient consents in writing to:

(i) Acknowledge the potential harms related to the use of medical cannabis;

(ii) Allow the qualifying patient's medical use of medical cannabis;

(iii) Serve as the qualifying patient's designated caregiver; and

(iv) Control the acquisition of the medical cannabis, the dosage and the frequency of the use of medical cannabis by the qualifying patient.

(6) If a designated caregiver is an entity licensed to provide health care services, residential care services or day care services, then:

(a) The MDOH may provide a single registry identification card to the entity, regardless of the number of registered qualifying patients the entity serves; and

(b) The MDOH may issue individual registry identification cards for employees of the entity that may transport medical cannabis.

(7) The MDOH shall provide an electronic or physical list of registered qualifying patients who have designated the entity as their caregiver. This list shall be updated with each additional designation.

(8) The MDOH may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

- (a) Did not provide the required information or materials;
- (b) Previously had a registry identification card revoked;
- (c) Provided false information; or
- (d) Failed to meet the other requirements of this chapter.

(9) The MDOH may deny an application or renewal for a designated caregiver chosen by a qualifying patient whose registry identification card was granted only if the applicant:

- (a) Does not meet the definition of "designated caregiver" under Section 2 of this act;
- (b) Did not provide the information required;
- (c) Previously had a registry identification card revoked;
- (d) Provided false information;
- (e) Is younger than twenty-one (21) years of age and is not the parent or legal guardian of the qualifying patient who the designated caregiver would assist; or
- (f) Failed to meet the other requirements of this chapter.

(10) The MDOH shall give written notice to the qualifying patient of the reason for denying a registry identification card to the qualifying patient or to the qualifying patient's designated caregiver.

(11) Denial of an application or renewal is considered a final MDOH action, subject to judicial review in accordance with Section 31 of this act.

SECTION 13. Registry identification cards. (1) Registry identification cards must contain all of the following:

- (a) The name of the cardholder;
- (b) A designation of whether the cardholder is a qualifying patient, a designated caregiver or a nonresident;
- (c) The date of issuance and expiration date of the registry identification card;
- (d) A random ten-digit alphanumeric identification number, containing at least four (4) numbers and at least four (4) letters, that is unique to the cardholder;
- (e) If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver will assist;
- (f) A photograph of the cardholder;
- (g) The toll-free phone number or internet address where the card can be verified;
- (h) A notice of the potential harm caused by medical cannabis; and
- (i) A notice of the MMCEU daily, monthly and possession limit.

(2) The expiration date shall be visible on the registry identification card. Except as provided in subsection (3) or subsection (4) of this section, the expiration date for registry identification cards for residents shall be one (1) year after the date of issuance. The expiration date for registry identification cards for nonresidents shall be fifteen (15) days after the date of issuance, except as provided in subsection (4) of this section.

(3) If the practitioner stated in the written certification that the qualifying patient would benefit from the medical use of medical cannabis until a specified earlier date, then the registry identification card shall expire on that date, except as provided in subsection (4) of this section.

(4) (a) The expiration date for registry identification cards for residents that are issued not later than one hundred fifty (150) days after the effective date of this act shall be one (1) year after the initial one-hundred-fifty-day period.

(b) If the practitioner specified an earlier date for the expiration of the registry identification card as provided under subsection (3) of this section, then the registry identification card shall be valid for the period specified by the practitioner, which shall begin after the initial one-hundred-fifty-day period.

(c) The expiration date for registry identification cards for nonresidents that are issued not later than one hundred fifty (150) days after the effective date of this act shall be fifteen (15) days after the initial one-hundred-fifty-day period.

SECTION 14. Annual reports. (1) No later than December 31, 2022, and every December 31 thereafter, the MDOH and MDOR shall provide an annual report to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Senate Public Health and Welfare Committee, Chairman of the House of Representatives Public Health and Human Services Committee and the Chairmen of the Drug Policy Committees and Appropriation Committees of the Senate and House of Representatives.

(2) The MDOH and MDOR shall report every year to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Senate Public Health and Welfare Committee, Chairman of the House of Representatives Public Health and Human Services Committee and the Chairmen of the Drug Policy Committees and Appropriation Committees of the Senate and House of Representatives on the number of applications for registry identification cards received, the amount of fees, fines and taxes collected, any changes to the fees allowed to be charged under this chapter, any addition to the list of debilitating medical conditions, the number of qualifying patients and designated caregivers approved, the number of registry identification cards revoked and expenses incurred by the MDOH and MDOR. The MDOH shall not include identifying information on qualifying patients, designated caregivers or practitioners in the report.

(3) The MDOR shall provide quarterly reports for all sales of medical cannabis sold by dispensaries to registered qualified patients to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Senate Public Health and Welfare Committee, Chairman of the House of Representatives Public Health and Human Services Committee, and the Chairmen of the Drug Policy Committees and Appropriation Committees of the Senate and House of Representatives. The MDOR shall report every year on the number of each type of medical cannabis establishments that are licensed and registered and the expenses incurred and revenues generated from the medical cannabis program to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Senate Public Health and Welfare Committee, Chairman of the House of Representatives Public Health and Human Services Committee, and the Chairmen of the Drug Policy Committees and Appropriation Committees of the Senate and House of Representatives.

SECTION 15. Verification system. (1) The MDOH shall maintain a confidential list of the persons to whom the MDOH has issued registry identification cards and their addresses, phone numbers, and registry identification numbers. This confidential list shall not be combined or linked in any manner with any other lists or databases, nor shall it be used for any purpose not provided for in this chapter.

(2) All records containing the identity of registered qualifying patients, registered designated caregivers or practitioners shall be confidential and exempt from disclosure under the Mississippi Public Records Act or any related statute, rule or regulation pertaining to public disclosure of records. Within one hundred twenty (120) days after the effective date of this act, the MDOH shall establish a secure phone and internet-based verification system. The verification system must allow law enforcement personnel and medical cannabis establishments to enter a registry identification number to determine whether the number corresponds with a current, valid registry identification card. The system may disclose only:

(a) Whether the identification card is valid;

(b) The name of the cardholder;

(c) Whether the cardholder is a registered qualifying patient, a registered designated caregiver, or a nonresident; and

(d) If a cardholder is a registered designated caregiver, the registry identification number of any affiliated registered qualifying patient.

SECTION 16. Notifications to department and responses. (1) The following notifications and MDOH responses are required:

(a) A registered qualifying patient shall notify the MDOH of any change in his or her name or address, or if the registered qualifying patient ceases to have his or her diagnosed debilitating medical condition, within twenty (20) days of the change.

(b) A registered designated caregiver shall notify the MDOH of any change in his or her name or address, or if the designated caregiver becomes aware that the registered qualifying patient passed away, within twenty (20) days of the change.

(c) Before a registered qualifying patient changes his or her registered designated caregiver, the registered qualifying patient must notify the MDOH.

(d) If a cardholder loses his or her registry identification card, he or she shall notify the MDOH within ten (10) days of becoming aware that the card has been lost.

(2) Each notification that a registered qualifying patient is required to make shall instead be made by the patient's registered designated caregiver if the qualifying patient is unable to make the notification due to his or her age or medical condition.

(3) When a cardholder notifies the MDOH of any of the circumstances listed in subsection (1) of this section but remains eligible under this chapter, the MDOH shall issue the cardholder a new registry identification card within ten (10) days of receiving the updated information and a Twenty-five Dollar (\$25.00) fee. If the person notifying the MDOH is a registered qualifying patient, the MDOH shall also issue his or her registered designated caregiver, if any, a new registry identification card within ten (10) days of receiving the updated information.

(4) If the registered qualifying patient's certifying practitioner notifies the patient and the MDOH in writing that either the registered qualifying patient has ceased to have a debilitating medical condition or that the practitioner no longer believes, in his or her professional opinion and within his or her scope of practice, that the patient would likely

receive medical or palliative benefit from the medical use of medical cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition, the card shall become null and void.

(5) A medical cannabis establishment shall notify the MDOH within one (1) business day of any theft or loss of medical cannabis.

(6) A medical cannabis establishment shall notify its licensing agency within one (1) business day if there is a change of ownership or closure of the entity.

SECTION 17. Reporting requirement of dispensaries. Medical cannabis dispensaries shall report medical cannabis dispensing information every twenty-four (24) hours to the Prescription Monitoring Program provided for in Section 73-21-127. Dispensaries shall submit information as required by the Prescription Monitoring Program, including, but not limited to, the qualified patient's registry identification card number and the amount of medical cannabis dispensed to the patient.

SECTION 18. Licensing of medical cannabis establishments. (1) The MDOH shall issue licenses for cannabis cultivation facilities, cannabis processing facilities, cannabis transportation entities, cannabis disposal entities, cannabis research facilities and cannabis testing facilities. The MDOR shall issue licenses for medical cannabis dispensaries.

(2) The cannabis cultivation facility license application fee shall be subject to the following tiers:

(a) Micro-cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of one thousand (1,000) square feet or less shall be subject to a one-time nonrefundable license application fee of One Thousand Five Hundred Dollars (\$1,500.00). The annual license fee shall be a nonrefundable fee of Two Thousand Dollars (\$2,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of more than one thousand (1,000) square feet but not more than two thousand (2,000) square feet shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(b) Cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of not less than two thousand (2,000) square feet but not more than five thousand (5,000) square feet shall be subject to a one-time nonrefundable license application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Fifteen Thousand Dollars (\$15,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of not less than five thousand (5,000) square feet but not more than fifteen thousand (15,000) square feet shall be subject to a one-time nonrefundable license application fee of Ten Thousand Dollars (\$10,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(iii) Tier 3. A cannabis cultivation facility with a canopy of not less than fifteen thousand (15,000) square feet but not more than thirty thousand (30,000) square feet shall be subject to a one-time nonrefundable license application fee of Twenty Thousand Dollars (\$20,000.00). The annual license fee shall be a nonrefundable fee of Fifty Thousand Dollars (\$50,000.00).

(iv) Tier 4. A cannabis cultivation facility with a canopy of not less than thirty thousand (30,000) square feet but not more than sixty thousand (60,000) square feet shall be subject to a onetime nonrefundable license application fee of Thirty Thousand Dollars (\$30,000.00). The annual license fee shall be a nonrefundable fee of Seventy-five Thousand Dollars (\$75,000.00).

(v) Tier 5. A cannabis cultivation facility with a canopy of not less than sixty thousand (60,000) square feet but not more than one hundred thousand (100,000) square feet shall be subject to a one-time nonrefundable license application fee of Forty Thousand Dollars (\$40,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Thousand Dollars (\$100,000.00).

(vi) Tier 6. A cannabis cultivation facility with a canopy of one hundred thousand (100,000) square feet or more shall be subject to a one-time nonrefundable license application fee of Sixty Thousand Dollars (\$60,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Fifty Thousand Dollars (\$150,000.00).

(3) The cannabis processing facility license application fee shall be subject to the following tiers:

(a) Micro-processors.

(i) Tier 1. A cannabis processing facility which processes less than two thousand (2,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Dollars (\$2,000.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(ii) Tier 2. A cannabis processing facility which processes not less than two thousand (2,000) pounds but less than three thousand (3,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Five Thousand Dollars (\$5,000.00).

(b) Processors. A cannabis processing facility which processes not less than three thousand (3,000) pounds of biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty Thousand Dollars (\$20,000.00).

(4) A medical cannabis dispensary shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(5) Cannabis transportation entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(6) Cannabis disposal entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(7) Cannabis testing facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00), and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). A cannabis testing facility shall not employ an agent or employee who also is employed or has ownership at any other medical cannabis establishment.

(8) Cannabis research facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00), and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). A research facility at any university or college in this state shall be exempt from all fees imposed under this section.

(9) No individual or business entity shall have a direct or indirect ownership or economic interest of greater than ten percent (10%) in:

- (a) More than one (1) cannabis cultivation facility license;
- (b) More than one (1) cannabis processing facility license; and
- (c) More than five (5) medical cannabis dispensary licenses.

(10) Minimum qualifications for applicants for a cannabis cultivation facility, a cannabis processing facility, a medical cannabis dispensary, a medical cannabis transportation entity or a medical cannabis disposal entity license(s) are as follows:

(a) An individual applicant for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal license shall be a natural person who:

(i) Is at least twenty-one (21) years of age;

(ii) Has not previously held a license for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal entity that has been revoked;

(iii) Has not been convicted of a disqualifying felony offense;

(iv) If possessing a professional or occupational license, that the license is in good standing;

(v) Has submitted a sworn statement indicating that he or she is a true and actual owner of the entity for which the license is desired, and that he or she intends to carry on the business authorized for himself or herself and the entity and not as the agent for any other entity.

(vi) Has no outstanding tax delinquencies owed to the State of Mississippi;

(vii) Is not serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022;

(viii) Is not the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(b) If the applicant is applying on behalf of an entity, in addition to paragraph (a) of this subsection, the individual applicant shall:

(i) Be legally authorized to submit an application on behalf of the entity;

(ii) Serve as the primary point of contact with the MDOR and MDOH;

(iii) Submit sufficient proof that the entity has no owner, board member, officer, or anyone with an economic interest in the entity who:

1. Is under the age of twenty-one (21);
2. Has previously been an owner of a medical cannabis dispensary, cannabis cultivation facility, a cannabis processing facility, medical cannabis transportation entity or medical cannabis disposal entity that has had its license revoked;
3. Has been convicted of a disqualifying felony offense;
4. Owes delinquent taxes to the State of Mississippi;
5. Is serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and
6. Is the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(iv) Submit sufficient proof that if an owner, board member, officer or anyone with an economic interest in the entity has or had a professional or occupational license, that the license is in good standing.

(11) Applicants for cannabis cultivation facility licenses and cannabis processing facility licenses shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, proof that at least thirty-five percent (35%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

This subsection (11) shall stand repealed on December 31, 2022.

(12) A micro-cultivator or a micro-processor shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, provide proof that:

(i) It was registered as an entity with the Secretary of State in Mississippi; and

(ii) One-hundred percent (100%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

(13) For purposes of this section, it shall be sufficient to prove Mississippi residency for the individual(s) to submit two (2) of the following source documents:

(a) Mississippi Tax Return Form 80-105 or Form 80-205 for each of the three (3) years preceding the application without schedules, worksheets, or attachments,

and redacted to remove all financial information and all but the last four (4) digits of the individual's social security number for the three (3) years preceding the application;

(b) Ownership, lease, or rental documents for place of primary domicile for the three (3) years preceding the application;

(c) Billing statements, including utility bills for the three (3) years preceding the application; or

(d) Vehicle registration for the three (3) years preceding the application.

(14) Ownership in a cannabis cultivation facility license, cannabis processing facility license or a medical cannabis dispensary license or investment in a business that supports or benefits from such a license shall not disqualify or otherwise negatively impact the license or finding of suitability of such owner who is otherwise engaged in any other form of business operation in the state, if such business requires the owner to hold a license or be found suitable under state law.

(15) Any business or state entity applying for registration as a medical cannabis establishment must meet all the requirements specified in this chapter.

(16) A prospective medical cannabis establishment shall submit all of the following:

(a) An application, including:

(i) The legal name of the prospective medical cannabis establishment;

(ii) The physical address of the prospective medical cannabis establishment, which shall not be within one thousand (1,000) feet of the nearest property boundary line of a school, church or child care facility which exists or has acquired necessary real property for the operation of such facility before the date of the medical cannabis establishment application unless the entity has received approval from the school, church or child care facility and received the applicable waiver from their licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility;

(iii) The name of each principal officer and board member of the proposed medical cannabis establishment; and

(iv) Any additional information requested by the MDOR and MDOH.

(b) Operating procedures consistent with rules and regulations for oversight of the proposed medical cannabis establishment, including procedures to ensure accurate record keeping and adequate security measures.

(c) If the municipality or county where the proposed medical cannabis establishment would be located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis establishment is in compliance with the restrictions.

(d) If the municipality or county where the proposed medical cannabis establishment would be located requires a local registration, license, or permit, then proof of receiving such registration, license or permit.

(e) If the application is on behalf of an entity, verification that none of the principal officers or board members have served as a principal officer or board member for a medical cannabis establishment that has had its license revoked.

(f) If the application is on behalf of an entity, verification that none of the principal officers or board members is under twenty-one (21) years of age.

(17) The MDOR and MDOH shall issue a renewal registration certificate within ten (10) days of receipt of the prescribed renewal application and renewal fee from a medical cannabis establishment if its license is not under suspension and has not been revoked.

(18) A licensing agency shall require disclosure only of persons, entities or affiliated entities who directly or indirectly own ten percent (10%) or more of a medical cannabis establishment issued a license by the licensing agency.

(19) Otherwise eligible applicants for licenses to operate as medical cannabis establishments under this chapter shall not be disqualified from receipt of a license based on:

(a) Their location on Mississippi Choctaw Indian Reservation Lands; or

(b) The involvement of the Mississippi Band of Choctaw Indians or any entity owned or operated by the Mississippi Band of Choctaw Indians as an owner or co-owner of such license, provided that such license shall be subject to revocation for material noncompliance with this chapter on the same basis as any other license.

(20) A cannabis processing facility that produces edible cannabis products shall hold a permit to operate as a food establishment and shall comply with all applicable requirements for food establishments as set by the MDOH.

(21) Denial of an application or renewal is considered a final MDOH or MDOR action, subject to judicial review in accordance with Section 31 of this act.

SECTION 19. Local ordinances. (1) A municipality or county may enact ordinances or regulations not in conflict with this chapter, or with regulations enacted under this chapter, governing the time, place, and manner of medical cannabis establishment operations in the locality. A municipality or county may establish penalties for violation of an ordinance or regulation governing the time, place and manner of a medical cannabis establishment that may operate in the municipality or county.

(2) No municipality or county may prohibit dispensaries either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction. The main point of entry of a medical cannabis establishment shall not be located within one thousand (1,000) feet of the nearest property boundary line of any school, church or child care facility. A medical cannabis establishment may receive a waiver to this distance restriction by receiving approval from the school, church or child care facility and by applying for a waiver with its respective licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility.

(3) A dispensary, cannabis research facility or cannabis testing facility may be located in any area in a municipality or county that is zoned as commercial or for which commercial use is otherwise authorized or not prohibited, provided that it being located there does not violate any other provisions of this chapter. A cannabis cultivation facility and/or cannabis processing facility may be located in any area in a municipality or county that is zoned as agricultural or industrial or for which agricultural or industrial use is otherwise authorized or not prohibited, provided that it being there does not violate any other provision of this chapter. A cannabis cultivation facility and/or cannabis processing facility may be located in any area in a municipality or county that is zoned as commercial or for which commercial use is otherwise authorized or not prohibited, provided that the municipality or county has authorized the entity to be located in such area and that it being there does not violate any other provision of this chapter. The municipality or county may

authorize this by granting a variance to an existing zoning ordinance or by adopting a change in the zoning ordinance that allows for those entities to be located in specific commercial areas.

(4) A municipality or county may require a medical cannabis establishment to obtain a local license, permit or registration to operate, and may charge a reasonable fee for the local license, permit or registration, provided that this fee is consistent with fees charged to businesses that are not involved in the cannabis industry.

(5) No medical cannabis dispensary may be located within a one-thousand-five-hundred-foot radius from the main point of entry of the dispensary to the main point of entry of another medical cannabis dispensary. If the sole basis of denial by the licensing agency in refusing to issue the medical cannabis dispensary a license to operate is that the dispensary fails the distance requirement of this subsection (5), then the licensing agency may refund all or part of the license application fee in Section 18(5) of this act to the applicant.

SECTION 20. Requirements, prohibitions and penalties. (1) Medical cannabis establishments shall conduct a background check into the criminal history of every person seeking to become a principal officer, board member, agent, volunteer, or employee before the person begins working at or for the medical cannabis establishment.

(2) A medical cannabis establishment may not employ any person who:

- (a) Was convicted of a disqualifying felony offense; or
- (b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a dispensary agent must:

- (a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. A resident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession limit on nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid

for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application the specific time period that he or she wishes for the card to be valid. The possession limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) A medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state. Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state.

(19) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars (\$25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(20) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(21) A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary.

(22) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such

software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(23) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

SECTION 21. Agencies to issue rules and regulations. (1) From and after the effective date of this act, the MDOH and MDOR shall each, where relevant to the role of that particular agency, establish and promulgate the following rules and regulations:

(a) Governing the manner in which it shall consider petitions from the public to add debilitating medical conditions or treatments to the list of debilitating medical conditions set forth in Section 2 of this act, including public notice of and opportunities to comment in public hearings on the petitions;

(b) Establishing the form and content of license and renewal applications and written certifications submitted under this chapter;

(c) Governing the manner in which it shall consider applications for and renewals of registry identification cards, which may include creating a standardized written certification form;

(d) Governing medical cannabis establishments with the goals of ensuring the health and safety of registered qualifying patients and preventing diversion and theft of medical cannabis without imposing an undue burden or compromising the confidentiality of cardholders, including:

(i) Oversight requirements;

(ii) Recordkeeping requirements;

(iii) Qualifications that are directly and demonstrably related to the operation of medical cannabis establishments;

(iv) Security requirements, including lighting, physical security, and alarm requirements;

(v) Health and safety regulations, including restrictions on the use of pesticides, herbicides or other chemicals that are injurious to human health;

(vi) Standards for the processing of cannabis products and the indoor cultivation of cannabis by cannabis cultivation facilities;

(vii) Requirements for the transportation and storage of cannabis by medical cannabis establishments;

(viii) Employment and training requirements, including requiring that each medical cannabis establishment create an identification badge for each agent of the establishment;

(ix) Standards for the safe processing of medical cannabis products, including extracts and concentrates;

(x) Restrictions on the advertising, signage, and display of medical cannabis, provided that the restrictions may not prevent appropriate signs on the property of a dispensary, listings in business directories, including phone books, listings in cannabis-related or medical publications, or the sponsorship of health or not-for-profit charity or advocacy events;

(xi) Requirements and procedures for the safe and accurate packaging and labeling of medical cannabis, including prohibiting the use of any images designed or likely to appeal to minors, such as cartoons, packaging that resembles popular candy brands, toys, animals or children, or any other likeness or image containing characters or phrases to advertise to minors;

(xii) Standards for cannabis testing facilities, including requirements for equipment and qualifications for personnel;

(xiii) Protocol development for the safe delivery of medical cannabis from dispensaries to cardholders;

(xiv) Reasonable requirements to ensure the applicant has sufficient property or capital to operate the applicant's proposed medical cannabis establishment;

(xv) Procedures for suspending or terminating the licenses or registry identification cards of cardholders and medical cannabis establishments that commit multiple or serious violations of the provisions of this chapter or the rules and regulations promulgated pursuant to this section;

(xvi) Procedures for the selection, certification and oversight of a seed-to-sale tracking system as provided for in Section 6 of this act;

(xvii) Requirements for labeling medical cannabis and cannabis products, including requiring medical cannabis product labels to include the following:

1. The length of time it typically takes for the product to take effect;
2. Disclosure of ingredients and possible allergens;
3. A nutritional fact panel;
4. The amount of THC and CBD in the product;
5. A notice of the potential harm caused by consuming medical cannabis; and
6. For edible cannabis products, when practicable, a standard symbol indicating that the product contains cannabis;

(xviii) Procedures for the registration of nonresident cardholders, which must require the submission of:

1. A practitioner's statement confirming that the patient has a debilitating medical condition; and
2. Documentation demonstrating that the nonresident cardholder is allowed to possess medical cannabis or cannabis preparations in the jurisdiction where he or she resides;

(xix) The amount of cannabis products, including the amount of concentrated cannabis, each cardholder and nonresident cardholder can possess;

(xx) Reasonable application and renewal fees for registry identification cards and registration certificates, according to the following:

1. The fee schedule shall be set as follows:

a. The qualifying patient registry identification card application fee shall be Twenty-five Dollars (\$25.00);

b. The designated caregiver registry identification card application fee shall be Twenty-five Dollars (\$25.00);

c. The designated caregiver criminal background fee shall be Thirty-seven Dollars (\$37.00);

d. The fee for a renewal or replacement of a card shall be Twenty-five Dollars (\$25.00);

e. The fee for a card for a nonresident patient shall be Seventy-five Dollars (\$75.00);

f. The qualifying patient registry identification card application fee for a Medicaid participant shall be Fifteen Dollars (\$15.00) and the fee for a renewal of such card shall be Fifteen Dollars (\$15.00); and

g. The application fee for a qualifying patient registry identification card for disabled veterans or disabled first responders shall be waived. A disabled veteran or first responder may prove their disability by providing written documentation from their practitioner attesting to their debilitating medical condition, documentation from the Social Security Disability Office, or documentation that attests the applicant is a one-hundred percent (100%) disabled veteran as determined by the U.S. Department of Veteran Affairs and codified at 38 C.F.R., Section 3.340(a)(2013); and

2. The MDOH may accept donations from private sources to reduce the amount of the application and renewal fees;

(xxi) Any other rules and regulations necessary to implement and administer this chapter.

(2) The initial rules filed by the MDOH to implement the medical cannabis program in accordance with this chapter shall be effective immediately upon their filing.

SECTION 22. Public registry. (1) The MDOH and MDOR shall jointly create and maintain a public registry of medical cannabis establishments, which shall include, but shall not be limited to, the following information:

(a) The name of the establishment;

(b) The owner and, if applicable, the beneficial owner of the establishment;

(c) The physical address, including municipality and zip code, of the establishment;

(d) The mailing address, including municipality and zip code, of the establishment;

(e) The county in which the establishment is domiciled;

(f) The phone number of the establishment;

(g) The electronic mail address of the establishment;

(h) The license number of the establishment;

(i) The issuance date of the establishment's license;

- (j) The expiration date of the establishment's license;
- (k) The NAICS code of the establishment;
- (l) Any changes to the license holder's status; and
- (m) Any other information determined necessary by the MDOH and MDOR.

(2) The public registry shall not include personal information of an owner of a medical cannabis establishment.

(3) The public registry shall be maintained electronically and shall be easily accessible to the public.

SECTION 23. Violations. (1) It shall be unlawful for any person or entity to cultivate, process, transport, use, possess, purchase, sell or transfer cannabis except as authorized by this chapter.

(2) A cardholder or medical cannabis establishment that purposely or knowingly fails to provide a notice required by Section 16 of this act is guilty of a civil offense, punishable by a fine of no more than One Thousand Five Hundred Dollars (\$1,500.00), which may be assessed and collected by the licensing agency.

(3) A medical cannabis establishment or an agent of a medical cannabis establishment that purposely, knowingly, or recklessly sells or otherwise transfers medical cannabis other than to a cardholder, a nonresident cardholder, or to a medical cannabis establishment or its agent as authorized under this chapter is guilty of a felony punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection may not continue to be affiliated with the medical cannabis establishment and is disqualified from further participation in the medical cannabis program under this chapter.

(4) A cardholder or nonresident cardholder who purposely, knowingly, or recklessly sells or otherwise transfers medical cannabis to a person or other entity is guilty of a felony punishable by a fine of not more than Three Thousand Dollars (\$3,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection is disqualified from further participation in the medical cannabis program under this chapter. (5) A person who purposely, knowingly, or recklessly makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), by imprisonment in the county jail for not more than ninety (90) days, or both. If a person convicted of violating this subsection is a cardholder, the person is disqualified from further participation in the medical cannabis program under this chapter.

(6) A person who purposely submits false records or documentation for an application for a license for a medical cannabis establishment under this chapter is guilty of a felony punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection may not continue to be affiliated with the medical cannabis establishment and is disqualified from further participation in the medical cannabis program under this chapter.

(7) A practitioner who purposely refers patients to a specific medical cannabis establishment or to a registered designated caregiver, who advertises in a medical cannabis establishment, or who issues written certifications while holding a financial

interest in a medical cannabis establishment, is guilty of a civil offense for every false certification and shall be fined up to Five Thousand Dollars (\$5,000.00) by the MDOH.

(8) Any person, including an employee or official of an agency or local government, who purposely, knowingly, or recklessly breaches the confidentiality of information obtained under this chapter is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment for not more than one hundred eighty (180) days in the county jail, or both.

(9) No person, other than a cannabis processing facility or its agents, complying with this chapter and the rules and regulations promulgated under it, may extract compounds from cannabis that involves a chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, steam distillation, food-grade ethanol, or hydrocarbon-based solvent carbon dioxide. No person may extract compounds from cannabis using ethanol in the presence or vicinity of an open flame. It shall be a felony punishable by commitment to the custody of the Mississippi Department of Corrections for up to three (3) years and a Ten Thousand Dollar (\$10,000.00) fine for any person to purposely, knowingly, or recklessly violate this subsection.

(10) A medical cannabis establishment is guilty of a civil offense for any purposeful, knowing or reckless violation of this chapter or the rules and regulations issued under this chapter where no penalty has been specified, and shall be fined not more than Five Thousand Dollars (\$5,000.00) for each such violation by its licensing agency.

(11) The penalties provided for under this section are in addition to any other criminal, civil or administrative penalties provided for under law, rule or regulation.

(12) In addition to peace officers within their jurisdiction, all law enforcement officers of MDOH and MDOR may enforce the provisions made unlawful by this chapter.

SECTION 24. Fines, suspensions and revocations. (1) The licensing agency may fine, suspend or revoke a license at its discretion for a violation of this chapter or any rules and regulations under this chapter by the licensee or any of its employees or agents. If a licensee wishes to appeal this decision, the licensee shall file its administrative appeal within twenty (20) days of receipt of the initial notice. The licensing agency shall then conduct a hearing on the record pursuant to the licensing agency's rules and regulations governing such hearings, at which time the burden shall be on the licensee to prove that the agency's decision was:

- (a) Unsupported by substantial evidence;
- (b) Arbitrary or capricious;
- (c) Beyond the power of the administrative agency to make; or
- (d) Violated some statutory or constitutional right of the aggrieved party.

If the licensee fails to appeal the initial notice within the prescribed time, the decision becomes final and cannot be further appealed.

(2) The licensing agency shall provide its initial notice of suspension, revocation, fine or other sanction by personal delivery or mailing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months.

(3) A medical cannabis establishment may continue to possess and cultivate cannabis as otherwise authorized to do so under its license during a suspension, but it may not dispense, transfer or sell cannabis.

(4) The MDOH shall immediately revoke the registry identification card of any cardholder who sells or otherwise transfers medical cannabis to a person or other entity, and the cardholder shall be disqualified from further participation in the medical cannabis program under this chapter.

(5) Except as otherwise provided in subsection (4) of this section, the MDOH may revoke the registry identification card of any cardholder who knowingly commits a violation of this chapter.

(6) The hearing decision of the agency on a revocation, suspension or fine is a final decision of the applicable agency subject to judicial review in accordance with Section 31 of this act.

(7) No license issued by the MDOH or MDOR shall be transferred by the license holder to any other person or entity except with the written consent of the applicable licensing agency.

SECTION 25. Confidentiality. (1) Data in license and registration applications and supporting data submitted by registered qualifying patients, registered designated caregivers, medical cannabis establishments and nonresident cardholders, including data on registered designated caregivers and practitioners, shall be considered private data on individuals that is confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

(2) Data kept or maintained by an agency shall not be used for any purpose not provided for in this chapter and shall not be combined or linked in any manner with any other list or database.

(3) Data kept or maintained by an agency may be disclosed as necessary for:

(a) The verification of registration certificates and registry identification cards under this chapter;

(b) Submission of the annual report required by this chapter;

(c) Notification of state or local law enforcement of apparent criminal violations of this chapter;

(d) Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card; or

(e) Notification of the State Board of Medical Licensure or other occupational or professional licensing board or entity if there is reason to believe that a practitioner provided a written certification in violation of this chapter, or if the MDOH has reason to believe the practitioner otherwise violated the standard of care for evaluating medical conditions.

(4) Any information kept or maintained by medical cannabis establishments must identify cardholders by their registry identification numbers and must not contain names or other personally identifying information.

(5) At a cardholder's request, the MDOH may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.

(6) Any agency hard drives or other data-recording media that are no longer in use and that contain cardholder information shall be destroyed.

SECTION 26. Business expenses, deductions. Notwithstanding any federal tax law to the contrary, in computing net income for medical cannabis establishments, there shall be allowed as a deduction from income taxes imposed under Section 27-7-5, Mississippi Code of 1972, all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business as a medical cannabis establishment, including reasonable allowance for salaries or other compensation for personal services actually rendered.

SECTION 27. Banks to be held harmless. (1) A bank may provide any services to any person or entity licensed in this state to engage in the business of medical cannabis, or with any person or entity engaging in business dealings with such licensee, if the bank provides those services to any other business.

(2) A bank and its officers, directors, agents and employees shall not be held liable pursuant to any state law or regulation solely for:

(a) Providing financial services to a licensed medical cannabis establishment; or

(b) Investing any income derived from providing financial services to a licensed medical cannabis establishment.

(3) Nothing in this section shall require a bank to provide financial services to a licensed medical cannabis establishment.

SECTION 28. Not applicable to CBD solution. This chapter does not apply to or supersede any of the provisions of Section 41-29-136.

SECTION 29. Medical cannabis taxes. (1) (a) For purposes of this section:

(i) "Cannabis cultivation facility," "dispensary," "medical cannabis" and "medical cannabis establishments" shall be defined as provided in Section 2 of this act.

(ii) "Cannabis flower" means the flower, including abnormal and immature flowers, of a plant of the genus cannabis that has been harvested, dried and cured, and prior to any processing whereby the flower material is transformed into a cannabis product. "Cannabis flower" does not include the leaves or stem of such plant or hemp.

(iii) "Cannabis trim" means all parts, including abnormal or immature parts, of a plant of the genus cannabis, other than cannabis flower, that have been harvested, dried and cured, and prior to any processing whereby the plant material is transformed into a cannabis product. "Cannabis trim" does not include hemp.

(2) (a) There is hereby imposed, levied and assessed an excise tax on medical cannabis cultivation facilities. A cannabis cultivation facility shall collect and remit an excise tax on forms and in a manner specified by the Commissioner of Revenue.

(b) The excise tax on cannabis cultivation facilities shall be based on the sales price for which a cannabis cultivation facility first sells cannabis flower or cannabis trim, as the case may be, to a medical cannabis establishment, and the rate of the excise tax shall be five percent (5%) of such sales price. However, if there is common ownership or other interest between the cannabis cultivation facility and the medical cannabis establishment to which the cannabis cultivation facility first sells or transfers the cannabis flower or cannabis trim, as the case may be, the excise tax shall be based on the fair market value of the cannabis flower or cannabis trim, as the case may be, at the time that the cannabis cultivation facility first sells or transfers the cannabis flower or cannabis trim

to the medical cannabis establishment, and the rate of the excise tax shall be five percent (5%) of such fair market value. The fair market value of cannabis flower and cannabis trim shall initially be determined by the MDOR not later than November 1, 2022. Beginning January 1, 2023, the MDOR shall recalculate and adjust the fair market value of cannabis flower and cannabis trim twice per calendar year on January 1 and July 1.

(c) The excise tax imposed by this subsection shall apply regardless of the ownership of the medical cannabis establishment to which the cannabis cultivation facility sells or transfers the cannabis flower or cannabis trim, as the case may be.

(d) All administrative provisions of the sales tax law and amendments thereto, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provision of said sales tax law, and all other requirements and duties imposed upon a taxpayer, shall apply to all persons liable for taxes under the provisions of this subsection. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this subsection as are provided in said sales tax law, except where there is conflict, then the provisions of this subsection shall control.

(e) All excise taxes collected under the provisions of this subsection shall be deposited into the State General Fund.

(3) A dispensary, on forms and in a manner specified by the Commissioner of Revenue, shall collect and remit the sales tax levied in Section 27-65-17(1)(a) from the gross proceeds derived from each retail sale of medical cannabis.

SECTION 30. Local government option. (1) The cultivation, processing, sale and distribution of medical cannabis and cannabis products, as performed in accordance to the provisions of this chapter, shall be legal in every county and municipality of this state unless a county or municipality opts out through a vote by the board of supervisors of the county or governing authorities of the municipality, as applicable, within ninety (90) days after the effective date of this act. The governing authorities of the municipality or the board of supervisors of the county, as applicable, shall provide a notice in accordance with the Open Meetings Act (Section 25-41-1 et seq.) of its intent of holding a vote regarding opting out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable. The governing authorities of the municipality or the board of supervisors of the county, as applicable, may opt out of allowing one or more of the following: cultivation, processing, sale or distribution of medical cannabis and cannabis products. The governing authorities of a municipality, by a vote entered upon their minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the municipality. The board of supervisors of a county, by a vote entered upon its minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county.

(2) If the board of supervisors of a county or the governing authorities of a municipality do not opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, within ninety (90) days after the effective date of this act, then no vote by the board of supervisors or governing authorities, as applicable, may be held to so opt out, and the provisions of this chapter shall remain applicable and operative in the county or municipality, as applicable. If the board of supervisors of a county or governing authorities of a municipality have opted out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then the board of supervisors or governing authorities of a municipality may later opt in regarding the same through a vote by the board of supervisors or governing authorities, as applicable, entered upon its or their minutes, or an election duly held according to subsection (3) or (4) of this section, as applicable.

(3) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the unincorporated areas of the county signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county, it shall be the duty of the board of supervisors to call an election at which there shall be submitted to the qualified electors of the county the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the unincorporated areas of such county as provided in this chapter. Such election shall be held and conducted by the county election commissioners on a date fixed by the order of the board of supervisors, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the county or if no newspaper be published therein, by such publication in a newspaper in an adjoining county and having a general circulation in the county involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of general elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the board of supervisors which shall adopt and spread upon its minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county, this chapter shall be applicable and operative in the unincorporated areas of such county, and the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county. In either case, no further election shall be held in the county under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county as provided in this section.

(4) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the municipality signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality, it shall be the duty of the governing authorities of the municipality to call an election at which there shall be submitted to the qualified electors of the municipality the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the municipality as provided in this chapter. Such election shall be held and conducted on a date fixed by the order of the governing authorities of the municipality, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice

thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the municipality or if no newspaper be published therein, by such publication in a newspaper having a general circulation in the municipality involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of municipal elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_ [Name of Municipality] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_ [Name of Municipality] ( )" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the governing authorities which shall adopt and spread upon their minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, this chapter shall be applicable and operative in such municipality and the cultivation, processing, sale, and/or distribution of medical cannabis and cannabis products, as applicable, therein shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the municipality. In either case, no further election shall be held in the municipality under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality as provided in this section.

(5) Regardless of whether a county or municipality opts out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, cardholders, cannabis testing facilities, cannabis research facilities, cannabis transportation entities and cannabis disposal entities may possess medical cannabis in the municipality or county if done in accordance with this chapter.

(6) (a) If a municipality that has opted out under this section annexes a geographic area which contains a licensed entity operating under the provisions of this chapter, then the licensed entity may continue its operation in that municipality's newly annexed geographic area.

(b) If a licensed entity operating under the provisions of this chapter is located in a municipality that contracts its corporate boundaries thereby causing the geographic area in which the licensed entity is located to no longer be in the municipality and instead in an unincorporated area of a county that has opted out under this section, then the licensed entity may continue its operation in that area of the county.

SECTION 31. Judicial review. (1) Any person or entity aggrieved by a final decision or order of an agency under the provisions of this chapter may petition for judicial review of the final decision or order.

(2) (a) The petition shall be filed within twenty (20) days after the issuance of the agency's final decision or order. The petition shall be filed in the circuit court of the county

in which the appellant resides. If the appellant is a nonresident of this state, the appeal shall be made to the Circuit Court of the First Judicial District of Hinds County, Mississippi.

(b) Any person or entity aggrieved by the decision of the circuit court may appeal to the Mississippi Supreme Court.

SECTION 32. Fees and fines allocation. All fees and fines collected by the MDOR and MDOH according to the provisions of this chapter shall be deposited into the State General Fund.

SECTION 33. Medical Cannabis Advisory Committee. (1) (a) There is established a Medical Cannabis Advisory Committee, which shall be the committee that is required to advise the Legislature about medical cannabis and cannabis product, patient care, services and industry.

(b) The advisory committee shall consist of nine (9) members, as follows:

(i) The Governor shall appoint three (3) members to the committee, as follows:

1. One (1) representative from the MDOH;
2. One (1) registered qualifying patient; and
3. One (1) physician with experience in medical cannabis

issues;

(ii) The Lieutenant Governor shall appoint three (3) members, as follows:

1. One (1) owner or agent of a medical cannabis cultivation facility;
2. One (1) representative from the MDOH; and
3. One (1) qualified certified nurse practitioner, physician assistant or optometrist;

assistant or optometrist;

(iii) The Speaker of the House shall appoint three (3) members, as follows:

1. One (1) owner or agent of a medical cannabis processing facility;
2. One (1) owner or agent of a medical cannabis dispensary; and
3. One (1) representative from the MDOR.

(c) The advisory committee shall meet at least two (2) times per year for the purpose of evaluating and making recommendations to the Legislature and the MDOH and MDOR regarding:

(i) The ability of qualifying patients in all areas of the state to obtain timely access to high-quality medical cannabis;

(ii) The effectiveness of the medical cannabis establishments in serving the needs of registered qualifying patients, including the provision of educational and support services by dispensaries, the reasonableness of their prices, security issues,

and the sufficiency of the number operating to serve the state's registered qualifying patients;

(iii) The effectiveness of the cannabis testing facilities, including whether a sufficient number are operating;

(iv) The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the MDOH to ensure that access to and use of cannabis cultivated is provided only to cardholders;

(v) Any recommended additions or revisions to the MDOH and MDOR rules and regulations or this chapter, including relating to security, safe handling, labeling, nomenclature, and whether additional types of licenses should be made available; and

(vi) Any research studies regarding health effects of medical cannabis for patients.

(d) The advisory committee shall accept public comment in writing and in-person at least once per year. The advisory committee shall meet at least two (2) times per year and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(e) The chairman of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) of this subsection shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law.

(2) This section shall stand repealed on December 31, 2025.

SECTION 34. Section 25-53-5, Mississippi Code of 1972, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall

not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment or services to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the

limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through December 31, 2022, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and/or the Mississippi Department of Revenue for the purposes of implementing, administering and/or enforcing the provisions of the Mississippi Medical Cannabis Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(s) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(t) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

(u) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

(v) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state

institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

(w) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 35. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. \* \* \* From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) \* \* \* to grants, contracts, pass-through funds, project fees or charges for services between the State Department of Health and the State Department of Revenue, and other state agencies or entities, including, but not limited to, the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the \* \* \* medical \* \* \* cannabis program as established by \* \* \* the Mississippi Medical Cannabis Act. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and

the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

\* \* \*

SECTION 36. Section 17-1-3, Mississippi Code of 1972, is brought forward as follows:

17-1-3. (1) Except as otherwise provided in Section 17-1-21(2) and in Article VII of the Chickasaw Trail Economic Development Compact described in Section 57-36-1, for the purpose of promoting health, safety, morals, or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, are empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required with reference to land used for agricultural purposes, including forestry activities as defined in Section 95-3-29(2)(b), or for the erection, maintenance, repair or extension of farm buildings or farm structures, including forestry buildings and structures, outside the corporate limits of municipalities. The governing authority of each county and municipality may create playgrounds and public parks, and for these purposes, each of such governing authorities shall possess the power, where requisite, of eminent domain and the right to apply public money thereto, and may issue bonds therefor as otherwise permitted by law.

(2) Local land use regulation ordinances involving the placement, screening, or height of amateur radio antenna structures must reasonably accommodate amateur communications and must constitute the minimum practicable regulation to accomplish local authorities' legitimate purposes of addressing health, safety, welfare and aesthetic considerations. Judgments as to the types of reasonable accommodation to be made and the minimum practicable regulation necessary to address these purposes will be determined by local governing authorities within the parameters of the law. This legislation supports the amateur radio service in preparing for and providing emergency communications for the State of Mississippi and local emergency management agencies.

SECTION 37. Section 19-5-9, Mississippi Code of 1972, is brought forward as follows:

19-5-9. The construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments are adopted as minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi. Any county within the State of Mississippi, in the discretion of the board of supervisors, may adopt building codes, plumbing codes, electrical codes, sanitary codes, or other related codes dealing with general public health, safety or welfare, or a combination of the same, within but not exceeding the provisions of the construction codes published by nationally recognized code groups, by order or resolution in the manner prescribed in this section, but those codes so adopted shall apply only to the unincorporated areas of the county. However, those codes shall not apply to the erection, maintenance, repair or extension of farm buildings or farm structures, except as may be required under the terms of the "Flood Disaster Protection Act of 1973," and shall apply to a master planned community as defined in Section 19-5-10 only to the extent allowed in Section 19-5-10. The provisions of this section shall not be construed to authorize the adoption of any code which applies to the installation, repair or maintenance of electric wires, pipelines, apparatus, equipment or devices by or for a utility rendering public utility services, required by it to be utilized in the rendition of its duly authorized service to the public. Before any such code shall be adopted, it shall be either printed or typewritten and shall be presented in pamphlet form to the board of supervisors at a regular meeting. The order or resolution adopting the

code shall not set out the code in full, but shall merely identify the same. The vote or passage of the order or resolution shall be the same as on any other order or resolution. After its adoption, the code or codes shall be certified to by the president and clerk of the board of supervisors and shall be filed as a permanent record in the office of the clerk who shall not be required to transcribe and record the same in the minute book as other orders and resolutions.

If the board of supervisors of any county adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

All provisions of this section shall apply to amendments and revisions of the codes mentioned in this section. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of county orders, resolutions or codes.

Any code adopted under the provisions of this section shall not be in operation or force until sixty (60) days have elapsed from the adoption of same; however, any code adopted for the immediate preservation of the public health, safety and general welfare may be effective from and after its adoption by a unanimous vote of the members of the board. Within five (5) days after the adoption or passage of an order or resolution adopting that code or codes the clerk of the board of supervisors shall publish in a legal newspaper published in the county the full text of the order or resolution adopting and approving the code, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of the order or resolution.

Any person or persons objecting to the code or codes may object in writing to the provisions of the code or codes within sixty (60) days after the passage of the order or resolution approving same, and if the board of supervisors adjudicates that ten percent (10%) or more of the qualified electors residing in the affected unincorporated areas of the county have objected in writing to the code or codes, then in such event the code shall be inoperative and not in effect unless adopted for the immediate preservation of the public health, safety and general welfare until approved by a special election called by the board of supervisors as other special elections are called and conducted by the election commissioners of the county as other special elections are conducted, the special election to be participated in by all the qualified electors of the county residing in the unincorporated areas of the county. If the voters approve the code or codes in the special election it shall be in force and in operation thereafter until amended or modified as provided in this section. If the majority of the qualified electors voting in the special election vote against the code or codes, then, in such event, the code or codes shall be void and of no force and effect, and no other code or codes dealing with that subject shall be adopted under the provisions of this section until at least two (2) years thereafter.

After any such code shall take effect the board of supervisors is authorized to employ such directors and other personnel as the board, in its discretion, deems necessary and to expend general county funds or any other funds available to the board to fulfill the purposes of this section.

For the purpose of promoting health, safety, morals or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, is empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density or population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required except as may be required under the terms of the "Flood Disaster Protection

Act of 1973" for the erection, maintenance, repair or extension of farm buildings or farm structures outside the corporate limits of municipalities.

The authority granted in this section is cumulative and supplemental to any other authority granted by law.

Notwithstanding any provision of this section to the contrary, any code adopted by a county before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

Notwithstanding any provision of this section to the contrary, the Boards of Supervisors of Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

SECTION 38. Section 25-43-1.103, Mississippi Code of 1972, is brought forward as follows:

25-43-1.103. (1) This chapter applies to all agencies and all proceedings not expressly exempted under this chapter.

(2) This chapter creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(3) Specific statutory provisions which govern agency proceedings and which are in conflict with any of the provisions of this chapter shall continue to be applied to all proceedings of any such agency to the extent of such conflict only.

(4) The provisions of this chapter shall not be construed to amend, repeal or supersede the provisions of any other law; and, to the extent that the provisions of any other law conflict or are inconsistent with the provisions of this chapter, the provisions of such other law shall govern and control.

(5) An agency may grant procedural rights to persons in addition to those conferred by this chapter so long as rights conferred upon other persons by any provision of law are not substantially prejudiced.

SECTION 39. Section 25-43-2.101, Mississippi Code of 1972, is brought forward as follows:

25-43-2.101. (1) Subject to the provisions of this chapter, the Secretary of State shall prescribe a uniform numbering system, form, style and transmitting format for all proposed and adopted rules caused to be published by him and, with prior approval of each respective agency involved, may edit rules for publication and codification without changing the meaning or effect of any rule.

(2) The Secretary of State shall cause an administrative bulletin to be published in a format and at such regular intervals as the Secretary of State shall prescribe by rule. Upon proper filing of proposed rules, the Secretary of State shall publish them in the administrative bulletin as expeditiously as possible. The administrative bulletin must contain:

(a) Notices of proposed rule adoption prepared so that the text of the proposed rule shows the text of any existing rule proposed to be changed and the change proposed;

(b) Any other notices and materials designated by law for publication therein; and

(c) An index to its contents by subject.

(3) The Secretary of State shall cause an administrative bulletin to be published in a format and at such regular intervals as the Secretary of State shall prescribe by rule. Upon proper filing of newly adopted rules, the Secretary of State shall publish them as expeditiously as possible. The administrative bulletin must contain:

(a) Newly filed adopted rules prepared so that the text shows the text of any existing rule being changed and the change being made;

(b) Any other notices and materials designated by law for publication therein; and

(c) An index to its contents by subject.

(4) The Secretary of State retains the authority to reject proposed and newly adopted rules not properly filed in accordance with the Secretary of State's rules prescribing the numbering system, form, style or transmitting format for such filings. The Secretary of State shall not be empowered to reject filings for reasons of the substance or content or any proposed or newly adopted rule. The Secretary of State shall notify the agency of its rejection of a proposed or newly adopted rule as expeditiously as possible and accompany such notification with a stated reason for the rejection. A rejected filing of a proposed or newly adopted rule does not constitute filing pursuant to Section 25-43-3.101 et seq. of this chapter.

(5) (a) The Secretary of State shall cause an administrative code to be compiled, indexed by subject and published in a format prescribed by the Secretary of State by rule. All of the effective rules of each agency must be published and indexed in that publication. The Secretary of State shall also cause supplements to the administrative code to be published in a format and at such regular intervals as the Secretary of State shall prescribe by rule.

(b) The Joint Legislative Committee on Compilation, Revision and Publication of Legislation is hereby authorized to contract with a reputable and competent publishing company on such terms and conditions and at such prices as may be deemed proper to digest, compile, annotate, index and publish the state agency rules and regulations.

(6) (a) Copyrights of the Mississippi Administrative Code, including, but not limited to, cross references, tables of cases, notes of decisions, tables of contents, indices, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations, shall be taken by and in the name of the publishers of said compilation. Such publishers shall thereafter promptly assign the same to the State of Mississippi and said copyright shall be owned by the state.

(b) Any information appearing on the same leaf with the text of any rule or regulation may be incidentally reproduced in connection with the reproduction of such rule or regulation, if such reproduction is for private use and not for resale.

(7) The Secretary of State may omit from the administrative bulletin or code any proposed or filed adopted rule, the publication in hard copy of which would be unduly cumbersome, expensive or otherwise inexpedient, if:

(a) Knowledge of the rule is likely to be important to only a small class of persons;

(b) On application to the issuing agency, the proposed or adopted rule in printed or processed form is made available at no more than its cost of reproduction; and

(c) The administrative bulletin or code contains a notice stating in detail the specific subject matter of the omitted proposed or adopted rule and how a copy of the omitted material may be obtained.

(8) The administrative bulletin and administrative code with supplements must be furnished to designated officials without charge and to all subscribers at a reasonable cost to be determined by the Secretary of State. Each agency shall also make available for public inspection and copying those portions of the administrative bulletin and administrative code containing all rules adopted or used by the agency in the discharge of its functions, and the index to those rules.

SECTION 40. Section 25-43-3.102, Mississippi Code of 1972, is brought forward as follows:

25-43-3.102. (1) Each agency shall maintain a current, public rule-making docket.

(2) The rule-making docket may, but need not, contain a listing of the subject matter of possible rules currently under active consideration within the agency for proposal under Section 25-43-3.103 and the name and address of agency personnel with whom persons may communicate with respect to the matter.

(3) The rule-making docket must list each pending rule-making proceeding. A rule-making proceeding is pending from the time it is commenced, by proper filing with the Secretary of State of a notice of proposed rule adoption, to the time it is terminated by the filing with the Secretary of State of a notice of termination or the rule becoming effective. For each pending rule-making proceeding, the docket must indicate:

(a) The subject matter of the proposed rule;

(b) A citation to all published notices relating to the proceeding;

(c) Where written submissions or written requests for an opportunity to make oral presentations on the proposed rule may be inspected;

(d) The time during which written submissions may be made;

(e) If applicable, where and when oral presentations may be made;

(f) Where any economic impact statement and written requests for the issuance of and other information concerning an economic impact statement of the proposed rule may be inspected;

(g) The current status of the proposed rule;

(h) The date of the rule's adoption; and

(i) When the rule will become effective.

SECTION 41. Section 25-43-3.103, Mississippi Code of 1972, is brought forward as follows:

25-43-3.103. (1) At least twenty-five (25) days before the adoption of a rule an agency shall cause notice of its contemplated action to be properly filed with the Secretary of State for publication in the administrative bulletin. The notice of proposed rule adoption must include:

(a) A short explanation of the purpose of the proposed rule and the agency's reasons for proposing the rule;

- (b) The specific legal authority authorizing the promulgation of rules;
- (c) A reference to all rules repealed, amended or suspended by the proposed rule;
- (d) Subject to Section 25-43-2.101(5), the text of the proposed rule;
- (e) Where, when and how persons may present their views on the proposed rule; and
- (f) Where, when and how persons may demand an oral proceeding on the proposed rule if the notice does not already provide for one.

(2) Within three (3) days after its proper filing with the Secretary of State for publication in the administrative bulletin, the agency shall cause a copy of the notice of proposed rule adoption to be provided to each person who has made a timely request to the agency to be placed on the mailing list maintained by the agency of persons who have requested notices of proposed rule adoptions. An agency may mail the copy to the person and may charge the person a reasonable fee for such service, which fee may be in excess of the actual cost of providing the person with a mailed copy. Alternatively, the agency may provide the copy via the Internet or by transmitting it to the person by electronic means, including, but not limited to, facsimile transfer or e-mail at no charge to the person, if the person consents to this form of delivery.

SECTION 42. Section 25-43-3.104, Mississippi Code of 1972, is brought forward as follows:

25-43-3.104. (1) For at least twenty-five (25) days after proper filing with the Secretary of State of the notice of proposed rule adoption, an agency shall afford persons the opportunity to submit, in writing, argument, data and views on the proposed rule.

(2) (a) An agency, in its discretion, may schedule an oral proceeding on any proposed rule. However, an agency shall schedule an oral proceeding on a proposed rule if, within twenty (20) days after the proper filing of the notice of proposed rule adoption, a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. At that proceeding, persons may present oral or written argument, data and views on the proposed rule.

(b) An oral proceeding on a proposed rule, if required, may not be held earlier than twenty (20) days after notice of its location and time is properly filed with the Secretary of State for publication in the administrative bulletin. Within three (3) days after its proper filing with the Secretary of State for publication in the administrative bulletin, the agency shall cause a copy of the notice of the location and time of the oral proceeding to be mailed to each person who has made a timely request to the agency to be placed on the mailing list maintained by the agency of persons who have requested notices of proposed rule adoptions.

(c) The agency, a member of the agency, or another presiding officer designated by the agency shall preside at a required oral proceeding on a proposed rule. Oral proceedings must be open to the public and may be recorded by stenographic or other means.

(d) An agency may issue rules for the conduct of oral rule-making proceedings or prepare reasonable guidelines or procedures for the conduct of any such proceedings. Those rules may include, but not be limited to, provisions calculated to prevent undue repetition in the oral proceedings.

SECTION 43. Section 25-43-3.105, Mississippi Code of 1972, is brought forward as follows:

25-43-3.105. (1) Prior to giving the notice required in Section 25-43-3.103, each agency proposing the adoption of a rule or significant amendment of an existing rule imposing a duty, responsibility or requirement on any person shall consider the economic impact the rule will have on the citizens of our state and the benefits the rule will cause to accrue to those citizens. For purposes of this section, a "significant amendment" means any amendment to a rule for which the total aggregate cost to all persons required to comply with that rule exceeds One Hundred Thousand Dollars (\$100,000.00).

(2) Each agency shall prepare a written report providing an economic impact statement for the adoption of a rule or significant amendment to an existing rule imposing a duty, responsibility or requirement on any person, except as provided in subsection (7) of this section. The economic impact statement shall include the following:

(a) A description of the need for and the benefits which will likely accrue as the result of the proposed action;

(b) An estimate of the cost to the agency, and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues;

(c) An estimate of the cost or economic benefit to all persons directly affected by the proposed action;

(d) An analysis of the impact of the proposed rule on small business;

(e) A comparison of the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule;

(f) A determination of whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law;

(g) A description of reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency and a statement of reasons for rejecting those alternatives in favor of the proposed rule; and

(h) A detailed statement of the data and methodology used in making estimates required by this subsection.

(3) No rule or regulation shall be declared invalid based on a challenge to the economic impact statement for the rule unless the issue is raised in the agency proceeding. No person shall have standing to challenge a rule, based upon the economic impact statement or lack thereof, unless that person provided the agency with information sufficient to make the agency aware of specific concerns regarding the statement in an oral proceeding or in written comments regarding the rule. The grounds for invalidation of an agency action, based upon the economic impact statement, are limited to the agency's failure to adhere to the procedure for preparation of the economic impact statement as provided in this section, or the agency's failure to consider information submitted to the agency regarding specific concerns about the statement, if that failure substantially impairs the fairness of the rule-making proceeding.

(4) A concise summary of the economic impact statement must be properly filed with the Secretary of State for publication in the administrative bulletin and the period during which persons may make written submissions on the proposed rule shall not expire until at least twenty (20) days after the date of such proper filing.

(5) The properly filed summary of the economic impact statement must also indicate where persons may obtain copies of the full text of the economic impact statement and where, when and how persons may present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided.

(6) If the agency has made a good-faith effort to comply with the requirements of subsections (1) and (2) of this section, the rule may not be invalidated on the ground that the contents of the economic impact statement are insufficient or inaccurate.

(7) This section does not apply to the adoption of:

(a) Any rule which is required by the federal government pursuant to a state/federal program delegation agreement or contract;

(b) Any rule which is expressly required by state law; and

(c) A temporary rule adopted pursuant to Section 25-43-3.108.

SECTION 44. Section 25-43-3.106, Mississippi Code of 1972, is brought forward as follows:

25-43-3.106. (1) An agency may not adopt a rule until the period for making written submissions and oral presentations has expired.

(2) Following the proper filing with the Secretary of State of the notice of proposed rule adoption, an agency shall adopt a rule pursuant to the rule-making proceeding or terminate the proceeding by proper filing with the Secretary of State of a notice to that effect for publication in the administrative bulletin.

(3) Before the adoption of a rule, an agency shall consider the written submissions, oral submissions or any memorandum summarizing oral submissions, and any economic impact statement, provided for by this Article III.

(4) Within the scope of its delegated authority, an agency may use its own experience, technical competence, specialized knowledge and judgment in the adoption of a rule.

SECTION 45. Section 25-43-3.107, Mississippi Code of 1972, is brought forward as follows:

25-43-3.107. (1) An agency shall not adopt a rule that differs from the rule proposed in the notice of proposed rule adoption on which the rule is based unless all of the following apply:

(a) The differences are within the scope of the matter announced in the notice of proposed rule adoption and are in character with the issues raised in that notice;

(b) The differences are a logical outgrowth of the contents of that notice of proposed rule adoption and the comments submitted in response thereto; and

(c) The notice of proposed rule adoption provided fair warning that the outcome of that rulemaking proceeding could be the rule in question.

(2) In determining whether the notice of proposed rule adoption provided fair warning that the outcome of that rulemaking proceeding could be the rule in question, an agency shall consider all of the following factors:

(a) The extent to which persons who will be affected by the rule should have understood that the rulemaking proceeding on which it is based could affect their interests;

(b) The extent to which the subject matter of the rule or issues determined by the rule are different from the subject matter or issues contained in the notice of proposed rule adoption; and

(c) The extent to which the effects of the rule differ from the effects of the proposed rule contained in the notice of proposed rule adoption.

SECTION 46. Section 25-43-3.108, Mississippi Code of 1972, is amended as follows:

25-43-3.108. If an agency finds that an imminent peril to the public health, safety or welfare requires adoption of a rule upon fewer than twenty-five (25) days' notice and states in writing its reasons for that finding, it may proceed without prior notice of hearing or upon any abbreviated notice and hearing that it finds practicable to adopt an emergency rule. The rule may be effective for a period of not longer than one hundred twenty (120) days, renewable once for a period not exceeding ninety (90) days, but the adoption of an identical rule under \* \* \* this Article III is not precluded.

SECTION 47. Section 25-43-3.109, Mississippi Code of 1972, is brought forward as follows:

25-43-3.109. (1) Each rule adopted by an agency must contain the text of the rule and:

(a) The date the agency adopted the rule;

(b) An indication of any change between the text of the proposed rule contained in the published notice of proposed rule adoption and the text of the rule as finally adopted, with the reasons for any substantive change;

(c) Any changes to the information contained in the notice of proposed rule adoption as required by subsection (1)(a), (b) or (c) of Section 25-43-3.103;

(d) Any findings required by any provision of law as a prerequisite to adoption or effectiveness of the rule; and

(e) The effective date of the rule if other than that specified in Section 25-43-3.113(1).

(2) To the extent feasible, each rule should be written in clear and concise language understandable to persons who may be affected by it.

(3) An agency may incorporate, by reference in its rules and without publishing the incorporated matter in full, all or any part of a code, standard, rule or regulation that has been adopted by an agency of the United States or of this state, another state or by a nationally recognized organization or association, if incorporation of its text in agency rules would be unduly cumbersome, expensive or otherwise inexpedient. The reference in the agency rules must fully identify the incorporated matter with an appropriate citation. An agency may incorporate by reference such matter in its rules only if the agency, organization or association originally issuing that matter makes copies of it readily available to the public. The rules must state if copies of the incorporated matter are available from the agency issuing the rule or where copies of the incorporated matter are available from the agency of the United States, this state, another state or the organization or association originally issuing that matter.

(4) In preparing its rules pursuant to this Article III, each agency shall follow the uniform numbering system, form and style prescribed by the Secretary of State.

SECTION 48. Section 25-43-3.110, Mississippi Code of 1972, is brought forward as follows:

25-43-3.110. (1) An agency shall maintain an official rule-making record for each rule it (a) proposes or (b) adopts. The agency has the exclusive authority to prepare and exclusive authority to certify the record or any part thereof, including, but not limited to, any transcript of the proceedings, and the agency's certificate shall be accepted by the court and by any other agency. The record must be available for public inspection.

(2) The agency rule-making record must contain:

(a) Copies of all notices of proposed rule-making or oral proceedings or other publications in the administrative bulletin with respect to the rule or the proceeding upon which the rule is based;

(b) Copies of any portions of the agency's public rule-making docket containing entries relating to the rule or the proceeding upon which the rule is based;

(c) All written requests, submissions and comments received by the agency and all other written materials considered by the agency in connection with the formulation, proposal or adoption of the rule or the proceeding upon which the rule is based;

(d) Any official transcript of oral presentations made in the proceeding upon which the rule is based or, if not transcribed, any tape recording or stenographic record of those presentations, and any memorandum prepared by a presiding official summarizing the contents of those presentations. The word "transcript" includes a written transcript, a printed transcript, an audible audiotape or videotape that is indexed and annotated so that it is readily accessible and any other means that the agency may have by rule provided for the reliable and accessible preservation of the proceeding;

(e) A copy of any economic impact statement prepared for the proceeding upon which the rule is based; and

(f) A copy of the rule and related information set out in Section 25-43-3.109 as filed in the Office of the Secretary of State.

(3) The agency shall have authority to engage such persons and acquire such equipment as may be reasonably necessary to record and preserve in any technically and practicably feasible manner all matters and all proceedings had at any rule-making proceeding.

(4) Upon judicial review, the record required by this section constitutes the official agency rule-making record with respect to a rule. Except as otherwise required by a provision of law, the agency rule-making record need not constitute the exclusive basis for agency action on that rule or for judicial review thereof.

SECTION 49. Section 25-43-3.113, Mississippi Code of 1972, is brought forward as follows:

25-43-3.113. (1) Except to the extent subsection (2) or (3) of this section provides otherwise, each rule adopted after July 1, 2005, becomes effective thirty (30) days after its proper filing in the Office of the Secretary of State.

(2) (a) A rule becomes effective on a date later than that established by subsection (1) of this section if a later date is required by another statute or specified in the rule.

(b) A rule may become effective immediately upon its filing or on any subsequent date earlier than that established by subsection (1) of this section if the agency establishes such an effective date and finds that:

(i) It is required by Constitution, statute or court order;

(ii) The rule only confers a benefit or removes a restriction on the public or some segment thereof;

(iii) The rule only delays the effective date of another rule that is not yet effective; or

(iv) The earlier effective date is necessary because of imminent peril to the public health, safety or welfare.

(c) The finding and a brief statement of the reasons therefor required by paragraph (b) of this subsection must be made a part of the rule. In any action contesting the effective date of a rule made effective under paragraph (b) of this subsection, the burden is on the agency to justify its finding.

(d) A temporary rule may become effective immediately upon its filing or on any subsequent date earlier than that established by subsection (1) of this section.

(e) Each agency shall make a reasonable effort to make known to persons who may be affected by it a rule made effective before any date established by subsection (1) of this section.

(3) This section does not relieve an agency from compliance with any provision of law requiring that some or all of its rules be approved by other designated officials or bodies before they become effective.

SECTION 50. Section 27-7-17, Mississippi Code of 1972, is amended as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of this act.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business

purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve

funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly,

indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or

incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

SECTION 51. Section 27-65-111, Mississippi Code of 1972, is amended as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.

(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

The exemption provided in this paragraph (h) shall not apply to medical cannabis sold in accordance with the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol-blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full-line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.

(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;

2. Binder pockets;

3. Binders;

4. Blackboard chalk;

5. Book bags;
6. Calculators;
7. Cellophane tape;
8. Clays and glazes;
9. Compasses;
10. Composition books;
11. Crayons;
12. Dictionaries and thesauruses;
13. Dividers;
14. Erasers;
15. Folders: expandable, pocket, plastic and manila;
16. Glue, paste and paste sticks;
17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;
31. Protractors;
32. Reference books;

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33. Reference maps and globes;
34. Rulers;
35. Scissors;
36. Sheet music;
37. Sketch and drawing pads;
38. Textbooks;
39. Watercolors;
40. Workbooks; and
41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from Kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or

2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Snackpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2022.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

SECTION 52. Section 33-13-520, Mississippi Code of 1972, is amended as follows:

33-13-520. (1) Any person subject to this code who uses, while on duty, any controlled substance listed in the Uniform Controlled Substances Law, not legally prescribed, or is found, by a chemical analysis of such person's blood or urine, to have in his blood, while on duty, any controlled substance described in subsection (3), not legally prescribed, shall be punished as a court-martial may direct.

(2) Any person subject to this code who wrongfully uses, possesses, manufactures, distributes, imports into the customs territory of the United States, exports from the United States, or introduces into an installation, vessel, vehicle or aircraft used by or under the control of the state military forces a substance described in subsection (3) shall be punished as a court-martial may direct.

(3) The substances referred to in subsections (1) and (2) are the following:

(a) Opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, phencyclidine, barbituric acid, and marijuana and any compound or derivative of any such substance. For the purposes of this paragraph (a), "marijuana" shall not include medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

(b) Any substance not specified in paragraph (a) that is listed on a schedule of controlled substance prescribed by the President for the purposes of the federal Uniform Code of Military Justice.

(c) Any other substance not specified in paragraph (a) or contained on a list prescribed by the President under paragraph (b) that is listed in Schedules I through V of Section 202 of the federal Controlled Substances Act (21 USCS 812).

SECTION 53. Section 37-11-29, Mississippi Code of 1972, is amended as follows:

37-11-29. (1) Any principal, teacher or other school employee who has knowledge of any unlawful activity which occurred on educational property or during a school related activity or which may have occurred shall report such activity to the superintendent of the school district or his designee who shall notify the appropriate law enforcement officials as required by this section. In the event of an emergency or if the superintendent or his designee is unavailable, any principal may make a report required under this subsection.

(2) Whenever any person who shall be an enrolled student in any school or educational institution in this state supported in whole or in part by public funds, or who shall be an enrolled student in any private school or educational institution, is arrested for,

and lawfully charged with, the commission of any crime and convicted upon the charge for which he was arrested, or convicted of any crime charged against him after his arrest and before trial, the office or law enforcement department of which the arresting officer is a member, and the justice court judge and any circuit judge or court before whom such student is tried upon said charge or charges, shall make or cause to be made a report thereof to the superintendent or the president or chancellor, as the case may be, of the school district or other educational institution in which such student is enrolled.

If the charge upon which such student was arrested, or any other charges preferred against him are dismissed or nol prossed, or if upon trial he is either convicted or acquitted of such charge or charges, same shall be reported to said respective superintendent or president, or chancellor, as the case may be. A copy of said report shall be sent to the Secretary of the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi, at Jackson, Mississippi.

Said report shall be made within one (1) week after the arrest of such student and within one (1) week after any charge placed against him is dismissed or nol prossed, and within one (1) week after he shall have pled guilty, been convicted, or have been acquitted by trial upon any charge placed against him. This section shall not apply to ordinary traffic violations involving a penalty of less than Fifty Dollars (\$50.00) and costs.

The State Superintendent of Public Education shall gather annually all of the reports provided under this section and prepare a report on the number of students arrested as a result of any unlawful activity which occurred on educational property or during a school related activity. All data must be disaggregated by race, ethnicity, gender, school, offense and law enforcement agency involved. However, the report prepared by the State Superintendent of Public Education shall not include the identity of any student who was arrested.

On or before January 1 of each year, the State Superintendent of Public Education shall report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Joint PEER Committee on this section. The report must include data regarding arrests as a result of any unlawful activity which occurred on educational property or during a school related activity.

(3) When the superintendent or his designee has a reasonable belief that an act has occurred on educational property or during a school related activity involving any of the offenses set forth in subsection (6) of this section, the superintendent or his designee shall immediately report the act to the appropriate local law enforcement agency. For purposes of this subsection, "school property" shall include any public school building, bus, public school campus, grounds, recreational area or athletic field in the charge of the superintendent. The State Board of Education shall prescribe a form for making reports required under this subsection. Any superintendent or his designee who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35.

(4) The law enforcement authority shall immediately dispatch an officer to the educational institution and with probable cause the officer is authorized to make an arrest if necessary as provided in Section 99-3-7.

(5) Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed.

(6) For purposes of this section, "unlawful activity" means any of the following:

(a) Possession or use of a deadly weapon, as defined in Section 97-37-1;

- (b) Possession, sale or use of any controlled substance;
- (c) Aggravated assault, as defined in Section 97-3-7;
- (d) Simple assault, as defined in Section 97-3-7, upon any school employee;
- (e) Rape, as defined under Mississippi law;
- (f) Sexual battery, as defined under Mississippi law;
- (g) Murder, as defined under Mississippi law;
- (h) Kidnapping, as defined under Mississippi law; or
- (i) Fondling, touching, handling, etc., a child for lustful purposes, as defined in Section 97-5-23.

For the purposes of this subsection (6), the term "controlled substance" does not include the possession or use of medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 54. Section 41-3-15, Mississippi Code of 1972, is brought forward as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

(a) To collect and evaluate data on rural health conditions and needs;

(b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;

(c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;

(d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and

(e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

(a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.

(b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.

(c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.

(d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.

(e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.

(f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and

(ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation. However, the department is not authorized to impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars (\$5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

(i) Maternal and child health;

(ii) Family planning;

(iii) Pediatric services;

(iv) Services to crippled and disabled children;

(v) Control of communicable and noncommunicable disease;

(vi) Chronic disease;

(vii) Accidental deaths and injuries;

(viii) Child care licensure;

(ix) Radiological health;

(x) Dental health;

(xi) Milk sanitation;

(xii) Occupational safety and health;

(xiii) Food, vector control and general sanitation;

(xiv) Protection of drinking water;

(xv) Sanitation in food handling establishments open to the public;

(xvi) Registration of births and deaths and other vital events;

(xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and

(xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The

license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars (\$67,000.00) and a monthly fee of Sixty-seven Thousand Dollars (\$67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars (\$250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars (\$50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers. All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

SECTION 55. Section 41-29-125, Mississippi Code of 1972, is amended as follows:

41-29-125. (1) The State Board of Pharmacy may promulgate rules and regulations relating to the registration and control of the manufacture, distribution and dispensing of controlled substances within this state and the distribution and dispensing of controlled substances into this state from an out-of-state location.

(a) Every person who manufactures, distributes or dispenses any controlled substance within this state or who distributes or dispenses any controlled substance into this state from an out-of-state location, or who proposes to engage in the manufacture, distribution or dispensing of any controlled substance within this state or the distribution or dispensing of any controlled substance into this state from an out-of-state location, must obtain a registration issued by the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine, as appropriate, in accordance with its rules and the law of this state. Such registration shall be obtained annually or biennially, as specified by the issuing board, and a reasonable fee may be charged by the issuing board for such registration.

(b) Persons registered by the State Board of Pharmacy, with the consent of the United States Drug Enforcement Administration and the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine to manufacture, distribute, dispense or conduct research with controlled substances may possess, manufacture, distribute, dispense or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this article.

(c) The following persons need not register and may lawfully possess controlled substances under this article:

(1) An agent or employee of any registered manufacturer, distributor or dispenser of any controlled substance if he is acting in the usual course of his business or employment;

(2) A common or contract carrier or warehouse, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

(3) An ultimate user or a person in possession of any controlled substance pursuant to a valid prescription or in lawful possession of a Schedule V substance as defined in Section 41-29-121.

(d) The State Board of Pharmacy may waive by rule the requirement for registration of certain manufacturers, distributors or dispensers if it finds it consistent with the public health and safety.

(e) A separate registration is required at each principal place of business or professional practice where an applicant within the state manufactures, distributes or dispenses controlled substances and for each principal place of business or professional practice located out-of-state from which controlled substances are distributed or dispensed into the state.

(f) The State Board of Pharmacy, the Mississippi Bureau of Narcotics, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing and the Mississippi Board of Veterinary Medicine may inspect the establishment of a registrant or applicant for registration in accordance with the regulations of these agencies as approved by the board.

(2) Whenever a pharmacy ships, mails or delivers any Schedule II controlled substance listed in Section 41-29-115 to a private residence in this state, the pharmacy shall arrange with the entity that will actually deliver the controlled substance to a recipient in this state that the entity will: (a) deliver the controlled substance only to a person who is eighteen (18) years of age or older; and (b) obtain the signature of that person before delivering the controlled substance. The requirements of this subsection shall not apply to a pharmacy serving a nursing facility or to a pharmacy owned and/or operated by a

hospital, nursing facility or clinic to which the general public does not have access to purchase pharmaceuticals on a retail basis.

(3) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 56. Section 41-29-127, Mississippi Code of 1972, is amended as follows:

41-29-127. (a) The State Board of Pharmacy shall register an applicant to manufacture or distribute controlled substances included in Sections 41-29-113 through 41-29-121 unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the State Board of Pharmacy shall consider the following factors:

(1) Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;

(2) Compliance with applicable state and local law;

(3) Any convictions of the applicant under any federal and state laws relating to any controlled substance;

(4) Past experience in the manufacture or distribution of controlled substances and the existence in the applicant's establishment of effective controls against diversion;

(5) Furnishing by the applicant of false or fraudulent material in any application filed under this article;

(6) Suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

(7) Any other factors relevant to and consistent with the public health and safety.

(b) Registration under subsection (a) does not entitle a registrant to manufacture and distribute controlled substances in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than those specified in the registration.

(c) Practitioners must be registered to dispense any controlled substances or to conduct research with controlled substances in Schedules II through V, as set out in Sections 41-29-115 through 41-29-121, if they are authorized to dispense or conduct research under the law of this state. The State Board of Pharmacy need not require separate registration under this section for practitioners engaging in research with nonnarcotic controlled substances in the said Schedules II through V where the registrant is already registered therein in another capacity. Practitioners registered under federal law to conduct research with Schedule I substances, as set out in Section 41-29-113, may conduct research with Schedule I substances within this state upon furnishing the State Board of Health evidence of that federal registration.

(d) Compliance by manufacturers and distributors with the provisions of the federal law respecting registration (excluding fees) entitles them to be registered under this article.

(e) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 57. Section 41-29-136, Mississippi Code of 1972, is amended as follows:

41-29-136. (1) "CBD solution" means a pharmaceutical preparation consisting of processed cannabis plant extract in oil or other suitable vehicle.

(2) (a) CBD solution prepared from (i) cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi under appropriate federal and state regulatory approvals, or (ii) cannabis extract from hemp produced pursuant to Sections 69-25-201 through 69-25-221, which is prepared and tested to meet compliance with regulatory specifications, may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the state under appropriate federal and state regulatory approvals and registrations.

(b) The patient or the patient's parent, guardian or custodian must execute a hold-harmless agreement that releases from liability the state and any division, agency, institution or employee thereof involved in the research, cultivation, processing, formulating, dispensing, prescribing or administration of CBD solution obtained from entities authorized under this section to produce or possess cannabidiol for research under appropriate federal and state regulatory approvals and registrations.

(c) The National Center for Natural Products Research at the University of Mississippi and the Mississippi Agricultural and Forestry Experiment Station at Mississippi State University are the only entities authorized to produce cannabis plants for cannabidiol research.

(d) Research of CBD solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as they are applicable. Authorized entities may enter into public-private partnerships to facilitate research.

(3) (a) In a prosecution for the unlawful possession of marijuana under the laws of this state, it is an affirmative and complete defense to prosecution that:

(i) The defendant suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section; or

(ii) The defendant is the parent, guardian or custodian of an individual who suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section.

(b) An agency of this state or a political subdivision thereof, including any law enforcement agency, may not initiate proceedings to remove a child from the home based solely upon the possession or use of CBD solution by the child or parent, guardian or custodian of the child as authorized under this section.

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD solution shall not be subject to prosecution for unlawful possession,

use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

(4) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

( \*\* \*5) This section shall be known as "Harper Grace's Law."

( \*\* \*6) This section shall stand repealed from and after July 1, 2024.

SECTION 58. Section 41-29-137, Mississippi Code of 1972, is amended as follows:

41-29-137. (a) (1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II, as set out in Section 41-29-115, may be dispensed without the written valid prescription of a practitioner. A practitioner shall keep a record of all controlled substances in Schedule I, II and III administered, dispensed or professionally used by him otherwise than by prescription.

(2) In emergency situations, as defined by rule of the State Board of Pharmacy, Schedule II drugs may be dispensed upon the oral valid prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of Section 41-29-133. No prescription for a Schedule II substance may be refilled unless renewed by prescription issued by a licensed medical doctor.

(b) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or IV, as set out in Sections 41-29-117 and 41-29-119, shall not be dispensed without a written or oral valid prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(c) A controlled substance included in Schedule V, as set out in Section 41-29-121, shall not be distributed or dispensed other than for a medical purpose.

(d) An optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 shall be authorized to prescribe oral analgesic controlled substances in Schedule IV or V, as pertains to treatment and management of eye disease by written prescription only.

(e) Administration by injection of any pharmaceutical product authorized in this section is expressly prohibited except when dispensed directly by a practitioner other than a pharmacy.

(f) (1) For the purposes of this article, Title 73, Chapter 21, and Title 73, Chapter 25, Mississippi Code of 1972, as it pertains to prescriptions for controlled substances, a "valid prescription" means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by:

(A) A practitioner who has conducted at least one (1) in-person medical evaluation of the patient, except as otherwise authorized by Section 41-29-137.1; or

(B) A covering practitioner.

(2) (A) "In-person medical evaluation" means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

(B) "Covering practitioner" means a practitioner who conducts a medical evaluation other than an in-person medical evaluation at the request of a practitioner who has conducted at least one (1) in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within the previous twenty-four (24) months and who is temporarily unavailable to conduct the evaluation of the patient.

(3) A prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire is not a valid prescription.

(4) Nothing in this subsection (f) shall apply to:

(A) A prescription issued by a practitioner engaged in the practice of telemedicine as authorized under state or federal law; or

(B) The dispensing or selling of a controlled substance pursuant to practices as determined by the United States Attorney General by regulation.

(g) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 59. Section 41-29-139, Mississippi Code of 1972, is amended as follows:

41-29-139. (a) Transfer and possession with intent to transfer. Except as authorized by this article, it is unlawful for any person knowingly or intentionally:

(1) To sell, barter, transfer, manufacture, distribute, dispense or possess with intent to sell, barter, transfer, manufacture, distribute or dispense, a controlled substance; or

(2) To create, sell, barter, transfer, distribute, dispense or possess with intent to create, sell, barter, transfer, distribute or dispense, a counterfeit substance.

(b) Punishment for transfer and possession with intent to transfer. Except as otherwise provided in Section 41-29-142, any person who violates subsection (a) of this section shall be, if convicted, sentenced as follows:

(1) For controlled substances classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than marijuana or synthetic cannabinoids:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than five (5) years nor more than thirty (30) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) For marijuana:

1. If thirty (30) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than thirty (30) grams but less than two hundred fifty (250) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(B) For synthetic cannabinoids:

1. If ten (10) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than ten (10) grams but less than twenty (20) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(3) For controlled substances classified in Schedules III and IV, as set out in Sections 41-29-117 and 41-29-119:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both;

(D) If thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(4) For controlled substances classified in Schedule V, as set out in Section 41-29-121:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than one (1) year or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than ten (10) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both;

(D) For thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(c) Simple possession. Except as otherwise provided under subsection (i) of this section for actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder, it is unlawful for any person knowingly or intentionally to possess any controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this article. The penalties for any violation of this subsection (c) with respect to a controlled substance classified in Schedules I, II, III, IV or V, as set out in Section 41-29-113, 41-29-115, 41-29-117, 41-29-119 or 41-29-121, including marijuana or synthetic cannabinoids, shall be based on dosage unit as defined herein or the weight of the controlled substance as set forth herein as appropriate:

"Dosage unit (d.u.);" means a tablet or capsule, or in the case of a liquid solution, one (1) milliliter. In the case of lysergic acid diethylamide (LSD) the term, "dosage unit" means a stamp, square, dot, microdot, tablet or capsule of a controlled substance.

For any controlled substance that does not fall within the definition of the term "dosage unit," the penalties shall be based upon the weight of the controlled substance.

The weight set forth refers to the entire weight of any mixture or substance containing a detectable amount of the controlled substance.

If a mixture or substance contains more than one (1) controlled substance, the weight of the mixture or substance is assigned to the controlled substance that results in the greater punishment.

A person shall be charged and sentenced as follows for a violation of this subsection with respect to:

(1) A controlled substance classified in Schedule I or II, except marijuana and synthetic cannabinoids:

(A) If less than one-tenth (0.1) gram or two (2) dosage units, the violation is a misdemeanor and punishable by imprisonment for not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If one-tenth (0.1) gram or more or two (2) or more dosage units, but less than two (2) grams or ten (10) dosage units, by imprisonment for not more than three (3) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(C) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(D) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) Marijuana and synthetic cannabinoids:

1. If thirty (30) grams or less of marijuana or ten (10) grams or less of synthetic cannabinoids, by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00). The provisions of this paragraph (2)(A) may be enforceable by summons if the offender provides proof of identity satisfactory to the arresting officer and gives written promise to appear in court satisfactory to the arresting officer, as directed by the summons. A second conviction under this section within two (2) years is a misdemeanor punishable by a fine of Two Hundred Fifty Dollars (\$250.00), not more than sixty (60) days in the county jail, and mandatory participation in a drug education program approved by the Division of Alcohol and Drug Abuse of the State Department of Mental Health, unless the court enters a written finding that a drug education program is inappropriate. A third or subsequent conviction under this paragraph (2)(A) within two (2) years is a misdemeanor punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) and confinement for not more than six (6) months in the county jail.

Upon a first or second conviction under this paragraph (2)(A), the courts shall forward a report of the conviction to the Mississippi Bureau of Narcotics which shall make and maintain a private, nonpublic record for a period not to exceed two (2) years from the date of conviction. The private, nonpublic record shall be solely for the use of the courts in determining the penalties which attach upon conviction under this paragraph (2)(A) and shall not constitute a criminal record for the purpose of private or administrative inquiry and the record of each conviction shall be expunged at the end of the period of two (2) years following the date of such conviction;

2. Additionally, a person who is the operator of a motor vehicle, who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers, more than one (1) gram, but not more than thirty (30) grams of marijuana or not more than ten (10) grams of synthetic cannabinoids is guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or confined for not more than ninety (90) days in the county jail, or both. For the purposes of this subsection, such area of the vehicle shall not include the trunk of the motor vehicle or the areas not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers \* \* \*.

(B) Marijuana:

1. If more than thirty (30) grams but less than two hundred fifty (250) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If one (1) kilogram or more but less than five (5) kilograms, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both;

5. If five (5) kilograms or more, by imprisonment for not less than ten (10) years nor more than thirty (30) years or a fine of not more than One Million Dollars (\$1,000,000.00), or both.

(C) Synthetic cannabinoids:

1. If more than ten (10) grams but less than twenty (20) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If two hundred (200) or more grams, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(3) A controlled substance classified in Schedule III, IV or V as set out in Sections 41-29-117 through 41-29-121, upon conviction, may be punished as follows:

(A) If less than fifty (50) grams or less than one hundred (100) dosage units, the offense is a misdemeanor and punishable by not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If fifty (50) or more grams or one hundred (100) or more dosage units, but less than one hundred fifty (150) grams or five hundred (500) dosage units, by imprisonment for not less than one (1) year nor more than four (4) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(C) If one hundred fifty (150) or more grams or five hundred (500) or more dosage units, but less than three hundred (300) grams or one thousand (1,000) dosage units, by imprisonment for not less than two (2) years nor more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(D) If three hundred (300) or more grams or one thousand (1,000) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(d) Paraphernalia. (1) Except as otherwise provided under subsection (i) of this section for actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder, it is unlawful for a person who

is not authorized by the State Board of Medical Licensure, State Board of Pharmacy, or other lawful authority to use, or to possess with intent to use, paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Any person who violates this subsection (d)(1) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both; however, no person shall be charged with a violation of this subsection when such person is also charged with the possession of thirty (30) grams or less of marijuana under subsection (c)(2)(A) of this section.

(2) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Except as provided in subsection (d)(3), a person who violates this subsection (d)(2) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(3) Any person eighteen (18) years of age or over who violates subsection (d)(2) of this section by delivering or selling paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as paraphernalia. Any person who violates this subsection is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(e) It shall be unlawful for any physician practicing medicine in this state to prescribe, dispense or administer any amphetamine or amphetamine-like anorectics and/or central nervous system stimulants classified in Schedule II, pursuant to Section 41-29-115, for the exclusive treatment of obesity, weight control or weight loss. Any person who violates this subsection, upon conviction, is guilty of a misdemeanor and may be confined for a period not to exceed six (6) months, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(f) Trafficking. (1) Any person trafficking in controlled substances shall be guilty of a felony and, upon conviction, shall be imprisoned for a term of not less than ten (10) years nor more than forty (40) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The ten-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(2) "Trafficking in controlled substances" as used herein means:

(A) A violation of subsection (a) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(B) A violation of subsection (a) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance;

(C) A violation of subsection (c) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(D) A violation of subsection (c) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance; or

(E) A violation of subsection (a) of this section involving one (1) kilogram or more of marijuana or two hundred (200) grams or more of synthetic cannabinoids.

(g) Aggravated trafficking. Any person trafficking in Schedule I or II controlled substances, except marijuana and synthetic cannabinoids, of two hundred (200) grams or more shall be guilty of aggravated trafficking and, upon conviction, shall be sentenced to a term of not less than twenty-five (25) years nor more than life in prison and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The twenty-five-year sentence shall be a mandatory sentence and shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(h) Sentence mitigation. (1) Notwithstanding any provision of this section, a person who has been convicted of an offense under this section that requires the judge to impose a prison sentence which cannot be suspended or reduced and is ineligible for probation or parole may, at the discretion of the court, receive a sentence of imprisonment that is no less than twenty-five percent (25%) of the sentence prescribed by the applicable statute. In considering whether to apply the departure from the sentence prescribed, the court shall conclude that:

(A) The offender was not a leader of the criminal enterprise;

(B) The offender did not use violence or a weapon during the crime;

(C) The offense did not result in a death or serious bodily injury of a person not a party to the criminal enterprise; and

(D) The interests of justice are not served by the imposition of the prescribed mandatory sentence.

The court may also consider whether information and assistance were furnished to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who violate this subsection. The accused shall have adequate opportunity to develop and make a record of all information and assistance so furnished.

(2) If the court reduces the prescribed sentence pursuant to this subsection, it must specify on the record the circumstances warranting the departure.

(i) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 60. Section 41-29-141, Mississippi Code of 1972, is amended as follows:

41-29-141. It is unlawful for any person:

(1) Who is subject to Section 41-29-125 to distribute or dispense a controlled substance in violation of Section 41-29-137;

(2) Who is a registrant under Section 41-29-125 to manufacture a controlled substance not authorized by his registration, or to distribute or dispense a controlled substance not authorized by his registration to another registrant or other authorized person;

(3) To refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this article;

(4) To refuse a lawful entry into any premises for any inspection authorized by this article; or

(5) Knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this article for the purpose of using these substances, or which is used for keeping or selling them in violation of this article.

Any person who violates this section shall, with respect to such violation, be subject to a civil penalty payable to the State of Mississippi of not more than Twenty-five Thousand Dollars (\$25,000.00).

In addition to the civil penalty provided in the preceding paragraph, any person who knowingly or intentionally violates this section shall be guilty of a crime and upon conviction thereof may be confined for a period of not more than one (1) year or fined not more than One Thousand Dollars (\$1,000.00), or both.

This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 61. Section 41-29-143, Mississippi Code of 1972, is amended as follows:

41-29-143. It is unlawful for any person knowingly or intentionally:

(1) To distribute as a registrant a controlled substance classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, except pursuant to an order form as required by Section 41-29-135;

(2) To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person \* \* \*;

(3) To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this article, or any record required to be kept by this article; or

(4) To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render the drug a counterfeit substance.

Any person who violates this section is guilty of a crime and upon conviction may be confined for not more than one (1) year or fined not more than One Thousand Dollars

(\$1,000.00) or both. This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 62. Section 43-21-301, Mississippi Code of 1972, is amended as follows:

43-21-301. (1) No court other than the youth court shall issue an arrest warrant or custody order for a child in a matter in which the youth court has exclusive original jurisdiction but shall refer the matter to the youth court.

(2) Except as otherwise provided, no child in a matter in which the youth court has exclusive original jurisdiction shall be taken into custody by a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any other person unless the judge or his designee has issued a custody order to take the child into custody.

(3) The judge or his designee may require a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any suitable person to take a child into custody for a period not longer than forty-eight (48) hours, excluding Saturdays, Sundays, and statutory state holidays.

(a) Custody orders under this subsection may be issued if it appears that there is probable cause to believe that:

(i) The child is within the jurisdiction of the court;

(ii) Custody is necessary because of any of the following reasons: the child is in danger of a significant risk of harm, any person would be in danger of a significant risk of harm by the child, to ensure the child's attendance in court at such time as required, or a parent, guardian or custodian is not available to provide for the care and supervision of the child; and

(iii) There is no reasonable alternative to custody.

A finding of probable cause under this subsection (3)(a) shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act; however, a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subsection (3)(a) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody.

(b) Custody orders under this subsection shall be written. In emergency cases, a judge or his designee may issue an oral custody order, but the order shall be reduced to writing within forty-eight (48) hours of its issuance.

(c) Each youth court judge shall develop and make available to law enforcement a list of designees who are available after hours, on weekends and on holidays.

(4) The judge or his designee may order, orally or in writing, the immediate release of any child in the custody of any person or agency. Except as otherwise provided in subsection (3) of this section, custody orders as provided by this chapter and authorizations of temporary custody may be written or oral, but, if oral, reduced to writing within forty-eight (48) hours, excluding Saturdays, Sundays and statutory state holidays. The written order shall:

(a) Specify the name and address of the child, or, if unknown, designate him or her by any name or description by which he or she can be identified with reasonable certainty;

(b) Specify the age of the child, or, if unknown, that he or she is believed to be of an age subject to the jurisdiction of the youth court;

(c) Except in cases where the child is alleged to be a delinquent child or a child in need of supervision, state that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), also state that (i) reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or (ii) the circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody. If the court makes a finding in accordance with (ii) of this paragraph, the court shall order that reasonable efforts be made toward the reunification of the child with his or her family;

(d) State that the child shall be brought immediately before the youth court or be taken to a place designated by the order to be held pending review of the order;

(e) State the date issued and the youth court by which the order is issued;  
and

(f) Be signed by the judge or his designee with the title of his office.

(5) The taking of a child into custody shall not be considered an arrest except for evidentiary purposes.

(6) (a) No child who has been accused or adjudicated of any offense that would not be a crime if committed by an adult shall be placed in an adult jail or lockup. An accused status offender shall not be held in secure detention longer than twenty-four (24) hours prior to and twenty-four (24) hours after an initial court appearance, excluding Saturdays, Sundays and statutory state holidays, except under the following circumstances: a status offender may be held in secure detention for violating a valid court order pursuant to the criteria as established by the federal Juvenile Justice and Delinquency Prevention Act of 2002, and any subsequent amendments thereto, and out-of-state runaways may be detained pending return to their home state.

(b) No accused or adjudicated juvenile offender, except for an accused or adjudicated juvenile offender in cases where jurisdiction is waived to the adult criminal court, shall be detained or placed into custody of any adult jail or lockup for a period in excess of six (6) hours.

(c) If any county violates the provisions of paragraph (a) or (b) of this subsection, the state agency authorized to allocate federal funds received pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974, 88 Stat. 2750 (codified in scattered Sections of 5, 18, 42 USCS), shall withhold the county's share of such funds.

(d) Any county that does not have a facility in which to detain its juvenile offenders in compliance with the provisions of paragraphs (a) and (b) of this subsection may enter into a contractual agreement to detain or place into custody the juvenile offenders of that county with any county or municipality that does have such a facility, or with the State of Mississippi, or with any private entity that maintains a juvenile correctional facility.

(e) Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of this subsection, all counties shall be allowed a one-year grace period from March 27, 1993, to comply with the provisions of this subsection.

SECTION 63. Section 43-21-303, Mississippi Code of 1972, is amended as follows:

43-21-303. (1) No child in a matter in which the youth court has original exclusive jurisdiction shall be taken into custody by any person without a custody order except that:

(a) A law enforcement officer may take a child in custody if:

(i) Grounds exist for the arrest of an adult in identical circumstances;

and

(ii) Such law enforcement officer has probable cause to believe that custody is necessary as defined in Section 43-21-301; and

(iii) Such law enforcement officer can find no reasonable alternative to custody; or

(b) A law enforcement officer or an agent of the Department of Child Protection Services or the Department of Human Services may take a child into immediate custody if:

(i) There is probable cause to believe that the child is in immediate danger of personal harm; however, probable cause shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act, but a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subparagraph (i) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and

(ii) There is probable cause to believe that immediate custody is necessary as set forth in Section 43-21-301(3); and

(iii) There is no reasonable alternative to custody; and

(c) Any other person may take a child into custody if grounds exist for the arrest of an adult in identical circumstances. Such other person shall immediately surrender custody of the child to the proper law enforcement officer who shall thereupon continue custody only as provided in subsection (1)(a) of this section.

(2) When it is necessary to take a child into custody, the least restrictive custody should be selected.

(3) Unless the child is immediately released, the person taking the child into custody shall immediately notify the judge or his designee. A person taking a child into custody shall also make continuing reasonable efforts to notify the child's parent, guardian or custodian and invite the parent, guardian or custodian to be present during any questioning.

(4) A child taken into custody shall not be held in custody for a period longer than reasonably necessary, but not to exceed twenty-four (24) hours, and shall be released to his parent, guardian or custodian unless the judge or his designee authorizes temporary custody.

SECTION 64. Section 45-9-101, Mississippi Code of 1972, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance, except as provided in subsection (25) of this section. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.

(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or

(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver;

(d) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned or without having been expunged for same;

(e) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or been found guilty of a crime under the provisions of the Uniform Controlled Substances Law or similar laws of any other state or the United States relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself;

(h) Has not been adjudicated mentally incompetent, or has waited five (5) years from the date of his restoration to capacity by court order;

(i) Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility unless he possesses a certificate from a psychiatrist licensed in this state that he has not suffered from disability for a period of five (5) years;

(j) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled;

(k) Is not a fugitive from justice; and

(l) Is not disqualified to possess a weapon based on federal law.

(3) The Department of Public Safety may deny a license if the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted, or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;

(f) A conspicuous warning that the application is executed under oath and that a knowingly false answer to any question, or the knowing submission of any false document by the applicant, subjects the applicant to criminal prosecution; and

(g) A statement that the applicant desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself.

(5) The applicant shall submit only the following to the Department of Public Safety:

(a) A completed application as described in subsection (4) of this section;

(b) A full-face photograph of the applicant taken within the preceding thirty (30) days in which the head, including hair, in a size as determined by the Department of Public Safety, except that an applicant who is younger than twenty-one (21) years of age must submit a photograph in profile of the applicant;

(c) A nonrefundable license fee of Eighty Dollars (\$80.00). Costs for processing the set of fingerprints as required in paragraph (d) of this subsection shall be borne by the applicant. Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States, and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of application for the license, shall be exempt from the payment of the license fee;

(d) A full set of fingerprints of the applicant administered by the Department of Public Safety; and

(e) A waiver authorizing the Department of Public Safety access to any records concerning commitments of the applicant to any of the treatment facilities or institutions referred to in subsection (2) of this section and permitting access to all the applicant's criminal records.

(6) (a) The Department of Public Safety, upon receipt of the items listed in subsection (5) of this section, shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing.

(b) The Department of Public Safety shall forward a copy of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence. The sheriff of the applicant's county of residence, and, if applicable, the police chief of the applicant's municipality of residence may, at his discretion, participate in the process by submitting a voluntary report to the Department of Public Safety containing any readily discoverable prior information that he feels may be pertinent to the licensing of any applicant. The reporting shall be made within thirty (30) days after the date he receives the copy of the application. Upon receipt of a response from a sheriff or police chief, such sheriff or police chief shall be reimbursed at a rate set by the department.

(c) The Department of Public Safety shall, within forty-five (45) days after the date of receipt of the items listed in subsection (5) of this section:

(i) Issue the license;

(ii) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsections (2) and (3) of this section. If the Department of Public Safety denies the application, it shall notify the applicant in writing, stating the ground for denial, and the denial shall be subject to the appeal process set forth in subsection (7); or

(iii) Notify the applicant that the department is unable to make a determination regarding the issuance or denial of a license within the forty-five-day period prescribed by this subsection, and provide an estimate of the amount of time the department will need to make the determination.

(d) In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(7) (a) If the Department of Public Safety denies the issuance of a license, or suspends or revokes a license, the party aggrieved may appeal such denial, suspension or revocation to the Commissioner of Public Safety, or his authorized agent, within thirty (30) days after the aggrieved party receives written notice of such denial, suspension or revocation. The Commissioner of Public Safety, or his duly authorized agent, shall rule upon such appeal within thirty (30) days after the appeal is filed and failure to rule within this thirty-day period shall constitute sustaining such denial, suspension or revocation. Such review shall be conducted pursuant to such reasonable rules and regulations as the Commissioner of Public Safety may adopt.

(b) If the revocation, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to paragraph (a) of this subsection, the aggrieved party may file within ten (10) days after the rendition of such decision a petition in the circuit or county court of his residence for review of such decision. A hearing for review shall be held and shall proceed before the court without a jury upon the record made at the hearing before the Commissioner of Public Safety or his duly authorized agent. No such party shall be allowed to carry a stun gun, concealed pistol or revolver pursuant to the provisions of this section while any such appeal is pending.

(8) The Department of Public Safety shall maintain an automated listing of license holders and such information shall be available online, upon request, at all times, to all law enforcement agencies through the Mississippi Crime Information Center. However, the records of the department relating to applications for licenses to carry stun guns, concealed pistols or revolvers and records relating to license holders shall be exempt from the provisions of the Mississippi Public Records Act of 1983, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records.

(9) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license lost or destroyed, the licensee shall notify the Department of Public Safety in writing of such change or loss. Failure to notify the Department of Public Safety pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by a summons.

(10) In the event that a stun gun, concealed pistol or revolver license is lost or destroyed, the person to whom the license was issued shall comply with the provisions of subsection (9) of this section and may obtain a duplicate, or substitute thereof, upon payment of Fifteen Dollars (\$15.00) to the Department of Public Safety, and furnishing a notarized statement to the department that such license has been lost or destroyed.

(11) A license issued under this section shall be revoked if the licensee becomes ineligible under the criteria set forth in subsection (2) of this section.

(12) (a) Except as provided in subsection (25) of this section, no less than ninety (90) days prior to the expiration date of the license, the Department of Public Safety shall mail to each licensee a written notice of the expiration and a renewal form prescribed by the department. The licensee must renew his license on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3) of this section, and a full set of fingerprints administered by the Department of Public Safety or the sheriff of the county of residence of the licensee. The first renewal may be processed by mail and the subsequent renewal must be made in person. Thereafter every other renewal may be processed by mail to assure that the applicant must appear in person every ten (10) years for the purpose of obtaining a new photograph.

(i) Except as provided in this subsection, a renewal fee of Forty Dollars (\$40.00) shall also be submitted along with costs for processing the fingerprints;

(ii) Honorably retired law enforcement officers, disabled veterans, active duty members of the Armed Forces of the United States and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by

federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section.

(a) The Commissioner of Public Safety shall promulgate rules and regulations to provide licenses to law enforcement officers as defined in Section 45-6-3 who choose to obtain a license under the provisions of this section, which shall include a distinction that the officer is an "active duty" law enforcement officer and an endorsement that such officer is authorized to carry in the locations listed in subsection (13). A law enforcement officer shall provide the following information to receive the license described in this subsection: (i) a letter, with the official letterhead of the agency or department for which the officer is employed at the time of application and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(b) The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.

(18) Nothing in this section shall be construed to require or allow the registration, documentation or providing of serial numbers with regard to any stun gun or firearm.

(19) Any person holding a valid unrevoked and unexpired license to carry stun guns, concealed pistols or revolvers issued in another state shall have such license recognized by this state to carry stun guns, concealed pistols or revolvers. The Department of Public Safety is authorized to enter into a reciprocal agreement with another state if that state requires a written agreement in order to recognize licenses to carry stun guns, concealed pistols or revolvers issued by this state.

(20) The provisions of this section shall be under the supervision of the Commissioner of Public Safety. The commissioner is authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

(21) For the purposes of this section, the term "stun gun" means a portable device or weapon from which an electric current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) unless the licensee chooses to have this license combined with a driver's license or identification card under subsection (25) of this section, that the license itself have a red background to distinguish it from other licenses issued under this section.

(b) An honorably retired law enforcement officer and honorably retired correctional officer shall provide the following information to receive the license described in this section: (i) a letter, with the official letterhead of the agency or department from which such officer is retiring, which explains that such officer is honorably retired, and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a veterans health services identification card issued by the United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section. However, the medical use of medical cannabis by a cardholder who is a registered qualifying patient which is lawful under the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not disqualify a person under this subsection (24) solely because the person is prohibited from possessing a firearm under 18 USCS Section 922(g)(3) due to such medical use of medical cannabis.

(25) An applicant for a license under this section shall have the option of, instead of being issued a separate card for the license, having the license appear as a notation on the individual's driver's license or identification card. If the applicant chooses this option, the license issued under this section shall have the same expiration date as the driver's license or identification card, and renewal shall take place at the same time and place as renewal of the driver's license or identification card. The Commissioner of Public Safety shall have the authority to promulgate rules and regulations which may be necessary to ensure the effectiveness of the concurrent application and renewal processes.

SECTION 65. Section 59-23-7, Mississippi Code of 1972, is amended as follows:

59-23-7. (1) It is unlawful for any person to operate a watercraft on the public waters of this state who:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance which has impaired such person's ability to operate a watercraft; or

(c) Has eight one-hundredths percent (.08%) or more by weight volume of alcohol in the person's blood based upon milligrams of alcohol per one hundred (100) cubic centimeters of blood as shown by a chemical analysis of such person's breath, blood or urine administered as authorized by this chapter.

(2) (a) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 59-23-5 were given, or where chemical test results are not available, such person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than twenty-four (24) hours in jail, or both; and the court shall order such person to attend and complete a boating safety education course developed by the Department of Wildlife, Fisheries and Parks.

(b) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Dollars (\$1,000.00) and shall be imprisoned not less than forty-eight (48) consecutive hours nor more than one (1) year or sentenced to community service work for not less than ten (10) days nor more than one (1) year. The court shall order the person not to operate a watercraft for one (1) year.

(c) For any third conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be fined not less than Eight Hundred Dollars (\$800.00) nor more than One Thousand Dollars (\$1,000.00) and shall be imprisoned not less than thirty (30) days nor more than one (1) year. The court shall order the person not to operate a watercraft for two (2) years.

(d) Any fourth or subsequent violation of subsection (1) of this section shall be a felony offense and, upon conviction, the offenses being committed within a period of five (5) years, the person shall be fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00) and shall be imprisoned not less than ninety (90) days nor more than five (5) years in the custody of the Department of Corrections. The court shall order the person not to operate a watercraft for three (3) years.

(3) Any person convicted of operating any watercraft in violation of subsection (1) of this section where the person (a) refused a law enforcement officer's request to submit to a chemical test, or (b) was unconscious at the time of a chemical test and refused to consent to the introduction of the results of such test in any prosecution, shall be punished consistent with the penalties prescribed herein for persons submitting to the test and the court shall order the person not to operate a watercraft for the time periods specified in subsection (2) of this section.

(4) Any person who operates any watercraft in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other member or limb of another shall, upon conviction, be guilty of a felony and shall be committed to the custody of the Department of Corrections for a period of time not to exceed ten (10) years.

(5) Upon conviction of any violation of subsection (1) of this section, the judge shall cause a copy of the citation and any other pertinent documents concerning the conviction to be sent immediately to the Mississippi Department of Wildlife, Fisheries and Parks and the Department of Marine Resources. A copy of the citation or other pertinent documents, having been attested as true and correct by the Director of the Mississippi Department of Wildlife, Fisheries and Parks, or his designee, or the Director of the Department of Marine Resources, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section.

(6) The provisions of this section are fully applicable to any person who is under the influence of medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder which has impaired the person's ability to operate a watercraft.

SECTION 66. Section 63-11-30, Mississippi Code of 1972, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), shall

be imprisoned not less than five (5) days nor more than six (6) months and sentenced to community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero Tolerance for Minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars (\$250.00); the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars (\$500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars (\$1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) Every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one- \* \* \* hundredths percent (.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock

restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars (\$10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

(ii) Who did not refuse to submit to a test of his blood or breath;

(iii) Whose blood alcohol concentration tested below sixteen one-hundredths percent (.16%) if test results are available;

(iv) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(v) Who has provided the court with justification as to why the conviction should be expunged; and

(vi) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

(15) The provisions of this section are fully applicable to any person who is under the influence of medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder which has impaired the person's ability to operate a motor vehicle.

SECTION 67. Section 71-3-7, Mississippi Code of 1972, is amended as follows:

71-3-7. (1) Compensation shall be payable for disability or death of an employee from injury or occupational disease arising out of and in the course of employment, without regard to fault as to the cause of the injury or occupational disease. An occupational disease shall be deemed to arise out of and in the course of employment when there is evidence that there is a direct causal connection between the work performed and the occupational disease. In all claims in which no benefits, including disability, death and medical benefits, have been paid, the claimant shall file medical records in support of his claim for benefits when filing a petition to controvert. If the claimant is unable to file the medical records in support of his claim for benefits at the time of filing the petition to controvert because of a limitation of time established by Section 71-3-35 or Section 71-3-53, the claimant shall file medical records in support of his claim within sixty (60) days after filing the petition to controvert.

(2) Where a preexisting physical handicap, disease, or lesion is shown by medical findings to be a material contributing factor in the results following injury, the compensation which, but for this subsection, would be payable shall be reduced by that proportion which such preexisting physical handicap, disease, or lesion contributed to the production of the results following the injury. The preexisting condition does not have to be occupationally disabling for this apportionment to apply.

(3) The following provisions shall apply to subsections (1) and (2) of this section:

(a) Apportionment shall not be applied until the claimant has reached maximum medical recovery.

(b) The employer or carrier does not have the power to determine the date of maximum medical recovery or percentage of apportionment. This must be done by the attorney-referee, subject to review by the commission as the ultimate finder of fact.

(c) After the date the claimant reaches maximum medical recovery, weekly compensation benefits and maximum recovery shall be reduced by that proportion which the preexisting physical handicap, disease, or lesion contributes to the results following injury.

(d) If maximum medical recovery has occurred before the hearing and order of the attorney-referee, credit for excess payments shall be allowed in future payments. Such allowances and method of accomplishment of the same shall be determined by the attorney-referee, subject to review by the commission. However, no actual repayment of such excess shall be made to the employer or carrier.

(4) No compensation shall be payable if the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or intoxication due to the use of alcohol of the employee was the proximate cause of the injury, or if it was the willful intention of the employee to injure or kill himself or another.

(5) Every employer to whom this chapter applies shall be liable for and shall secure the payment to his employees of the compensation payable under its provisions.

(6) In the case of an employer who is a subcontractor, the contractor shall be liable for and shall secure the payment of such compensation to employees of the subcontractor, unless the subcontractor has secured such payment.

SECTION 68. Section 71-3-121, Mississippi Code of 1972, is amended as follows:

71-3-121. (1) In the event that an employee sustains an injury at work or asserts a work-related injury, the employer shall have the right to administer drug and alcohol testing or require that the employee submit himself to drug and alcohol testing. If the

employee has a positive test indicating the presence, at the time of injury, of any drug illegally used or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or eight one-hundredths percent (.08%) or more by weight volume of alcohol in the person's blood, it shall be presumed that the proximate cause of the injury was the use of a drug illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol by the employee. If the employee refuses to submit himself to drug and alcohol testing immediately after the alleged work-related injury, then it shall be presumed that the employee was using a drug illegally, or was using a valid prescription medication(s) contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or was intoxicated due to the use of alcohol at the time of the accident and that the proximate cause of the injury was the use of a drug illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol of the employee. The burden of proof will then be placed upon the employee to prove that the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or intoxication due to the use of alcohol was not a contributing cause of the accident in order to defeat the defense of the employer provided under Section 71-3-7.

(2) The results of the drug and alcohol tests, employer-administered or otherwise, shall be considered admissible evidence solely on the issue of causation in the determination of the use of drugs illegally, or the use of a valid prescription medication(s) taken contrary to the prescriber's instructions and/or contrary to label warnings, or the use of medical cannabis in accordance with the Mississippi Medical Cannabis Act and rules and regulations adopted thereunder, or the intoxication due to the use of alcohol of an employee at the time of injury for workers' compensation purposes under Section 71-3-7.

(3) No cause of action for defamation of character, libel, slander or damage to reputation arises in favor of any person against an employer under the provisions of this section.

SECTION 69. Section 73-15-29, Mississippi Code of 1972, is amended as follows:

73-15-29. (1) The board shall have power to revoke, suspend or refuse to renew any license issued by the board, or to revoke or suspend any privilege to practice, or to deny an application for a license, or to fine, place on probation and/or discipline a licensee, in any manner specified in this article, upon proof that such person:

(a) Has committed fraud or deceit in securing or attempting to secure such license;

(b) Has been convicted of a felony, or a crime involving moral turpitude or has had accepted by a court a plea of nolo contendere to a felony or a crime involving moral turpitude (a certified copy of the judgment of the court of competent jurisdiction of such conviction or pleas shall be prima facie evidence of such conviction);

(c) Has negligently or willfully acted in a manner inconsistent with the health or safety of the persons under the licensee's care;

(d) Has had a license or privilege to practice as a registered nurse or a licensed practical nurse suspended or revoked in any jurisdiction, has voluntarily surrendered such license or privilege to practice in any jurisdiction, has been placed on probation as a registered nurse or licensed practical nurse in any jurisdiction or has been placed under a disciplinary order(s) in any manner as a registered nurse or licensed practical nurse in any jurisdiction, (a certified copy of the order of suspension, revocation, probation or disciplinary action shall be prima facie evidence of such action);

(e) Has negligently or willfully practiced nursing in a manner that fails to meet generally accepted standards of such nursing practice;

(f) Has negligently or willfully violated any order, rule or regulation of the board pertaining to nursing practice or licensure;

(g) Has falsified or in a repeatedly negligent manner made incorrect entries or failed to make essential entries on records;

(h) Is addicted to or dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effect, or has misappropriated any medication;

(i) Has a physical, mental or emotional condition that renders the licensee unable to perform nursing services or duties with reasonable skill and safety;

(j) Has engaged in any other conduct, whether of the same or of a different character from that specified in this article, that would constitute a crime as defined in Title 97 of the Mississippi Code of 1972, as now or hereafter amended, and that relates to such person's employment as a registered nurse or licensed practical nurse;

(k) Engages in conduct likely to deceive, defraud or harm the public;

(l) Engages in any unprofessional conduct as identified by the board in its rules;

(m) Has violated any provision of this article; or

(n) Violation(s) of the provisions of Sections 41-121-1 through 41-121-9 relating to deceptive advertisement by health care practitioners. This paragraph shall stand repealed on July 1, 2025.

(2) When the board finds any person unqualified because of any of the grounds set forth in subsection (1) of this section, it may enter an order imposing one or more of the following penalties:

(a) Denying application for a license or other authorization to practice nursing or practical nursing;

(b) Administering a reprimand;

(c) Suspending or restricting the license or other authorization to practice as a registered nurse or licensed practical nurse for up to two (2) years without review;

(d) Revoking the license or other authorization to practice nursing or practical nursing;

(e) Requiring the disciplinee to submit to care, counseling or treatment by persons and/or agencies approved or designated by the board as a condition for initial, continued or renewed licensure or other authorization to practice nursing or practical nursing;

(f) Requiring the discipline to participate in a program of education prescribed by the board as a condition for initial, continued or renewed licensure or other authorization to practice;

(g) Requiring the discipline to practice under the supervision of a registered nurse for a specified period of time; or

(h) Imposing a fine not to exceed Five Hundred Dollars (\$500.00).

(3) In addition to the grounds specified in subsection (1) of this section, the board shall be authorized to suspend the license or privilege to practice of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license or privilege to practice for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license or privilege to practice suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license or privilege to practice suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(4) If the public health, safety or welfare imperatively requires emergency action and the board incorporates a finding to that effect in an order, the board may order summary suspension of a license pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined by the board.

(5) The board may establish by rule an alternative to discipline program for licensees who have an impairment as a result of substance abuse or a mental health condition, which program shall include at least the following components:

(a) Participation in the program is voluntary with the licensee, and the licensee must enter the program before the board holds a disciplinary action hearing regarding the licensee;

(b) The full cost of participation in the program, including the cost of any care, counseling, treatment and/or education received by the licensee, shall be borne by the licensee;

(c) All of the procedures and records regarding the licensee's participation in the program shall be confidential, shall not be disclosed and shall be exempt from the provisions of the Mississippi Public Records Act of 1983; and

(d) A licensee may not participate in the program more often than one (1) time during any period of five (5) years or such longer period as set by the board.

(6) A nurse practitioner who provides a written certification as authorized under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not be subject to any disciplinary action under this section solely due to providing the written certification.

SECTION 70. Section 73-19-23, Mississippi Code of 1972, is amended as follows:

73-19-23. (1) (a) The board shall refuse to grant a certificate of licensure to any applicant and may cancel, revoke or suspend the operation of any certificate by it granted for any or all of the following reasons: unprofessional and unethical conduct or the conviction of a crime involving moral turpitude, habitual intemperance in the use of ardent spirits, or stimulants, narcotics, or any other substance that impairs the intellect and judgment to such an extent as to incapacitate one for the performance of the duties of an

optometrist. The certificate of licensure of any person can be revoked for violating any section of this chapter.

(b) The board shall conduct a criminal history records check on licensure applicants and on licensees whose licenses are subject to investigation.

(i) The applicant or licensee shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant or licensee shall submit a full set of the applicant's fingerprints in a form or manner prescribed by the board, which shall be forwarded to the Bureau of Investigation Identification Division for this purpose.

(ii) Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or licensee or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

(iii) The board shall provide to the department the fingerprints of the applicant or licensee, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

(iv) The board shall charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant or licensee.

(2) The board shall further be authorized to take disciplinary action against a licensee for any unlawful acts, which shall include violations of regulations promulgated by the board, as well as the following acts:

(a) Fraud or misrepresentation in applying for or procuring an optometric license or in connection with applying for or procuring periodic renewal of an optometric license.

(b) Cheating on or attempting to subvert the optometric licensing examination(s).

(c) The conviction of a felony in this state or any other jurisdiction, or the entry of a guilty or nolo contendere plea to a felony charge.

(d) The conviction of a felony as defined by federal law, or the entry of a guilty or nolo contendere plea to a felony charge.

(e) Conduct likely to deceive, defraud or harm the public.

(f) Making a false or misleading statement regarding his or her skill or the efficacy or value of the medicine, device, treatment or remedy prescribed by him or her or used at his or her direction in the treatment of any disease or other condition.

(g) Willfully or negligently violating the confidentiality between doctor and patient, except as required by law.

(h) Negligence or gross incompetence in the practice of optometry as determined by the board.

(i) Being found to be a person with mental illness or with an intellectual disability by any court of competent jurisdiction.

(j) The use of any false, fraudulent, deceptive or misleading statement in any document connected with the practice of optometry.

(k) Aiding or abetting the practice of optometry by an unlicensed, incompetent or impaired person.

(l) Commission of any act of sexual abuse, misconduct or exploitation related to the licensee's practice of optometry.

(m) Being addicted or habituated to a drug or intoxicant.

(n) Violating any state or federal law or regulation relating to a drug legally classified as a controlled substance.

(o) Obtaining any fee by fraud, deceit or misrepresentation.

(p) Disciplinary action of another state or jurisdiction against a licensee or other authorization to practice optometry based upon acts or conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this chapter, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof.

(q) Failure to report to the board the relocation of his or her office in or out of the jurisdiction, or to furnish floor plans as required by regulation.

(r) Violation of any provision(s) of the Optometry Practice Act or the rules and regulations of the board or of an action, stipulation or agreement of the board.

(s) To advertise in a manner that tends to deceive, mislead or defraud the public.

(t) The designation of any person licensed under this chapter, other than by the terms "optometrist," "Doctor of Optometry" or "O.D.," which through June 30, 2025, shall include any violation(s) of the provisions of Sections 41-121-1 through 41-121-9 relating to deceptive advertisement by health care practitioners.

(u) To knowingly submit or cause to be submitted any misleading, deceptive or fraudulent representation on a claim form, bill or statement.

(v) To practice or attempt to practice optometry while his or her license is suspended.

(3) Any person who is a holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure, against whom is preferred any charges, shall be furnished by the board with a copy of the complaint and shall have a hearing in Jackson, Mississippi, before the board, at which hearing he may be represented by counsel. At the hearing, witnesses may be examined for and against the accused respecting those charges, and the hearing orders or appeals will be conducted according to the procedure now provided in Section 73-25-27. The suspension of a certificate of licensure by reason of the use of stimulants or narcotics may be removed when the holder of the certificate has been adjudged by the board to be cured and capable of practicing optometry.

(4) In addition to the reasons specified in subsections (1) and (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(5) A licensee who provides a written certification as authorized under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not be subject to any disciplinary action under this section solely due to providing the written certification.

SECTION 71. Section 73-21-127, Mississippi Code of 1972, is amended as follows:

73-21-127. (1) The Board of Pharmacy shall develop and implement a computerized program to track prescriptions for controlled substances and to report suspected abuse and misuse of controlled substances in compliance with the federal regulations promulgated under authority of the National All Schedules Prescription Electronic Reporting Act of 2005 and in compliance with the federal HIPAA law, under the following conditions:

(a) Submission or reporting of dispensing information shall be mandatory and required by the State Board of Pharmacy for any entity dispensing controlled substances in or into the State of Mississippi, except for the dispensing of controlled substance drugs by a veterinarian residing in the State of Mississippi.

(b) The prescriptions tracked shall be prescriptions for controlled substances listed in Schedule II, III, IV or V and specified noncontrolled substances identified by the State Board of Pharmacy that are dispensed to residents in the State of Mississippi by licensed pharmacies, nonresident pharmacies, institutions and dispensing practitioners, regardless of dispenser location.

(c) The Board of Pharmacy shall report any activity it reasonably suspects may be fraudulent or illegal to the appropriate law enforcement agency or occupational licensing board and provide them with the relevant information obtained for further investigation.

(d) The program shall provide information regarding the potential inappropriate use of controlled substances and the specified noncontrolled substances to practitioners, pharmacists-in-charge and appropriate state agencies in order to prevent the inappropriate or illegal use of these controlled substances. The specific purposes of the program shall be to: be proactive in safeguarding public health and safety; support the legitimate use of controlled substances; facilitate and encourage the identification, intervention with and treatment of individuals addicted to controlled substances and specified noncontrolled drugs; identify and prevent drug diversion; provide assistance to those state and federal law enforcement and regulatory agencies investigating cases of drug diversion or other misuse; and inform the public and health care professionals of the use and abuse trends related to controlled substance and specified noncontrolled drugs.

(e) (i) Access to collected data shall be confidential and not subject to the provisions of the federal Freedom of Information Act or the Mississippi Public Records Act. Upon request, the State Board of Pharmacy shall provide collected information to: pharmacists or practitioners who are properly registered with the State Board of Pharmacy

and are authorized to prescribe or dispense controlled substances for the purpose of providing medical and pharmaceutical care for their patients; local, state and federal law enforcement officials engaged in the administration, investigation or enforcement of the laws governing illicit drug use; regulatory and licensing boards in this state; Division of Medicaid regarding Medicaid and Medicare Program recipients; judicial authorities under grand jury subpoena; an individual who requests the individual's own prescription monitoring information; and prescription monitoring programs in other states through mutual agreement adhering to State Board of Pharmacy policies.

(ii) The Director of the Mississippi Bureau of Narcotics, or his designee, shall have access to the Prescription Monitoring Program (PMP) database for the purpose of investigating the potential illegal acquisition, distribution, dispensing, prescribing or administering of the controlled and noncontrolled substances monitored by the program, subject to all legal restrictions on further dissemination of the information obtained.

(iii) The State Board of Pharmacy may also provide statistical data for research or educational purposes if the board determines the use of the data to be of significant benefit to public health and safety. The board maintains the right to refuse any request for PMP data.

(iv) A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the PMP. Failure of a pharmacist licensed by the Mississippi Board of Pharmacy to register as a user of the PMP is grounds for disciplinary action by the board.

(v) All licensed practitioners as defined under Section 73-21-73(ee) holding an active DEA number shall register as users of the PMP.

(f) The Prescription Monitoring Program through the Board of Pharmacy may:

(i) Establish the cost of administration, maintenance, and operation of the program and charge to like agencies a fee based on a formula to be determined by the board with collaboration and input from participating agencies; and

(ii) Assess charges for information and/or statistical data provided to agencies, institutions and individuals. The amounts of those fees shall be set by the Executive Director of the Board of Pharmacy based on the recommendation of the Director of the PMP.

All such fees collected shall be deposited into the special fund of the State Board of Pharmacy and used to support the operations of the PMP.

(g) A dispenser pharmacist or practitioner licensed to dispense controlled substances and specified noncontrolled substance drugs who knowingly fails to submit drug-monitoring information or knowingly submits incorrect dispensing information shall be subject to actions against the pharmacist's or practitioner's license, registrations or permit and/or an administrative penalty as provided in Sections 73-21-97 and 73-21-103. Any misuse of the PMP is subject to penalties as provided in Sections 73-21-97 and 73-21-103.

(h) The Board of Pharmacy and the Prescription Monitoring Program shall be immune from civil liability arising from inaccuracy of any of the information submitted to the program.

(i) "Practitioner," as used in this section, shall include any person licensed, registered or otherwise permitted to distribute, dispense, prescribe or administer a

controlled substance, as defined under Section 41-29-105(y), and any person defined as a "practitioner" under Section 73-21-73(ee).

(j) In addition to any funds appropriated by the Legislature, the State Board of Pharmacy may apply for any available grants and accept any gifts, grants or donations to assist in future development or in maintaining the program.

(2) In addition to receiving the dispensing information regarding controlled substances as provided in subsection (1) of this section, the State Board of Pharmacy shall receive and maintain in the Prescription Monitoring Program (a) the medical cannabis dispensing information that medical cannabis dispensaries under the Mississippi Medical Cannabis Act are required to report to the PMP under Section 17 of this act, and (b) any other medical cannabis dispensing information that dispensaries are required to report to the PMP. The medical cannabis dispensing information reported by medical cannabis dispensaries under Section 17 of this act shall not be considered to be a prescription for the purposes of the Mississippi Pharmacy Practice Act or the Uniform Controlled Substances Law.

SECTION 72. Section 73-25-29, Mississippi Code of 1972, is amended as follows:

73-25-29. The grounds for the nonissuance, suspension, revocation or restriction of a license or the denial of reinstatement or renewal of a license are:

(1) Habitual personal use of narcotic drugs, or any other drug having addiction-forming or addiction-sustaining liability.

(2) Habitual use of intoxicating liquors, or any beverage, to an extent which affects professional competency.

(3) Administering, dispensing or prescribing any narcotic drug, or any other drug having addiction-forming or addiction-sustaining liability otherwise than in the course of legitimate professional practice.

(4) Conviction of violation of any federal or state law regulating the possession, distribution or use of any narcotic drug or any drug considered a controlled substance under state or federal law, a certified copy of the conviction order or judgment rendered by the trial court being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(5) Procuring, or attempting to procure, or aiding in, an abortion that is not medically indicated.

(6) Conviction of a felony or misdemeanor involving moral turpitude, a certified copy of the conviction order or judgment rendered by the trial court being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(7) Obtaining or attempting to obtain a license by fraud or deception.

(8) Unprofessional conduct, which includes, but is not limited to:

(a) Practicing medicine under a false or assumed name or impersonating another practitioner, living or dead.

(b) Knowingly performing any act which in any way assists an unlicensed person to practice medicine.

(c) Making or willfully causing to be made any flamboyant claims concerning the licensee's professional excellence.

(d) Being guilty of any dishonorable or unethical conduct likely to deceive, defraud or harm the public.

(e) Obtaining a fee as personal compensation or gain from a person on fraudulent representation of a disease or injury condition generally considered incurable by competent medical authority in the light of current scientific knowledge and practice can be cured or offering, undertaking, attempting or agreeing to cure or treat the same by a secret method, which he refuses to divulge to the board upon request.

(f) Use of any false, fraudulent or forged statement or document, or the use of any fraudulent, deceitful, dishonest or immoral practice in connection with any of the licensing requirements, including the signing in his professional capacity any certificate that is known to be false at the time he makes or signs such certificate.

(g) Failing to identify a physician's school of practice in all professional uses of his name by use of his earned degree or a description of his school of practice.

(9) The refusal of a licensing authority of another state or jurisdiction to issue or renew a license, permit or certificate to practice medicine in that jurisdiction or the revocation, suspension or other restriction imposed on a license, permit or certificate issued by such licensing authority which prevents or restricts practice in that jurisdiction, a certified copy of the disciplinary order or action taken by the other state or jurisdiction being prima facie evidence thereof, notwithstanding the pendency of any appeal.

(10) Surrender of a license or authorization to practice medicine in another state or jurisdiction or surrender of membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct which would constitute grounds for action as defined in this section.

(11) Final sanctions imposed by the United States Department of Health and Human Services, Office of Inspector General or any successor federal agency or office, based upon a finding of incompetency, gross misconduct or failure to meet professionally recognized standards of health care; a certified copy of the notice of final sanction being prima facie evidence thereof. As used in this paragraph, the term "final sanction" means the written notice to a physician from the United States Department of Health and Human Services, Officer of Inspector General or any successor federal agency or office, which implements the exclusion.

(12) Failure to furnish the board, its investigators or representatives information legally requested by the board.

(13) Violation of any provision(s) of the Medical Practice Act or the rules and regulations of the board or of any order, stipulation or agreement with the board.

(14) Violation(s) of the provisions of Sections 41-121-1 through 41-121-9 relating to deceptive advertisement by health care practitioners.

(15) Performing or inducing an abortion on a woman in violation of any provision of Sections 41-41-131 through 41-41-145.

(16) Performing an abortion on a pregnant woman after determining that the unborn human individual that the pregnant woman is carrying has a detectable fetal heartbeat as provided in Section 41-41-34.1.

In addition to the grounds specified above, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out

of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

A physician who provides a written certification as authorized under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not be subject to any disciplinary action under this section solely due to providing the written certification.

SECTION 73. Section 83-9-22, Mississippi Code of 1972, is amended as follows:

83-9-22. (1) (a) Notwithstanding any other provision of the law to the contrary, except as otherwise provided in subsection (3) of this section, no health coverage plan shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed insured, or if the insured lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an insured's diagnosis with a terminal condition. Refusing to pay for treatment rendered to an insured near the end of life that is consistent with best practices for treatment of a disease or condition, approved uses of a drug or device, or uses supported by peer reviewed medical literature, is a per se violation of this section.

(b) Violations of this section shall constitute an unfair trade practice and subject the violator to the penalties provided by law.

(c) As used in this section "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(d) As used in this section, a "health coverage plan" shall mean any hospital, health or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract or agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type, including a group insurance plan and the State Health and Life Insurance Plan.

(2) (a) Notwithstanding any other provision of the law to the contrary, no health benefit paid directly or indirectly with state funds, specifically Medicaid, shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition.

(b) Refusing to pay for treatment rendered to an individual near the end of life that is consistent with best practices for treatment of a disease or condition, approved uses of a drug or device, or uses supported by peer reviewed medical literature, is a per se violation of this section.

(c) As used in this section "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(3) This section does not require a health coverage plan to cover and pay for the treatment of a person who is a cardholder and registered qualifying patient with medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

SECTION 74. Sections 1 through 28 and Sections 30 through 33 of this act shall be codified as a new chapter in Title 41, Mississippi Code of 1972. Section 29 of this act shall be codified as a new chapter in Title 27, Mississippi Code of 1972.

SECTION 75. Section 27-7-22.5, Mississippi Code of 1972, is amended as follows:

27-7-22.5. (1) (a) For any manufacturer, distributor, wholesale or retail merchant who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on commodities, raw materials, works-in-process, products, goods, wares and merchandise held for resale, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(b) (i) For any person, firm or corporation who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on rental equipment, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(ii) As used in this paragraph, "rental equipment" means any rental equipment or other rental items which are held for short-term rental to the public:

1. Under rental agreements with no specific term;
2. Under at-will or open-ended agreements; or
3. Under rental agreements with terms ordinarily of less than three hundred sixty-five (365) days; and
4. Is not subject to privilege taxes imposed in Chapter 19, Title 27, Mississippi Code of 1972.

(c) The tax credit allowed by this section may not be claimed by a taxpayer that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) The tax credit allowed by this section shall not exceed the amounts set forth in paragraphs (a) through (g) of this subsection; and may be claimed for each location where such commodities, raw material, works-in-process, products, goods, wares, merchandise and/or rental equipment are found and upon which the ad valorem taxes have been paid. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credit was earned.

(a) For the 1994 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Two Thousand Dollars (\$2,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(b) For the 1995 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Three Thousand Dollars (\$3,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(c) For the 1996 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Four Thousand Dollars (\$4,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(d) For the 1997 taxable year and each taxable year thereafter through taxable year 2013, the tax credit for each location of the taxpayer shall not exceed the lesser of Five Thousand Dollars (\$5,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(e) For the 2014 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(f) For the 2015 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Fifteen Thousand Dollars (\$15,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(g) For the 2016 taxable year and each taxable year thereafter, the tax credit of the taxpayer shall be the lesser of the amount of the ad valorem taxes described in subsection (1) paid or the amount of income taxes due the State of Mississippi that are attributable to such location.

(3) Any amount of ad valorem taxes paid by a taxpayer that is applied toward the tax credit allowed in this section may not be used as a deduction by the taxpayer for state income tax purposes. In the case of a taxpayer that is a partnership, limited liability company or S corporation, the credit may be applied only to the tax attributable to partnership, limited liability company or S corporation income derived from the taxpayer.

SECTION 76. Section 27-7-22.30, Mississippi Code of 1972, is amended as follows:

27-7-22.30. (1) As used in this section:

(a) "Manufacturing enterprise" means an enterprise that:

(i) Falls within the definition of the term "manufacturer" in Section 27-65-11; and

(ii) Has operated in this state for not less than two (2) years prior to application for the credit authorized by this section \* \* \*.

(b) "Eligible investment" means an investment of at least One Million Dollars (\$1,000,000.00) in buildings and/or equipment for the manufacturing enterprise.

The term "manufacturing enterprise" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) A manufacturing enterprise is allowed a manufacturing investment tax credit for taxes imposed by Section 27-7-5 equal to five percent (5%) of the eligible investments made by the manufacturing enterprise.

(3) Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) years from the close of the tax year in which the eligible investment was made, but the credit established by this section taken in any one tax year shall not exceed fifty percent (50%) of the taxpayer's state income tax liability which is attributable to income derived from operations in the state for that year reduced by the sum of all other income tax credits allowable to the taxpayer, except credit for tax payments made by or on behalf of the taxpayer.

(4) The maximum credit that may be claimed by a taxpayer on any project shall be limited to One Million Dollars (\$1,000,000.00).

(5) The credit received under this section is subject to recapture if the property for which the tax credit was received is disposed of, or converted to, other than business use. The amount of the credit subject to recapture is one hundred percent (100%) of the credit in the first year and fifty percent (50%) of the credit in the second year. This subsection shall not apply in cases in which an entire facility is sold.

(6) The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any manufacturing enterprise may not create new eligibility in any succeeding business entity, but any unused manufacturing investment tax credit may be transferred and continued by any transferee of the enterprise. The \* \* \* department shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(7) No manufacturing enterprise for the transportation, handling, storage, processing or disposal of hazardous waste is eligible to receive the tax credits provided in this section.

(8) The credits allowed under this section shall not be used by any business enterprise or corporation other than the manufacturing enterprise actually qualifying for the credits.

SECTION 77. Section 27-31-51, Mississippi Code of 1972, is amended as follows:

27-31-51. (1) As used in Sections 27-31-51 through 27-31-61:

(a) "Warehouse" or "storage facility" shall not apply to caves or cavities in the earth, whether natural or artificial;

(b) "Governing authorities" means the board of supervisors of the county wherein the warehouse or storage facility is located or the governing authorities of the municipality wherein the warehouse or storage facility is located, as the case may be;

(c) "Tax assessor" means the tax assessor of each taxing jurisdiction in which the warehouse or storage facility may be located.

(2) All warehouses, public or private, or other storage facilities in the State of Mississippi regularly engaged in the handling and storage of personal property in structures or in places adopted for such handling and storage which is consigned or transferred to such warehouse or storage facility for storage and handling shall be eligible for licensing under the provisions of Sections 27-31-51 through 27-31-61 as a "free port warehouse." A manufacturer of personal property that maintains separate facilities, structures, places or areas for the temporary storage and handling of such personal property pending transit to a final destination outside the State of Mississippi shall be eligible for licensing under Sections 27-31-51 through 27-31-61 as a "free port warehouse," and any license issued to such a manufacturer before January 1, 2012, is hereby ratified, approved and confirmed. No medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, or warehouses, facilities, structures, places or areas belonging to or used by a medical cannabis establishment may be licensed as a free port warehouse.

(3) Such licenses shall be issued by the governing authorities to such warehouse or storage facility as will qualify under the definition of "free port warehouse" as herein defined, upon application by the warehouse or storage facility operator.

SECTION 78. Section 27-31-53, Mississippi Code of 1972, is amended as follows:

27-31-53. All personal property in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Mississippi, (b) which was consigned or transferred to a licensed "free port warehouse," public or private, within the State of Mississippi for storage in transit to a final destination outside the State of Mississippi, whether specified when transportation begins or afterward, (c) manufactured in the State of Mississippi and stored in separate facilities, structures, places or areas maintained by a manufacturer, licensed as a free port warehouse, for temporary storage or handling pending transit to a final destination outside the State of Mississippi, or (d) consigned or transferred to a licensed free port warehouse, public or private, within the State of Mississippi, for storage pending transit to not more than one (1) other location in this state for production or processing into a component or part that is then transported to a final destination outside of the State of Mississippi, may, in the discretion of the board of supervisors of the county wherein the warehouse or storage facility is located, and in the discretion of the governing authorities of the municipality wherein the warehouse or storage facility is located, as the case may be, be exempt from all ad valorem taxes imposed by the respective county or municipality and the property exempted therefrom shall not be deemed to have acquired a situs in the State of Mississippi for the purposes of such taxation. Any exemption granted to a licensed "free port warehouse" pursuant to this section shall be effective as of the first calendar day of the taxable year in which the warehouse applied for the exemption by virtue of submitting the application for licensure, and shall remain in effect for such period of time as the respective governing authority may prescribe. Such property shall not be deprived of exemption because while in a warehouse the property is bound, divided, broken in bulk, labeled, relabeled or repackaged. Any exemption from ad valorem taxes granted before January 1, 2012, is hereby ratified, approved and confirmed.

The exemption provided for in this section shall not be authorized for any personal property of a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. SECTION 79. Section 27-31-101, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2022, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten

(10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

- (i) Warehouse and/or distribution centers;
- (ii) Manufacturing, processors and refineries;
- (iii) Research facilities;
- (iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;
- (v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;
- (vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;
- (vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;
- (viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;
- (ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;
- (x) Health care industry facilities as defined in Section 57-117-3;
- (xi) Data centers as defined in Section 57-113-21; and
- (xii) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news

organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

The new enterprises enumerated in this paragraph (a) do not include medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, 2022, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten (10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive

exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

(i) Warehouse and/or distribution centers;

(ii) Manufacturing, processors and refineries;

(iii) Research facilities;

(iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;

(v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;

(vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;

(vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;

(viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;

(ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;

(x) Data centers as defined in Section 57-113-21; and

(xi) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

The new enterprises enumerated in this paragraph (a) do not include medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise,

irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 80. Section 27-31-104, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2022, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company

or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3) of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the

boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before the effective date of this act, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, 2022, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company

or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3) of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the

boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before the effective date of this act, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 81. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

A medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, shall not be considered to be a technology intensive enterprise for the purposes of this paragraph (f).

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 82. Section 27-65-101, Mississippi Code of 1972, is amended as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for

use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q). The exemption provided in this paragraph (q) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The exemption provided in this subparagraph (i) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The exemption provided in this subparagraph (ii) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.

For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]

(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major

Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority. The exemption provided in this paragraph (ff) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, 2022.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;

4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and

5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i) 1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. The exemption provided in this subsection (2) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section

57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter. The exemption provided in this subsection (3) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which

enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 83. Section 37-148-3, Mississippi Code of 1972, is amended as follows:

37-148-3. As used in this chapter, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "College" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

(b) "Investor" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax. The term "investor" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(c) "Qualified research" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research expenses that are already being funded by any grant, contract or otherwise by another person or governmental entity.

(d) "Research agreement" means a written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research. All qualified research costs generating a SMART Business Rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

(e) "Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by or affiliated with a college and all income and profits of the corporation inure to the benefit of the college.

(f) "Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

(g) "State" means the State of Mississippi or a governmental entity of the State of Mississippi.

(h) "IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

(i) "SMART Business" means Strengthening Mississippi Academic Research Through Business.

(j) "Applicant" means a college or research corporation applying for SMART Business Accelerate Initiative funds to develop state-owned intellectual property into products and services.

(k) "Qualified validation expense" includes, but is not limited to, services that accelerate the development of early product concepts, conducting proof-of-concept studies, and manufacturing prototypes to perform research validation. Qualified validation expense does not include salaries or wages associated with a licensee of state-owned intellectual property, legal fees or any payment in conflict with state law.

(l) "Research validation" means research intended to validate the commercial viability of state-owned intellectual property.

(m) "Disbursement" means a grant of funds to support research validation.

SECTION 84. Section 57-1-16, Mississippi Code of 1972, is amended as follows:

57-1-16. (1) As used in this section:

(a) "Extraordinary economic development opportunity" means a new or expanded business or industry which maintains a strong financial condition and minimal credit risk and creates substantial employment, particularly in areas of high unemployment. The term "extraordinary economic development opportunity" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "Local economic development entities" means state institutions of higher learning or public or private nonprofit local economic development entities including, but not limited to, chambers of commerce, local authorities, commissions or other entities created by local and private legislation or districts created pursuant to Section 19-5-99.

(c) "MDA" means the Mississippi Development Authority.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the ACE Fund, which shall consist of money from any public or private source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. The purpose of the fund shall be to assist in maximizing extraordinary economic development opportunities related to any new or expanded business or industry or to assist a local unit of government as authorized in subsection (5) of this section. Such funds may be used to make grants to local economic development entities to assist any new or expanding business or industry that meets the criteria provided in this section when such assistance aids the consummation of a project within the State of Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi, or to make grants to a local unit of government as authorized in subsection (5) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a grant program to make grants from the ACE Fund created under this section. Local economic development entities may apply to the MDA for a grant under this section in the manner provided for in subsection (4) of this section. Local units of government may apply to the MDA for a grant under this section in the manner provided in subsection (5) of this section.

(4) (a) Any business or industry desiring assistance from a local economic development entity under this section shall submit an application to the local economic development entity which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an extraordinary economic development opportunity;

(ii) A demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county;

- (iii) A description, including the cost, of the requested assistance;
- (iv) A description of the purpose for which the assistance is requested;
- (v) A two-year business plan;
- (vi) Financial statements or tax returns for the three (3) years immediately prior to the application;
- (vii) Credit reports on all persons or entities with a twenty percent (20%) or greater interest in the business or industry; and
- (viii) Any other information required by the MDA.

(b) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business or industry, the local economic development entity may apply to the MDA for assistance under this section. Such application must contain evidence that the business or industry meets the definition of an extraordinary economic development opportunity, a demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county, a description, including the cost, of the requested assistance, and a statement of what efforts have been made or are being made by the business or industry for securing or qualifying for other local, state, federal or private funds for the project.

(d) The MDA shall have sole discretion in the awarding of ACE funds, provided that the business or industry and the local economic development entity have met the statutory requirements of this section. However, in making grants under this section, the MDA shall attempt to provide for an equitable distribution of such grants among each of the congressional districts of this state in order to promote economic development across the entire state.

(5) (a) The MDA may make grants to local units of government to assist the local unit of government in purchasing real property for the benefit of an existing industry that commits to maintain a minimum of one thousand three hundred (1,300) jobs for a minimum of ten (10) years after the date the grant is made. The MDA shall not make grants under this subsection to assist local units of government for the benefit of any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) Any local unit of government seeking a grant authorized under this subsection shall apply to MDA. The application shall contain such information as the MDA may require.

(c) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this subsection and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(6) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section. However, before the implementation of any such rules and regulations, they shall be submitted to a committee consisting of five (5) members of the Senate Finance Committee and five (5) members of the House of Representatives Ways and Means Committee, appointed by the respective committee chairmen.

SECTION 85. Section 57-1-221, Mississippi Code of 1972, is amended as follows:

57-1-221. (1) As used in this section:

(a) "Approved business enterprise" means any project that:

(i) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of two hundred fifty (250) new, full-time jobs with a total capital investment in the state of a minimum of Thirty Million Dollars (\$30,000,000.00) in Tier 1 or Tier 2 counties;

(ii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one hundred fifty (150) new, full-time jobs with a total capital investment in the state of a minimum of Fifteen Million Dollars (\$15,000,000.00) in areas federally designated as low-income census tracts;

(iii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one thousand (1,000) new, full-time jobs;

(iv) Is a manufacturer of high-end kitchen appliances having at least four hundred (400) employees working at its Mississippi facilities on January 1, 2015, and with a capital investment of at least Five Million Dollars (\$5,000,000.00) made after July 1, 2014, through four (4) years after July 1, 2015, that expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and retains a minimum of four hundred (400) jobs; or

(v) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, with significant regional impact as determined by MDA.

(b) "MDA" means the Mississippi Development Authority.

(c) "Facility related to the project" means and includes any of the following, as they may pertain to the project:

(i) Facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project;

(ii) Building facilities and equipment necessary to operate the facility;

(iii) Rail lines;

(iv) Airports, airfields, air terminals and port facilities;

(v) Highways, streets and other roadways; and

(vi) Fire protection facilities, equipment and elevated water tanks.

(d) "Project" means any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise that is approved by the MDA. The term "project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) (a) There is created a special fund in the State Treasury to be known as the Mississippi Industry Incentive Financing Revolving Fund which shall consist of monies from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Except as otherwise provided, monies in the fund shall be disbursed by the Mississippi Development Authority for the purposes authorized in subsection (3) of this section. The Mississippi Development Authority shall allocate and disburse Thirty Million Dollars (\$30,000,000.00) from the fund as a grant to Mississippi State University for the construction, furnishing and equipping of a high-performance computing data center that is home to federally designated centers of computing excellence. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall allocate and disburse Three Million Dollars (\$3,000,000.00) from the fund as a grant to Delta Health System for capital costs related to hospital systems expansion. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall disburse such funds to Delta Health System not later than thirty (30) days after April 22, 2021.

(b) Monies in the fund that are derived from the proceeds of general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants or loans from the Mississippi Industry Incentive Financing Revolving Fund to local governments, including, but not limited to, counties, municipalities, industrial development authorities and economic development districts, and approved business enterprises to construct or otherwise provide facilities related to the project. Local governments are authorized to accept grants and enter into loans authorized under the program, and to sell, lease or otherwise dispose of a project or any property related to the project in whole or in part.

(4) (a) Except as otherwise provided in this section, any business enterprise or local government desiring a grant or loan under this section shall submit an application to the MDA which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an approved business enterprise;

(ii) A description, including the cost, of the requested assistance;

(iii) A description of the purpose for which the assistance is requested; and

(iv) Any other information required by the MDA.

(b) Except as otherwise provided in this section, the MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business enterprise or local government for a grant or loan under this section, the MDA shall determine whether the enterprise meets the definition of an approved business enterprise and determine whether to provide the assistance requested in the form of a grant or a loan.

(d) Except as otherwise provided in subsection (2)(a) of this section, the MDA shall have sole discretion in providing grants or loans under this section. The terms of a grant or loan provided under this section and the manner of repayment of any loan shall be within the discretion of the MDA. Repayments of loans made under this section shall be deposited to the credit of the Mississippi Industry Incentive Financing Revolving Fund until the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00). Once the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00), repayments of loans under this section shall be deposited to the credit of Fund No. 3951 in the State Treasury to pay debt service on bonds until such time as the uncommitted balance in the fund falls below Fifty Million Dollars (\$50,000,000.00).

(e) The MDA shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the approval of any grant or loan application thirty (30) days prior to the disbursement of any monies for the loan or grant from the Mississippi Industry Incentive Financing Revolving Fund. The notification shall identify the applicant and the purposes for which the loan or grant is made.

(5) (a) Contracts, by local governments, including, but not limited to, design and construction contracts, for the acquisition, purchase, construction or installation of a project shall be exempt from the provisions of Section 31-7-13 if:

(i) The MDA finds and records such finding on its minutes, that because of availability or the particular nature of a project, it would not be in the public interest or would less effectively achieve the purposes of this section to enter into such contracts on the basis of Section 31-7-13; and

(ii) The approved business enterprise that is involved in the project concurs in such finding.

(b) When the requirements of paragraph (a) of this subsection are met:

(i) The requirements of Section 31-7-13 shall not apply to such contracts; and

(ii) The contracts may be entered into on the basis of negotiation.

(6) It is the policy of the MDA and the MDA is authorized to accommodate and support any enterprise that receives a loan under this section for a project defined in Section 17-25-23 that wishes to have a program of diversity in contracting, and/or that wishes to do business with or cause its prime contractor to do business with Mississippi companies, including those companies that are small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term

under Section 8(d) of the Small Business Act (15 USCS 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

(7) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section.

SECTION 86. Section 57-10-401, Mississippi Code of 1972, is amended as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for improvement of the real estate, including surveys, site tests and inspections, subsurface site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities, off-site construction of utility extensions to the boundaries of the real estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act. From and after January 1, 2014, such term also includes the economic development project of a related approved company that is merged into or consolidated with another approved company where the approved companies are engaged in a vertically integrated manufacturing or warehouse operation.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which is:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00); or

(iv) A telecommunications or data processing business.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto, together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for improvement of the real estate, including surveys, site tests and inspections, subsurface site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities, off-site construction of utility extensions to the boundaries of the real estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act.

If an eligible company closes a facility in this state and becomes an approved company under the provisions of Sections 57-10-401 through 57-10-449, only that portion of the project for which such company is attempting to obtain financing that is in excess of the value of the closed facility shall be included within the definition of the term "economic development project." The Mississippi Business Finance Corporation shall promulgate rules and regulations to govern the determination of the difference between the value of the closed facility and the new facility.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00);

(iv) A telecommunications or data/information processing business meeting criteria established by the Mississippi Business Finance Corporation;

(v) National or regional headquarters meeting criteria established by the Mississippi Business Finance Corporation;

(vi) Research and development facilities meeting criteria established by the Mississippi Business Finance Corporation; or

(vii) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Business Finance Corporation.

The term "eligible company" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto, together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

SECTION 87. Section 57-61-5, Mississippi Code of 1972, is amended as follows:

57-61-5. The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

(a) "Department" means the Mississippi \* \* \* Development Authority.

(b) "Board" means the Mississippi \* \* \* Development Authority operating through its executive director.

(c) "Improvements" means the construction, rehabilitation or repair of drainage systems; energy facilities (power generation and distribution); fire safety facilities (excluding vehicles); sewer systems (pipe treatment); transportation directly affecting the site of the proposed investment, including roads, sidewalks, bridges, rail, port, river, airport or pipeline (excluding vehicles); bulkheads; buildings; and facilities necessary to accommodate a United States Navy home port; and means land reclamation; waste disposal; water supply (storage, treatment and distribution); land acquisition; and the dredging of channels and basins.

(d) "Municipality" means any county or any incorporated city, or town, acting individually or jointly, or any agency of the State of Mississippi operating a state-owned port.

(e) "Private company" means any agricultural, aquacultural, maricultural, industrial, manufacturing, service, tourism, or research and development enterprise or enterprises. The term "private company" shall not include any retail trade enterprise except regional shopping malls having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00). The term "private company" shall not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. No more than fifteen percent (15%) of the aggregate funds made available under this chapter shall be used to fund aquacultural, maricultural and tourism enterprises. The funds made available to tourism enterprises under this chapter shall be limited to infrastructure improvements and to the acquisition of land and shall not be made available to fund

tourism promotions or to fund the construction, improvement or acquisition of hotels and/or motels or to finance or refinance any obligations of hotels and/or motels.

(f) "Governmental unit" means a department or subsidiary of the United States government, or an agency of the State of Mississippi operating a state-owned port.

(g) "Private match" means any new private investment by the private company and/or governmental unit in land, buildings, depreciable fixed assets, and improvements of the project used to match improvements funded under this chapter. The term "private match" includes improvements made prior to the effective date of this chapter [Laws, 1986, Chapter 419, effective March 31, 1986] pursuant to contracts entered into contingent upon assistance being made available under this chapter.

(h) "Publicly owned property" means property which is owned by the local, state or United States government and is not under the control of a private company.

(i) "Director" means the Executive Director of the \* \* \* Mississippi Development Authority.

(j) "Small community" means a county with a population of twenty-five thousand (25,000) or less; or a municipality with a population of ten thousand (10,000) or less and any area within five (5) miles of the limits of such municipality, according to the most recent federal decennial census.

(k) "Strategic investment" means an investment by the private and public sectors that will have a major impact on job creation and maintenance in the state of no less than one hundred fifty (150) jobs, that will have a major impact on enlargement and enhancement of international and foreign trade and commerce to and from the State of Mississippi, or which is considered to be unique to the state and have statewide or regional impact as determined by the department.

(l) "Seller" means the State Bond Commission or the State Development Bank.

SECTION 88. Section 57-62-5, Mississippi Code of 1972, is amended as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business;

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the

MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment;

(c) "Full-time job" means a job of at least thirty-five (35) hours per week;

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry;

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry;

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs;

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits;

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry; and

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than one hundred (100) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(ii) Is a manufacturing or distribution enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently

published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, invests not less than Twenty Million Dollars (\$20,000,000.00) in land, buildings and equipment, and creates not less than fifty (50) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than twenty (20) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than ten (10) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21). An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business; or

(iv) Is a research and development or a technology intensive enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than ten (10) new direct jobs.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry.

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry.

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs.

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits.

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs;

(ii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs; or

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which is a manufacturer that:

1. Provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

2. Has a minimum of five thousand (5,000) existing employees as of the last day of the previous calendar year; and

3. MDA determines will create not less than three thousand (3,000) new direct jobs within forty-eight (48) months of the date the MDA determines that the applicant is qualified to receive incentive payments.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business, or any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state:

(i) Before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter.; or

(ii) Solely with respect to any farm equipment manufacturer that locates its North American headquarters to Mississippi between January 1, 2018, and December 31, 2020, before a specific date determined by the MDA that falls on or after the date that the MDA first issues to such farm equipment manufacturer one or more written commitments or offers of any incentives in connection with the new headquarters project and related facilities expected to result in the creation of such new job.

"New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

SECTION 89. Section 57-69-3, Mississippi Code of 1972, is amended as follows:

57-69-3. Unless the context requires otherwise, the following words shall have the following meanings for the purposes of this chapter:

(a) "Class of contract basis" means an entire group of contracts having a common characteristic.

(b) "Commercially useful function" means being responsible for execution of a contract or a distinct element of the work under a contract by actually performing, managing, and supervising the work involved.

(c) "Contract" means all types of state agreements, regardless of what they may be called, for the purchase of supplies or services or for construction or major repairs. "Contract" includes the following:

- (i) Awards and notices of award.
- (ii) Contracts of a fixed price, cost, cost-plus-a-fixed-fee, or incentive types.
- (iii) Contracts providing for the issuance of job or task orders.
- (iv) Leases.
- (v) Letter contracts.
- (vi) Purchase orders.
- (vii) Any supplemental agreements with respect to (i) through (vi) of this \* \* \* paragraph.

(d) "Contracting base" means the dollar amount of contracts for public works and procurement of goods and services awarded by a state agency or a state educational institution during a fiscal year.

(e) "Contract by contract basis" means a single contract within a specific class of contracts.

(f) "Contractor" means a party who enters into a contract to provide a state or educational institution with goods or services, including construction, or a subcontractor or sublessee of such a party.

(g) "Director" means the Executive Director of the Office of Minority Business Enterprises of the Mississippi Development Authority.

(h) "Educational institutions" means the state universities, vocational institutions, and any other state-supported educational institutions.

(i) "Joint venture" means an association of two (2) or more persons or businesses to carry out a single business enterprise for profit for which purpose they combine their property, capital, efforts, skills, and knowledge, and in which they exercise control and share in profits and losses in proportion to their contribution to the enterprise.

(j) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa.

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race.

(iii) Asian American: having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(iv) American Indian or Alaskan Native: having origins in any of the original peoples of North America.

(v) Female.

(k) "Minority business enterprise" or "minority owned business" means a socially and economically disadvantaged small business concern organized for profit performing a commercially useful function which is owned and controlled by one or more individuals or minority business enterprises certified by the office, at least seventy-five

percent (75%) of whom are resident citizens of the State of Mississippi. For purposes of this paragraph, the term "socially and economically disadvantaged small business concern" shall have the meaning ascribed to such term under the Small Business Act (15 USCS, Section 637(a)). Owned and controlled means a business in which one or more minorities or minority business enterprises certified by the office own at least fifty-one percent (51%) or in the case of a corporation at least fifty-one percent (51%) of the voting stock and control at least fifty-one percent (51%) of the management and daily business operations of the business. The term "minority business enterprise" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(l) "Minority business enterprise supplier" means a socially and economically disadvantaged small business concern which is owned and controlled by one or more individuals, at least seventy-five percent (75%) of whom are resident citizens of the State of Mississippi. For purposes of this paragraph, the term "socially and economically disadvantaged small business concern" shall have the meaning ascribed to such term under the Small Business Act (15 USCS, Section 637(a)) except that the net worth of the business may not be greater than Seven Hundred Fifty Thousand Dollars (\$750,000.00). Owned and controlled means a business in which one or more minorities own at least fifty-one percent (51%) or in the case of a corporation at least fifty-one percent (51%) of the voting stock and control at least fifty-one percent (51%) of the management and daily business operations of the business. The term "minority business enterprise supplier" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(m) "Office" means the Office of Minority Business Enterprises of the Mississippi Development Authority.

(n) "Procurement" means the purchase, lease, or rental of any goods or services.

(o) "Commodities" means the various items described in Section 31-7-1(e).

(p) "Professional services" means all personal service contracts utilized by state agencies and institutions.

(q) "Small business" means a small business as defined by the Small Business Administration of the United States government which for purposes of size eligibility or other factors meets the applicable criteria set forth in Part 121 of Title 13 of the Code of Federal Regulations as amended, and which has its principal place of business in Mississippi.

(r) "State agency" includes the State of Mississippi and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions. "State agency" does not include the Mississippi Department of Transportation nor the judicial or legislative branches of government except to the extent that procurement or public works for these branches is performed by a state agency.

SECTION 90. Section 57-71-5, Mississippi Code of 1972, is amended as follows:

57-71-5. The following words and phrases when used in this act shall have the meaning given to them in this section unless the context clearly indicates otherwise:

(a) "MBFC" or "company" means the Mississippi Business Finance Corporation.

(b) "Private company" means any agricultural, aquacultural, horticultural, industrial, manufacturing or research and development enterprise or enterprises, or the lessor thereof, or any commercial enterprise approved by the Mississippi Business Finance Corporation; however, the term "private company" shall not include any business,

corporation or entity having a gaming license issued under Section 75-76-1 et seq., or any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(c) "Qualified financial institution" means any commercial bank or savings and loan institution approved by the Mississippi Business Finance Corporation to provide letters of credit under this act.

(d) "Letter of credit" means a letter of credit obligation from a qualified financial institution approved by the Mississippi Business Finance Corporation.

(e) "Planning and development districts" means the organized planning and development districts in Mississippi.

(f) "Director" means the Executive Director of the Mississippi Business Finance Corporation.

(g) "Seller" means the State Bond Commission.

SECTION 91. Section 57-73-21, Mississippi Code of 1972, is amended as follows:

[In cases involving business enterprises that received or applied for the job tax credit authorized by this section prior to January 1, 2005, this section shall read as follows:]

57-73-21. (1) Annually by December 31, using the most current data available from the University Research Center, Mississippi Department of Employment Security and the United States Department of Commerce, the State Tax Commission shall rank and designate the state's counties as provided in this section. The twenty-eight (28) counties in this state having a combination of the highest unemployment rate and lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Three areas. The twenty-seven (27) counties in the state with a combination of the next highest unemployment rate and next lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Two areas. The twenty-seven (27) counties in the state with a combination of the lowest unemployment rate and the highest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier One areas. Counties designated by the Tax Commission qualify for the appropriate tax credit for jobs as provided in subsections (2), (3) and (4) of this section. The designation by the Tax Commission is effective for the tax years of permanent business enterprises which begin after the date of designation. For companies which plan an expansion in their labor forces, the Tax Commission shall prescribe certification procedures to ensure that the companies can claim credits in future years without regard to whether or not a particular county is removed from the list of Tier Three or Tier Two areas.

(2) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties designated by the Tax Commission as Tier Three areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to Two Thousand Dollars (\$2,000.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of

jobs, the Chairman of the State Tax Commission may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by ten (10) or more in a Tier Three area are eligible for the credit. Credit is not allowed during any of the five (5) years if the net employment increase falls below ten (10). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of ten (10).

(3) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties that have been designated by the Tax Commission as Tier Two areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to One Thousand Dollars (\$1,000.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Chairman of the State Tax Commission may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by fifteen (15) or more in Tier Two areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below fifteen (15). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of fifteen (15).

(4) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties designated by the Tax Commission as Tier One areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to Five Hundred Dollars (\$500.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Chairman of the State Tax Commission may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by twenty (20) or more in Tier One areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below twenty (20). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of twenty (20).

(5) In addition to the credits authorized in subsections (2), (3) and (4), an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi. A minimum of thirty-five (35) jobs must be created to qualify for the additional credit. The State Tax Commission shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this subsection. As used in this subsection, the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security.

(6) In addition to the credits authorized in subsections (2), (3), (4) and (5), any job requiring research and development skills (chemist, engineer, etc.) shall qualify for an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee.

(7) In lieu of the tax credits provided in subsections (2) through (6), any commercial or industrial property owner which remediates contaminated property in accordance with Sections 49-35-1 through 49-35-25, is allowed a job tax credit for taxes imposed by Section 27-7-5 equal to the amounts provided in subsection (2), (3) or (4) for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. This subsection shall be administered in the same manner as subsections (2), (3) and (4), except the landowner shall not be required to increase employment by the levels provided in subsections (2), (3) and (4) to be eligible for the tax credit.

(8) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for additional net new full-time jobs created by business enterprises qualified under subsections (2), (3), (4), (5), (6) and (7) of this section. Except as otherwise provided, the Tax Commission shall adjust the credit allowed in the event of employment fluctuations during the additional five (5) years of credit.

(9) (a) The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any business enterprise may not create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the business enterprise. The Tax Commission shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(b) This subsection shall not apply in cases in which a business enterprise has ceased operation, laid off all its employees and is subsequently acquired by another unrelated business entity that continues operation of the enterprise in the same or a similar type of business. In such a case the succeeding business entity shall be eligible for the credit authorized by this section unless the cessation of operation of the business enterprise was for the purpose of obtaining new eligibility for the credit.

(10) Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) years from the close of the tax year in which the qualified jobs were established but the credit established by this section taken in any one (1) tax year must be limited to an amount not greater than fifty percent (50%) of the taxpayer's state income tax liability which is attributable to income derived from operations in the

state for that year. If the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the business enterprise is unable to use the existing carryforward, the Chairman of the State Tax Commission may extend the period that the credit may be carried forward for a period of time not to exceed two (2) years.

(11) No business enterprise for the transportation, handling, storage, processing or disposal of hazardous waste is eligible to receive the tax credits provided in this section.

(12) The credits allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

(13) The tax credits provided for in this section shall be in addition to any tax credits described in Sections 57-51-13(b), 57-53-1(1)(a) and 57-54-9(b) and granted pursuant to official action by the Mississippi Development Authority prior to July 1, 1989, to any business enterprise determined prior to July 1, 1989, by the Mississippi Development Authority to be a qualified business as defined in Section 57-51-5(f) or Section 57-54-5(d) or a qualified company as described in Section 57-53-1, as the case may be; however, from and after July 1, 1989, tax credits shall be allowed only under either this section or Sections 57-51-13(b), 57-53-1(1)(a) and Section 57-54-9(b) for each net new full-time employee.

(14) As used in this section, the term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

[In cases involving business enterprises that apply for the job tax credit authorized by this section from and after January 1, 2005, this section shall read as follows:]

57-73-21. (1) Annually by December 31, using the most current data available from the University Research Center, Mississippi Department of Employment Security and the United States Department of Commerce, the Department of Revenue shall rank and designate the state's counties as provided in this section. The twenty-eight (28) counties in this state having a combination of the highest unemployment rate and lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Three areas. The twenty-seven (27) counties in the state with a combination of the next highest unemployment rate and next lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Two areas. The twenty-seven (27) counties in the state with a combination of the lowest unemployment rate and the highest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier One areas. Counties designated by the Department of Revenue qualify for the appropriate tax credit for jobs as provided in this section. The designation by the Department of Revenue is effective for the tax years of permanent business enterprises which begin after the date of designation. For companies which plan an expansion in their labor forces, the Department of Revenue shall prescribe certification procedures to ensure that the companies can claim credits in future years without regard to whether or not a particular county is removed from the list of Tier Three or Tier Two areas.

(2) Permanent business enterprises in counties designated by the Department of Revenue as Tier Three areas are allowed a job tax credit for taxes imposed by Section

27-7-5 equal to ten percent (10%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by ten (10) or more in a Tier Three area are eligible for the credit. Credit is not allowed during any of the five (5) years if the net employment increase falls below ten (10). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of ten (10). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (2).

(3) Permanent business enterprises in counties that have been designated by the Department of Revenue as Tier Two areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to five percent (5%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by fifteen (15) or more in Tier Two areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below fifteen (15). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of fifteen (15). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (3).

(4) Permanent business enterprises in counties designated by the Department of Revenue as Tier One areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to two and one-half percent (2.5%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by twenty (20) or more in Tier One areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below twenty (20). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of twenty (20). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (4).

(5) (a) In addition to the other credits authorized in this section, an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One

Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi. A minimum of twenty (20) jobs must be created to qualify for the additional credit. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this paragraph (a). As used in this paragraph (a), the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (a).

(b) In addition to the other credits authorized in this section, an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi. A minimum of twenty (20) new jobs must be created to qualify for the additional credit. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this paragraph (b). As used in this paragraph (b), the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (b).

(6) In addition to the other credits authorized in this section, any job requiring research and development skills (chemist, engineer, etc.) shall qualify for an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (6).

(7) (a) In addition to the other credits authorized in this section, any company that transfers or relocates its national or regional headquarters to the State of Mississippi from outside the State of Mississippi may receive a tax credit in an amount equal to the actual relocation costs paid by the company. A minimum of twenty (20) jobs must be created in order to qualify for the additional credit authorized under this subsection. Relocation costs for which a credit may be awarded shall be determined by the Department of Revenue and shall include those nondepreciable expenses that are necessary to relocate headquarters employees to the national or regional headquarters, including, but not limited to, costs such as travel expenses for employees and members of their households to and from Mississippi in search of homes and moving expenses to relocate furnishings, household goods and personal property of the employees and members of their households. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (7).

(b) The tax credit authorized under this subsection shall be applied for the taxable year in which the relocation costs are paid. The maximum cumulative amount of tax credits that may be claimed by all taxpayers claiming a credit under this subsection in

any one (1) state fiscal year shall not exceed One Million Dollars (\$1,000,000.00), exclusive of credits that might be carried forward from previous taxable years. A company may not receive a credit for the relocation of an employee more than one (1) time in a twelve-month period for that employee.

(c) The Department of Revenue shall establish criteria and prescribe procedures to determine if a company creates the required number of jobs and qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this subsection. A company desiring to claim a credit under this subsection must submit an application for such credit with the Department of Revenue in a manner prescribed by the department.

(d) In order to participate in the provisions of this section, a company must certify to the Mississippi Department of Revenue that it complies with the equal pay provisions of the federal Equal Pay Act of 1963, the Americans with Disabilities Act of 1990 and the fair pay provisions of the Civil Rights Act of 1964.

(e) This subsection shall stand repealed on July 1, 2022.

(8) In lieu of the other tax credits provided in this section, any commercial or industrial property owner which remediates contaminated property in accordance with Sections 49-35-1 through 49-35-25, is allowed a job tax credit for taxes imposed by Section 27-7-5 equal to the percentage of payroll provided in subsection (2), (3) or (4) of this section for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the jobs. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. This subsection shall be administered in the same manner as subsections (2), (3) and (4), except the landowner shall not be required to increase employment by the levels provided in subsections (2), (3) and (4) to be eligible for the tax credit.

(9) (a) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for increases in the annual payroll for net new full-time jobs created by business enterprises qualified under this section. The Department of Revenue shall adjust the credit allowed in the event of payroll fluctuations during the additional five (5) years of credit.

(b) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for additional net new full-time jobs created by business enterprises qualified under subsections (5) and (6) of this section and for additional relocation costs paid by companies qualified under subsection (7) of this section. The Department of Revenue shall adjust the credit allowed in the event of employment fluctuations during the additional five (5) years of credit.

(10) (a) The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any business enterprise may not create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the business enterprise. The Department of Revenue shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(b) This subsection shall not apply in cases in which a business enterprise has ceased operation, laid off all its employees and is subsequently acquired by another unrelated business entity that continues operation of the enterprise in the same or a similar type of business. In such a case the succeeding business entity shall be eligible

for the credit authorized by this section unless the cessation of operation of the business enterprise was for the purpose of obtaining new eligibility for the credit.

(11) Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) years from the close of the tax year in which the qualified jobs were established and/or headquarters relocation costs paid, as applicable, but the credit established by this section taken in any one (1) tax year must be limited to an amount not greater than fifty percent (50%) of the taxpayer's state income tax liability which is attributable to income derived from operations in the state for that year. If the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the business enterprise is unable to use the existing carryforward, the Commissioner of Revenue may extend the period that the credit may be carried forward for a period of time not to exceed two (2) years.

(12) No business enterprise for the transportation, handling, storage, processing or disposal of hazardous waste is eligible to receive the tax credits provided in this section.

(13) The credits allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

(14) As used in this section:

(a) "Business enterprises" means entities primarily engaged in:

(i) Manufacturing, processing, warehousing, warehousing activities, distribution, wholesaling and research and development, or

(ii) Permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise.

(b) "Telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

(c) "Warehousing activities" means entities that establish or expand facilities that service and support multiple retail or wholesale locations within and outside the state. Warehousing activities may be performed solely to support the primary activities of the entity, and credits generated shall offset the income of the entity based on an apportioned ratio of payroll for warehouse employees of the entity to total Mississippi payroll of the entity that includes the payroll of retail employees of the entity.

(15) The tax credits provided for in this section shall be in addition to any tax credits described in Sections 57-51-13(b), 57-53-1(1)(a) and 57-54-9(b) and granted pursuant to official action by the Mississippi Development Authority prior to July 1, 1989, to any business enterprise determined prior to July 1, 1989, by the Mississippi Development Authority to be a qualified business as defined in Section 57-51-5(f) or Section 57-54-5(d) or a qualified company as described in Section 57-53-1, as the case may be; however, from and after July 1, 1989, tax credits shall be allowed only under either this section or

Sections 57-51-13(b), 57-53-1(1)(a) and Section 57-54-9(b) for each net new full-time employee.

(16) A business enterprise that chooses to receive job training assistance pursuant to Section 57-1-451 shall not be eligible for the tax credits provided for in this section.

SECTION 92. Section 57-80-5, Mississippi Code of 1972, is amended as follows:

57-80-5. As used in this chapter, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Approved business enterprise" means any business enterprise seeking to locate or expand in a growth and prosperity county, which business enterprise is approved by the MDA.

(b) "Business enterprise" means any new or expanded (i) industry for the manufacturing, processing, assembling, storing, warehousing, servicing, distributing or selling of any products or goods, including products of agriculture; (ii) enterprises for research and development, including, but not limited to, scientific laboratories; or (iii) such other businesses or industry as will be in furtherance of the public purposes of this chapter as determined by the MDA and which creates a minimum of ten (10) jobs. "Business enterprise" does not include retail or gaming businesses or electrical generation facilities, or medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(c) "Eligible supervisors district" means:

(i) A supervisors district:

1. As such district exists on January 1, 2001, in which thirty percent (30%) or more of such district's population as of June 30, 2000, is at or below the federal poverty level according to the official data compiled by the United States Census Bureau as of June 30, 2000, or the official 1990 census poverty rate data (the official 1990 census poverty rate data shall not be used to make any such determination after December 31, 2002); or

2. In which thirty percent (30%) or more of such district's population is at or below the federal poverty level according to the latest official data compiled by the United States Census Bureau;

(ii) Which is contiguous to a county that meets the criteria of Section 57-80-7(1)(b); and

(iii) Which is located in a county which has been issued a certificate of public convenience and necessity under this chapter.

(d) "Growth and prosperity counties" means those counties which meet the requirements of this chapter and which have by resolution or order given its consent to participate in the Growth and Prosperity Program.

(e) "Local tax" means any county or municipal ad valorem tax imposed on the approved business enterprise pursuant to law, except the school portion of the tax and any portion of the tax imposed to pay the cost of providing fire and police protection.

(f) "Local taxing authority" means any county or municipality which by resolution or order has given its consent to participate in the Growth and Prosperity Program acting through its respective board of supervisors or the municipal governing board, council, commission or other legal authority.

(g) "MDA" means the Mississippi Development Authority.

(h) "State tax" means:

(i) Any sales and use tax imposed on the business enterprise pursuant to law related to the purchase of component building materials and equipment for initial construction of facilities or expansion of facilities in a growth and prosperity county or supervisors districts, as the case may be;

(ii) All income tax imposed pursuant to law on income earned by the business enterprise in a growth and prosperity county, or supervisors district, as the case may be;

(iii) Franchise tax imposed pursuant to law on the value of capital used, invested or employed by the business enterprise in a growth and prosperity county, or supervisors district, as the case may be; and

(iv) Any sales and use tax imposed on the lease of machinery and equipment acquired in the initial construction to establish the facility or for an expansion, including, but not limited to, leases in existence prior to January 1, 2001, as certified by the MDA, in a growth and prosperity county, or supervisors district, as the case may be.

SECTION 93. Section 57-85-5, Mississippi Code of 1972, is amended as follows:

57-85-5. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "MDA" means the Mississippi Development Authority.

(b) "Project" means construction, rehabilitation or repair of buildings; sewer systems and transportation directly affecting the site of the proposed rural business; sewer facilities, acquisition of real property, development of real property, improvements to real property, and any other project approved by the Mississippi Development Authority. The term "project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(c) "Rural business" means a new or existing business located or to be located in a rural community or a business or industry located or to be located within five (5) miles of a rural community. "Rural business" does not include gaming businesses or utility businesses, or medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(d) "Rural community" means a county in the State of Mississippi that meets the population criteria for the term "limited population county" as provided in Section 57-1-18. "Rural community" also means a municipality in the State of Mississippi that meets the population criteria for the term "small municipality" as provided in Section 57-1-18.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Rural Impact Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants and loans to rural communities and loan guaranties on behalf of rural businesses to assist in completing projects under this section.

(b) Monies in the fund which are derived from proceeds of bonds issued after April 15, 2003, may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this paragraph (b) shall satisfy any applicable federal tax law requirements.

(c) The MDA may use monies in the fund to pay for the services of architects, engineers, attorneys and such other advisors, consultants and agents that the MDA determines are necessary to review loan and grant applications and to implement and administer the program established under this section.

(d) The State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(3) The MDA shall establish a program to make grants and loans to rural communities and loan guaranties on behalf of rural businesses from the Mississippi Rural Impact Fund. A rural community may apply to the MDA for a grant or loan under this section in the manner provided for in this section. A rural business may apply to the MDA for a loan guaranty under this section in the manner provided in this section.

(4) A rural community desiring assistance under this section must submit an application to the MDA. The application must include a description of the project for which assistance is requested, the cost of the project for which assistance is requested and any other information required by the MDA. A rural business desiring assistance under this section must submit an application to the MDA. The application must include a description of the purpose for which assistance is requested and any other information required by the MDA. The MDA may waive any requirements of the program established under this section in order to expedite funding for unique projects.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 94. Section 57-91-5, Mississippi Code of 1972, is amended as follows:

57-91-5. As used in this chapter, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Business enterprise" means any permanent business enterprise locating or relocating within a redevelopment project area, including, without limitation:

(i) Industry for the manufacturing, processing, assembling, storing, warehousing, servicing, distributing or selling of any products or goods, including products of agriculture;

(ii) Enterprises for research and development, including, but not limited to, scientific laboratories;

(iii) Industry for the retail sale of goods and services;

(iv) The industry for recreation and hospitality, including, but not limited to, restaurants, hotels and sports facilities; and

(v) Such other businesses or industry as will be in furtherance of the public purposes of this chapter as determined by the MDA.

The term "business enterprise" shall not include gaming businesses, or medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(b) "Contaminated site" means real property that is either (i) subject to a bankruptcy court order in which the property has been abandoned from the bankruptcy estate, or (ii) Brownfield property that is subject to a Brownfield agreement under Section 49-35-11, and the expansion, redevelopment or reuse of which is complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.

(c) "County" means any county of this state.

(d) "Developer" means any person who assumes certain environmental liability at a contaminated site and enters into an agreement with a redevelopment county or municipality whereby the developer agrees to undertake a redevelopment project. "Developer agreement" means said agreement.

(e) "Governing body" means the board of supervisors of any county or the governing board of a municipality.

(f) "Law" means any act or statute, general, special or local, of this state.

(g) "MDA" means the Mississippi Development Authority.

(h) "MDEQ" means the Mississippi Department of Environmental Quality.

(i) "Municipality" means any incorporated municipality in the state.

(j) "Person" means a natural person, partnership, association, corporation, business trust or other business entity.

(k) "Redevelopment counties and municipalities" means those counties or municipalities which meet the requirements of this chapter and which have by resolution or order designated a redevelopment project area and given its consent to participate in the program established under this chapter.

(l) "Redevelopment project" means a project that combines remediation of a contaminated site with the planned development of such site and surrounding land in a manner conducive to use by the public or business enterprises including the construction of recreational facilities.

(m) "Redevelopment project area" means the geographic area defined by resolution of the county or municipality within which the remediation and planned development will take place containing the contaminated site and additional surrounding and adjacent land and waterfront, not exceeding six hundred fifty (650) acres, suitable for development.

(n) "Resolution" means an order, resolution, ordinance, act, record of minutes or other appropriate enactment of a governing body.

(o) "State taxes and fees" means any sales tax imposed on the sales or certain purchases by a business enterprise pursuant to law within a redevelopment project area, all income tax imposed pursuant to law on income earned by the approved business enterprise within a redevelopment project area and all franchise tax imposed pursuant to law on the value of capital used, invested or employed by the approved business enterprise in a redevelopment project area.

SECTION 95. Section 57-117-3, Mississippi Code of 1972, is amended as follows:

57-117-3. In this chapter:

(a) "Health care industry facility" means:

(i) A business engaged in the research and development of pharmaceuticals, biologics, biotechnology, diagnostic imaging, medical supplies, medical equipment or medicine and related manufacturing or processing, medical service providers, medical product distribution, or laboratory testing that creates a minimum of twenty-five (25) new full-time jobs and/or Ten Million Dollars (\$10,000,000.00) of capital investment after July 1, 2012; or

(ii) A business that \* \* \* 1. is located on land owned by or leased from an academic health science center with a medical school accredited by the Liaison Committee on Medical Education and a hospital accredited by the Joint Committee on Accreditation of Healthcare Organizations and \* \* \* 2. creates a minimum of twenty-five (25) new jobs and/or Twenty Million Dollars (\$20,000,000.00) of capital investment after July 1, 2012.

The term "health care industry facility" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "MDA" means the Mississippi Development Authority.

(c) "Health care industry zone" means a geographical area certified by the MDA as provided for in Section 57-117-5.

(d) "Local government unit" means any county or incorporated city, town or village in the State of Mississippi.

(e) "Person" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity.

(f) "Qualified business" means a business or health care industry facility that meets the requirements of Section 57-117-7 and any other requirements of this chapter. The term "qualified business" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

SECTION 96. Section 57-119-11, Mississippi Code of 1972, is amended as follows:

57-119-11. (1) MDA is further authorized, on such terms and conditions consistent with the criteria set forth in this section as it may determine, to establish programs for making loans, loan guarantees, grants and any other financial assistance from the GCRF to applicants whose projects are approved for assistance under this section. MDA shall establish criteria, rules and procedures for accepting, reviewing, granting or denying applications, and for terms and conditions of financial assistance under this section in accordance with state law. The Legislature shall appropriate monies from the GCRF to the MDA to fund the programs established under this section in an amount requested annually by MDA for such purpose.

(2) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities, and local economic development entities.

(3) MDA shall establish programs and an application process to provide assistance to applicants under this section that prioritize:

(a) Projects that will impact the long-term competitiveness of the region and may result in a significant positive impact on tax base, private sector job creation and private sector investment in the region;

(b) Projects that demonstrate the maximum long-term economic benefits and long-term growth potential of the region based on a financial analysis such as a cost-benefit analysis or a return-on-investment analysis;

(c) Projects that demonstrate long-term financial sustainability, including clear performance metrics, over the duration of the project;

(d) Projects that leverage or encourage leveraging of other private sector, local, state and federal funding sources with preference to projects that can demonstrate contributions from other sources than funds from the BP settlement;

(e) Projects that are supported by multiple government or private sector entities;

(f) Projects that can move quickly and efficiently to the design, engineering, and permitting phase;

(g) Projects that enhance the quality of life/place and business environment of the region, including tourism and recreational opportunities;

(h) Projects that expand the region's ability to attract high-growth industries or establish new high-growth industries in the region;

(i) Projects that leverage or further enhance key regional assets, including educational institutions, research facilities, ports, airports, rails and military bases;

(j) Projects that are transformational for the future of the region but create a wider regional impact;

(k) Projects that enhance the marketability of existing industrial properties;

(l) Projects that enhance a targeted industry cluster or create a Center of Excellence unique to the region;

(m) Infrastructure projects for business retention and development;

(n) Projects that enhance research and innovative technologies in the region; and

(o) Projects that provide outcome and return on investment measures, to be judged by clear performance metrics, over the duration of the project or program.

(4) The MDA shall not approve any application for assistance or provide any assistance under this section for projects that are medical cannabis establishments as defined in the Mississippi Medical Cannabis Act or for projects related in any manner to medical cannabis establishments.

SECTION 97. Section 65-4-5, Mississippi Code of 1972, is amended as follows:

65-4-5. (1) The following words when used in this chapter shall have the meanings herein ascribed unless the context otherwise clearly requires:

(a) "Board" means the Mississippi Development Authority;

(b) "Department" means the Mississippi Department of Transportation;

(c) "High economic benefit project" means:

(i) Any new investment by a private company with capital investments in land, buildings, depreciable fixed assets and improvements of at least Seventy Million Dollars (\$70,000,000.00);

(ii) Any new investment of at least Twenty Million Dollars (\$20,000,000.00) by a private company having capital investments in this state in land, buildings, depreciable fixed assets and improvements of at least One Billion Dollars (\$1,000,000,000.00) in the aggregate;

(iii) Public investment of at least One Hundred Million Dollars (\$100,000,000.00) to take place over a specified period of time and in accordance with a master plan duly adopted by the controlling political subdivision;

(iv) Any new investments in land, buildings, depreciable fixed assets and improvements by two (2) private companies upon land that is adjacent whenever the new investments of both companies are at least Sixty Million Dollars (\$60,000,000.00) in the aggregate, and such new investments by both private companies provide for the employment of at least five hundred (500) employees in the aggregate;

(v) Any project which would benefit from the construction of any highway bypass which would aid in economic development and would provide an alternate route to avoid an existing route which underpasses a railroad and which would aid in existing or proposed industry;

(vi) Any master planned community;

(vii) Any new investments in land, buildings, depreciable fixed assets and improvements by not more than three (3) private companies physically located within a one-half-mile radius of each other whenever the new investments of such companies are at least Sixty Million Dollars (\$60,000,000.00) in the aggregate, and such new investments by such companies provide for the employment of at least three hundred (300) new employees in the aggregate;

(viii) Any new investments in land, buildings, depreciable fixed assets and improvements by two (2) or more private companies upon lands originally adjacent, but now divided by a four-lane state highway and bordered by a two-lane state highway, and the new investments of the companies are at least Fifty Million Dollars (\$50,000,000.00) in the aggregate, and a portion of such new investment will be utilized for the construction of a hospital;

(ix) [Repealed]

(x) Any project as defined in Section 57-75-5(f)(xxi); however, the term "high economic benefit project" does not include the construction of Mississippi Highway 348;

(xi) Any project as defined in Section 17-25-17;

(xii) Any project which would allow access to a national intermodal facility with a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) that is located within five (5) miles of the State of Mississippi and has direct access into an industrial park within the state;

(xiii) Any new investments in land, buildings and depreciable fixed assets and improvements by a private company of at least One Hundred Million Dollars

(\$100,000,000.00) over a specified period of time in accordance with a defined capital improvement project approved by the board;

(xiv) Any new investments in land, buildings, depreciable fixed assets and improvements of at least Fifteen Million Dollars (\$15,000,000.00) by a private company to establish a private regional or national headquarters and such new investments provide for the employment of at least one hundred (100) new employees in the aggregate over a five-year period with those new employees earning an annual average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified private regional or national headquarters is located, as determined by the Mississippi Department of Employment Security, whichever is less;

However, if the initial investments that a private company made in order to meet the definition of a high economic benefit project under this paragraph (c)(i) and in order to be approved for such project exceeded Fifty Million Dollars (\$50,000,000.00), or if subsequent to being approved for the initial project the same company and/or one or more other private companies made additional capital investments exceeding Fifty Million Dollars (\$50,000,000.00) in aggregate value in land, buildings, depreciable fixed assets and improvements physically attached to or forming a part of the initially planned site development, then an amount equal to fifty percent (50%) of all such investments that exceeds Fifty Million Dollars (\$50,000,000.00) shall be subtracted from the Sixty Million Dollars (\$60,000,000.00) in aggregate value of new investments required under this paragraph (c)(vii).

The term "high economic benefit project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act or any form of investment related thereto;

(d) "Political subdivision" means one or more counties or incorporated municipalities in the state, or a state-owned port located in a county bordering on the Gulf of Mexico;

(e) "Private company" means:

(i) Any agricultural, aquacultural, maricultural, processing, distribution, warehousing, manufacturing, transportation, tourism or research and development enterprise;

(ii) Any air transportation and maintenance facility, regional shopping mall, hospital, large hotel, resort or movie industry studio;

(iii) The federal government with respect to any specific project which meets the criteria established in paragraph (c)(i) of this subsection;

(iv) Any existing or proposed industry in regard to a project described in paragraph (c)(v) of this subsection;

(v) A developer with respect to any specific project which meets the criteria established in paragraph (c)(vi) of this subsection; or

(vi) A tourism project approved by the board \* \* \*.

The term "private company" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act;

(f) "Master planned community" shall have the same meaning as that term is defined in Section 19-5-10.

(2) The Mississippi Department of Transportation is hereby authorized to purchase rights-of-way and construct and maintain roads and highways authorized to be constructed pursuant to this chapter.

SECTION 98. Section 69-2-11, Mississippi Code of 1972, is amended as follows:

69-2-11. Emerging crop designations shall include, but not be limited to:

- (a) Blueberries;
- (b) Muscadines;
- (c) Christmas trees;
- (d) Aquaculture, including any species from the Gulf of Mexico and its tributaries;
- (e) Horticulture;
- (f) Rabbit farming and processing; and
- (g) Others designated by the \* \* \* Mississippi Development Authority or Legislature.

Emerging crop designations shall not include medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

SECTION 99. Section 69-2-13, Mississippi Code of 1972, is amended as follows:

69-2-13. (1) There is hereby established in the State Treasury a fund to be known as the "Emerging Crops Fund," which shall be used to pay the interest on loans made to farmers for nonland capital costs of establishing production of emerging crops on land in Mississippi, and to make loans and grants which are authorized under this section to be made from the fund. The fund shall be administered by the Mississippi Development Authority. A board comprised of the directors of the authority, the Mississippi Cooperative Extension Service, the Mississippi Small Farm Development Center and the Mississippi Agricultural and Forestry Experiment Station, or their designees, shall develop definitions, guidelines and procedures for the implementation of this chapter. Funds for the Emerging Crops Fund shall be provided from the issuance of bonds or notes under Sections 69-2-19 through 69-2-37 and from repayment of interest loans made from the fund.

(2) (a) The Mississippi Development Authority shall develop a program which gives fair consideration to making loans for the processing and manufacturing of goods and services by agribusiness, greenhouse production horticulture, and small business concerns. It is the policy of the State of Mississippi that the Mississippi Development Authority shall give due recognition to and shall aid, counsel, assist and protect, insofar as is possible, the interests of agribusiness, greenhouse production horticulture, and small business concerns. To ensure that the purposes of this subsection are carried out, the Mississippi Development Authority shall loan not more than One Million Dollars (\$1,000,000.00) to finance any single agribusiness, greenhouse production horticulture, or small business concern. Loans made pursuant to this subsection shall be made in accordance with the criteria established in Section 57-71-11.

(b) The Mississippi Development Authority may, out of the total amount of bonds authorized to be issued under this chapter, make available funds to any planning and development district in accordance with the criteria established in Section 57-71-11. Planning and development districts which receive monies pursuant to this provision shall

use such monies to make loans to private companies for purposes consistent with this subsection.

(c) The Mississippi Development Authority is hereby authorized to engage legal services, financial advisors, appraisers and consultants if needed to review and close loans made hereunder and to establish and assess reasonable fees, including, but not limited to, liquidation expenses.

(d) The State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(3) (a) The Mississippi Development Authority shall, in addition to the other programs described in this section, provide for the following programs of loans to be made to agribusiness or greenhouse production horticulture enterprises for the purpose of encouraging thereby the extension of conventional financing and the issuance of letters of credit to such agribusiness or greenhouse production horticulture enterprises by private institutions. Monies to make such loans by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund.

(b) The Mississippi Development Authority may make loans to agribusiness or greenhouse production horticulture enterprises. The amount of any loan to any single enterprise under this paragraph (b) shall not exceed twenty percent (20%) of the total cost of the project for which financing is sought or Two Hundred Fifty Thousand Dollars (\$250,000.00), whichever is less. No interest shall be charged on such loans, and only the amount actually loaned shall be required to be repaid. Repayments shall be deposited into the Emerging Crops Fund.

(c) The Mississippi Development Authority also may make loans under this subsection (3) to existing agribusiness or greenhouse production horticulture enterprises for the purpose of assisting such enterprises to make upgrades, renovations, repairs and other improvements to their equipment, facilities and operations, which shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) or thirty percent (30%) of the total cost of the project for which financing is sought, whichever is less. No interest shall be charged on loans made under this paragraph, and only the amount actually loaned shall be required to be repaid. Repayments shall be deposited into the Emerging Crops Fund.

(d) The maximum aggregate amount of loans that may be made under this subsection (3) to any one (1) agribusiness shall be not more than Five Hundred Thousand Dollars (\$500,000.00).

(4) (a) Through June 30, 2010, the Mississippi Development Authority may loan or grant to qualified planning and development districts, and to small business investment corporations, bank-based community development corporations, the Recruitment and Training Program, Inc., the City of Jackson Business Development Loan Fund, the Lorman Southwest Mississippi Development Corporation, the West Jackson Community Development Corporation, the East Mississippi Development Corporation, and other entities meeting the criteria established by the Mississippi Development Authority (all referred to hereinafter as "qualified entities"), funds for the purpose of establishing loan revolving funds to assist in providing financing for minority economic development. The monies loaned or granted by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed Twenty-nine Million Dollars (\$29,000,000.00) in the aggregate. Planning and development districts or qualified entities which receive monies pursuant to this provision shall use such monies to make loans to minority business enterprises consistent with criteria established by the Mississippi Development Authority. Such criteria shall include, at a minimum, the following:

(i) The business enterprise must be a private, for-profit enterprise.

(ii) If the business enterprise is a proprietorship, the borrower must be a resident citizen of the State of Mississippi; if the business enterprise is a corporation or partnership, at least fifty percent (50%) of the owners must be resident citizens of the State of Mississippi.

(iii) The borrower must have at least five percent (5%) equity interest in the business enterprise.

(iv) The borrower must demonstrate ability to repay the loan.

(v) The borrower must not be in default of any previous loan from the state or federal government.

(vi) Loan proceeds may be used for financing all project costs associated with development or expansion of a new small business, including fixed assets, working capital, start-up costs, rental payments, interest expense during construction and professional fees related to the project.

(vii) Loan proceeds shall not be used to pay off existing debt for loan consolidation purposes; to finance the acquisition, construction, improvement or operation of real property which is to be held primarily for sale or investment; to provide for, or free funds, for speculation in any kind of property; or as a loan to owners, partners or stockholders of the applicant which do not change ownership interest by the applicant. However, this does not apply to ordinary compensation for services rendered in the course of business.

(viii) The maximum amount that may be loaned to any one (1) borrower shall be Two Hundred Fifty Thousand Dollars (\$250,000.00).

(ix) The Mississippi Development Authority shall review each loan before it is made, and no loan shall be made to any borrower until the loan has been reviewed and approved by the Mississippi Development Authority.

(b) For the purpose of this subsection, the term "minority business enterprise" means a socially and economically disadvantaged small business concern, organized for profit, performing a commercially useful function which is owned and controlled by one or more minorities or minority business enterprises certified by the Mississippi Development Authority, at least fifty percent (50%) of whom are resident citizens of the State of Mississippi. Except as otherwise provided, for purposes of this subsection, the term "socially and economically disadvantaged small business concern" shall have the meaning ascribed to such term under the Small Business Act (15 USCS, Section 637(a)), or women, and the term "owned and controlled" means a business in which one or more minorities or minority business enterprises certified by the Mississippi Development Authority own sixty percent (60%) or, in the case of a corporation, sixty percent (60%) of the voting stock, and control sixty percent (60%) of the management and daily business operations of the business. However, an individual whose personal net worth exceeds Five Hundred Thousand Dollars (\$500,000.00) shall not be considered to be an economically disadvantaged individual.

From and after July 1, 2010, monies not loaned or granted by the Mississippi Development Authority to planning and development districts or qualified entities under this subsection, and monies not loaned by planning and development districts or qualified entities, shall be deposited to the credit of the sinking fund created and maintained in the State Treasury for the retirement of bonds issued under Section 69-2-19.

(c) Notwithstanding any other provision of this subsection to the contrary, if federal funds are not available for commitments made by a planning and development district to provide assistance under any federal loan program administered by the planning and development district in coordination with the Appalachian Regional Commission or

Economic Development Administration, or both, a planning and development district may use funds in its loan revolving fund, which have not been committed otherwise to provide assistance, for the purpose of providing temporary funding for such commitments. If a planning and development district uses uncommitted funds in its loan revolving fund to provide such temporary funding, the district shall use funds repaid to the district under the temporarily funded federal loan program to replenish the funds used to provide the temporary funding. Funds used by a planning and development district to provide temporary funding under this paragraph (c) must be repaid to the district's loan revolving fund no later than twelve (12) months after the date the district provides the temporary funding. A planning and development district may not use uncommitted funds in its loan revolving fund to provide temporary funding under this paragraph (c) on more than two (2) occasions during a calendar year. A planning and development district may provide temporary funding for multiple commitments on each such occasion. The maximum aggregate amount of uncommitted funds in a loan revolving fund that may be used for such purposes during a calendar year shall not exceed seventy percent (70%) of the uncommitted funds in the loan revolving fund on the date the district first provides temporary funding during the calendar year.

(d) If the Mississippi Development Authority determines that a planning and development district or qualified entity has provided loans to minority businesses in a manner inconsistent with the provisions of this subsection, then the amount of such loans so provided shall be withheld by the Mississippi Development Authority from any additional grant funds to which the planning and development district or qualified entity becomes entitled under this subsection. If the Mississippi Development Authority determines, after notifying such planning and development district or qualified entity twice in writing and providing such planning and development district or qualified entity a reasonable opportunity to comply, that a planning and development district or qualified entity has consistently failed to comply with this subsection, the Mississippi Development Authority may declare such planning and development district or qualified entity in default under this subsection and, upon receipt of notice thereof from the Mississippi Development Authority, such planning and development district or qualified entity shall immediately cease providing loans under this subsection, shall refund to the Mississippi Development Authority for distribution to other planning and development districts or qualified entities all funds held in its revolving loan fund and, if required by the Mississippi Development Authority, shall convey to the Mississippi Development Authority all administrative and management control of loans provided by it under this subsection.

(e) If the Mississippi Development Authority determines, after notifying a planning and development district or qualified entity twice in writing and providing copies of such notification to each member of the Legislature in whose district or in a part of whose district such planning and development district or qualified entity is located and providing such planning and development district or qualified entity a reasonable opportunity to take corrective action, that a planning and development district or qualified entity administering a revolving loan fund under the provisions of this subsection is not actively engaged in lending as defined by the rules and regulations of the Mississippi Development Authority, the Mississippi Development Authority may declare such planning and development district or qualified entity in default under this subsection and, upon receipt of notice thereof from the Mississippi Development Authority, such planning and development district or qualified entity shall immediately cease providing loans under this subsection, shall refund to the Mississippi Development Authority for distribution to other planning and development districts or qualified entities all funds held in its revolving loan fund and, if required by the Mississippi Development Authority, shall convey to the Mississippi Development Authority all administrative and management control of loans provided by it under this subsection.

(5) The Mississippi Development Authority shall develop a program which will assist minority business enterprises by guaranteeing bid, performance and payment bonds which such minority businesses are required to obtain in order to contract with federal agencies, state agencies or political subdivisions of the state. The Mississippi

Development Authority may secure letters of credit, as determined necessary by the authority, to guarantee bid, performance and payment bonds pursuant to this subsection. Monies for such program shall be drawn from the monies allocated under subsection (4) of this section to assist the financing of minority economic development and shall not exceed Three Million Dollars (\$3,000,000.00) in the aggregate. The Mississippi Development Authority may promulgate rules and regulations for the operation of the program established pursuant to this subsection. For the purpose of this subsection (5), the term "minority business enterprise" has the meaning assigned such term in subsection (4) of this section.

(6) The Mississippi Development Authority may loan or grant to public entities and to nonprofit corporations funds to defray the expense of financing (or to match any funds available from other public or private sources for the expense of financing) projects in this state which are devoted to the study, teaching and/or promotion of regional crafts and which are deemed by the authority to be significant tourist attractions. The monies loaned or granted shall be drawn from the Emerging Crops Fund and shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) in the aggregate.

(7) Through June 30, 2006, the Mississippi Development Authority shall make available to the Mississippi Department of Agriculture and Commerce funds for the purpose of establishing loan revolving funds and other methods of financing for agribusiness programs administered under the Mississippi Agribusiness Council Act of 1993. The monies made available by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00) in the aggregate. The Mississippi Department of Agriculture and Commerce shall establish control and auditing procedures for use of these funds. These funds will be used primarily for quick payment to farmers for vegetable and fruit crops processed and sold through vegetable processing plants associated with the Department of Agriculture and Commerce and the Mississippi State Extension Service.

(8) From and after July 1, 1996, the Mississippi Development Authority shall make available to the Mississippi Small Farm Development Center One Million Dollars (\$1,000,000.00) to be used by the center to assist small entrepreneurs as provided in Section 37-101-25, Mississippi Code of 1972. The monies made available by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund.

(9) [Repealed]

(10) The Mississippi Development Authority shall make available to the Small Farm Development Center at Alcorn State University funds in an aggregate amount not to exceed Three Hundred Thousand Dollars (\$300,000.00), to be drawn from the cash balance of the Emerging Crops Fund. The Small Farm Development Center at Alcorn State University shall use such funds to make loans to producers of sweet potatoes and cooperatives anywhere in the State of Mississippi owned by sweet potato producers to assist in the planting of sweet potatoes and the purchase of sweet potato production and harvesting equipment. A report of the loans made under this subsection shall be furnished by January 15 of each year to the Chairman of the Senate Agriculture Committee and the Chairman of the House Agriculture Committee.

(11) The Mississippi Development Authority shall make available to the Mississippi Department of Agriculture and Commerce "Make Mine Mississippi" program an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) to be drawn from the cash balance of the Emerging Crops Fund.

(12) The Mississippi Development Authority shall make available to the Mississippi Department of Agriculture and Commerce an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) to be drawn from the cash balance of the Emerging Crops Fund to be used for the rehabilitation and maintenance of the Mississippi Farmers Central Market in Jackson, Mississippi.

(13) The Mississippi Development Authority shall make available to the Mississippi Department of Agriculture and Commerce an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) to be drawn from the cash balance of the Emerging Crops Fund to be used for advertising purposes related to the Mississippi Farmers Central Market in Jackson, Mississippi.

(14) (a) The Mississippi Development Authority shall, in addition to the other programs described in this section, provide for a program of loan guaranties to be made on behalf of any nonprofit entity qualified under Section 501(c)(3) of the Internal Revenue Code and certified by the United States Department of the Treasury as a community development financial institution for the purpose of encouraging the extension of financing to such an entity which financing the entity will use to make funds available to other entities for the purpose of making loans available in low-income communities in Mississippi. Monies to make such loan guaranties by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed Two Million Dollars (\$2,000,000.00) in the aggregate. The amount of a loan guaranty on behalf of such an entity under this subsection (14) shall not exceed Two Million Dollars (\$2,000,000.00). Assistance received by an entity under this subsection (14) shall not disqualify the entity from obtaining any other assistance under this chapter.

(b) An entity desiring assistance under this subsection (14) must submit an application to the Mississippi Development Authority. The application must include any information required by the Mississippi Development Authority.

(c) The Mississippi Development Authority shall have all powers necessary to implement and administer the program established under this subsection (14), and the Mississippi Development Authority shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this subsection (14).

(15) (a) The Mississippi Development Authority shall, in addition to the other programs described in this section, provide for a program of grants to agribusiness enterprises that process, dry, store or ship peanuts and if the enterprise has invested prior to April 17, 2009, a minimum of Six Million Dollars (\$6,000,000.00) in land, facilities and equipment in this state that are utilized to process, dry, store or ship peanuts. Monies to make such grants by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed One Million Dollars (\$1,000,000.00) in the aggregate. The amount of a grant under this subsection (15) shall not exceed One Million Dollars (\$1,000,000.00).

(b) An entity desiring assistance under this subsection (15) must submit an application to the Mississippi Development Authority. The application must include a description of the project for which assistance is requested, the cost of the project for which assistance is requested, the amount of assistance requested and any other information required by the Mississippi Development Authority.

(c) As a condition of the receipt of a grant under this subsection (15), an entity must agree to remain in business in this state for not less than five (5) years and must meet other conditions established by the Mississippi Development Authority to ensure that the assistance results in an economic benefit to the state. The Mississippi Development Authority shall require that binding commitments be entered into requiring that:

(i) The minimum requirements provided for in this subsection (15) and the conditions established by the Mississippi Development Authority are met; and

(ii) If such commitments and conditions are not met, all or a portion of the funds provided pursuant to this subsection (15) shall be repaid.

(d) The Mississippi Development Authority shall have all powers necessary to implement and administer the program established under this subsection (15), and the Mississippi Development Authority shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this subsection (15).

(16) (a) The Mississippi Development Authority, in addition to the other programs described in this section, shall provide for a program of loan guaranties to be made on behalf of certain agribusinesses engaged in sweet potato growing and farming for the purpose of encouraging thereby the extension of conventional financing and the issuance of letters of credit to such agribusinesses by lenders. The amount of a loan guaranty made on behalf of such an agribusiness shall be ninety percent (90%) of the amount of assistance made available by a lender for the purposes authorized under this subsection (16). Monies to make such loan guaranties by the Mississippi Development Authority shall be drawn from the Emerging Crops Fund and shall not exceed Seventeen Million Dollars (\$17,000,000.00) in the aggregate.

(b) In order to be eligible for assistance under this subsection (16) an agribusiness must:

(i) Have been actively engaged in sweet potato growing and farming in this state before January 1, 2010;

(ii) Have incurred a disaster-related loss for sweet potato growing and farming purposes for calendar year 2009, as determined by a lender;

(iii) Agree to obtain and maintain federal Noninsured Agricultural Program (NAP) insurance coverage for the outstanding balance of any assistance received under this subsection (16); and

(iv) Satisfy underwriting criteria established by a lender related to loans under this subsection (16).

(c) (i) An entity desiring assistance under this subsection must submit an application for assistance to a lender not later than August 1, 2010. The application must include:

1. Information verifying the length of time the applicant has been actively engaged in sweet potato growing and farming in this state;

2. Information regarding the number of acres used by the applicant for sweet potato growing and farming purposes during the 2009 calendar year, as certified to by the Farm Services Authority (FSA) or the Mississippi Department of Agriculture and Commerce (MDAC), and the number of acres the applicant intends to use for such purposes during the 2010 calendar year;

3. The average cost per acre incurred by the applicant for sweet potato growing and farming purposes during the 2009 calendar year, as certified to by the FSA or MDAC, and an estimate of the average cost per acre to be incurred by the applicant for such purposes during the calendar year for which application is made;

4. The amount of assistance requested;

5. A statement from the applicant agreeing that he will obtain and maintain NAP insurance coverage for the outstanding balance of any assistance received under this subsection (16); and

6. Any other information required by the lender and/or the MDA.

(ii) The lender shall review the application for assistance and determine whether the applicant qualifies for assistance under this subsection (16). If the lender determines that the applicant qualifies for assistance, the lender shall loan funds to the applicant subject to the provisions of this subsection (16).

(d) Loans made under this subsection (16) shall be subject to the following conditions:

(i) The maximum amount of a loan to a borrower shall not exceed One Thousand Seven Hundred Dollars (\$1,700.00) per acre and shall exclude any machinery and equipment costs.

(ii) The proceeds of a loan may be used only for paying a borrower's sweet potato planting, production and harvesting costs, excluding machinery and equipment costs.

(iii) The proceeds of a loan may not be used to repay, satisfy or finance existing debt.

(iv) The time allowed for repayment of a loan shall not be more than five (5) years, and there shall be no penalty, fee or other charge imposed for the prepayment of a loan.

(e) The receipt of assistance by a person or other entity under any other program described in this section shall not disqualify the person or entity from obtaining a loan under the program established in this subsection (16) if the person or entity is otherwise eligible under this program. In addition, the receipt of a loan by a person or other entity under the program established under this subsection (16) shall not disqualify the person or entity from obtaining assistance under any other program described in this section.

(f) The Mississippi Development Authority shall have all powers necessary to implement and administer the program established under this subsection (16), and the Mississippi Development Authority shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this subsection (16).

(17) Notwithstanding any other provision of this section to the contrary, the Mississippi Development Authority shall not provide loans, loan guaranties, grants or any other form of assistance to medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

SECTION 100. This act shall take effect and be in force from and after its passage.

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

AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO REQUIRE A PATIENT TO RECEIVE A WRITTEN CERTIFICATION FROM A QUALIFIED PRACTITIONER TO QUALIFY FOR A REGISTRY IDENTIFICATION CARD FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE PROCESS BY WHICH A PATIENT MAY REGISTER AS A CARDHOLDER FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS AND MEDICAL

CANNABIS ESTABLISHMENTS FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE FOR THE ALLOWABLE AMOUNT OF MEDICAL CANNABIS BY A QUALIFIED PATIENT; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND REGISTRATIONS TO QUALIFYING FACILITIES; TO ALLOW FOR A DEDUCTION FROM INCOME TAXES FOR ALL OF THE ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A BUSINESS AS A MEDICAL CANNABIS ESTABLISHMENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF HEALTH SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE MEDICAL CANNABIS PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO LICENSE CANNABIS CULTIVATION FACILITIES, CANNABIS PROCESSING FACILITIES, CANNABIS TRANSPORTATION ENTITIES, CANNABIS DISPOSAL ENTITIES, CANNABIS TESTING FACILITIES AND CANNABIS RESEARCH FACILITIES; TO REQUIRE THE DEPARTMENT OF REVENUE TO LICENSE MEDICAL CANNABIS DISPENSARIES; TO REQUIRE THE DEPARTMENT OF HEALTH TO REGISTER QUALIFIED PRACTITIONERS AND GRANT REGISTRY IDENTIFICATION CARDS TO QUALIFIED PATIENTS AND DESIGNATED CAREGIVERS; TO PROVIDE FOR A STATEWIDE SEED-TO-SALE TRACKING SYSTEM; TO PROVIDE FOR DEADLINES FOR THE IMPLEMENTATION OF THE PROGRAM; TO PROVIDE FOR CERTAIN LIMITATIONS OF THE APPLICATION OF THE ACT; TO PROVIDE THAT THE ACT DOES NOT AUTHORIZE ANY INDIVIDUAL TO ENGAGE IN NOR PREVENT THE IMPOSITION OF ANY CIVIL, CRIMINAL OR OTHER PENALTIES FOR CERTAIN ACTS RELATED TO THE USE OF MEDICAL CANNABIS; TO PROVIDE THAT CERTAIN DISCRIMINATORY ACTS AGAINST MEDICAL CANNABIS CARDHOLDERS ARE PROHIBITED; TO PROVIDE FOR PROCESS OF THE ADDITION OF DEBILITATING MEDICAL CONDITIONS BY THE DEPARTMENT OF HEALTH; TO PROVIDE THAT NOTHING IN THE ACT PROHIBITS AN EMPLOYER FROM DISCIPLINING AN EMPLOYEE FOR INGESTING MEDICAL CANNABIS IN THE WORKPLACE OR FOR WORKING WHILE UNDER THE INFLUENCE OF MEDICAL CANNABIS; TO PROVIDE THAT NOTHING IN THE ACT REQUIRES A GOVERNMENT MEDICAL ASSISTANCE PROGRAM OR PRIVATE INSURER TO REIMBURSE A PERSON FOR COSTS ASSOCIATED WITH THE MEDICAL USE OF MEDICAL CANNABIS; TO REQUIRE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE TO PROVIDE ANNUAL REPORTS TO THE GOVERNOR AND CERTAIN MEMBERS OF THE LEGISLATURE; TO REQUIRE THE DEPARTMENT OF HEALTH TO MAINTAIN A CONFIDENTIAL LIST OF REGISTRY IDENTIFICATION CARDS; TO REQUIRE CERTAIN NOTIFICATIONS FROM QUALIFYING PATIENTS; TO PROVIDE FOR THE FEES FOR LICENSES OF MEDICAL CANNABIS ESTABLISHMENTS; TO ALLOW MUNICIPALITIES AND COUNTIES TO ENACT ORDINANCES OR REGULATIONS NOT IN CONFLICT WITH THE ACT; TO PROHIBIT MEDICAL CANNABIS ESTABLISHMENTS FROM BEING LOCATED WITHIN 1,000 FEET OF THE NEAREST BOUNDARY LINE OF ANY SCHOOL, CHURCH OR CHILD CARE FACILITY UNLESS IT HAS RECEIVED A WAIVER; TO PROVIDE CERTAIN REQUIREMENTS, PROHIBITIONS AND PENALTIES FOR MEDICAL CANNABIS ESTABLISHMENTS; TO PROVIDE THAT NO MEDICAL CANNABIS ESTABLISHMENT SHALL SELL CANNABIS FLOWER OR TRIM THAT HAS A POTENCY OF GREATER THAN 30% TOTAL THC; TO REQUIRE ALL MEDICAL CANNABIS PRODUCTS TO CONTAIN A NOTICE OF HARM REGARDING THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE WEEKLY AND MONTHLY ALLOWABLE AMOUNT OF MEDICAL CANNABIS; TO PROVIDE THE POSSESSION LIMIT OF MEDICAL CANNABIS FOR RESIDENT AND NONRESIDENT CARDHOLDERS; TO REQUIRE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE TO ESTABLISH AND PROMULGATE RULES AND REGULATIONS RELATING TO THE PROGRAM; TO ESTABLISH VIOLATIONS RELATED TO THE USE OF MEDICAL CANNABIS AND THE PROGRAM; TO PROVIDE FOR FINES, SUSPENSIONS AND REVOCATIONS FOR VIOLATIONS OF THE ACT; TO PROVIDE THAT BANKS SHALL NOT BE HELD LIABLE FOR PROVIDING FINANCIAL SERVICES TO A MEDICAL CANNABIS ESTABLISHMENT; TO IMPOSE AN EXCISE TAX ON MEDICAL CANNABIS CULTIVATION FACILITIES AT A RATE OF 5%

OF THE SALE PRICE OF CANNABIS TRIM OR CANNABIS FLOWER; TO REQUIRE DISPENSARIES TO COLLECT AND REMIT THE SALES TAX LEVIED IN SECTION 27-65-17(1)(a) FROM THE GROSS PROCEEDS OF EACH SALE OF MEDICAL CANNABIS; TO ALLOW THE GOVERNING AUTHORITIES OF MUNICIPALITIES AND BOARD OF SUPERVISORS OF COUNTIES TO OPT OUT OF ALLOWING THE PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE ACT; TO PROVIDE FOR THE REFERENDUM PROCESS FOR A MUNICIPALITY OR COUNTY TO OPT INTO ALLOWING THE CULTIVATION, PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS IN A MUNICIPALITY OR COUNTY THAT HAS OPTED OUT; TO PROVIDE FOR THE JUDICIAL REVIEW FOR THOSE AGGRIEVED BY A FINAL DECISION OR ORDER RELATED TO THE MEDICAL CANNABIS PROGRAM; TO REQUIRE ALL FINES AND FEES COLLECTED BY THE DEPARTMENT OF HEALTH AND DEPARTMENT OF REVENUE TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO ESTABLISH A MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO TEMPORARILY EXEMPT ACQUISITIONS OF INFORMATION TECHNOLOGY EQUIPMENT AND SERVICES MADE BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT, FROM MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES PROCUREMENT LAWS, RULES, AND REGULATIONS; TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH, STATE DEPARTMENT OF REVENUE, AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE MEDICAL MARIJUANA PROGRAM ESTABLISHED UNDER THIS ACT; TO AMEND SECTION 37-11-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TERM CONTROLLED SUBSTANCE SHALL NOT INCLUDE THE POSSESSION OR USE OF MEDICAL CANNABIS THAT IS LAWFUL UNDER THIS ACT; TO AMEND SECTIONS 27-7-17, 27-65-111, 33-13-520, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139; 41-29-141, 41-29-143, 43-21-301, 43-21-303, 45-9-101, 59-23-7, 63-11-30, 71-3-7, 71-3-121, 73-15-29, 73-19-23, 73-21-127, 73-25-29 AND 83-9-22, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 17-1-3, 19-5-9, 25-43-1.103, 25-43-2.101, 25-43-3.102, 25-43-3.103, 25-43-3.104, 25-43-3.105, 25-43-3.106, 25-43-3.107, 25-43-3.109, 25-43-3.110 AND 25-43-3.113, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW AND THE PROVISIONS RELATING TO THE ADOPTION OF BUILDING CODES IN COUNTIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-43-3.108, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR POWERS AND DUTIES OF THE STATE BOARD OF HEALTH, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 27-7-22.5 AND 27-7-22.30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTIONS; TO AMEND SECTIONS 27-31-51 AND 27-31-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL PROPERTY OF MEDICAL CANNABIS ESTABLISHMENTS IS NOT ELIGIBLE FOR FREEPORT WAREHOUSE AD VALOREM TAX EXEMPTIONS; TO AMEND SECTIONS 27-31-101 AND 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL AUTHORITIES CANNOT GRANT CERTAIN AD VALOREM TAX EXEMPTIONS FOR MEDICAL CANNABIS ESTABLISHMENTS OR ENTER INTO FEE-IN-LIEU OF AD VALOREM TAX AGREEMENTS WITH MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT CONSIDERED TO BE TECHNOLOGY INTENSIVE ENTERPRISES FOR PURPOSES OF THE REDUCED SALES TAX RATE AUTHORIZED FOR SALES OF MACHINERY AND MACHINE PARTS TO TECHNOLOGY INTENSIVE ENTERPRISES; TO AMEND

SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN INDUSTRIAL SALES TAX EXEMPTIONS DO NOT APPLY TO SALES TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "INVESTOR" UNDER THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "EXTRAORDINARY ECONOMIC DEVELOPMENT OPPORTUNITY" FOR PURPOSES OF THE ACE FUND; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PROJECT" FOR PURPOSES OF THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AMEND SECTION 57-10-401, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "ELIGIBLE COMPANY" FOR PURPOSES OF THE SECTIONS OF LAW THAT PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO AMEND SECTION 57-61-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PRIVATE COMPANY" UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-62-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "QUALIFIED BUSINESS OR INDUSTRY" UNDER THE MISSISSIPPI ADVANTAGE JOBS ACT; TO AMEND SECTION 57-69-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "MINORITY BUSINESS ENTERPRISE" AND "MINORITY BUSINESS ENTERPRISE SUPPLIER" UNDER THE MISSISSIPPI MINORITY BUSINESS ENTERPRISE ACT; TO AMEND SECTION 57-71-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF PRIVATE COMPANY; TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTION; TO AMEND SECTION 57-80-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE GROWTH AND PROSPERITY ACT; TO AMEND SECTION 57-85-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "PROJECT" AND "RURAL BUSINESS" UNDER THE MISSISSIPPI RURAL IMPACT ACT; TO AMEND SECTION 57-91-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE ECONOMIC REDEVELOPMENT ACT; TO AMEND SECTION 57-117-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HEALTH CARE INDUSTRY FACILITY" AND "QUALIFIED BUSINESS" UNDER THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE FROM THE GULF COAST RESTORATION FUND FOR PROJECTS THAT ARE MEDICAL CANNABIS ESTABLISHMENTS OR PROJECTS RELATED TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 65-4-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HIGH ECONOMIC BENEFIT PROJECT" AND "PRIVATE COMPANY" UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTIONS 69-2-11 AND 69-2-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE TO MEDICAL CANNABIS ESTABLISHMENTS UNDER THE MISSISSIPPI FARM REFORM ACT OF 1987; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Hob Bryan	Jason White
Kevin Blackwell	Sam C. Mims, V
Brice Wiggins	Lee Yancey

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2095** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Branning, Chism, Hill, Tate. Total--4.

Absent and those not voting--Simmons S. (13th). Total--1.

Voting Present--Harkins. Total--1.

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On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2095.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Stan Smith of Natchez, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 27, 2022.

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

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MESSAGE FROM THE GOVERNOR  
January 25, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Lee Alexander Durrett, New Albany, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023, vice Ms. Carolyn Willis.

Dr. Robert Edward (Bobby) Fox, Ph.D., Perkinston, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2023.

Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Katie Moulds.

Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

Charles Bradley (Brad) Campbell, Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, unexpired balance of a five year term ending June 30, 2023.

Jerome Marvin (Jerry) Foxworth, III, Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, unexpired balance of a five year term ending June 30, 2024.

Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, unexpired balance of a five year term ending June 30, 2022.

Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, five year term beginning July 1, 2022 and ending June 30, 2027.

Terrance D. Bonner, Columbus, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, vice Jeff Miller.

Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022.

Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026.

Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Lee Alexander Durrett, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023, Education.

Dr. Robert Edward (Bobby) Fox, Ph.D., Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2023, Judiciary, Division B.

Lori Leigh Massey, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, Judiciary, Division B.

Lori Leigh Massey, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024, Judiciary, Division B.

Charles Bradley (Brad) Campbell, State Board of Registration for Foresters to represent the East Central Forestry Commission District, unexpired balance of a five year term ending June 30, 2023, Forestry.

Jerome Marvin (Jerry) Foxworth, III, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, unexpired balance of a five year term ending June 30, 2024, Forestry.

Matthew Michael Raff, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, unexpired balance of a five year term ending June 30, 2022, Forestry.

Matthew Michael Raff, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, five year term beginning July 1, 2022 and ending June 30, 2027, Forestry.

Terrance D. Bonner, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, Public Health and Welfare.

Herbert Randall (Randall) Johnson, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022, Corrections.

Anthony Conrad Montgomery, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022, Corrections.

Anthony Conrad Montgomery, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026, Corrections.

Max Alton Phillips, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025, Corrections.

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#### REPORT OF COMMITTEE ON CORRECTIONS

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

**S. B. No. 2600:** The Community Rebound Act of 2022; enact. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2817:** Department of Corrections; authorize the provision of hospice care services to inmates with a terminal illness. Title Sufficient. Do Pass.

BARNETT, Chairman

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2231:** DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request. Title Sufficient. Do Pass.

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements. Title Sufficient. Do Pass.

**S. B. No. 2587:** CDLs; treat certain moving violations as regular license holders. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2397:** Controlled substances; authorize automatic defense for charges brought within two years of a federal declassification. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

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#### REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

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

**S. B. No. 2716:** RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify. Title Sufficient. Do Pass.

**S. B. No. 2719:** Annual salaries of county boards of supervisors; revise. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration. Title Sufficient. Committee Substitute. Do Pass.

PARKER, Chairman

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#### REPORT OF COMMITTEE ON MEDICAID

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

**S. B. No. 2345:** Medicaid program; revise reimbursement for telehealth services for community health centers. Title Sufficient. Do Pass.

**S. B. No. 2033:** Recipients of Medicaid; extend postpartum coverage up to 12 months. Title Sufficient. Do Pass.

**S. B. No. 2658:** Medicaid; delete language that required rates of reimbursement to not be changed unless amended by Legislature. Title Sufficient. Committee Substitute. Do Pass.

BLACKWELL, Chairman

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REPORT OF COMMITTEE ON ELECTIONS

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

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2413:** Elections; prohibit spending of private money on communications to electors. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2572:** Election commissioners; remove requirement of a skills assessment. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2575:** Judicial candidates; revise limitations on speech of. Title Sufficient. Do Pass.

TATE, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 21:** A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 372:** AN ACT TO AMEND SECTION 29-3-63, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A BOARD OF EDUCATION LEASES OR EXTENDS A LEASE ON SIXTEENTH SECTION LAND THAT IS CLASSIFIED AS INDUSTRIAL, COMMERCIAL OR RECREATIONAL WITH THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY OR COUNTY, THEN THE BOARD MAY LEASE OR EXTEND THE

LEASE FOR LESS THAN THE MINIMUM ACCEPTABLE PERCENTAGE, WHICH IS FIVE PERCENT OF THE CURRENT MARKET VALUE, AS LONG AS THE LEASE OF THE LAND IS UTILIZED BY THE GOVERNING AUTHORITIES FOR A PUBLIC PURPOSE; AND FOR RELATED PURPOSES.

**H. B. No. 843:** AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT ANY COUNTY OR MUNICIPAL MEDICARE-ELIGIBLE EMPLOYEE IS AUTHORIZED TO BE OFFERED CERTAIN SUPPLEMENTAL COMPENSATION BY THE BOARD OF SUPERVISORS OR THE MUNICIPAL GOVERNING AUTHORITY WHENEVER SUCH EMPLOYEE CHOOSES TO SECURE MEDICARE COVERAGE IN LIEU OF PARTICIPATING IN A COUNTY OR MUNICIPAL MEDICAL OR HEALTH INSURANCE PROGRAM; TO AUTHORIZE POLITICAL SUBDIVISIONS TO OFFER SUPPLEMENTAL COMPENSATION TO EMPLOYEES WHO DECLINE COVERAGE UNDER THE POLITICAL SUBDIVISION'S GROUP INSURANCE; AND FOR RELATED PURPOSES.

**H. B. No. 942:** AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ALLOW AN ONLINE APPLICANT FOR A RESIDENT HUNTING OR FISHING LICENSE TO INDICATE IF THE APPLICANT DESIRES TO BE A DONOR OF AN ANATOMICAL GIFT; TO REQUIRE THE HUNTING OR FISHING LICENSE OF AN ONLINE APPLICANT WHO ELECTS TO BE A DONOR TO INCLUDE A SYMBOL INDICATING THAT THE LICENSE HOLDER IS A DONOR UNDER THE MISSISSIPPI UNIFORM ANATOMICAL GIFT ACT; TO AMEND SECTION 41-39-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HUNTING OR FISHING LICENSE" AS USED UNDER THE ANATOMICAL GIFT ACT; TO AMEND SECTION 41-39-107, MISSISSIPPI CODE OF 1972, TO INCLUDE PERSONS APPLYING ONLINE FOR A HUNTING OR FISHING LICENSE WHO ARE OVER THE AGE OF 18 IN THE LIST OF PERSONS ELIGIBLE TO MAKE AN ANATOMICAL GIFT; TO AMEND SECTIONS 41-39-109 AND 41-39-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 41-39-139, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO PROVIDE RELEVANT INFORMATION REGARDING A DONOR'S ANATOMICAL GIFT TO A DONOR REGISTRY ESTABLISHED OR CONTRACTED FOR BY THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE AN ONLINE APPLICATION FOR THE RENEWAL OF A HUNTING OR FISHING LICENSE TO INCLUDE A QUESTION ASKING THE APPLICANT IF THE INDIVIDUAL DESIRES TO BE A DONOR; TO DIRECT THE CODE PUBLISHERS TO CODIFY SECTION 1 OF THIS ACT WITH THE LAWS GOVERNING HUNTING AND FISHING IN CHAPTER 7, TITLE 49, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2097:** MS Real Estate Commission; require to establish program using administrative hearing officers.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. Title Sufficient. Do Pass.

**S. B. No. 2498:** Water skiing; revise safety requirements. Title Sufficient. Do Pass.

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration. Title Sufficient. Do Pass.

**S. B. No. 2495:** Mississippi Outdoor Stewardship Trust Fund; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office. Title Sufficient. Do Pass.

WHALEY, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**S. B. No. 2483:** Recreational off-highway vehicles; raise width and unladen dry weight limits. Title Sufficient. Do Pass.

**S. B. No. 2508:** Personal delivery devices; regulate. Title Sufficient. Do Pass.

**S. B. No. 2028:** Designated bridges; name in honor of Zack Stewart. Title Sufficient. Do Pass.

**S. B. No. 2074:** Memorial highways; designate segments of I-22 in Lee County as "Korean War Veterans Highway" and "Vietnam Veterans Way." Title Sufficient. Do Pass.

**S. B. No. 2075:** Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection." Title Sufficient. Do Pass.

**S. B. No. 2481:** Memorial highways; designate segment of MS-488 in Leake County as Hunky Cross Highway in memory of Austin Morrow & others. Title Sufficient. Do Pass.

**S. B. No. 2520:** Memorial highways; designate segment of Mississippi Highway 45 for Senator John White. Title Sufficient. Do Pass.

BRANNING, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

SENATE JOURNAL  
WEDNESDAY, JANUARY 26, 2022

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 1:** William J. Van Devender, Jr., Jackson, Mississippi, Commercial Transportation Enforcement Division Appeals Board, term effective immediately and ending June 30, 2025. Do Advise and Consent.

BRANNING, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Stan Smith.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, JANUARY 26, 2022

**S. C. R. No. 534:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL TEAM AND AWARD-WINNING COACH DEION "COACH PRIME" SANDERS FOR A REMARKABLE PROGRAM RECORD 11-WIN SEASON AND FOR WINNING THE SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) TITLE FOR THE FIRST TIME SINCE 2007.

By Senator(s) Norwood, Frazier

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TWENTY-FOURTH DAY, THURSDAY, JANUARY 27, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Absent--Simmons S. (13th). Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Simmons S. (13th).

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The invocation was delivered by Reverend Brent Parker, Lead Pastor, First Baptist Church, Vanclave, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

**S. B. No. 2076:** Derelict vessel removal procedures; certain public parties may initiate with notifying DMR. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license. Title Sufficient. Do Pass.

**S. B. No. 2477:** Duties of Mississippi Department of Marine Resources; utilize resources of all state institutions of higher learning. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2478:** Combination seafood dealer and processor license; separate into two licenses. Title Sufficient. Do Pass.

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement. Title Sufficient. Do Pass.

MORAN, Chairman

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Senator DeBar called up the following entitled bill:

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 64 by deleting "May" and substituting "April" in lieu thereof.

AMEND on line 186 by inserting the following before the period:

or a digital solution capable of tracking, paying and reporting purchases

AMEND on line 187 by deleting "or before" and inserting the following language:

a date to be determined by the State Department of Education, but not later than

AMEND on line 211 after the word "issue" by inserting the following:

credentials for a digital solution selected or

AMEND on lines 217, 219 and 224 after the word "such" by inserting "credentials or"

AMEND on line 224 by inserting the following language after the period:

After initial cards are issued under the timeline prescribed by this section, the State Department of Education may issue cards to districts for any classroom teacher hired after July 1 under a timeline prescribed by the State Department of Education.

AMEND on line 226 by deleting "May" and substituting "April" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2422 was adopted.

YEAS AND NAYS On S. B. No. 2422. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Simmons S. (13th). Total--1.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments.

YEAS AND NAYS On S. B. No. 2424. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Simmons S. (13th). Total--1.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Bessie Bruce Peoples of Greenville, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Calvin Pickett of Richland, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Ronald Patrick Durr of Brookhaven, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Paul Timothy Whitsett, Jr. of Ridgeland, MS.

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Senators Michel, Suber and McCaughn moved that when the Senate adjourns, it adjourn in memory of Cherie Kay Maloney of Jackson, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Mark Duffy of Diamondhead, MS.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 9:00 AM, Friday, January 28, 2022.

The motion prevailed, and at 10:25 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2776:** Health Care Expendable Fund; extend date of repeal. Title Sufficient. Do Pass.

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriations bills. Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman

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#### REPORT OF COMMITTEES ON EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2885:** Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on. Title Sufficient. Do Pass.

**S. B. No. 2415:** Mississippi Adequate Education Program; bring forward statutes for possible amendment. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
ENERGY AND MUNICIPALITIES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2474:** Municipally owned electric utilities; shall have same powers as electric power cooperatives. Title Sufficient. Do Pass.

CARTER, Chairman  
SIMMONS (12TH), Chairman

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass.

**S. B. No. 2090:** Distinctive motor vehicle license tags; authorize for Mississippi Book Festival. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2188:** Driver's license fees; waive for applicants in MDCPS custody. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d). Title Sufficient. Do Pass.

**S. B. No. 2769:** Ad valorem tax; exempt property owned by a university foundation. Title Sufficient. Do Pass.

**S. B. No. 2839:** PERS; increase total book value limit for certain investments from 10% to 20% of total book value of all investments. Title Sufficient. Do Pass.

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations. Title Sufficient. Do Pass.

**S. B. No. 2846:** Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects. Title Sufficient. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
HIGHWAYS AND TRANSPORTATION AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees. Title Sufficient. Do Pass.

BRANNING, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections. Title Sufficient. Do Pass.

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer. Title Sufficient. Do Pass.

PARKS, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create.

Adopted: 01/26/22

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2095:** AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO REQUIRE A PATIENT TO RECEIVE A WRITTEN CERTIFICATION FROM A QUALIFIED PRACTITIONER TO QUALIFY FOR A REGISTRY IDENTIFICATION CARD FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE PROCESS BY WHICH A PATIENT MAY REGISTER AS A CARDHOLDER FOR THE USE OF MEDICAL CANNABIS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS AND MEDICAL CANNABIS ESTABLISHMENTS FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE FOR THE ALLOWABLE AMOUNT OF MEDICAL CANNABIS BY A QUALIFIED PATIENT; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND

REGISTRATIONS TO QUALIFYING FACILITIES; TO ALLOW FOR A DEDUCTION FROM INCOME TAXES FOR ALL OF THE ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A BUSINESS AS A MEDICAL CANNABIS ESTABLISHMENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF HEALTH SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE MEDICAL CANNABIS PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO LICENSE CANNABIS CULTIVATION FACILITIES, CANNABIS PROCESSING FACILITIES, CANNABIS TRANSPORTATION ENTITIES, CANNABIS DISPOSAL ENTITIES, CANNABIS TESTING FACILITIES AND CANNABIS RESEARCH FACILITIES; TO REQUIRE THE DEPARTMENT OF REVENUE TO LICENSE MEDICAL CANNABIS DISPENSARIES; TO REQUIRE THE DEPARTMENT OF HEALTH TO REGISTER QUALIFIED PRACTITIONERS AND GRANT REGISTRY IDENTIFICATION CARDS TO QUALIFIED PATIENTS AND DESIGNATED CAREGIVERS; TO PROVIDE FOR A STATEWIDE SEED-TO-SALE TRACKING SYSTEM; TO PROVIDE FOR DEADLINES FOR THE IMPLEMENTATION OF THE PROGRAM; TO PROVIDE FOR CERTAIN LIMITATIONS OF THE APPLICATION OF THE ACT; TO PROVIDE THAT THE ACT DOES NOT AUTHORIZE ANY INDIVIDUAL TO ENGAGE IN NOR PREVENT THE IMPOSITION OF ANY CIVIL, CRIMINAL OR OTHER PENALTIES FOR CERTAIN ACTS RELATED TO THE USE OF MEDICAL CANNABIS; TO PROVIDE THAT CERTAIN DISCRIMINATORY ACTS AGAINST MEDICAL CANNABIS CARDHOLDERS ARE PROHIBITED; TO PROVIDE FOR PROCESS OF THE ADDITION OF DEBILITATING MEDICAL CONDITIONS BY THE DEPARTMENT OF HEALTH; TO PROVIDE THAT NOTHING IN THE ACT PROHIBITS AN EMPLOYER FROM DISCIPLINING AN EMPLOYEE FOR INGESTING MEDICAL CANNABIS IN THE WORKPLACE OR FOR WORKING WHILE UNDER THE INFLUENCE OF MEDICAL CANNABIS; TO PROVIDE THAT NOTHING IN THE ACT REQUIRES A GOVERNMENT MEDICAL ASSISTANCE PROGRAM OR PRIVATE INSURER TO REIMBURSE A PERSON FOR COSTS ASSOCIATED WITH THE MEDICAL USE OF MEDICAL CANNABIS; TO REQUIRE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE TO PROVIDE ANNUAL REPORTS TO THE GOVERNOR AND CERTAIN MEMBERS OF THE LEGISLATURE; TO REQUIRE THE DEPARTMENT OF HEALTH TO MAINTAIN A CONFIDENTIAL LIST OF REGISTRY IDENTIFICATION CARDS; TO REQUIRE CERTAIN NOTIFICATIONS FROM QUALIFYING PATIENTS; TO PROVIDE FOR THE FEES FOR LICENSES OF MEDICAL CANNABIS ESTABLISHMENTS; TO ALLOW MUNICIPALITIES AND COUNTIES TO ENACT ORDINANCES OR REGULATIONS NOT IN CONFLICT WITH THE ACT; TO PROHIBIT MEDICAL CANNABIS ESTABLISHMENTS FROM BEING LOCATED WITHIN 1,000 FEET OF THE NEAREST BOUNDARY LINE OF ANY SCHOOL, CHURCH OR CHILD CARE FACILITY UNLESS IT HAS RECEIVED A WAIVER; TO PROVIDE CERTAIN REQUIREMENTS, PROHIBITIONS AND PENALTIES FOR MEDICAL CANNABIS ESTABLISHMENTS; TO PROVIDE THAT NO MEDICAL CANNABIS ESTABLISHMENT SHALL SELL CANNABIS FLOWER OR TRIM THAT HAS A POTENCY OF GREATER THAN 30% TOTAL THC; TO REQUIRE ALL MEDICAL CANNABIS PRODUCTS TO CONTAIN A NOTICE OF HARM REGARDING THE USE OF MEDICAL CANNABIS; TO PROVIDE FOR THE WEEKLY AND MONTHLY ALLOWABLE AMOUNT OF MEDICAL CANNABIS; TO PROVIDE THE POSSESSION LIMIT OF MEDICAL CANNABIS FOR RESIDENT AND NONRESIDENT CARDHOLDERS; TO REQUIRE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE TO ESTABLISH AND PROMULGATE RULES AND REGULATIONS RELATING TO THE PROGRAM; TO ESTABLISH VIOLATIONS RELATED TO THE USE OF MEDICAL CANNABIS AND THE PROGRAM; TO PROVIDE FOR FINES, SUSPENSIONS AND REVOCATIONS FOR VIOLATIONS OF THE ACT; TO PROVIDE THAT BANKS SHALL NOT BE HELD LIABLE FOR PROVIDING FINANCIAL SERVICES TO A MEDICAL CANNABIS ESTABLISHMENT; TO IMPOSE AN EXCISE TAX ON MEDICAL CANNABIS CULTIVATION FACILITIES AT A RATE OF 5% OF THE SALE PRICE OF CANNABIS TRIM OR CANNABIS FLOWER; TO REQUIRE DISPENSARIES TO COLLECT AND REMIT THE SALES TAX LEVIED IN SECTION 27-65-17(1)(a) FROM THE GROSS PROCEEDS OF EACH SALE OF MEDICAL CANNABIS; TO ALLOW THE GOVERNING AUTHORITIES OF MUNICIPALITIES AND

BOARD OF SUPERVISORS OF COUNTIES TO OPT OUT OF ALLOWING THE PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE ACT; TO PROVIDE FOR THE REFERENDUM PROCESS FOR A MUNICIPALITY OR COUNTY TO OPT INTO ALLOWING THE CULTIVATION, PROCESSING, SALE AND DISTRIBUTION OF MEDICAL CANNABIS IN A MUNICIPALITY OR COUNTY THAT HAS OPTED OUT; TO PROVIDE FOR THE JUDICIAL REVIEW FOR THOSE AGGRIEVED BY A FINAL DECISION OR ORDER RELATED TO THE MEDICAL CANNABIS PROGRAM; TO REQUIRE ALL FINES AND FEES COLLECTED BY THE DEPARTMENT OF HEALTH AND DEPARTMENT OF REVENUE TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO ESTABLISH A MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO TEMPORARILY EXEMPT ACQUISITIONS OF INFORMATION TECHNOLOGY EQUIPMENT AND SERVICES MADE BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT, FROM MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES PROCUREMENT LAWS, RULES, AND REGULATIONS; TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH, STATE DEPARTMENT OF REVENUE, AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE MEDICAL MARIJUANA PROGRAM ESTABLISHED UNDER THIS ACT; TO AMEND SECTION 37-11-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TERM CONTROLLED SUBSTANCE SHALL NOT INCLUDE THE POSSESSION OR USE OF MEDICAL CANNABIS THAT IS LAWFUL UNDER THIS ACT; TO AMEND SECTIONS 27-7-17, 27-65-111, 33-13-520, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139; 41-29-141, 41-29-143, 43-21-301, 43-21-303, 45-9-101, 59-23-7, 63-11-30, 71-3-7, 71-3-121, 73-15-29, 73-19-23, 73-21-127, 73-25-29 AND 83-9-22, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 17-1-3, 19-5-9, 25-43-1.103, 25-43-2.101, 25-43-3.102, 25-43-3.103, 25-43-3.104, 25-43-3.105, 25-43-3.106, 25-43-3.107, 25-43-3.109, 25-43-3.110 AND 25-43-3.113, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW AND THE PROVISIONS RELATING TO THE ADOPTION OF BUILDING CODES IN COUNTIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-43-3.108, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR POWERS AND DUTIES OF THE STATE BOARD OF HEALTH, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 27-7-22.5 AND 27-7-22.30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTIONS; TO AMEND SECTIONS 27-31-51 AND 27-31-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL PROPERTY OF MEDICAL CANNABIS ESTABLISHMENTS IS NOT ELIGIBLE FOR FREEPORT WAREHOUSE AD VALOREM TAX EXEMPTIONS; TO AMEND SECTIONS 27-31-101 AND 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL AUTHORITIES CANNOT GRANT CERTAIN AD VALOREM TAX EXEMPTIONS FOR MEDICAL CANNABIS ESTABLISHMENTS OR ENTER INTO FEE-IN-LIEU OF AD VALOREM TAX AGREEMENTS WITH MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT CONSIDERED TO BE TECHNOLOGY INTENSIVE ENTERPRISES FOR PURPOSES OF THE REDUCED SALES TAX RATE AUTHORIZED FOR SALES OF MACHINERY AND MACHINE PARTS TO TECHNOLOGY INTENSIVE ENTERPRISES; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN INDUSTRIAL SALES TAX EXEMPTIONS DO NOT APPLY TO SALES TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE

DEFINITION OF THE TERM "INVESTOR" UNDER THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "EXTRAORDINARY ECONOMIC DEVELOPMENT OPPORTUNITY" FOR PURPOSES OF THE ACE FUND; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PROJECT" FOR PURPOSES OF THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AMEND SECTION 57-10-401, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "ELIGIBLE COMPANY" FOR PURPOSES OF THE SECTIONS OF LAW THAT PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO AMEND SECTION 57-61-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "PRIVATE COMPANY" UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-62-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "QUALIFIED BUSINESS OR INDUSTRY" UNDER THE MISSISSIPPI ADVANTAGE JOBS ACT; TO AMEND SECTION 57-69-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "MINORITY BUSINESS ENTERPRISE" AND "MINORITY BUSINESS ENTERPRISE SUPPLIER" UNDER THE MISSISSIPPI MINORITY BUSINESS ENTERPRISE ACT; TO AMEND SECTION 57-71-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF PRIVATE COMPANY; TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAL CANNABIS ESTABLISHMENTS ARE NOT ELIGIBLE FOR CERTAIN INCOME TAX CREDITS AUTHORIZED BY SUCH SECTION; TO AMEND SECTION 57-80-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE GROWTH AND PROSPERITY ACT; TO AMEND SECTION 57-85-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "PROJECT" AND "RURAL BUSINESS" UNDER THE MISSISSIPPI RURAL IMPACT ACT; TO AMEND SECTION 57-91-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERM "BUSINESS ENTERPRISE" UNDER THE ECONOMIC REDEVELOPMENT ACT; TO AMEND SECTION 57-117-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HEALTH CARE INDUSTRY FACILITY" AND "QUALIFIED BUSINESS" UNDER THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE FROM THE GULF COAST RESTORATION FUND FOR PROJECTS THAT ARE MEDICAL CANNABIS ESTABLISHMENTS OR PROJECTS RELATED TO MEDICAL CANNABIS ESTABLISHMENTS; TO AMEND SECTION 65-4-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE MEDICAL CANNABIS ESTABLISHMENTS FROM THE DEFINITION OF THE TERMS "HIGH ECONOMIC BENEFIT PROJECT" AND "PRIVATE COMPANY" UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTIONS 69-2-11 AND 69-2-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT PROVIDE FINANCIAL ASSISTANCE TO MEDICAL CANNABIS ESTABLISHMENTS UNDER THE MISSISSIPPI FARM REFORM ACT OF 1987; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2097:** AN ACT TO AMEND SECTION 73-35-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REAL ESTATE COMMISSION TO ESTABLISH A PROGRAM ALLOWING ADMINISTRATIVE HEARINGS ON CERTAIN LICENSING MATTERS UNDER ITS JURISDICTION; TO PROVIDE THAT ADMINISTRATIVE HEARING OFFICERS SHALL BE STAFF ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL; TO PROHIBIT CERTAIN COMMUNICATIONS BY THE COMMISSION PRIOR TO DELIVERY OF NOTICE TO THE LICENSEE'S RESPONSIBLE BROKER; TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKEN BY A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION SHALL ACT AS AN AUTOMATIC SUPERSEDEAS; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1097:** AN ACT TO AMEND SECTION 31-8-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY AND THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY TO ENTER INTO LEASE AGREEMENTS FOR FACILITIES THAT WILL BE UTILIZED AS FIRE STATIONS FOR TERMS THAT ARE NOT TO EXCEED TWENTY YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 1440:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NATCHEZ, MISSISSIPPI, AND THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO NATCHEZ, INC., A MISSISSIPPI NONPROFIT CORPORATION ORGANIZED FOR ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON FORESTRY

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

**S. B. No. 2068:** State Forestry Commission Law Enforcement Officers; extend repealer on authority to appoint. Title Sufficient. Do Pass.

MCCAUGHN, Chairman

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## REPORT OF COMMITTEE ON AGRICULTURE

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

**S. B. No. 2002:** "Mississippi Grain Producer Indemnity Act"; enact. Title Sufficient. Do Pass.

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture. Title Sufficient. Do Pass.

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal. Title Sufficient. Do Pass.

**S. B. No. 2479:** Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license. Title Sufficient. Committee Substitute. Do Pass.

YOUNGER, Chairman

## REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**S. B. No. 2624:** Mississippi Architects and Engineers Good Samaritan Act; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2034:** Intestacy; revise provisions for venue. Title Sufficient. Do Pass.

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child. Title Sufficient. Do Pass.

**S. B. No. 2451:** Mississippi Equal Pay Act; enact. Title Sufficient. Do Pass.

WIGGINS, Chairman

## REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2224:** Arrest warrants; authorize electronic signatures. Title Sufficient. Do Pass.

**S. B. No. 2227:** Justice Court Judges; revise suspension authority consistent with municipal court. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2537:** Fireworks; reduce offense for violation of law from felony to misdemeanor. Title Sufficient. Do Pass.

**S. B. No. 2073:** Fleeing or eluding a law enforcement officer; revise offense of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2543:** Department of Public Safety; revise provision related to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2235:** Terroristic threats; revise elements of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2245:** Voyeurism; revise sentencing. Title Sufficient. Do Pass.

**S. B. No. 2264:** DPS; implement uniform reporting standards for jail census data and create a centralized database. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2584:** "Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman  
FILLINGANE, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:43 PM in memory of Calvin Pickett, Ronald Patrick Durr, Paul Timothy Whitsett, Jr., Cherie Kay Maloney, Mark Duffy and Bessie Bruce Peoples.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, JANUARY 27, 2022

**S. B. No. 2944:** Judiciary, Division B AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANTONIO S'AVALAS SIMPSON OF TUNICA COUNTY, MISSISSIPPI. By Senator(s) Jackson (11th)

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TWENTY-FIFTH DAY, FRIDAY, JANUARY 28, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--46.

Absent--Carter, Chism, Parks, Simmons S. (13th), Sojourner, Wiggins. Total--6.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Simmons S. (13th).

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The invocation was delivered by Reverend Tony Montgomery, Sr., Senior Pastor, Greater Saint James Baptist Church, Jackson, MS.

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

##### MESSAGE FROM THE HOUSE

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

**H. B. No. 607:** AN ACT TO CREATE "PARKER'S LAW"; TO CREATE THE CRIME OF "FENTANYL DELIVERY RESULTING IN DEATH"; TO PROVIDE THE PENALTY FOR SUCH CRIME; TO PROVIDE AN EXCEPTION FOR THOSE WHO SEEK MEDICAL ATTENTION; TO DEFINE CERTAIN TERMS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Younger, and members of the Senate Agriculture Committee, moved that when the Senate adjourns, it adjourn in memory of Mrs. Virgie Chapman McCormick of Union Church, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mrs. Frankie Waddle Crabb of Baldwin, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mrs. Margie Buchanan of Tupelo, MS.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Le'Koshia Williams of Summit, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of John Fredrick Grafe, Sr. of Moss Point, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Lyndon Davis of Terry, MS.

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Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 31, 2022.

The motion prevailed, and at 9:13 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 416:** AN ACT TO AMEND SECTION 25-61-12, MISSISSIPPI CODE OF 1972, TO EXEMPT BOOKING INFORMATION FROM THE PUBLIC RECORDS ACT IF THE PERSON BEING BOOKED IS HELD IN CUSTODY SOLELY ON THE BASIS OF THE PERSON'S MENTAL HEALTH STATUS; TO AMEND SECTION 25-61-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "BOOKING INFORMATION" FOR PURPOSES OF THE EXEMPTION; AND FOR RELATED PURPOSES.

**H. B. No. 514:** AN ACT TO AMEND SECTION 47-5-940, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE BOLIVAR COUNTY REGIONAL FACILITY FOR A DRUG AND ALCOHOL TREATMENT PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 515:** AN ACT TO REENACT SECTIONS 47-5-701 THROUGH 47-5-729, MISSISSIPPI CODE OF 1972, WHICH ARE THE PRISON OVERCROWDING EMERGENCY POWERS ACT; TO AMEND SECTION 47-5-731, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRISON OVERCROWDING EMERGENCY POWERS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 534:** AN ACT TO REENACT SECTIONS 47-5-1001 THROUGH 47-5-1014, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR AN INTENSIVE SUPERVISION PROGRAM AND ELECTRONIC HOME DETENTION UNDER THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-1015, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE INTENSIVE SUPERVISION PROGRAM AND ELECTRONIC HOME DETENTION; AND FOR RELATED PURPOSES.

**H. B. No. 586:** AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO REMOVE THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE SHERIFF OF RANKIN COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM

FOR NONVIOLENT OFFENDERS CONFINED IN JAIL; AND FOR RELATED PURPOSES.

**H. B. No. 629:** AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY EXPUNGEMENT PROCEDURES IN ALL COURTS, FOR PRE-TRIAL DIVERSION PROGRAMS, DISMISSAL OF ARRESTS, DISMISSAL OF CHARGES AND DUI CONVICTIONS; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO REMOVE EXPUNGEMENT FROM THE PROVISION OF LAW THAT PROVIDES FOR DUI PENALTIES; TO AMEND SECTION 99-15-123, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO EXPUNGEMENT IN PRE-TRIAL COMPLETION LANGUAGE; TO AMEND SECTIONS 99-15-26, 41-29-150, 9-11-15 AND 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO REPEAL SECTION 99-15-57, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT WHEN CASES ARE DISMISSED OR CHARGES ARE DROPPED; TO REPEAL SECTION 99-15-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE EXPUNGEMENT OF THOSE PERSONS NOT FORMALLY CHARGED WITH A CRIME; TO REPEAL SECTION 9-23-23, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT OF INTERVENTION COURT PARTICIPANTS UPON COMPLETION OF INTERVENTION COURT; AND FOR RELATED PURPOSES.

**H. B. No. 683:** AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATE PAROLE BOARD; AND FOR RELATED PURPOSES.

**H. B. No. 906:** AN ACT TO BRING FORWARD SECTION 47-7-2, MISSISSIPPI CODE OF 1972, WHICH IS THE DEFINITIONS SECTION OF THE PROBATION AND PAROLE LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OFFENDER SHALL NOT BE ELIGIBLE FOR GERIATRIC PAROLE IF HE OR SHE COMMITTED AGGRAVATED TRAFFICKING RATHER THAN TRAFFICKING; TO BRING FORWARD SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CASE PLANS FOR INMATES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OFFENDER CONVICTED OF AGGRAVATED TRAFFICKING RATHER THAN TRAFFICKING MUST SERVE A CERTAIN PERCENTAGE OF HIS OR HER SENTENCE BEFORE BEING RELEASED; TO BRING FORWARD SECTION 47-7-4, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CONDITIONAL MEDICAL RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-5, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CREATION OF THE STATE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-6, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE PAROLE BOARD COLLECTING CERTAIN INFORMATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-9, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE DIVISION OF COMMUNITY CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-11, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CERTAIN PER DIEM AND EXPENSES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-13, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE VOTING REQUIREMENTS OF THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-15, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE OFFICIAL SEAL OF THE PAROLE BOARD; TO BRING FORWARD SECTION 47-7-17, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EXAMINATION OF INMATES RECORDS BY THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-18, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONDITIONS FOR PAROLE-ELIGIBLE INMATES WITHOUT A HEARING, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-19, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE STATE PAROLE BOARD HAVING ACCESS TO

OFFENDERS TO GATHER INFORMATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-21, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PRIVILEGED INFORMATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-23, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTAIN RULES AND REGULATIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-25, MISSISSIPPI CODE OF 1972, WHICH RELATES TO GRATUITIES TO PAROLED OFFENDERS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO TECHNICAL VIOLATION CENTERS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-29, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EFFECT OF A FELONY CONVICTION WHILE ON PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-31, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE DEPARTMENT OF CORRECTIONS ROLE IN PARDON AND COMMUTATION REQUESTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POWER OF THE COURT TO SUSPEND SENTENCES AND PLACE DEFENDANTS ON PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33.1, MISSISSIPPI CODE OF 1972, REGARDING DEPARTMENT DISCHARGE PLANS FOR RELEASED INMATES; TO BRING FORWARD SECTION 47-7-34, MISSISSIPPI CODE OF 1972, WHICH RELATES TO POST RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-35, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE TERMS AND CONDITIONS OF PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PERSONS WHO SUPERVISE THOSE ON PROBATION OR PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE PERIOD OF PROBATION THAT IS SET BY A COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE REVOCATION OF PROBATION OR POST-RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-38, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTAIN GRADUATED SECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-38.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO TECHNICAL VIOLATION CENTERS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-39, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CHANGE OF RESIDENCE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-40, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE EARNED-DISCHARGE PROGRAM; TO BRING FORWARD SECTION 47-7-41, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DISCHARGE FROM PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-43, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE APPLICATION OF CERTAIN PROVISIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-45, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PROVISIONS INAPPLICABLE TO OAKLEY YOUTH DEVELOPMENT CENTER, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-47, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EARNED PROBATION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-49, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE COMMUNITY SERVICE REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-51, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CORRECTIONAL TRAINING REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-53, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE AUTHORITY OF THE DEPARTMENT TO ASSUME CERTAIN RESPONSIBILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-55, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CREATION OF THE PAROLE

COMMISSION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-28, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE ADDITIONAL POWERS AND DUTIES OF THE COMMISSIONER OF CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD 47-5-931, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES STATE OFFENDERS TO BE HOUSED IN REGIONAL FACILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-933, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONTRACTS FOR THE INCARCERATION OF STATE OFFENDERS IN COUNTY JAILS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-938, MISSISSIPPI CODE OF 1972, WHICH RELATES TO OFFENDERS IN COUNTIES TO PARTICIPATE IN WORK PROGRAMS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-1-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE RULE MAKING POWER OF THE COMMISSIONER OF PUBLIC SAFETY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-23-11, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE UNIFORM CERTIFICATION PROCESS FOR INTERVENTION AND CERTAIN OTHER COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-39-5 AND 99-39-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN POST-CONVICTION PROCEEDINGS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 41-29-153 THROUGH 41-29-157, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN FORFEITURE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-15-103 THROUGH 99-15-127, MISSISSIPPI CODE OF 1972, WHICH RELATE TO PRETRIAL-INTERVENTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-23-5 THROUGH 9-23-23, MISSISSIPPI CODE OF 1972, WHICH RELATE TO INTERVENTION COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 919:** AN ACT TO AMEND SECTION 47-5-357, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH A LEASING POLICY FOR AGRICULTURAL EQUIPMENT WHICH MAY BE EXEMPT FROM CERTAIN BID REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 935:** AN ACT TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SUCCESSFUL COMPLETION OF WORKFORCE TRAINING AT A COMMUNITY COLLEGE OR WORKFORCE DEVELOPMENT CENTER OR A SIMILAR TRAINING OR DIVERSION PROGRAM ADMINISTERED BY A NONPROFIT OR OTHER ENTITY AS A CONDITION OF THE COURT'S AUTHORITY TO WITHHOLD ACCEPTANCE OF A PERSON'S PLEA AND SENTENCE UNDER THE NONADJUDICATION PROVISIONS OF THIS SECTION; TO AMEND SECTION 99-15-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SUCCESSFUL COMPLETION OF WORKFORCE TRAINING AT A COMMUNITY COLLEGE OR WORKFORCE DEVELOPMENT CENTER AS A TERM OF THE PRETRIAL INTERVENTION PROGRAM UNDER THIS SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1310:** AN ACT TO AUTHORIZE AN ATTORNEY TO ISSUE A SUBPOENA IF THAT ATTORNEY IS AUTHORIZED TO PRACTICE LAW IN THE ISSUING COURT; TO REQUIRE THAT AN ATTORNEY ENTER AN APPEARANCE IN THE CAUSE OF ACTION BEFORE HE OR SHE ISSUES A SUBPOENA IN THE ACTION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 907:** AN ACT TO CREATE A PILOT REENTRY COURT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE JUDGE PRESIDING OVER THE PILOT REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY OFFENDER TO RECOMMEND THE OFFENDER BE PLACED IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM FOR A PERIOD OF NO MORE THAN THREE YEARS AFTER THE INITIAL SENTENCING; TO RECONSIDER THE SENTENCE AND PLACE THE OFFENDER ON POST-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2081:** Appointed state officers; provide for the removal of for certain forms of willful neglect. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2083:** Open meetings; legislative advisory committee members must be invited to stay during executive session. Title Sufficient. Do Pass.

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2164:** Department of Tourism; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2165:** State agencies; prohibit travel to any state, county or municipality that has banned employee travel to Mississippi. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2373:** Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees. Title Sufficient. Do Pass.

**S. B. No. 2797:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. Title Sufficient. Do Pass.

**S. B. No. 2800:** Public Bid Law; clarify that reverse auction requirement shall not apply to certain term contract purchases. Title Sufficient. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2092:** Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. Title Sufficient. Do Pass.

CHASSANIOL, Chairman  
POLK, Chairman

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

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create. Finance.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Mrs. Virgie Chapman McCormick, Mrs. Frankie Waddle Crabb, Mrs. Margie Buchanan, Le'Koshia Williams, John Fredrick Grafe, Sr. and Lyndon Davis.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR FRIDAY, JANUARY 28, 2022

**S. B. No. 2945:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO SOUTH CENTRAL WATER ASSOCIATION IN HINDS COUNTY TO DEFRAY EXPENSES FOR IMPROVEMENTS TO THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Butler (36th)

**S. B. No. 2946:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO YAZOO COUNTY FOR A DRAINAGE PROJECT FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2947:** Finance

AN ACT TO AMEND SECTION 21, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS TO ASSIST THE CITY OF RIDGELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Michel

**S. B. No. 2948:** Finance

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

By Senator(s) Thomas

**S. B. No. 2949:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST JACKSON STATE UNIVERSITY IN PAYING THE COSTS ASSOCIATED WITH REPAIRS AND RENOVATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Blount, Horhn, Frazier

**S. B. No. 2950:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE COUNTY DETENTION CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Horhn, Frazier

**S. B. No. 2951:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE GULF COAST HOUSING PARTNERSHIP (GCHP) IN PAYING THE COSTS ASSOCIATED WITH THE DEVELOPMENT OF THE PEARL HOUSING PROJECT IN JACKSON, MISSISSIPPI, FOR LOW-INCOME SENIORS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Horhn, Frazier

**S. B. No. 2952:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REAL-TIME COMMAND CENTER, CHAMPION GYM AND SYKES PARK; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Blount, Horhn, Frazier

**S. C. R. No. 535:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO THE ICONIC GOSPEL GROUP THE WILLIAMS BROTHERS AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT IN MUSIC.

By Senator(s) Horhn, Frazier, Butler (38th)

**S. C. R. No. 536:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO ICONIC FILM PRODUCER LAWRENCE "LARRY" GORDON AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT IN MOTION PICTURES AND TELEVISION.

By Senator(s) Horhn, Thomas

**S. C. R. No. 537:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO FOUNDING DIRECTOR OF THE MISSISSIPPI BOOK FESTIVAL HOLLY LANGE AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD GOVERNOR'S CHOICE.

By Senator(s) Horhn, Frazier, Michel

**S. C. R. No. 538:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO ABSTRACT ARTIST AND ARTS EDUCATOR MARY LOVELACE O'NEAL AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN VISUAL ART.

By Senator(s) Horhn, Frazier, Michel

**S. C. R. No. 539:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO THE ALCORN STATE UNIVERSITY JAZZ FESTIVAL AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARDS FOR ARTS IN THE COMMUNITY.

By Senator(s) Horhn, Butler (36th)

**S. C. R. No. 540:** Rules

A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO MYRNA COLLEY-LEE AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN COSTUME DESIGN AND ARTS PATRON.

By Senator(s) Horhn, Jordan, Simmons (13th)

**S. R. No. 16:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL AWARD-WINNING COACH DEION "COACH PRIME" SANDERS FOR A REMARKABLE PROGRAM RECORD 11-WIN SEASON AND FOR BEING NAMED THE 2021 SWAC COACH OF THE YEAR.

By Senator(s) Norwood, Frazier

**S. R. No. 17:** Rules

A RESOLUTION RECOGNIZING AND COMMENDING THE JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL TEAM AND HEAD COACH DEION SANDERS UPON WINNING THE 2021 CHAMPIONSHIP.

By Senator(s) Norwood, Frazier

**S. R. No. 18:** Rules

A RESOLUTION EXPRESSING THE DEEPEST SYMPATHY OF THE LEGISLATURE ON THE PASSING OF LUSIA "LUCY" HARRIS OF MINTER CITY, MISSISSIPPI, AND REMEMBERING HER LEGACY AS A PIONEER OF WOMEN'S BASKETBALL ON THE OCCASION OF THE PREMIER OF THE DOCUMENTARY FILM "THE QUEEN OF BASKETBALL" RELEASED IN HER HONOR.

By Senator(s) Jordan

**S. R. No. 19:** Rules

A RESOLUTION MOURNING THE PASSING AND COMMENDING THE CIVIC CONTRIBUTIONS OF RANDY TATE, EXECUTIVE DIRECTOR OF THE BOYS & GIRLS CLUB OF PIKE COUNTY, MISSISSIPPI, AND EXTENDING THE CONDOLENCES OF THE MISSISSIPPI SENATE.

By Senator(s) Butler (38th)

**S. R. No. 20:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE SOUTH PANOLA HIGH SCHOOL "TIGERS" CHEERLEADING TEAM AND COACH SARA HELEN WARE FOR WINNING THE NATIONAL CHEERLEADERS ASSOCIATION (NCA) NATIONAL CHAMPIONSHIP FOR THE SECOND CONSECUTIVE YEAR.

By Senator(s) Jackson (11th), Boyd

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TWENTY-EIGHTH DAY, MONDAY, JANUARY 31, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Father Will Compton, Pastor, Chapel of the Cross, Madison, MS.

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

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

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 1440:** City of Natchez and Adams County; authorize contributions to Natchez, Incorporated. Local and Private.

#### REPORT OF COMMITTEE ON EDUCATION

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

**S. B. No. 2416:** Unused leave accumulated by teacher who transfers to another school district; allow to be credited. Title Sufficient. Do Pass.

**S. B. No. 2423:** Teacher license; allow supplemental endorsement and revise provisions of issuance. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2706:** Third-grade reading assessment for 2021-2022 school year; allow students who fail to be promoted to fourth grade with remediation. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2428:** District of Innovation Task Force of 2022; create. Title Sufficient. Do Pass.

**S. B. No. 2431:** Procedure for the purchase of textbooks by the State Board of Education; repeal. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2432:** School attendance officers; revise salary provisions. Title Sufficient. Do Pass.

**S. B. No. 2887:** Purchase of school buses; bring forward sections related thereto. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND UNIVERSITIES AND COLLEGES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2425:** State Superintendent of Public Education, I.H.L. Commissioner and Director of the Community College Board; set maximum salaries. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
PARKS, Chairman

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REPORT OF COMMITTEES ON  
ENVIRONMENT PROT, CONS AND WATER RES AND BUSINESS AND FINANCIAL  
INSTITUTIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2499:** Solid Waste Disposal Law; define advanced plastic recycling. Title Sufficient. Committee Substitute. Do Pass.

MCDANIEL, Chairman  
CAUGHMAN, Chairman

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Senator Whaley called up the following entitled bill:

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office.

Senator Whaley moved that **S. B. No. 2503** be recommitted to Wildlife, Fisheries and Parks, and the motion prevailed.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Erle Stadnicki of Waveland, MS.

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Senator Hill moved that when the Senate adjourns, it adjourn in memory of former Senator Joseph Stogner of Sandy Hook, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of George Lambert Cole, Jr. of Greenville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Bro. Ricky Revette of Buckatunna, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Jane Ross Hutto of Clara, MS.

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Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Max Raymond Pierce of Hattiesburg, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Emma Mae Burt Williams, Vera Inez Lewis, Sherrie P. Johnson, Ruby Pauline Brewer, Peggy Cornelia Dearman McClinnis, Nancy Jean Carroll and Milton Roy Fleming of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Joel Marcus Dearman, Elmina Diana Flowers, Vanessa Lynn Little, Henry Ernest Elam, Jr., Gladys Margarette Seale and Erma Ruth Kelly of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dr. Samuel Marcus Allen, Merton Earl Coffin, Mary Jo Gunn, Margaret Ivey, Loyd H. Miller and Jennie V. Crapse of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Byrtie Beatrice Smith McLemore, Alice Josephine Purvis Dearman, Alton Lamar Beckman, Benjamin Eddy "Ben" Ivy, Billy J. Ivey and Billy Ray Albritton of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dustin "Dusty" Lee Coffman, Lee Frances Vinson and J. Vance Grantham of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Billy Lanoel "Buddy" Manasco and Becky Plowden of Shubuta, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Minnie Lee Stewart of Stonewall, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of E. G. "Coonie" McPhearson of Enterprise, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Steven Earl Dawkins of Lauderdale, MS.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 1, 2022.

The motion prevailed, and at 4:18 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1509:** AN ACT TO PROHIBIT A STATE AGENCY, PUBLIC OFFICIAL, STATE INSTITUTION OF HIGHER LEARNING, PUBLIC COMMUNITY OR JUNIOR COLLEGE, COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE FROM REFUSING SERVICES, HEALTH CARE ACCESS OR EMPLOYMENT OPPORTUNITIES TO A PERSON, OR OTHERWISE DISCRIMINATE AGAINST A PERSON, BASED UPON HIS OR HER COVID-19 VACCINATION STATUS OR POSSESSION OF A COVID-19 IMMUNITY PASSPORT; TO DEFINE THE TERMS "IMMUNITY PASSPORT" AND "COVID-19 VACCINATION STATUS"; TO PROVIDE A CERTAIN EXEMPTION FOR HEALTH CARE FACILITIES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2064:** District attorneys; provide for the appointment of part-time legal assistants. Title Sufficient. Do Pass.

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2814:** Mississippi Water Quality Commission; create for the purpose of providing oversight of certain water and sewer systems. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2066:** District attorneys; increase annual salaries of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2803:** Sheriffs; increase salaries of sheriffs for counties with certain population. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2647:** Board of Cosmetology and Barbering; create, and abolish Board of Barber Examiners. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2280:** Corrections; extend repealer on intensive supervision program and electronic home detention. Title Sufficient. Do Pass.

BARNETT, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violation to the State Auditor. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION B AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2536:** Public Funds Offender Registry; create. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman  
POLK, Chairman

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REPORT OF COMMITTEE ON RULES

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

**S. R. No. 16:** Congratulate Jackson State University "Tigers" Football Coach Deion "Coach Prime" Sanders for remarkable season. Title Sufficient. Do Be Adopted.

**S. R. No. 17:** Commend Jackson State University "Tigers" Football Team for winning 2021 SWAC Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 534:** Congratulate Jackson State University "Tigers" Football Team for remarkable season. Title Sufficient. Do Be Adopted.

**S. R. No. 18:** Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball." Title Sufficient. Do Be Adopted.

**S. C. R. No. 526:** Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball." Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request. Title Sufficient. Do Pass.

BRYAN, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2350:** Certificate of Foreign Birth; allow issuance by Bureau of Vital Statistics. Title Sufficient. Do Pass.

WIGGINS, Chairman  
BRYAN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:28 PM in memory of Erle Stadnicki, Senator Joseph Stogner, Peggy Cornelia Dearman McInnis, Nancy Jean Carroll, Milton Roy Fleming, Joel Marcus Dearman, Elmina Diana Flowers, Vanessa Lynn Little, Henry Ernest Elam, Jr., Gladys Margaret Seale, Erma Ruth Kelly, Dr. Samuel Marcus Allen, George Lambert Cole, Jr., Merton Earl Coffin, Mary Jo Gunn, Margaret Ivey, Loyd H. Miller, Jennie V. Crapse, Byrtie Beatrice Smith McLemore, Alice Josephine Purvis Dearman, Alton Lamar Beckman, Benjamin Eddy "Ben" Ivy, Billy J. Ivey, Bro. Ricky Revette, Billy Ray Albritton, Dustin "Dusty" Lee Coffman, Lee Frances Vinson, J. Vance Grantham, Billy Lanoel "Buddy" Manasco, Becky Plowden, Minnie Lee Stewart, E. G. "Coonie" McPhearson, Steven Earl Dawkins, Jane Ross Hutto, Max Raymond Pierce, Emma Mae Burt Williams, Vera Inez Lewis, Sherrie P. Johnson and Ruby Pauline Brewer.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, JANUARY 31, 2022

**S. B. No. 2953:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE ROME WATER SYSTEM IN SUNFLOWER COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE SYSTEM'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2954:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MISSISSIPPI DELTA COMMUNITY COLLEGE IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW DORMITORY BUILDING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Thomas

**S. B. No. 2955:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO CASCILLA WATER ASSOCIATION IN TALLAHATCHIE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2956:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF CHARLESTON TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2957:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE BLUE CANE, COWART AND TIPPO WATER ASSOCIATION FOR WATER SYSTEM IMPROVEMENT PROJECTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2958:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF DODDSVILLE TO DEFRAY EXPENSES FOR THE REPAIR AND REPLACEMENT OF WATER-SUPPLY WELLS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2959:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF TUTWILER TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

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## TWENTY-NINTH DAY, TUESDAY, FEBRUARY 1, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Absent--Seymour. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Seymour.

The invocation was delivered by Reverend Dan Young, Senior Pastor, Roseland Park Baptist Church, Picayune, MS.

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

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

## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND COUNTY AFFAIRS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2623:** Involuntary civil commitments; limit county's liability for costs of medical treatment. Title Sufficient. Do Pass.

WIGGINS, Chairman  
HILL, Chairman

## REPORT OF COMMITTEE ON ELECTIONS

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

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to. Title Sufficient. Do Pass.

TATE, Chairman

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REPORT OF COMMITTEE ON INSURANCE

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

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services. Title Sufficient. Committee Substitute. Do Pass.

MICHEL, Chairman

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REPORT OF COMMITTEE ON MEDICAID

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

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service. Title Sufficient. Do Pass.

**S. B. No. 2659:** Medicaid waivers and authority of Governor to alter eligibility in accordance with federal law; bring forward. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2448:** Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. Title Sufficient. Do Pass.

**S. B. No. 2664:** Medicaid services; require Medicaid to reimburse licensed birthing centers and to seek necessary waivers. Title Sufficient. Do Pass.

BLACKWELL, Chairman

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Senator Polk moved that the Senate stand in recess until 5:30 PM.

The motion prevailed, and at 10:20 AM, the Senate stood in recess.

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The Senate resumed business at 5:30 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2829:** Fuel taxes; bring forward section of law providing for the apportionment of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2832:** Bonds; revise uses of IHL bond proceeds for Mississippi State University College of Architecture, Art and Design. Title Sufficient. Do Pass.

**S. B. No. 2841:** State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds. Title Sufficient. Do Pass.

**S. B. No. 2842:** Mississippi Health Care Industry Zone Act and related ad valorem tax and sales tax exemptions; extend repeal date. Title Sufficient. Do Pass.

**S. B. No. 2875:** Alcoholic beverages; revise definition of beer. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2831:** Sales and use taxes; bring forward code sections for purpose of possible amendment. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2772:** State Small Business Credit Initiative; authorize MDA to form a private nonprofit entity for economic development. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
BUSINESS AND FINANCIAL INSTITUTIONS AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2634:** Mississippi Savings Initiative; create. Title Sufficient. Committee Substitute. Do Pass.

CAUGHMAN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON ENERGY

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

**S. B. No. 2281:** Advanced recycling; decrease plastic waste. Title Sufficient. Do Pass.

**S. B. No. 2282:** Carbon dioxide geologic sequestration; revise laws regarding. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2604:** Mississippi Broadband Expansion Act; enact. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**S. B. No. 2480:** Highways; conform weight tolerance provision, and remove repealers relating to harvest permits and timber deed grantees. Title Sufficient. Do Pass.

**S. B. No. 2517:** Logging fleets; authorize voluntary inspection program. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

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REPORT OF COMMITTEES ON  
FORESTRY AND HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2519:** Motor vehicle loads; bring forward provisions related to. Title Sufficient. Committee Substitute. Do Pass.

MCCAUGHN, Chairman  
BRANNING, Chairman

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REPORT OF COMMITTEES ON  
FINANCE AND ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman  
PARKER, Chairman

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REPORT OF COMMITTEE ON TECHNOLOGY

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

**S. B. No. 2530:** State Enterprise Security Program; bring forward provisions which establish. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2531:** Mississippi Emergency Communications Act; create. Title Sufficient. Committee Substitute. Do Pass.

DELANO, Chairman

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**REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS**

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

**S. B. No. 2349:** State Veterans Home in Collins; name courtyard in honor of Chaplain James Carroll Sanford and Veterans Outreach Program. Title Sufficient. Do Pass.

SEYMOUR, Chairman

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**REPORT OF COMMITTEE ON PUBLIC PROPERTY**

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

**S. B. No. 2004:** Public lands; extend repealer on section prescribing who may purchase. Title Sufficient. Do Pass.

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

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**REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS**

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

**S. B. No. 2488:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2504:** Department of Wildlife, Fisheries and Parks; set term of executive director and create division of parks and recreation. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2506:** Bow hunting; establish a three day season in last weekend of September for legal bucks. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2515:** State parks; transfer jurisdiction from WFP Department and Commission to Mississippi Department of Tourism. Title Sufficient. Do Pass.

**S. B. No. 2518:** State parks; transfer jurisdiction from WFP Department and Commission to MDA Tourism Division. Title Sufficient. Do Pass.

WHALEY, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 44:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS ALL GIRL CHEERLEADING TEAM AND COACH TROY ALLEN FOR WINNING THE 2022 UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) DIVISION 1A GAME DAY NATIONAL CHAMPIONSHIP.

**H. C. R. No. 45:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS WOMEN'S GOLF TEAM AND COACH KORY HENKES FOR WINNING THE 2021 NCAA DIVISION I NATIONAL CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 527:** Commend University of Mississippi Women's Golf Team and Coach Kory Henkes for winning their first National Title in school history.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. C. R. No. 44:** Ole Miss Rebels All Girl Cheerleading Team; commend and congratulate on winning 2022 UCA Division 1A Game Day National Championship. Rules.

**H. C. R. No. 45:** Ole Miss Rebels Women's Golf Team; commend and congratulate upon winning 2021 NCAA Division I National Championship. Rules.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2966:** Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act. Title Sufficient. Do Pass.

**S. B. No. 2967:** Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act. Title Sufficient. Do Pass.

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds. Title Sufficient. Do Pass.

**S. B. No. 2778:** Line-Item Appropriation Transparency Act; revise. Title Sufficient. Do Pass.

**S. B. No. 2791:** Salaries of public officers; bring forward various laws relating to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2794:** Legislators; allow office expense allowance for every month of the term. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2724:** "MS Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022"; establish. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2782:** Law Enforcement Officers Death Benefits Trust Fund; include presumption of eligibility for officers with COVID-19. Title Sufficient. Do Pass.

**S. B. No. 2822:** "Mississippi Water and Wastewater Transformation Infrastructure Grant Program Act of 2022"; establish. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2673:** "Mississippi Frontline Nurses and Health Care Workers Retention Grant Program"; establish in the Mississippi Department of Health. Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman

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REPORT OF COMMITTEES ON  
AGRICULTURE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2077:** Mississippi Farms and Families Program; create. Title Sufficient. Do Pass.

YOUNGER, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
ECONOMIC AND WORKFORCE DEVELOPMENT AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2721:** American Rescue Plan Act (ARPA) Workforce Development Program; create. Title Sufficient. Committee Substitute. Do Pass.

PARKER, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2105:** School board members; increase pay. Title Sufficient. Do Pass.

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2443:** Nationally certified school employees; delete caps on nurses & speech pathologists, add athletic trainers for salary supplements. Title Sufficient. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
ELECTIONS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
ENVIRONMENT PROT, CONS AND WATER RES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. Title Sufficient. Do Pass.

MCDANIEL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding. Title Sufficient. Do Pass.

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital. Title Sufficient. Do Pass.

**S. B. No. 2818:** "Mississippi County Health Department Infrastructure Grant Program Act of 2022"; establish. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2849:** COVID-19 Destination Marketing Organization Grant Program Fund; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2874:** Mississippi Arts and Entertainment Center; revise lease or contract requirements for the operation of. Title Sufficient. Do Pass.

CHASSANIOL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2419:** Acute care hospital employee loan repayment program; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2698:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. Title Sufficient. Do Pass.

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation. Title Sufficient. Committee Substitute. Do Pass.

PARKS, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2362:** Salary cap; exempt certain attorneys employed by Attorney General from. Title Sufficient. Do Pass.

**S. B. No. 2793:** Legal service contracts; clarify exemption from Public Procurement Review Board. Title Sufficient. Do Pass.

**S. B. No. 2806:** Public purchase bidding; prohibit reverse auctions for any design or construction labor or services. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEES ON  
ELECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2606:** Statewide Elections Management System; provide for voter's proof of citizenship. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
MUNICIPALITIES AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend repealer on authority for. Title Sufficient. Committee Substitute. Do Pass.

SIMMONS (12TH), Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
VETERANS AND MILITARY AFFAIRS AND ACCOUNTABILITY, EFFICIENCY,  
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on. Title Sufficient. Do Pass.

SEYMOUR, Chairman  
POLK, Chairman

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**REPORT OF COMMITTEE ON JUDICIARY, DIVISION A**

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

**S. B. No. 2472:** Eminent domain; codify constitutional amendment. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests. Title Sufficient. Do Pass.

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2626:** Comprehensive Landlord and Tenant Act; enact. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2015:** Youth court records; provide that parents have right to redacted copies. Title Sufficient. Do Pass.

**S. B. No. 2465:** Construction liens; failure to file notice shall not invalidate claim of lien. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2356:** The Real You Act of 2022; enact. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2616:** Gaming; require winnings to be reported to MDHS for offsetting outstanding child-support obligations. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

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**REPORT OF COMMITTEES ON  
ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY AND JUDICIARY, DIVISION A**

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2087:** Open meetings law for public bodies; require all official meetings to be broadcast via video livestream applications. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman  
WIGGINS, Chairman

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**REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND HIGHWAYS AND TRANSPORTATION**

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2509:** Outdoor advertising signs; remove maximum limits on height and square footage. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman  
BRANNING, Chairman

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

The motion prevailed, and at 5:30 PM, the Senate stood in recess.

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The Senate resumed business at 5:31 PM, pursuant to recess, with President Hosemann presiding.

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

The motion prevailed, and at 5:31 PM, the Senate stood in recess.

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The Senate resumed business at 6:00 PM, pursuant to recess, with President Hosemann presiding.

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Senators Jackson (11th), Simmons D. T. (12th) and Jordan moved that when the Senate adjourns, it adjourn in memory of former Senator Delma Furniss of Rena Lara, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Mary Ann Richardson of Brooksville, MS.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 2, 2022.

The motion prevailed, and at 6:01 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2237:** Sentence suspension; prohibit for crimes involving the exploitation of children. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2244:** Juveniles offenders; provide alternative sentencing and parole options. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2246:** Arrest warrants; authorize issuance for sex offenses against children upon oral testimony. Title Sufficient. Do Pass.

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties to sell unless certain conditions are met. Title Sufficient. Do Pass.

**S. B. No. 2601:** Mississippi Pink Alert System Act of 2022; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2247:** Sex offenders; prohibit employment as first responders without DPS approval. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2261:** Buddy's Law; order psychiatric evaluations for children adjudicated delinquent for abuse of a domesticated dog or cat. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2563:** Mississippi Pill Press Act of 2022; enact. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2437:** Work Initiative; authorize the establishment of. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman  
FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury. Title Sufficient. Do Pass.

HILL, Chairman  
FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
DRUG POLICY AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2283:** Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

JORDAN, Chairman  
FILLINGANE, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:07 PM in memory of former Senator Delma Furniss and Mary Ann Richardson.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, FEBRUARY 1, 2022

**S. B. No. 2960:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY TO DEFRAY EXPENSES ASSOCIATED WITH PURCHASING SPECIAL FIRE SERVICE EQUIPMENT TO COMBAT AERONAUTICAL INCIDENTS AND COSTS ASSOCIATED WITH HOUSING THE EQUIPMENT AT HAWKINS FELD IN JACKSON, MISSISSIPPI, FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2961:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE WEST TALLAHATCHIE UTILITIES ASSOCIATION IN TALLAHATCHIE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE ASSOCIATION'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2962:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF MOORHEAD FOR WATER AND SEWER IMPROVEMENT PROJECTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2963:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO NORTH TALLAHATCHIE WATER ASSOCIATION IN TALLAHATCHIE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2964:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO PAYNES WATER ASSOCIATION IN TALLAHATCHIE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE ASSOCIATION'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2965:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH PURCHASING SPECIAL FIRE SERVICE EQUIPMENT TO COMBAT AERONAUTICAL INCIDENTS AND WITH HOUSING THE EQUIPMENT AT HAWKINS FIELD IN JACKSON, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2966:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE OPERATIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2967:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE OPERATIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. C. R. No. 541:** Rules

A CONCURRENT RESOLUTION RECOGNIZING JANUARY 2022 AS "CERVICAL HEALTH AWARENESS MONTH IN MISSISSIPPI," ACKNOWLEDGING THAT CERVICAL CANCER IS DETECTABLE AND PREVENTABLE THROUGH REGULAR SCREENING, AND ENCOURAGING ALL WOMEN TO SCHEDULE WELL-WOMAN EXAMS AND PAP+HPV (CO-TESTING) CERVICAL CANCER SCREENING.

By Senator(s) Blackwell, Boyd

**S. C. R. No. 542:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF FORMER NORTHERN DISTRICT TRANSPORTATION COMMISSIONER ZACK STEWART AND THANKING HIM FOR HIS OUTSTANDING RECORD OF EFFECTIVE AND DEDICATED SERVICE TO THE PEOPLE OF THE STATE OF MISSISSIPPI.

By Senator(s) Chism

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THIRTIETH DAY, WEDNESDAY, FEBRUARY 2, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Seymour. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Seymour.

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The invocation was delivered by Reverend Andy Coburn, Pastor, First Presbyterian Church, Winona, MS.

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

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

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

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

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

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

**S. C. R. No. 527:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" WOMEN'S GOLF TEAM AND COACH KORY HENKES FOR WINNING THEIR FIRST WOMEN'S NATIONAL TITLE IN SCHOOL HISTORY.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON LOCAL AND PRIVATE**

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1440:** City of Natchez and Adams County; authorize contributions to Natchez, Incorporated. Title Sufficient. Do Pass.

**S. B. No. 2512:** City of Southaven; extend repeal date on restaurant tax. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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Senator Hopson called up the following entitled bill:

**S. B. No. 2776:** Health Care Expendable Fund; extend date of repeal.

YEAS AND NAYS On S. B. No. 2776. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 2966:** Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act.

YEAS AND NAYS On S. B. No. 2966. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 2967:** Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act.

YEAS AND NAYS On S. B. No. 2967. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 2778:** Line-Item Appropriation Transparency Act; revise.

YEAS AND NAYS On S. B. No. 2778. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2778**.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1440**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1440:** City of Natchez and Adams County; authorize contributions to Natchez, Incorporated.

YEAS AND NAYS On H. B. No. 1440. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, Norwood, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--39.

Nays--McDaniel. Total--1.

Absent and those not voting--Blount, Caughman, McMahan, Michel, Seymour. Total--5.

Voting Present--Blackwell, Branning, Chism, Moran, Parker, Polk, Williams. Total--7.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises.

YEAS AND NAYS On S. B. No. 2770. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2771:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.

YEAS AND NAYS On S. B. No. 2771. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2090:** Distinctive motor vehicle license tags; authorize for Mississippi Book Festival.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2090. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2846:** Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects.

YEAS AND NAYS On S. B. No. 2846. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2832:** Bonds; revise uses of IHL bond proceeds for Mississippi State University College of Architecture, Art and Design.

YEAS AND NAYS On S. B. No. 2832. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 6, S. C. R. No. 501, S. C. R. No. 502, S. C. R. No. 504, S. C. R. No. 505, S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 508, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 514, H. C. R. No. 8, S. R. No. 16, S. R. No. 17, S. C. R. No. 534, S. R. No. 18 and S. C. R. No. 526 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 6:** Mourn the loss and commend the life of Mrs. Mary Elizabeth Daniel.

**S. C. R. No. 501:** Commend Philadelphia automobile dealer Bill Griffis for his nomination for the 2022 TIME Dealer of the Year Award.

**S. C. R. No. 502:** Commend former Mississippi Representative Honorable Fred Banks on his receipt of "2021 Lifetime Achievement Award" by MS BAR.

**S. C. R. No. 504:** Commend Columbia High School "Wildcats" Football Team for first State Championship since 1982.

**S. C. R. No. 505:** Recognize legacy of NFL Hall of Fame Running Back Walter Payton and dedication of "Walter Payton Field" in Columbia, Mississippi.

**S. C. R. No. 506:** Commend Mississippi Humanities Council on the occasion of its 50th Anniversary.

**S. C. R. No. 507:** Extending the deepest sympathy on the passing of former Mississippi First Lady and community activist Elise Winter.

**S. C. R. No. 508:** Paying tribute to public health career and contributions of respected state health officer and first Medicaid Director Dr. Alton Cobb.

**S. C. R. No. 509:** Commend State Parole Board Chairman Steven Pickett on the occasion of his retirement.

**S. C. R. No. 510:** Commend Mississippi "Braves" Baseball Team for winning the Double A South Championship.

**S. C. R. No. 514:** Congratulate MSU 2021 Baseball Team on National Championship.

**H. C. R. No. 8:** Mississippi State University Bulldogs Baseball Team; commend for winning the 2021 NCAA Baseball National Championship.

**S. R. No. 16:** Congratulate Jackson State University "Tigers" Football Coach Deion "Coach Prime" Sanders for remarkable season.

**S. R. No. 17:** Commend Jackson State University "Tigers" Football Team for winning 2021 SWAC Championship.

**S. C. R. No. 534:** Congratulate Jackson State University "Tigers" Football Team for remarkable season.

**S. R. No. 18:** Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball."

**S. C. R. No. 526:** Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball."

YEAS AND NAYS on consideration en bloc of S. R. No. 6, S. C. R. No. 501, S. C. R. No. 502, S. C. R. No. 504, S. C. R. No. 505, S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 508, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 514, H. C. R. No. 8, S. R. No. 16, S. R. No. 17, S. C. R. No. 534, S. R. No. 18 and S. C. R. No. 526. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Branning, Horhn, Sparks and Thomas as co-authors of **S. R. No. 6**.

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Unanimous consent was granted to add Senator Simmons S. (13th) and Sparks as co-authors of **S. C. R. No. 501**.

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Unanimous consent was granted to add Senators Blount, Branning, Butler K. (38th), England, Hopson, Horhn, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 502**.

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Unanimous consent was granted to add Senators Branning, Johnson, Norwood, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 504**.

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Unanimous consent was granted to add Senators Branning, Caughman, DeBar, Frazier, Horhn, McDaniel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 505**.

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Unanimous consent was granted to add Senators Norwood, Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 506**.

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Unanimous consent was granted to add Senators Branning, Frazier, Hopson, Horhn, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 507**.

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Unanimous consent was granted to add Senators Branning, Frazier, Hopson, Horhn, Michel, Norwood, Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 508**.

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Unanimous consent was granted to add Senators Branning, DeBar, Frazier, Horhn, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th) and Sparks as co-authors of **S. C. R. No. 509**.

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Unanimous consent was granted to add Senators Branning, England, Horhn, McDaniel, Michel, Norwood, Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 510**.

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Unanimous consent was granted to add Senators Branning, England, Frazier, Hopson, Horhn, McDaniel, Moran, Norwood, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 514**.

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Unanimous consent was granted to add Senators Blount, Branning, Butler K. (38th), Caughman, DeBar, England, Horhn, McDaniel, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. R. No. 16**.

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Unanimous consent was granted to add Senators Blount, Branning, Butler K. (38th), DeBar, England, Horhn, McDaniel, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. R. No. 17**.

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Unanimous consent was granted to add Senators Blount, Branning, Butler K. (38th), DeBar, England, Horhn, McDaniel, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 534**.

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Unanimous consent was granted to add Senators Branning, Butler K. (38th), England, Horhn, McDaniel, Norwood, Simmons S. (13th) and Thomas as co-authors of **S. R. No. 18**.

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Unanimous consent was granted to add Senators Branning, Butler K. (38th), Caughman, England, Frazier, Horhn, McDaniel, Norwood, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 526**

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 503:** Mourn the passing of former Senator Joseph Stogner of Sandy Hook, Mississippi, and commend his public and charitable service.

YEAS AND NAYS On S. C. R. No. 503. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Branning, Butler K. (38th), DeBar, England, Frazier, Horhn, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thomas as co-authors of **S. C. R. No. 503**.

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Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 2862** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

The foregoing motion prevailed.

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Senator Hopson called up the motion to reconsider the vote whereby  
**S. B. No. 2865** passed the Senate and moved that the motion to reconsider be tabled:  
**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

The foregoing motion prevailed.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2269:** Community Service Revolving Fund; extend repealer on authority to collect fees for deposit into.

YEAS AND NAYS On S. B. No. 2269. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2272:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility.

YEAS AND NAYS On S. B. No. 2272. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senator Simmons S. (13th) as co-author of **S. B. No. 2272**.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2276:** State Parole Board; extend repealer on.

YEAS AND NAYS On S. B. No. 2276. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Barnett called up the following entitled bill:

**S. B. No. 2277:** Prison Overcrowding Emergency Powers Act; extend repealer on.

YEAS AND NAYS On S. B. No. 2277. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

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

Voting Present--Hill. Total--1.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2273. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Senator Michel called up the following entitled bill:

**S. B. No. 2024:** Travel Insurance Act of 2022; create.

YEAS AND NAYS On S. B. No. 2024. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2024.**

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Senator Michel called up the following entitled bill:

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

YEAS AND NAYS On S. B. No. 2335. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2335.**

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Senator Caughman called up the following entitled bill:

**S. B. No. 2018:** MS Department of Banking and Consumer Finance conduct periodic joint-bank examinations; extend repealer.

On motion of Senator Caughman, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2018. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Caughman called up the following entitled bill:

**S. B. No. 2640:** State-chartered banks; revise merger law to conform to the Mississippi Business Corporation Act.

YEAS AND NAYS On S. B. No. 2640. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2460:** Mississippi Domestic Law Task Force; reconstitute.

YEAS AND NAYS On S. B. No. 2460. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2460**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2587:** CDLs; treat certain moving violations as regular license holders.

YEAS AND NAYS On S. B. No. 2587. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senators Branning, Caughman and Butler K. (38th) as co-authors of **S. B. No. 2587**.

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 1:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF MR. GARY JUDE HARKINS AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 11:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING LIEUTENANT TOBY JOHNSON FOR HIS EXTRAORDINARY SERVICE AS A MEMBER OF THE JACKSON FIRE DEPARTMENT AND THE MISSISSIPPI URBAN SEARCH AND RESCUE TASK FORCE DURING HURRICANE IDA.

**H. C. R. No. 12:** A CONCURRENT RESOLUTION COMMENDING FIREFIGHTER LINC TUCKER

**H. C. R. No. 13:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. SAMUEL LARRY RICHEY.

**H. C. R. No. 15:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. GEORGE SMITH.

**H. C. R. No. 17:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. CARROLL V. HOOD.

**H. C. R. No. 33:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP AND SERVICE OF MR. JAMES A. BARBER, FORMER EXECUTIVE DIRECTOR OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER), AND HIS CONTRIBUTIONS TO LEGISLATIVE OVERSIGHT IN MISSISSIPPI AND THE FIELD OF PROGRAM EVALUATION UPON THE OCCASION OF HIS RETIREMENT.

**H. C. R. No. 38:** A CONCURRENT RESOLUTION EXPRESSING THE SINCERE GRATITUDE OF THE MISSISSIPPI LEGISLATURE TO MISSISSIPPI'S FUNERAL SERVICE PROFESSIONALS AND THE MISSISSIPPI FUNERAL DIRECTORS ASSOCIATION FOR PROVIDING SAFE AND DIGNIFIED END OF LIFE RITES FOR FAMILIES IN BEREAVEMENT IN THE DARKEST HOURS OF THE COVID-19 PANDEMIC.

**H. C. R. No. 43:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SCOTT CENTRAL HIGH SCHOOL REBELS FOOTBALL TEAM AND HEAD COACH JEFF STOCKSTILL FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A STATE FOOTBALL CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 425:** AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DECLARE THE MONTH OF APRIL AS "GARY HEMPHILL COMMERCIAL AVIATION MONTH"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:31 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT

RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 425:** Gary Hemphill Commercial Aviation Month; declare the month of April as. Rules.

**H. C. R. No. 1:** Gary Jude Harkins; commend life and legacy upon his passing. Rules.

**H. C. R. No. 11:** Lieutenant Toby Johnson; commend for service during Hurricane Ida. Rules.

**H. C. R. No. 12:** Firefighter Linc Tucker; commend for meritorious service. Rules.

**H. C. R. No. 13:** Samuel Larry Richey; commend his life upon his passing. Rules.

**H. C. R. No. 15:** Mr. George Smith; commend his life and legacy upon his passing. Rules.

**H. C. R. No. 17:** Carroll V. Hood; commend life and legacy upon his passing. Rules.

**H. C. R. No. 33:** James A. Barber; commend service as Executive Director of PEER upon his retirement. Rules.

**H. C. R. No. 38:** MS Funeral Directors Association; commend and express gratitude to funeral service professionals for selfless work during COVID-19 pandemic. Rules.

**H. C. R. No. 43:** Scott Central High School Football Team; commend and congratulate upon winning Class 2A State Championship. Rules.

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Senator DeBar moved that the rules be suspended to move to calendar item 53, **S. B. No. 2444**, and the motion prevailed.

Senator DeBar called up the motion to reconsider the vote whereby **S. B. No. 2444** passed the Senate and moved that it be reconsidered:

**S. B. No. 2444:** Teachers' salaries; provide increase to minimum salary.

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 2444. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2444**.

Senator Barnett called up the following entitled bill:

**S. B. No. 2817:** Department of Corrections; authorize the provision of hospice care services to inmates with a terminal illness.

YEAS AND NAYS On S. B. No. 2817. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Unanimous consent was granted to add Senator Simmons S. (13th) as co-author of **S. B. No. 2817**.

Senator Whaley called up the following entitled bill:

**S. B. No. 2498:** Water skiing; revise safety requirements.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on lines 10 and 11 by striking the underlined language.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2498 failed.

YEAS AND NAYS On S. B. No. 2498. On motion of Senator Chism, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Hopson, McMahan. Total--2.

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

Voting Present--Barnett, Jackson (11th), Turner-Ford. Total--3.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration.

YEAS AND NAYS On S. B. No. 2505. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2505.**

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Senator Whaley called up the following entitled bill:

**S. B. No. 2495:** Mississippi Outdoor Stewardship Trust Fund; create.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2495. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Butler K. (38th), Sparks, Carter, Wiggins, Jordan, McLendon, Suber, Jackson (11th), DeLano, Caughman, Younger, Tate, England, Barnett, Butler A. (36th), Barrett, Moran and Branning as co-authors of **S. B. No. 2495.**

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Senator Carter called up the following entitled bill:

**S. B. No. 2474:** Municipally owned electric utilities; shall have same powers as electric power cooperatives.

Senator Carter offered the following AMENDMENT NO. 1.

AMEND on line 17 by changing "its passage" to the following:

July 1, 2022, and shall stand repealed on June 30, 2022.

Amendment No. 1 to S. B. No. 2474 was adopted.

YEAS AND NAYS On S. B. No. 2474. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Chism, Suber, Thomas, Whaley, McCaughn and Simmons S. (13th) as co-authors of **S. B. No. 2474**.

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Senator McCaughn called up the following entitled bill:

**S. B. No. 2068:** State Forestry Commission Law Enforcement Officers; extend repealer on authority to appoint.

YEAS AND NAYS On S. B. No. 2068. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2537:** Fireworks; reduce offense for violation of law from felony to misdemeanor.

YEAS AND NAYS On S. B. No. 2537. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Hill. Total--1.

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

Voting Present--Barnett, Jordan, Tate. Total--3.

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Unanimous consent was granted to add Senators Simmons D. T. (12th), Thomas and Jackson (11th) as co-authors of **S. B. No. 2537**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2073:** Fleeing or eluding a law enforcement officer; revise offense of.

On motion of Senator England, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2073. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Jackson (11th), Simmons D. T. (12th), Turner-Ford. Total--7.

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

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Unanimous consent was granted to add Senators McLendon, Branning and Caughman as co-authors of **S. B. No. 2073**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2235:** Terroristic threats; revise elements of.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2235. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Barnett called up the following entitled bill:

**S. B. No. 2584:** "Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND on line 196 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2584 was adopted.

YEAS AND NAYS On S. B. No. 2584. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Barrett, Chism, Hill, McDaniel, McLendon, Parker, Sojourner. Total--7.

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

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.

YEAS AND NAYS On S. B. No. 2341. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Younger as co-author of **S. B. No. 2341**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2083:** Open meetings; legislative advisory committee members must be invited to stay during executive session.

YEAS AND NAYS On S. B. No. 2083. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

---

Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2083**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2164:** Department of Tourism; create.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2164. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T.

(12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Branning, Chassaniol, Chism, Hill, McDaniel, Sojourner. Total--6.

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

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Senator Polk called up the following entitled bill:

**S. B. No. 2373:** Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees.

YEAS AND NAYS On S. B. No. 2373. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Simmons D. T. (12th). Total--1.

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

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Unanimous consent was granted to add Senators Hill and Parker as co-authors of **S. B. No. 2373**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2797:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

YEAS AND NAYS On S. B. No. 2797. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Barnett called up the following entitled bill:

**S. B. No. 2280:** Corrections; extend repealer on intensive supervision program and electronic home detention.

YEAS AND NAYS On S. B. No. 2280. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--Hill. Total--1.  
Absent and those not voting--Seymour. Total--1.

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Senator Blackwell moved that the rules be suspended to move to calendar item 91, **S. B. No. 2033**, and the motion prevailed.

Senator Blackwell called up the following entitled bill:

**S. B. No. 2033:** Recipients of Medicaid; extend postpartum coverage up to 12 months.

YEAS AND NAYS On S. B. No. 2033. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.  
Nays--Branning, Chism, Hill, McDaniel, Sojourner. Total--5.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senators Blount, Jordan, Thomas, Norwood, Jackson (11th), Butler A. (36th), Butler K. (38th), Simmons S. (13th), Frazier, Boyd, Simmons D. T. (12th), Younger and Barnett as co-authors of **S. B. No. 2033**.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service.

YEAS AND NAYS On S. B. No. 2739. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2448:** Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement.

YEAS AND NAYS On S. B. No. 2448. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Branning, Chism, Hill, McLendon. Total--4.

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

Voting Present--McDaniel, McMahan, Sojourner. Total--3.

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Senator Carter called up the following entitled bill:

**S. B. No. 2281:** Advanced recycling; decrease plastic waste.

YEAS AND NAYS On S. B. No. 2281. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Williams and Younger as co-authors of **S. B. No. 2281**.

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Senator McDaniel entered a motion to reconsider the vote whereby **S. B. No. 2033** passed the Senate.

**S. B. No. 2033:** Recipients of Medicaid; extend postpartum coverage up to 12 months.

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On motion of Senator Polk, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2966 and S. B. No. 2967.

**S. B. No. 2966:** Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act.

**S. B. No. 2967:** Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act.

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Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1440** passed the Senate.

**H. B. No. 1440:** City of Natchez and Adams County; authorize contributions to Natchez, Incorporated.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Max Woodliff of Jackson, MS.

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Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Grady Wigginton of Guntown, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Rev. Sam Jones of Moss Point, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Carl Larry Saxton of Canton, MS.

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Senators Horhn, Frazier, Norwood and Blount moved that when the Senate adjourns, it adjourn in memory of Joe Nathan Lowery, II of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles Clifford Wicker of Clinton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Tandy Walter Treadwell, Jr. of Brandon, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of JoAnn B. Waltman of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Raymond Swartzfager, Jr. of Laurel, MS.

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SENATE JOURNAL  
WEDNESDAY, FEBRUARY 2, 2022

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ruth Gary Hill of West Point, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Bonnie Ruth Beddingfield, Jeffrey Wade Freeman, Johnnie R. Swindoll, Marie Kitchens and Mary Marcelene Nazary of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Berry Ray Smith of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Michael D. "Mickey" Sellers of Clarkdale, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Stanley Ray Shirley of Snell, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 3, 2022.

The motion prevailed, and at 4:27 PM, the Senate stood in recess.

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MESSAGE FROM THE GOVERNOR  
February 2, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2095:** Mississippi Medical Cannabis Act; create. (February 2, 2022, 4:55 PM)

**S. B. No. 2097:** MS Real Estate Commission; require to establish program using administrative hearing officers. (February 2, 2022, 10:48 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Max Woodliff, Grady Wigginton, Bonnie Ruth Beddingfield, Jeffrey Wade Freeman, Johnnie R. Swindoll, Marie Kitchens, Mary Marcelene Nazary, Berry Ray Smith, Michael D. "Mickey" Sellers, Stanley Ray Shirley, Rev. Sam Jones, Carl Larry Saxton, Joe Nathan Lowery, II, Charles Clifford Wicker, Dr. Tandy Walter Treadwell, Jr., JoAnn B. Waltman, Raymond Swartzfager, Jr. and Ruth Gary Hill.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 2, 2022

**S. B. No. 2968:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LAUREL, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE SANDY CREEK EROSION PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2969:** Finance

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

By Senator(s) Barrett

**S. B. No. 2970:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF MENDENHALL TO DEFRAY EXPENSES FOR THE CITY'S WATER AND SEWER SYSTEM INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2971:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES FOR IMPROVEMENTS TO THE CITY'S SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2972:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO CANTON MUNICIPAL UTILITIES TO DEFRAY EXPENSES FOR THE WATER AND SEWER SYSTEMS OPERATED BY CANTON MUNICIPAL UTILITIES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2973:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES FOR IMPROVEMENTS TO THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2974:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE SOUTH HOLMES WATER ASSOCIATION FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF WATER SYSTEM IMPROVEMENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Blackmon

**S. B. No. 2975:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF GOODMAN FOR THE PURPOSE OF

PROVIDING FUNDS TO DEFRAY THE EXPENSES OF WATER AND SEWER SYSTEM IMPROVEMENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Blackmon

**S. B. No. 2976:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE EAST MADISON WATER ASSOCIATION FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF WATER SYSTEM IMPROVEMENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Blackmon

**S. B. No. 2977:** Appropriations

AN ACT MAKING AN APPROPRIATION TO HOLMES COUNTY FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF ROAD PAVING AND IMPROVEMENT PROJECTS FOR THE FISCAL YEAR 2023.

By Senator(s) Blackmon

**S. B. No. 2978:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF TCHULA FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF WATER AND SEWER SYSTEM IMPROVEMENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Blackmon

**S. B. No. 2979:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES FOR THE CITY'S WATER AND SEWER SYSTEMS UNDER BOYD STREET FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. R. No. 21:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2021-2022 BRANDON HIGH SCHOOL "LADY BULLDOGS" CHEERLEADING TEAM AND COACHES AMBER KING, SHERRA SHEARER, WILL EMMONS AND STORM CHAFFIN FOR WINNING THE NATIONAL CHEERLEADERS ASSOCIATION (NCA) NATIONAL CHAMPIONSHIP.

By Senator(s) Kirby

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THIRTY-FIRST DAY, THURSDAY, FEBRUARY 3, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Seymour. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Seymour.

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The invocation was delivered by Brother Gary Robinson, Pastor, New Bethel Jesus Name Church, Jayess, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 14:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING VETERANS OF THE VIETNAM WAR, ESPECIALLY REPRESENTATIVE MANLY BARTON AND REPRESENTATIVE MAC HUDDLESTON, WHO WERE EXPOSED TO AGENT ORANGE.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. C. R. No. 14:** Vietnam War Veterans; recognize and honor those exposed to Agent Orange. Rules.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

YEAS AND NAYS On S. B. No. 2780. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 35 by striking "Thirty Dollars (\$30.00)" and inserting in lieu thereof the following:

Fifty Dollars (\$50.00)

FURTHER, AMEND on line 53 by striking "Twenty-four Dollars (\$24.00)" and inserting in lieu thereof the following:

Forty-four Dollars (\$44.00)

Amendment No. 1 to S. B. No. 2223 was adopted.

YEAS AND NAYS On S. B. No. 2223. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2223.**

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Senator Harkins called up the following entitled bill:

**S. B. No. 2764:** Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses.

YEAS AND NAYS On S. B. No. 2764. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2773:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state.

YEAS AND NAYS On S. B. No. 2773. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

YEAS AND NAYS On S. B. No. 2747. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--None.

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

Voting Present--Branning, Chism, Hill, Norwood, Parker, Tate. Total--6.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2769:** Ad valorem tax; exempt property owned by a university foundation.

YEAS AND NAYS On S. B. No. 2769. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2159. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1440** passed the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1440:** City of Natchez and Adams County; authorize contributions to Natchez, Incorporated..

The foregoing motion prevailed.

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Senator Parker called up the following entitled bill:

**S. B. No. 2716:** RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify.

YEAS AND NAYS On S. B. No. 2716. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators McLendon and Blackwell as co-authors of **S. B. No. 2716**.

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Senator Parker called up the following entitled bill:

**S. B. No. 2719:** Annual salaries of county boards of supervisors; revise.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2719. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Hill. Total--1.

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

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Parker called up the following entitled bill:

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2723. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Whaley called up the following entitled bill:

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

YEAS AND NAYS On S. B. No. 2010. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Branning called up the following entitled bill:

**S. B. No. 2483:** Recreational off-highway vehicles; raise width and unladen dry weight limits.

YEAS AND NAYS On S. B. No. 2483. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Branning moved that the rules be suspended for the consideration en bloc of S. B. No. 2028, S. B. No. 2074 and S. B. No. 2520 and the motion prevailed.

Senator Branning called up the following measures:

**S. B. No. 2028:** Designated bridges; name in honor of Zack Stewart.

**S. B. No. 2074:** Memorial highways; designate segments of I-22 in Lee County as "Korean War Veterans Highway" and "Vietnam Veterans Way."

**S. B. No. 2520:** Memorial highways; designate segment of Mississippi Highway 45 for Senator John White.

YEAS AND NAYS on consideration en bloc of S. B. No. 2028, S. B. No. 2074 and S. B. No. 2520. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2520**.

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Senator Branning called up the following entitled bill:

**S. B. No. 2075:** Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection."

YEAS AND NAYS On S. B. No. 2075. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2885:** Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on.

YEAS AND NAYS On S. B. No. 2885. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2245:** Voyeurism; revise sentencing.

YEAS AND NAYS On S. B. No. 2245. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Parker and Branning as co-authors of **S. B. No. 2245**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2624:** Mississippi Architects and Engineers Good Samaritan Act; create.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2624. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Seymour. Total--1.  
Voting Present--Horhn, Simmons D. T. (12th), Turner-Ford. Total--3.

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2624**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2081:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2081. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2416:** Unused leave accumulated by teacher who transfers to another school district; allow to be credited.

YEAS AND NAYS On S. B. No. 2416. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Blount and Branning as co-authors of **S. B. No. 2416**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2423:** Teacher license; allow supplemental endorsement and revise provisions of issuance.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2423. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Blount and Branning as co-authors of **S. B. No. 2423**.

Senator DeBar called up the following entitled bill:

**S. B. No. 2431:** Procedure for the purchase of textbooks by the State Board of Education; repeal.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2431. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2887:** Purchase of school buses; bring forward sections related thereto.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2887. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Polk called up the following entitled bill:

**S. B. No. 2064:** District attorneys; provide for the appointment of part-time legal assistants.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 18 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2064 was adopted.

YEAS AND NAYS On S. B. No. 2064. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2797.**

**S. B. No. 2797:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

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Senator Tate entered a motion to reconsider the vote whereby **S. B. No. 2373** passed the Senate.

**S. B. No. 2373:** Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees.

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Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2081** passed the Senate.

**S. B. No. 2081:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

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Senator Polk called up the following entitled bill:

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2371. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Michel called up the following entitled bill:

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senators Boyd and Blackwell offered the following AMENDMENT NO. 1.

AMEND on line 73 by deleting the sentence beginning with the word "Patients" through the period on line 75 and inserting in lieu thereof the following:

When a patient initiates a patient-to-provider consultation as the originating site, the patient shall not be entitled to receive a facility fee.

Amendment No. 1 to S. B. No. 2738 was adopted.

YEAS AND NAYS On S. B. No. 2738. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting--Seymour. Total--1.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2264**.

**S. B. No. 2264:** DPS; implement uniform reporting standards for jail census data and create a centralized database.

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Senator Sparks entered a motion to reconsider the vote whereby **S. B. No. 2448** passed the Senate.

**S. B. No. 2448:** Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement.

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Senator Turner-Ford entered a motion to reconsider the vote whereby **S. B. No. 2716** passed the Senate.

**S. B. No. 2716:** RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Richard E. Walker of Gautier, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Patrick Neil Green of Pascagoula, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Lula Mae Jenkins of Shuqualak, MS.

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 37:** A CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF MAY 1-7, 2022, AS "TARDIVE DYSKINESIA (TD) AWARENESS WEEK"

THROUGHOUT THE STATE OF MISSISSIPPI TO PROMOTE THE IMPORTANCE OF EFFECTIVELY DIAGNOSING AND TREATING THE DISORDER.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 3:00 PM, Monday, February 7, 2022.

The motion prevailed, and at 11:50 AM, the Senate stood in recess.

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

**H. C. R. No. 37:** Tardive Dyskinesia Awareness Week; recognize May 1-7, 2022, as week of observance in Mississippi. Rules.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Richard E. Walker, Patrick Neil Green and Lula Mae Jenkins.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, FEBRUARY 3, 2022

**S. B. No. 2980:** Local and Private

AN ACT TO REENACT AND AMEND CHAPTER 966, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2016, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON, MISSISSIPPI, TO CONTINUE TO PAY KEEP JACKSON BEAUTIFUL, INC., FOR ITS SERVICES IN REGARD TO A LITTER PREVENTION PROGRAM THROUGH CALENDAR YEAR 2026; TO RAISE THE AUTHORIZED AMOUNT FROM \$40,000.00 TO \$60,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Blount, Horhn, Frazier, Michel

**S. B. No. 2981:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND THE FANNIE LOU HAMER BREAST CANCER FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2982:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES TO UPGRADE THE WASTEWATER TREATMENT BASIN, IMPROVE THE LEAKE COUNTY JAIL LIFT STATION AND MAKE OTHER SEWER LINE IMPROVEMENTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2983:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO, AND TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$77,000,000.00 TO \$80,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2984:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF NORTH CARROLLTON TO DEFRAY EXPENSES FOR REPAIR OF THE TOWN'S STORMWATER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2985:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF MOUND BAYOU TO DEFRAY EXPENSES FOR THE CITY'S FLOOD CONTROL AND DRAINAGE SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2986:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF SUNFLOWER TO DEFRAY EXPENSES TO CONSTRUCT A NEW WATER WELL AND REHABILITATE THE EXISTING WATER SUPPLY WELLS AND SEWER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2987:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF SUMNER TO DEFRAY EXPENSES TO

UPGRADE WASTEWATER LAGOON FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2988:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF DODDSVILLE TO DEFRAY EXPENSES TO CONSTRUCT A NEW WATER WELL AND REHABILITATE THE EXISTING WATER SUPPLY WELL FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2989:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF MOORHEAD TO DEFRAY EXPENSES TO REHABILITATE TWO MAIN PUMP STATIONS AND THE SEWER COLLECTION SYSTEM AND TO UPGRADE THE WATER DISTRIBUTION SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2990:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF DREW TO DEFRAY EXPENSES TO REHABILITATE TWO MAIN PUMP STATIONS AND THE SEWER COLLECTION SYSTEM AND TO UPGRADE THE WATER DISTRIBUTION SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2991:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF INDIANOLA TO DEFRAY EXPENSES TO REHABILITATE SEVEN MAIN PUMP STATIONS AND THE SEWER COLLECTION SYSTEM AND TO UPGRADE THE WATER DISTRIBUTION SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2992:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF INVERNESS TO DEFRAY EXPENSES TO UPGRADE WASTEWATER LAGOON, REPAIR THE OUTLET STRUCTURE AND REHABILITATE TWO MAIN LIFT STATIONS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 2993:** Local and Private

AN ACT TO AMEND CHAPTER 950, LOCAL AND PRIVATE LAWS OF 1994, AS LAST AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JUNE 30, 2022, TO JUNE 30, 2026, ON THE CITY OF STARKVILLE'S ECONOMIC DEVELOPMENT, TOURISM AND CONVENTION TAX ON THE GROSS REVENUE FROM RESTAURANT SALES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford, Williams

**S. C. R. No. 543:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE ON THE PASSING OF RESPECTED THIRD DISTRICT CIRCUIT COURT JUDGE ROBERT KENNETH "KEN" COLEMAN OF NEW ALBANY, MISSISSIPPI, AND CONDOLENCES TO HIS SURVIVING FAMILY.

By Senator(s) Chism, Suber, Boyd, Whaley, Parks, Sparks

THIRTY-FIFTH DAY, MONDAY, FEBRUARY 7, 2022

The Senate met at 3:00 PM pursuant to adjournment, President Hosemann presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 175:** AN ACT TO AMEND SECTION 69, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF HAZLEHURST, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A COMMUNITY CENTER/EMERGENCY STORM SHELTER AND RELATED FACILITIES, MAY BE USED; AND FOR RELATED PURPOSES.

**H. B. No. 242:** AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EIGHTEEN AND ONE-HALF PERCENT OF THE SALES TAX

REVENUE COLLECTED ON BUSINESS ACTIVITIES WITHIN A COUNTY THAT IS A PART OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT ON PROPERTY THAT IS OWNED BY THE DISTRICT AND OUTSIDE OF THE CORPORATE LIMITS OF MUNICIPALITIES IN SUCH COUNTY SHALL BE DISTRIBUTED TO THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO AMEND SECTION 27-65-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 252:** AN ACT TO AMEND SECTION 25-11-121, MISSISSIPPI CODE OF 1972, TO INCREASE FROM 10% TO 20% THE MAXIMUM PERCENTAGE OF INVESTMENTS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM THAT ARE IN THE FORM OF A SEPARATE ACCOUNT MANAGED BY A SECURITIES AND EXCHANGE COMMISSION REGISTERED INVESTMENT ADVISORY FIRM RETAINED AS AN INVESTMENT MANAGER BY THE BOARD OF TRUSTEES OF THE SYSTEM OR A LIMITED PARTNERSHIP OR COMMINGLED FUND APPROVED BY THE BOARD OF TRUSTEES; AND FOR RELATED PURPOSES.

**H. B. No. 256:** AN ACT TO AMEND SECTION 27-53-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A MANUFACTURED HOME OR MOBILE HOME IS RELOCATED FROM ONE COUNTY TO ANOTHER COUNTY, THEN THE OWNER OF THE MANUFACTURED HOME OR MOBILE HOME SHALL PROVIDE NOTICE TO THE TAX COLLECTOR OF THE COUNTY FROM WHICH THE MANUFACTURED HOME OR MOBILE HOME WAS RELOCATED; TO BRING FORWARD SECTION 27-53-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A PENALTY FOR VIOLATIONS OF THE LAWS PROVIDING FOR THE REGISTRATION AND ASSESSMENT OF MANUFACTURED HOMES AND MOBILE HOMES FOR AD VALOREM TAX PURPOSES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 260:** AN ACT TO REPEAL SECTION 37-113-37, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE ADMINISTRATIVE LEADERSHIP OF ALL STATE INSTITUTIONS OF HIGHER LEARNING OWNING LIVESTOCK TO FILE A QUARTERLY INVENTORY REPORT OF ALL LIVESTOCK OWNED AND USED BY THE INSTITUTION WITH THE MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE; AND FOR RELATED PURPOSES.

**H. B. No. 261:** AN ACT TO REPEAL SECTION 37-113-33, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AND EMPOWERS THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO PURCHASE, BREED, MAINTAIN, MANAGE, SHOW AND SELL FOUNDATION HERDS OF BEEF CATTLE, SHEEP AND HOGS AT MISSISSIPPI STATE UNIVERSITY; AND FOR RELATED PURPOSES.

**H. B. No. 262:** AN ACT TO REPEAL SECTIONS 37-113-29 AND 37-113-31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE, WITH THE APPROVAL AND CONSENT OF THE UNIVERSITY PRESIDENT AND BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO CREATE, ESTABLISH, EQUIP AND MAINTAIN 4-H CLUB DEMONSTRATION CAMPS IN DESIGNATED AREAS OF PANOLA AND MADISON COUNTIES; AND FOR RELATED PURPOSES.

**H. B. No. 470:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SALES TAX EXEMPTION FOR SALES OF TANGIBLE PERSONAL PROPERTY AND SERVICES TO THE MISSISSIPPI'S TOUGHEST KIDS FOUNDATION FOR USE IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED FACILITIES AND INFRASTRUCTURE AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 472:** AN ACT TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW

THAT AUTHORIZES AN INCOME TAX CREDIT FOR ANY COMPANY THAT TRANSFERS OR RELOCATES ITS NATIONAL OR REGIONAL HEADQUARTERS TO THE STATE OF MISSISSIPPI FROM OUTSIDE THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 473:** AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REVERTER ON THE STATUTE PRESCRIBING THE POWERS AND DUTIES OF THE STATE BOND COMMISSION; AND FOR RELATED PURPOSES.

**H. B. No. 474:** AN ACT TO REENACT SECTIONS 57-117-1 THROUGH 57-117-9, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 57-117-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND REENACTED SECTION 57-117-3, MISSISSIPPI CODE OF 1972, TO MAKE MINOR, NONSUBSTANTIVE NUMBERING CHANGES; TO REENACT SECTION 27-31-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT AN AD VALOREM TAX EXEMPTION TO HEALTH CARE INDUSTRY FACILITIES; TO AMEND REENACTED SECTION 27-31-101, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REVERTER ON THAT STATUTE; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REVERTER ON THE STATUTE THAT AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT A FEE-IN-LIEU OF AD VALOREM TAXES TO QUALIFIED BUSINESSES UNDER THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT WHICH MEET MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT EXEMPTS FROM SALES TAXATION SALES OF MATERIALS USED IN THE CONSTRUCTION OF, OR ADDITION OR IMPROVEMENTS TO, A HEALTH CARE INDUSTRY FACILITY AND CERTAIN SALES OF MACHINERY AND EQUIPMENT TO BE USED IN THE FACILITY; TO AMEND SECTION 6, CHAPTER 520, LAWS OF 2012, TO CORRECT THE SECTION NUMBERS CITED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT'S ENABLING LEGISLATION WHICH ARE SUBJECT TO REPEAL; AND FOR RELATED PURPOSES.

**H. B. No. 483:** AN ACT TO AMEND SECTION 57-1-303, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE CERTAIN MONIES IN THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING LOAN FUND FOR ORDINARY AND NECESSARY GENERAL SUPPORT OF THE AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 492:** AN ACT TO AMEND SECTION 43-13-407, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON CERTAIN PROVISIONS RELATING TO THE HEALTH CARE EXPENDABLE FUND; AND FOR RELATED PURPOSES.

**H. B. No. 502:** AN ACT TO AMEND SECTION 37-39-21, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$50,000.00 TO \$100,000.00 THE AMOUNT OF BOND THAT IS REQUIRED FOR THE PURCHASING AGENT OF ANY SCHOOL BOARD; AND FOR RELATED PURPOSES.

**H. B. No. 512:** AN ACT TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF REVENUE FROM BEING A WHOLESALE DISTRIBUTOR OF ALCOHOLIC BEVERAGES WITHIN THIS STATE; TO CREATE A NEW SECTION TO BE CODIFIED AS 67-1-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A HOLDER OF A WHOLESALER'S PERMIT TO DISTRIBUTE

ALCOHOLIC BEVERAGES THROUGHOUT THIS STATE TO PROPERLY PERMITTED RETAILERS FOR RESALE SUBJECT TO THE PROVISIONS OF THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO PROVIDE FOR THE ISSUANCE OF A WHOLESALER'S PERMIT; TO REQUIRE THE HOLDER OF A WHOLESALER'S PERMIT TO FILE REPORTS WITH THE DEPARTMENT OF REVENUE COVERING SALES OF ALCOHOLIC BEVERAGES AND KEEP CERTAIN RECORDS; TO PROVIDE FOR THE ANNUAL RENEWAL OF A WHOLESALER'S PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-43, 67-1-45, 67-1-47, 67-1-49 AND 67-1-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO LEVY A PRIVILEGE TAX ON HOLDERS OF WHOLESALER'S PERMITS; TO AMEND SECTION 27-71-7, MISSISSIPPI CODE OF 1972, TO LEVY A TAX UPON THE SALE OF ALCOHOLIC BEVERAGES BY A WHOLESALER; TO AMEND SECTIONS 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-21, 27-71-25, 27-71-29 AND 67-5-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 516:** AN ACT TO REENACT SECTIONS 57-10-401 THROUGH 57-10-447, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO REENACT SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CREDIT AGAINST STATE INCOME TAXES FOR CERTAIN COMPANIES FOR DEBT SERVICE PAID BY SUCH COMPANIES UNDER FINANCING AGREEMENTS ENTERED INTO WITH THE MISSISSIPPI BUSINESS FINANCE CORPORATION UNDER SECTION 57-10-409; TO AMEND SECTION 57-10-449, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 57-10-401 THROUGH 57-10-447 AND SECTION 27-7-22.3; AND FOR RELATED PURPOSES.

**H. B. No. 590:** AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO REMOVE CONDUCT OF RELIGIOUS INSTITUTIONS AND GROUPS OR CORPORATIONS WHICH FORM AN INTEGRAL PART OF RELIGIOUS INSTITUTIONS THAT IS PRIMARILY SUPPORTED BY PREVIOUS DONORS FROM WHAT THE TERM "CHARITABLE ORGANIZATION" DOES NOT INCLUDE; TO AMEND SECTION 79-11-511, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHARITABLE ORGANIZATION, PERSON, PROFESSIONAL FUNDRAISER, FUNDRAISING COUNSEL OR PROFESSIONAL SOLICITOR, THAT SOLICITS CONTRIBUTIONS IN THE STATE OF MISSISSIPPI, SHALL BE SUBJECT TO NOTICE OR DEMAND AS PROVIDED IN SECTION 79-35-13, MISSISSIPPI CODE OF 1972, AND SHALL BE SUBJECT TO SERVICE OF PROCESS AS PROVIDED BY THE MISSISSIPPI RULES OF CIVIL PROCEDURE; AND FOR RELATED PURPOSES.

**H. B. No. 606:** AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BASED UPON THE RECOMMENDATION OF THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO PROVIDE ASSISTANCE TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR THE SUPPORT OF WILDLIFE, NATURE AND OTHER OUTDOOR ACTIVITY CONSERVATION AND PROMOTION PURPOSES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE FOR THE COMPOSITION OF THE BOARD OF TRUSTEES; TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND SHALL REVIEW APPLICATIONS FOR ASSISTANCE UNDER THIS ACT AND MAKE RECOMMENDATIONS FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES

TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; AND FOR RELATED PURPOSES.

**H. B. No. 611:** AN ACT TO AMEND SECTION 79-4-14.21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO SERVE A NOTICE OF DETERMINATION THAT GROUNDS EXIST FOR DISSOLVING A CORPORATION BY ELECTRONIC MAIL TO THE EMAIL ADDRESS OF THE REGISTERED AGENT OF THE CORPORATION; TO AUTHORIZE THE SECRETARY OF STATE TO SERVE A COPY OF THE CERTIFICATE OF DISSOLUTION AFTER ADMINISTRATIVELY DISSOLVING THE CORPORATION BY ELECTRONIC MAIL TO THE EMAIL ADDRESS OF THE REGISTERED AGENT OF THE CORPORATION; TO AMEND SECTION 79-29-823, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO SERVE A NOTICE OF DETERMINATION THAT GROUNDS EXIST FOR ADMINISTRATIVELY DISSOLVING A LIMITED LIABILITY COMPANY BY ELECTRONIC MAIL TO THE EMAIL ADDRESS OF THE REGISTERED AGENT OF THE LIMITED LIABILITY COMPANY; TO AUTHORIZE THE SECRETARY OF STATE TO SERVE A LIMITED LIABILITY COMPANY A COPY OF THE CERTIFICATE OF DISSOLUTION BY ELECTRONIC MAIL AFTER ADMINISTRATIVELY DISSOLVING SUCH LIMITED LIABILITY COMPANY BY ELECTRONIC MAIL TO THE EMAIL ADDRESS OF THE REGISTERED AGENT OF THE LIMITED LIABILITY COMPANY; AND FOR RELATED PURPOSES.

**H. B. No. 660:** AN ACT TO AMEND SECTIONS 57-119-9 AND 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOLS ARE ELIGIBLE FOR ASSISTANCE FOR PROJECTS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL NOT APPLY TO PROJECTS OF CERTAIN PUBLIC ENTITIES; AND FOR RELATED PURPOSES.

**H. B. No. 677:** AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO DO NOT SATISFY THE CERTIFICATION REQUIREMENTS FOR COUNTY VETERAN SERVICE OFFICERS SHALL BE CERTIFIED BY THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD AS VETERAN RESOURCE ADVISORS; AND FOR RELATED PURPOSES.

**H. B. No. 719:** AN ACT TO BRING FORWARD SECTION 9-1-43, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF CHANCERY CLERKS AND CIRCUIT CLERKS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 23-15-225, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF COUNTY REGISTRARS OF ELECTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-3, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO COMPENSATION OF COUNTY TAX ASSESSORS AND COLLECTORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-9, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CERTAIN FILING FEES CHARGED BY CHANCERY CLERKS FOR THE RECORDING OF DOCUMENTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-13, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-19, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO FEES CHARGED BY SHERIFFS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-27, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES CHARGED BY MARSHALS AND CONSTABLES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-61-59, MISSISSIPPI CODE OF 1972, WHICH

PERTAINS TO THE COMPENSATION OF COUNTY MEDICAL EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER INVESTIGATORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-61-75, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID BY THE COUNTY TO A MEDICAL EXAMINER OR HIS OR HER DEPUTY FOR FILING CERTAIN INVESTIGATION REPORTS; AND FOR RELATED PURPOSES.

**H. B. No. 784:** AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 799:** AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER AND OTHER COMPUTER CRIMES; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; AND FOR RELATED PURPOSES.

**H. B. No. 876:** AN ACT TO AMEND SECTION 71-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI EMPLOYMENT SECURITY LAW TO PROVIDE THAT THE TERM "EMPLOYMENT" SHALL NOT INCLUDE LANDWORK PERFORMED BY A PETROLEUM LANDMAN ON A CONTRACTUAL BASIS; TO PROVIDE DEFINITIONS FOR "LANDWORK", "MINERALS" AND "OTHER ENERGY SOURCES"; AND FOR RELATED PURPOSES.

**H. B. No. 918:** AN ACT TO CREATE A FOOD TRUCK PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE THE HOLDER OF AN ON-PREMISES RETAILER'S PERMIT TO USE A FOOD TRUCK TO SELL ALCOHOLIC BEVERAGES OFF ITS PREMISES TO GUESTS WHO MUST CONSUME THE BEVERAGES IN OPEN CONTAINERS; TO DEFINE THE TERM "FOOD TRUCK"; TO PROVIDE THAT FOOD TRUCKS MUST MAINTAIN SUCH DISTANCE REQUIREMENTS FROM SCHOOLS, CHURCHES, KINDERGARTENS AND FUNERAL HOMES AS ARE REQUIRED FOR ON-PREMISES RETAILER'S PERMITTEES AND THAT SALES MUST BE MADE WITHIN A VALID LEISURE AND RECREATION DISTRICT; TO PROVIDE THAT FOOD TRUCKS CANNOT SELL OR SERVE ALCOHOLIC BEVERAGES UNLESS ALSO OFFERING FOOD PREPARED AND COOKED WITHIN THE FOOD TRUCK AND PERMITTEES MUST MAINTAIN A 25% FOOD SALE REVENUE REQUIREMENT BASED ON THE FOOD SOLD FROM A FOOD TRUCK ALONE; TO PROVIDE THAT A FOOD TRUCK PERMIT HOLDER MUST PROVIDE NOTICE OF NOT LESS THAN 48 HOURS TO THE DEPARTMENT OF REVENUE OF EACH LOCATION AT WHICH ALCOHOLIC BEVERAGES WILL BE SOLD; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A FOOD TRUCK PERMIT; AND FOR RELATED PURPOSES.

**H. B. No. 928:** AN ACT TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ESTABLISH A GRANT PROGRAM FOR HOSPITALS FOR EXPANSIONS OF THE HOSPITAL FACILITIES THAT INCREASE THE CAPACITY OF THE HOSPITAL BECAUSE OF THE NEED FOR MORE CAPACITY TO PROVIDE TREATMENT AND CARE FOR THE GREATER NUMBER OF PATIENTS WHO HAVE COVID-19; TO PROVIDE THAT GRANTS UNDER THE PROGRAM MAY BE USED BY HOSPITALS FOR HOSPITAL EXPANSIONS THAT ARE MADE ON OR AFTER THE EFFECTIVE DATE OF THIS ACT OR AS REIMBURSEMENT FOR THE EXPENSES INCURRED BY HOSPITALS FOR EXPANSIONS THAT WERE MADE BEFORE THE EFFECTIVE DATE OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 961:** AN ACT TO AUTHORIZE AND PROVIDE FOR THE REGULATION OF THE USE OF PERSONAL DELIVERY DEVICES IN PEDESTRIAN AREAS; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 1017:** AN ACT TO AMEND SECTION 9-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE TWO OR MORE COUNTIES TO APPOINT ONE PERSON TO SERVE AS CLERK OF THE JUSTICE COURT SYSTEM FOR THE COUNTIES; TO PROVIDE THAT SUCH CLERK SHALL BE PAID AN AMOUNT MUTUALLY AGREED UPON AND ADOPTED BY RESOLUTION OF THE RESPECTIVE BOARDS OF SUPERVISORS; TO PROVIDE THAT SUCH COUNTIES MAY ALSO JOINTLY APPOINT OTHER EMPLOYEES OF THE JUSTICE COURT SYSTEM; AND FOR RELATED PURPOSES.

**H. B. No. 1065:** AN ACT TO BRING FORWARD SECTIONS 49-7-31.5 AND 49-7-140, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE HUNTING AND TRAPPING OF NUISANCE ANIMALS AND THE IMPORTATION AND RELEASE OF WILD HOGS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1131:** AN ACT TO AMEND SECTION 29-1-37, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES, AMONG OTHER THINGS, THE SECRETARY OF STATE TO SELL STATE-FORFEITED TAX LAND BY ONLINE AUCTION, TO AUTHORIZE THE SECRETARY OF STATE TO ENTER INTO AGREEMENTS WITH ONLINE PROVIDERS TO CONDUCT SUCH SALES BY ONLINE AUCTION; AND FOR RELATED PURPOSES.

**H. B. No. 1159:** AN ACT TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO ALLOW LOCAL SCHOOL BOARDS, WHICH APPROVE THE SALES OF TIMBER AND FOREST PRODUCTS GROWN ON SIXTEENTH SECTION LANDS, TO ENTER INTO LONG-TERM PUBLIC OR PRIVATE CONTRACTS FOR THE SALE OF CERTAIN FOREST PRODUCTS; TO AMEND SECTION 29-3-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF LOCAL SCHOOL BOARDS TO LEASE SIXTEENTH SECTION OR IN LIEU LANDS CLASSIFIED AS AGRICULTURAL LAND, USING PROVISIONS RELATED TO BEST FARM MANAGEMENT PRACTICES ESTABLISHED BY THE SECRETARY OF STATE IN CONSULTATION WITH FEDERAL AGRICULTURAL AGENCIES AND THE MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE; AND FOR RELATED PURPOSES.

**H. B. No. 1162:** AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972; TO REENACT SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS THAT USE THE AIRPORT FACILITIES AT PUBLIC AIRPORTS FOR CERTAIN CHARGES PAID BY THE TAXPAYER ON THE EXPORT OR IMPORT OF CARGO; TO AMEND REENACTED SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 27-7-22.26, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH INCOME TAX CREDIT; TO AMEND SECTION 3, CHAPTER 442, LAWS OF 2005, AS LAST AMENDED BY SECTION 6, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE

REPEALER ON SECTIONS 27-7-22.25 AND 27-7-22.26, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

**H. B. No. 1180:** AN ACT TO AMEND SECTION 33-7-119, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHENEVER ANY FEDERALLY RECOGNIZED OFFICER OR ENLISTED MEMBER OF THE MISSISSIPPI NATIONAL GUARD IS UNABLE TO MAINTAIN FEDERAL RECOGNITION, HE SHALL BE PLACED ON THE RETIRED LIST OF THE MISSISSIPPI NATIONAL GUARD; AND FOR RELATED PURPOSES.

**H. B. No. 1213:** AN ACT TO AMEND SECTION 37-57-104, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LEVYING AUTHORITY FOR A SCHOOL DISTRICT IN CONSERVATORSHIP TO APPROVE OR DISAPPROVE, IN FULL OR IN PART, A REQUEST FOR AN INCREASE IN THE AD VALOREM TAX EFFORT FOR THE SCHOOL DISTRICT; TO AMEND SECTION 37-57-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE LEVY OF AD VALOREM TAXES FOR SCHOOL DISTRICTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1222:** AN ACT TO AMEND SECTION 27-104-351, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE LINE-ITEM APPROPRIATION TRANSPARENCY ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1389:** AN ACT TO ESTABLISH THE "MISSISSIPPI GRAIN INDEMNITY ACT"; TO CREATE NEW SECTION 75-46-1, MISSISSIPPI CODE OF 1972, TO NAME THE ACT AS SUCH; TO CREATE NEW SECTION 75-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR DEFINITIONS TO TERMINOLOGY USED IN THE ACT; TO CREATE NEW SECTION 75-46-5, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY BOARD, PROVIDE FOR ITS COMPOSITION AND THE INITIAL AND SUBSEQUENT TERMS OF BOARD MEMBERS; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY TRUST FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO STIPULATE THE USES OF MONIES DEPOSITED INTO THE FUND; TO CREATE NEW SECTION 75-46-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE BOARD, WHICH SHALL HAVE AUTHORITY TO CONTRACT WITH A THIRD PARTY TO ADMINISTER PAYMENTS AND HANDLE ALL ACCOUNTING FUNCTIONS RELATED TO THE FUND; TO CREATE NEW SECTION 75-46-9, MISSISSIPPI CODE OF 1972, TO REQUIRE GRAIN PRODUCERS TO PAY AN ASSESSMENT ON ALL MARKETED GRAIN SOLD TO A FIRST PURCHASER LICENSEE BEGINNING ON JULY 1, 2022; TO CREATE NEW SECTION 75-46-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ASSESSMENT TO BE COLLECTED BY THE FIRST PURCHASER LICENSEE OR ANY AGENT OR REPRESENTATIVE OF THE LICENSEE, WHO SHALL DEDUCT SUCH ASSESSMENT FROM THE PURCHASE PRICE; TO ESTABLISH THE DATE BY WHICH THE LICENSEES MUST SUBMIT ASSESSMENTS TO THE BOARD FOLLOWING ITS COLLECTION; TO CREATE NEW SECTION 75-46-13, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE ASSESSMENT COLLECTION PERIOD AND ESTABLISH AMOUNTS FOR THRESHOLD TRUST FUND BALANCES; TO CREATE NEW SECTION 75-46-15, MISSISSIPPI CODE OF 1972, TO REQUIRE FIRST PURCHASER LICENSEES TO MAINTAIN A LEDGER OF ALL ASSESSMENTS COLLECTED, WHICH SUCH RECORDS SHALL BE MADE AVAILABLE TO THE BOARD UPON REQUEST; TO LIMIT THE COMMISSIONER OF AGRICULTURE AND COMMERCE'S AUTHORITY TO DISCLOSE INFORMATION OBTAINED FROM THE LEDGER OF ASSESSMENTS; TO CREATE NEW SECTION 75-46-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PARTICIPATION IN THE FUND IS VOLUNTARY; TO REQUIRE NONPARTICIPANTS TO NOTIFY THE COMMISSIONER BY THE PRECEDING JUNE 1 OF SUCH YEAR THAT THE PRODUCER HAS OPTED OUT; TO PROVIDE THAT NONPARTICIPATION IN THE FUND DISQUALIFIES SUCH INDIVIDUALS FROM RECEIPT OF ANY PAYMENT FOR A CONTRACT OR STORAGE LOSS OF GRAIN PRODUCED DURING SUCH CROP DUE TO THE FAILURE OF A FIRST PURCHASER

LICENSEE; TO PROVIDE ADDITIONAL NOTICE TO BE GIVEN TO THE FIRST PURCHASER LICENSEE; TO ALLOW A REFUND OF ASSESSMENTS PAID TO PRODUCERS WHO OPT OUT OF THE FUND; TO CREATE NEW SECTION 75-46-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER SHALL DETERMINE WHEN A FIRST PURCHASER LICENSEE HAS FAILED; TO PRESCRIBE PROCEDURES TO BE FOLLOWED BY THE COMMISSIONER UPON THE MAKING OF SUCH DETERMINATION OF FAILURE; TO CREATE NEW SECTION 75-46-21, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE PROCESS TO BE FOLLOWED FOR THE TIMELY ADJUDICATION OF CLAIMS ALLEGING FAILURE OF FIRST PURCHASER LICENSEES; TO CREATE NEW SECTION 75-46-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OR THE DESIGNEES TO MAKE A PRELIMINARY DETERMINATION OF ELIGIBILITY FOR PAYMENT FROM THE FUND RESULTING FROM SUBMITTED CLAIMS; TO PROVIDE THAT THE BOARD SHALL MAKE THE FINAL DETERMINATION ON PAYMENTS OF CLAIMS; TO AUTHORIZE THE BOARD TO SEEK ANY ADDITIONAL INFORMATION NECESSARY TO ADJUDICATE THE CLAIM; TO PRESCRIBE PROCEDURES TO BE FOLLOWED WHEN ONLY A PARTIAL PAYMENT OF CLAIM IS MADE; TO SPECIFY THE TIMELINE FOR CERTAIN RESPONSES AND ACTIONS BY THE BOARD AND CLAIMANT; TO PROVIDE CLAIMANTS WITH AN OPTION TO REQUEST A REVIEW OF THE BOARD'S FINAL ADJUDICATION OF THE CLAIM; TO PROVIDE FOR ADMINISTRATIVE PROCEDURES FOR APPEALS OF THE BOARD'S FINAL ADJUDICATION; TO CREATE NEW SECTION 75-46-25, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE METHOD OF CALCULATING THE PAYMENT OF CLAIMS FOR STORAGE OR CONTRACT LOSSES SUFFERED; TO CREATE NEW SECTION 75-46-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD TO MAKE PAYMENTS OF CLAIMS ON A PRO RATA BASIS AT ANY TIME THE TOTAL AMOUNT OF ELIGIBLE CLAIMS EXCEEDS THE AMOUNT OF FUNDS AVAILABLE; TO CREATE NEW SECTION 75-46-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE COMMISSIONER WITH THE AUTHORITY TO REVOKE THE LICENSE OF A FIRST PURCHASER LICENSEE FOR FAILURE TO TIMELY COLLECT AND SUBMIT ASSESSMENTS TO THE BOARD; TO CREATE NEW SECTION 75-46-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER TO ESTABLISH A TOLL-FREE HOTLINE AND OTHER INFORMATION COLLECTION PROCESSES FOR THE PURPOSES OF RECEIVING INFORMATION ON LICENSEE FAILURE TO PERFORM; TO CREATE NEW SECTION 75-46-33, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE INSPECTION OF THE BOARD'S RECORDS, ACCOUNTS AND OTHER DOCUMENTS BY THE OFFICE OF THE STATE AUDITOR; TO CREATE NEW SECTION 75-46-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO ADOPT ANY RULES AND REGULATIONS DEEMED NECESSARY TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1430:** AN ACT TO AUTHORIZE A BENEFICIARY DESIGNATION THAT TRANSFERS A MOTOR VEHICLE AT THE OWNER'S DEATH; TO PROVIDE DEFINITIONS; TO PROVIDE FOR REQUIREMENT OF THE BENEFICIARY DESIGNATION; TO PROVIDE THE PROCEDURE FOR JOINT OWNERS; TO MAKE CERTAIN REQUIREMENTS OF THE DEPARTMENT OF REVENUE AND AUTHORIZE RULEMAKING AUTHORITY TO THE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1475:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING

AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 1477:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REVERSE AUCTIONS SHALL NOT BE PERMITTED FOR PROCURING ANY LABOR OR SERVICES, WHETHER FOR DESIGN OR CONSTRUCTION, OR FOR PROCURING ANY GOODS OR MATERIALS THAT MUST BE FABRICATED, CONSTRUCTED OR INSTALLED THROUGH THE USE OF CONSTRUCTION OR DESIGN LABOR OR SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 1529:** AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "GROSS INCOME" UNDER THE STATE INCOME TAX LAW TO EXCLUDE AMOUNTS RECEIVED AS GRANTS UNDER THE SHUTTERED VENUE OPERATORS GRANT PROGRAM AND RESTAURANT REVITALIZATION FUND AUTHORIZED BY THE ECONOMIC AID TO HARD-HIT SMALL BUSINESSES, NONPROFITS, AND VENUES ACT, AND AMENDED BY THE FEDERAL AMERICAN RESCUE PLAN ACT; TO EXCLUDE AMOUNTS RECEIVED AS GRANTS UNDER THE MISSISSIPPI AGRICULTURE STABILIZATION ACT; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INCOME TAX DEDUCTIONS FOR OTHERWISE DEDUCTIBLE EXPENSES THAT WERE ALLOWED AS DEDUCTIONS UNDER SECTION 57-121-7; TO AUTHORIZE INCOME TAX DEDUCTIONS FOR OTHERWISE DEDUCTIBLE EXPENSES IF PAYMENT FOR SUCH EXPENSES IS MADE WITH THE GRANT OR LOAN PROGRAM OF THE SHUTTERED VENUE OPERATORS GRANT PROGRAM AND RESTAURANT REVITALIZATION FUND AUTHORIZED BY THE ECONOMIC AID TO HARD-HIT SMALL BUSINESSES, NONPROFITS, AND VENUES ACT, AND AMENDED BY THE FEDERAL AMERICAN RESCUE PLAN ACT OR THE MISSISSIPPI AGRICULTURE STABILIZATION ACT; TO AMEND SECTION 57-121-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 446:** AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI MAIN STREET ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GAUTIER ATHLETICS; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

**H. B. No. 527:** AN ACT TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF MEMBERS OF BOARDS OF SUPERVISORS; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2024, AND FROM AND AFTER JANUARY 1, 2028, MEMBERS OF BOARDS OF SUPERVISORS MAY RECEIVE CERTAIN ADDITIONAL INCREASES IF THE MEMBERS OF THE BOARD OF SUPERVISORS APPROVE SUCH INCREASES; TO PROHIBIT STATE

REVENUE FROM BEING USED TO FUND SALARY INCREASES FOR MEMBERS OF BOARDS OF SUPERVISORS; AND FOR RELATED PURPOSES.

**H. B. No. 555:** AN ACT TO CREATE THE MISSISSIPPI HEALTHY FOOD AND FAMILIES PROGRAM; TO DEFINE THE TERMS "ELIGIBLE FRUITS AND VEGETABLES" AND "ELIGIBLE RETAILERS"; TO REQUIRE THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR THE DOLLAR VALUE OF ELIGIBLE FRUITS AND VEGETABLES AT FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

**H. B. No. 684:** AN ACT TO REENACT SECTIONS 57-10-701 THROUGH 57-10-709, MISSISSIPPI CODE OF 1972, WHICH CREATE THE SMALL BUSINESS AND GROCER INVESTMENT ACT; TO AMEND SECTION 57-10-711, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SECTIONS OF LAW THAT CREATE THE SMALL BUSINESS AND GROCER INVESTMENT ACT; AND FOR RELATED PURPOSES.

**H. B. No. 842:** AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE TWO ADDITIONAL ROUNDS OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1064:** AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BASED UPON THE RECOMMENDATION OF THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO PROVIDE ASSISTANCE TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR THE SUPPORT OF WILDLIFE, NATURE AND OTHER OUTDOOR ACTIVITY CONSERVATION AND PROMOTION PURPOSES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE FOR THE COMPOSITION OF THE BOARD OF TRUSTEES; TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND SHALL REVIEW APPLICATIONS FOR ASSISTANCE UNDER THIS ACT AND MAKE RECOMMENDATIONS FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND, AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 20:** AN ACT TO ENACT COLE'S LAW TO PROHIBIT DISCRIMINATION AGAINST RECIPIENTS OF AN ANATOMICAL GIFT OR ORGAN TRANSPLANT BASED ON DISABILITY; TO DEFINE CERTAIN TERMS FOR THE ACT; TO PROVIDE REQUIREMENTS FOR COVERED ENTITIES; TO PROVIDE FOR THE RELIEF PROVIDED BY THE ACT; TO PROVIDE CERTAIN REQUIREMENTS OF INSURERS; AND FOR RELATED PURPOSES.

**H. B. No. 180:** AN ACT TO AMEND SECTION 63-7-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE HEADLIGHTS OF VEHICLES SHALL BE OPERATED WHENEVER CONDITIONS NECESSITATE THE USE OF WINDSHIELD WIPERS; TO PROHIBIT THE USE OF ONLY THE PARKING LIGHTS OF VEHICLES DURING TIMES WHEN THE USE OF HEADLIGHTS IS REQUIRED; AND FOR RELATED PURPOSES.

**H. B. No. 363:** AN ACT TO AMEND SECTIONS 41-71-1 AND 41-71-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS AND CLINICAL NURSE SPECIALISTS TO PRESCRIBE OR ORDER HOME HEALTH SERVICES AND PLANS OF CARE, CERTIFY AND RECERTIFY ELIGIBILITY FOR HOME HEALTH SERVICES AND CONDUCT THE REQUIRED INITIAL FACE-TO-FACE VISIT WITH THE RECIPIENT OF THE SERVICES; TO PROVIDE THAT THE AMENDMENTS IN THIS ACT ARE RETROACTIVE TO MAY 8, 2020; AND FOR RELATED PURPOSES.

**H. B. No. 370:** AN ACT TO AMEND SECTION 99-15-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BAIL BOND OF A DEFENDANT/OFFENDER IS RELEASED WHEN THE JUDGE APPROVES ADMISSION TO THE INTERVENTION PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 464:** AN ACT TO CREATE THE "COLLEGE STICKER PRICE ACT OF 2022"; TO DEFINE TERMINOLOGY USED HEREIN; TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD SHALL REQUIRE EACH POSTSECONDARY EDUCATIONAL INSTITUTION UNDER THEIR RESPECTIVE AUTHORITY TO PROVIDE ACCURATE INFORMATION ON ALL OF THE INSTITUTION'S ACADEMIC, CAREER AND TECHNICAL AND VOCATIONAL PROGRAM OFFERINGS TO CURRENT AND PROSPECTIVE STUDENTS; TO PRESCRIBE WHAT SUCH INFORMATION SHALL REQUIRE; TO PROVIDE THAT THE BOARD SHALL DEVELOP A UNIVERSAL NET PRICE CALCULATOR TO BE HOUSED WITHIN THE NATIONAL STRATEGIC PLANNING AND ANALYSIS RESEARCH CENTER (NSPARC); TO PROVIDE THAT THE NET PRICE CALCULATOR BE A USER-FRIENDLY TOOL TO ASSIST PROSPECTIVE STUDENTS AND FAMILIES WITH DETERMINING THE COSTS OF ATTENDING A POSTSECONDARY EDUCATIONAL INSTITUTION; TO STIPULATE THE REQUIRED FUNCTIONS AND FEATURES OF THE CALCULATOR; TO REQUIRE BOTH THE INSTITUTIONAL PROGRAM OFFERINGS INFORMATION AND THE NET CALCULATOR TO BE POSTED ON THE INSTITUTIONS WEBSITE WITHIN THIRTY DAYS OF SUCH INFORMATION BECOMING AVAILABLE TO THE INSTITUTION, AND UPDATED ANNUALLY BEFORE THE START OF THE NEW ACADEMIC YEAR; TO REQUIRE THE BOARDS TO PROVIDE A REPORT TO THE LEGISLATURE WITHIN TWO YEARS OF THIS ENACTMENT ON STEPS TAKEN TO RAISE AWARENESS OF NET PRICE THE CALCULATORS AMONG PROSPECTIVE STUDENTS AND FAMILIES, TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD, ACTING RESPECTIVELY THROUGH THE COMMISSIONER OF HIGHER EDUCATION, THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE EXECUTIVE DIRECTOR OF THE NATIONAL STRATEGIC PLANNING AND ANALYSIS RESEARCH CENTER (NSPARC), TO ESTABLISH AND MAINTAIN A NEW HIGHER EDUCATION DATA SYSTEM TO FACILITATE THE COMPILATION OF STATISTICAL HIGHER EDUCATION DATA WHILE MINIMIZING THE PRIVACY AND SECURITY RISKS; TO PRESCRIBE THE COMPONENTS REQUIRED IN THE ESTABLISHMENT

AND OPERATION OF THE DATA SYSTEM; TO REQUIRE THE BOARDS TO ISSUE RULES REGARDING HOW REPORTING ENTITIES AND OTHER ENTITIES PERFORM REPORTING DUTIES; TO SPECIFY THE DATA TO BE REPORTED TO THE DATA SYSTEM BY POSTSECONDARY EDUCATIONAL INSTITUTIONS PARTICIPATING IN ANY FEDERAL STUDENT FINANCIAL ASSISTANCE PROGRAM; TO PROVIDE THAT WITHIN FOUR YEARS OF THE PASSAGE OF THIS ACT THE BOARDS SHALL USE THE HIGHER EDUCATION DATA SYSTEM TO CALCULATE STUDENT EDUCATION AND DEBT-RELATED METRICS; TO REQUIRE THE BOARDS TO MAKE THE OUTCOME METRICS FOR EACH YEAR AVAILABLE, BY PUBLISHING SUCH METRICS IN MACHINE-READABLE FORMAT, ON EACH OF THE BOARDS' WEBSITES AND REQUIRING THE METRICS TO BE MADE AVAILABLE ON THE WEBSITES OF EACH POSTSECONDARY EDUCATIONAL INSTITUTION IN A TIMELY AND USER-FRIENDLY MANNER; TO PROHIBIT THE BOARDS FROM SELLING ANY DATA COMPONENTS COLLECTED FOR THE HIGHER EDUCATION DATA SYSTEM TO THIRD PARTIES; AND FOR RELATED PURPOSES.

**H. B. No. 477:** AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH THE STATE DEPARTMENT OF HEALTH MAY AWARD PHYSICIAN GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS TO PROVIDE A ONE-TIME SALARY SUPPLEMENT TO PRIMARY CARE PHYSICIANS BEING RECRUITED UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 589:** AN ACT TO CREATE THE "SEXUAL ASSAULT RESPONSE FOR COLLEGE STUDENTS ACT"; TO PROVIDE CERTAIN DEFINITIONS FOR THE ACT; TO REQUIRE ALL HIGHER EDUCATION INSTITUTIONS TO ADOPT A COMPREHENSIVE POLICY THAT IS CONSISTENT WITH FEDERAL AND STATE LAW REGARDING THE INSTITUTION'S RESPONSE TO ALLEGATIONS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL EXPLOITATION AND STALKING; TO LIST THE MINIMUM REQUIREMENTS TO BE INCLUDED IN SUCH POLICY; TO REQUIRE EACH HIGHER EDUCATION INSTITUTION TO PROMINENTLY PUBLISH, TIMELY UPDATE, AND HAVE EASILY ACCESSIBLE ON ITS OFFICIAL SCHOOL WEBSITE SUCH POLICY; TO REQUIRE EACH HIGHER EDUCATION INSTITUTION TO HAVE ACCESS TO AN ON-CAMPUS CONFIDENTIAL ADVISOR TO PROVIDE COUNSELING, MENTAL HEALTH SUPPORT AND PHYSICAL HEALTH SUPPORT TO COMPLAINANTS, RESPONDENTS, AND SURVIVORS; TO REQUIRE THE HIGHER EDUCATION INSTITUTION TO TRAIN ALL EMPLOYEES, STUDENT EMPLOYEES AND PERSONS WITH SUPERVISING AUTHORITY REGARDING STANDARDS TO ASSIST ANY STUDENT WHO ALLEGES A VIOLATION OF THE COMPREHENSIVE POLICY DESCRIBED BY THIS ACT; TO REQUIRE ALL HIGHER EDUCATION INSTITUTIONS TO ADOPT PROCEDURES TO RESOLVE COMPLAINTS OF ALLEGED VIOLATIONS OF SUCH POLICY; AND FOR RELATED PURPOSES.

**H. B. No. 681:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO ADD KRATOM TO SCHEDULE I OF THE UNIFORM CONTROLLED SUBSTANCES ACT; AND FOR RELATED PURPOSES.

**H. B. No. 689:** AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; AND FOR RELATED PURPOSES.

**H. B. No. 720:** AN ACT TO PROVIDE THE MINIMUM REQUIREMENTS THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY MUST MEET RELATED TO ITS ACTIVITIES CONCERNING FRAUD PREVENTION, DETECTION AND RECOVERY; TO REQUIRE THE DEPARTMENT TO FOCUS UPON THE PREVENTION AND DETECTION OF FRAUD WITH RESPECT TO THE PAYMENT OF

UNEMPLOYMENT INSURANCE BENEFITS AND THE COLLECTION OF TAX CONTRIBUTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 732:** AN ACT TO PROVIDE LEGISLATIVE INTENT REGARDING COMPLIANCE WITH THE NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020 TO ASSURE THAT ALL MISSISSIPPIANS RECEIVE A CONSISTENT LEVEL OF 9-8-8 AND CRISIS BEHAVIORAL HEALTH SERVICES NO MATTER WHERE THEY LIVE, WORK OR TRAVEL IN THE STATE; TO CREATE THE STUDY COMMISSION ON THE 9-8-8 COMPREHENSIVE BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM; TO PROVIDE FOR THE MEMBERS OF THE STUDY COMMISSION; TO PROVIDE THAT THE STUDY COMMISSION SHALL ASSESS AND DEVELOP RECOMMENDATIONS FOR CRISIS RESPONSE SERVICES AND FOR ADEQUATELY FUNDING THE CRISIS RESPONSE SERVICES SYSTEM STATEWIDE TO SUPPORT THE SUSTAINABILITY OF CALL CENTERS AND CRISIS SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 779:** AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEFINITION OF CAUSE OF DEATH FOR THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND INCLUDES ANY CAUSE OF DEATH THAT WOULD BE COVERED UNDER THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT OF 2020; TO PROVIDE FOR THE TRANSFER OF FUNDS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; AND FOR RELATED PURPOSES.

**H. B. No. 840:** AN ACT TO AMEND SECTION 8, CHAPTER 46, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE STATE TREASURER'S OFFICE TO CHANGE THE AMOUNT THAT IS AVAILABLE IN THE SUPPORT PROGRAMS BUDGET; TO AMEND SECTION 2, CHAPTER 51, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO CORRECT THE NAME OF AN EVENT FOR WHICH THE DEPARTMENT MAY PROVIDE FINANCIAL SUPPORT; TO AMEND SECTION 11, CHAPTER 82, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE MISSISSIPPI NATIONAL GUARD TO AUTHORIZE THE MISSISSIPPI ADJUTANT GENERAL TO TRANSFER CAPITAL EXPENSE FUNDS WITHIN THE MILITARY DEPARTMENT TO FACILITATE FEDERAL GRANT MATCHING REQUIREMENTS; TO AMEND SECTION 20, CHAPTER 100, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO CLARIFY THE NAME OF A RECIPIENT OF PROJECT FUNDS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 29, CHAPTER 102, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CLARIFY AND CORRECT THE NAMES AND PURPOSES OF SEVERAL PROJECTS FUNDED FROM THE CAPITAL EXPENSE FUND; AND FOR RELATED PURPOSES.

**H. B. No. 860:** AN ACT TO CREATE NEW SECTION 41-37-27, MISSISSIPPI CODE OF 1972, TO BE KNOWN AS "JENNA'S LAW," TO REQUIRE THAT ALL AUTOPSIES CONDUCTED IN THIS STATE INCLUDE AN INQUIRY TO DETERMINE WHETHER THE DEATH WAS A DIRECT RESULT OF A SEIZURE OR EPILEPSY; TO PROVIDE THAT IF THE FINDINGS IN AN AUTOPSY ARE CONSISTENT WITH KNOWN OR SUSPECTED SUDDEN UNEXPECTED DEATH IN EPILEPSY (SUDEP), THEN THE MEDICAL EXAMINER, EXAMINING PHYSICIAN OR CORONER SHALL CAUSE TO BE INDICATED ON THE DEATH CERTIFICATE THAT SUDEP IS THE CAUSE OR SUSPECTED CAUSE OF DEATH AND FORWARD A COPY OF THE DEATH CERTIFICATE TO THE NORTH AMERICAN SUDEP REGISTRY WITHIN THIRTY DAYS; AND FOR RELATED PURPOSES.

**H. B. No. 927:** AN ACT TO AMEND SECTION 41-21-201, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS TESTED FOR IN THE COMPREHENSIVE NEWBORN SCREENING PROGRAM TO INCLUDE THOSE CONDITIONS THAT ARE

LISTED ON THE RECOMMENDED UNIFORM SCREENING PANEL (RUSP); TO REQUIRE THE STATE BOARD OF HEALTH TO ENSURE THAT EACH CONDITION LISTED ON THE RUSP IS INCLUDED IN THE NEWBORN SCREENING PROGRAM WITHIN THREE YEARS AFTER BEING ADDED TO THE RUSP; TO PROVIDE THAT IF THE DEPARTMENT DOES NOT INCLUDE A RUSP-LISTED CONDITION IN THE NEWBORN SCREENING PROGRAM WITHIN THREE YEARS, THE DEPARTMENT SHALL PROVIDE A REPORT ON THE STATUS AND REASONS FOR THE DELAY TO THE HOUSE AND SENATE PUBLIC HEALTH COMMITTEES ONCE A YEAR AFTER THE THREE-YEAR PERIOD; TO AMEND SECTION 41-21-203, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1005:** AN ACT TO CREATE NEW SECTION 37-106-60, MISSISSIPPI CODE OF 1972, TO CREATE THE NURSING EDUCATION INCENTIVE PROGRAM; TO PROVIDE THAT THE PROGRAM IS FOR STUDY IN NURSING TO BECOME A LICENSED PRACTICAL NURSE OR A REGISTERED NURSE OR FOR ADVANCED STUDY IN NURSING BY LICENSED REGISTERED NURSES; TO PROVIDE THAT THE LOANS MAY BE REPAYED BY PRACTICING NURSING IN THE STATE OF MISSISSIPPI FOR NOT LESS THAN FIVE YEARS AFTER COMPLETION OF THE COURSE OF STUDY; AND FOR RELATED PURPOSES.

**H. B. No. 1185:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO CONTRACT WITH THE MISSISSIPPI TRANSPORTATION COMMISSION TO PERFORM MAINTENANCE ON THE STATE HIGHWAYS AND INTERSTATE HIGHWAYS IN THAT COUNTY AND ANY RIGHTS-OF-WAY TO SUCH HIGHWAYS; TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ENTER INTO SUCH A CONTRACT; AND FOR RELATED PURPOSES.

**H. B. No. 1344:** AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

**H. B. No. 1422:** AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

**H. B. No. 1479:** AN ACT TO AMEND SECTIONS 99-19-51, 99-19-53 AND 99-19-55, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO INFLICT THE DEATH PENALTY; AND FOR RELATED PURPOSES.

**H. B. No. 1485:** AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISIONS OF LAW THAT PROVIDE FOR THE MAXIMUM WEIGHT OF HARVEST PERMIT VEHICLES AND REQUIRE CERTAIN HARVEST PERMIT HOLDERS TO GET PRIOR APPROVAL FOR THEIR ROUTES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 127:** AN ACT TO AMEND SECTION 63-1-216, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE IF CONVICTED OF ANY CRIME UNDER THE MISSISSIPPI HUMAN TRAFFICKING ACT OR ANY FELONY INVOLVING A SEVERE FORM OF TRAFFICKING IN PERSONS AS DEFINED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 158:** AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES FOR THE PURPOSES OF THE STATUTE REGULATING THE OPERATION OF OFF-ROAD VEHICLES; AND FOR RELATED PURPOSES.

**H. B. No. 365:** AN ACT TO ESTABLISH THE MISSISSIPPI RURAL HOSPITAL LOAN PROGRAM IN THE STATE DEPARTMENT OF HEALTH TO PROVIDE LOANS TO RURAL HOSPITALS TO ASSIST THE HOSPITALS IN PROVIDING NEEDED DIRECT HEALTH CARE SERVICES; TO CREATE A SPECIAL FUND TO BE KNOWN AS THE RURAL HOSPITAL OPERATIONS AND FACILITIES REVOLVING LOAN FUND, WHICH SHALL BE ADMINISTERED BY THE DEPARTMENT AND EXPENDED FOR THE SOLE PURPOSE OF PROVIDING LOANS TO RURAL HOSPITALS UNDER THE PROVISIONS OF THIS ACT; TO PROVIDE THAT THE DEPARTMENT SHALL DETERMINE THE TERMS AND CONDITIONS OF EACH LOAN, AND TO SPECIFY CERTAIN REQUIREMENTS AND CONDITIONS FOR THE LOANS; TO REQUIRE THE DEPARTMENT TO MAKE ANNUAL REPORTS TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ABOUT EACH OUTSTANDING LOAN ISSUED; AND FOR RELATED PURPOSES.

**H. B. No. 400:** AN ACT TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARY OF RIDING BAILIFFS; AND FOR RELATED PURPOSES.

**H. B. No. 424:** AN ACT TO ENACT INTO LAW THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-38-3, 73-38-5, 73-38-7, 73-38-9, 73-38-13, 73-38-17, 73-38-25, 73-38-27, 73-38-29, 73-38-31 AND 73-38-33, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 567:** AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO REVISE THE POPULATION THRESHOLD FOR MUNICIPAL LAW ENFORCEMENT OFFICERS TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS OF THE MUNICIPALITY; AND FOR RELATED PURPOSES.

**H. B. No. 620:** AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE UNITS WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO AMEND DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO MATCH OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY AND TO REMOVE OUTDATED, UNNECESSARY LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE FEE TO BE COLLECTED WHEN STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS ARE SUBPOENAED TO TESTIFY; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF

1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIOVISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THE COMMISSIONER OF PUBLIC SAFETY WITH THE AUTHORITY TO ESTABLISH THE MINIMUM QUALIFICATIONS AND SALARIES FOR EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH REQUIRES PERSONS CONVICTED IN ANOTHER STATE OF AN OFFENSE THAT WOULD HAVE BEEN PUNISHABLE AS A FELONY IN THE STATE OF MISSISSIPPI TO REGISTER WITH THE CHIEF OF POLICE OF THE CITY OR SHERIFF OF THE COUNTY HE OR SHE RESIDES IN; TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN REVISIONS TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO AMEND SECTION 45-2-31, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN REVISIONS TO THE OTHER SAFETY OFFICIALS DEATH BENEFITS TRUST FUND; TO AMEND SECTION 63-16-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE UNINSURED MOTORIST IDENTIFICATION FUND TO BE TRANSFERRED TO THE OTHER SAFETY OFFICIALS DEATH BENEFITS TRUST FUND WHEN NEEDED DUE TO INSUFFICIENT FUNDS; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL HAVE JURISDICTION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS, OTHER THAN SHOOTINGS INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION, RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL DESIGNATE ANOTHER LAW ENFORCEMENT AGENCY OR TASK FORCE TO INVESTIGATE ANY INCIDENT OF A SHOOTING INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATIONS RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL'S OFFICE SHALL BE EXCLUSIVELY RESPONSIBLE FOR PRESENTING ALL OFFICER-INVOLVED SHOOTINGS RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE TO THE APPROPRIATE DULY EMPANELED GRAND JURY AND, UPON INDICTMENT BY THE GRAND JURY, PROSECUTING SUCH MATTERS; AND FOR RELATED PURPOSES.

**H. B. No. 626:** AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF PURCHASE TRANSACTIONS FOR SCRAP METAL; TO REVISE DEFINITIONS BY ADDING CERTAIN TERMS; TO REQUIRE RECORD KEEPING FOR DEALER-TO-DEALER TRANSACTIONS; TO REGULATE DELIVERY OF METAL PROPERTY BY A PERSON OTHER THAN THE SELLER WHO DELIVERS METAL PROPERTY; TO AMEND SECTIONS 97-17-71.1 AND 97-17-71.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO CREATE NEW SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO REGULATE THE PURCHASE OF CATALYTIC CONVERTERS; AND FOR RELATED PURPOSES.

**H. B. No. 630:** AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO QUALIFIED ELECTORS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO HAS HAD A DISENFRANCHISING CRIME CONVICTION EXPUNGED, WHO HAS NOT BEEN CONVICTED OF ANY OTHER DISENFRANCHISING CRIME AND WHO MEETS ALL OTHER REQUIREMENTS TO BECOME A QUALIFIED ELECTOR SHALL BE ALLOWED TO REGISTER TO VOTE AS A QUALIFIED ELECTOR; TO ADD ALL CRIMES THAT ARE IN-ELIGIBLE FOR EXPUNGEMENT UNDER 99-19-71 TO THE LIST OF DISENFRANCHISING CRIMES; TO AMEND SECTIONS 23-15-151 AND 23-15-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY REGISTRAR OR ELECTION COMMISSIONER TO PLACE THE NAME OF ANY PERSON WHOSE DISENFRANCHISING CRIME WAS EXPUNGED, WHO HAS NOT BEEN CONVICTED

OF ANOTHER DISENFRANCHISING CRIME AND IS OTHERWISE AN ELIGIBLE VOTER TO BE PLACED INTO THE STATEWIDE ELECTION MANAGEMENT SYSTEM AT THE REQUEST OF THE PERSON; TO AMEND SECTIONS 23-15-125, 23-15-153, 23-15-165 AND 99-19-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 97-39-3, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR DUELING; AND FOR RELATED PURPOSES.

**H. B. No. 971:** AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE TIME PERIOD DURING WHICH AN EXPIRED DRIVER'S LICENSE MAY BE RENEWED WITHOUT EXAMINATION; TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL BE THE STATE AGENCY WITH RESPONSIBILITY FOR REGULATING CERTAIN DIGITAL WALLETS; AND FOR RELATED PURPOSES.

**H. B. No. 1010:** AN ACT TO AMEND SECTION 97-37-1, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR FELONY FIREARM VIOLATIONS; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE CERTAIN WEAPONS FROM THE LIST OF CRIMES PROHIBITED TO BE IN THE POSSESSION OF THOSE CONVICTED OF A FELONY; AND FOR RELATED PURPOSES.

**H. B. No. 1056:** AN ACT TO ENACT INTO LAW THE PROFESSIONAL COUNSELING COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-30-3, 73-30-5, 73-30-7, 73-30-9, 73-30-21, 73-30-23 AND 73-30-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1073:** AN ACT TO AMEND SECTION 65-21-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF LAW TO PRESCRIBE THE DESIGN OF BRIDGES AND CULVERTS ON PUBLIC ROADS; AND FOR RELATED PURPOSES.

**H. B. No. 1099:** AN ACT TO PROHIBIT PHYSICALLY INCARCERATED OFFENDERS FROM REQUESTING A NAME CHANGE OR GENDER TRANSITION; AND FOR RELATED PURPOSES.

**H. B. No. 1137:** AN ACT TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF MEMBERS APPOINTED BY THE BOARD OF SUPERVISORS TO A REGIONAL MENTAL HEALTH COMMISSION IF SUCH COMMISSION IS COMPRISED OF ONLY TWO COUNTIES THAT BORDER THE STATE OF ALABAMA; AND FOR RELATED PURPOSES.

**H. B. No. 1163:** AN ACT TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE TYPE OF RESIDENTIAL CONSTRUCTION THAT IS EXCLUDED FROM THE CONTRACTOR'S TAX; TO PROVIDE THAT WHEN A PERSON ENGAGED IN ANY BUSINESS ON WHICH A SALES TAX IS LEVIED UNDER CERTAIN SECTIONS OF LAW ALSO QUALIFIES AS A CONTRACTOR, AND CONTRACTS TO PERFORM ANY SERVICES SUBJECT TO THE CONTRACTOR'S TAX, SUCH PERSON SHALL PAY THE CONTRACTOR'S TAX IN LIEU OF THE SALES TAXES IMPOSED BY THE OTHER SECTIONS OF LAW; TO PROVIDE THAT A PERSON LIABLE FOR THE CONTRACTOR'S TAX MAY APPLY FOR AND OBTAIN A MATERIAL PURCHASE CERTIFICATE FROM THE DEPARTMENT OF REVENUE ON A PER CONTRACT BASIS OR ON AN ANNUAL BASIS; TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "INSTALLATION CHARGES" UNDER THE STATE SALES TAX LAW TO EXCLUDE CHARGES FOR LABOR SERVICES IN CONNECTION WITH THE APPLICATION OR REPAIR OF RESIDENTIAL ROOFING; TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REGARDLESS OF WHETHER A COUNTY OR MUNICIPALITY HAS ADOPTED CERTAIN CONSTRUCTION CODES, A COUNTY OR MUNICIPALITY,

AS THE CASE MAY BE, SHALL REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION AND THAT SUCH PERMITS SHALL CONTAIN ON THEIR FACE, THE CONTRACTOR'S MATERIAL PURCHASE CERTIFICATE NUMBER TO THE EXTENT FURNISHED BY THE DEPARTMENT OF REVENUE AND THE CONTRACTOR'S LICENSE OR CERTIFICATE OF RESPONSIBILITY NUMBER AS REQUIRED BY CERTAIN SECTIONS OF LAW; TO AMEND SECTIONS 73-59-1, 73-59-3, 73-59-9 AND 73-59-15, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS, TO DEFINE THE TERMS "CONSTRUCTION MANAGER" AND "RESIDENTIAL SOLAR CONTRACTOR" FOR PURPOSES OF SUCH SECTIONS OF LAW, TO REVISE THE PERSONS OR ENTITIES THAT MUST BE LICENSED BY THE STATE BOARD OF CONTRACTORS UNDER SUCH LAWS, TO REVISE CERTAIN PROVISIONS REGARDING PENALTIES FOR PERSONS WHO UNDERTAKE TO PERFORM THE BUSINESS OF RESIDENTIAL CONSTRUCTION OR IMPROVEMENT WITHOUT FIRST HAVING A LICENSE; TO REVISE THE TYPES OF REMEDIES AVAILABLE TO SUCH PERSONS OR ENTITIES AND TO REVISE THE TYPES OF RESIDENTIAL CONSTRUCTION TO WHICH SUCH SECTIONS OF LAWS DO NOT APPLY; TO BRING FORWARD SECTIONS 27-65-17, 27-65-17.1, 27-65-20 AND 27-65-75, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI SALES TAX LAW; TO BRING FORWARD SECTION 73-59-17, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE LAW REGULATING BUILDERS AND REMODELERS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1207:** AN ACT TO AMEND SECTION 97-5-33, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PENALTIES FOR CERTAIN TYPES OF EXPLOITATION; TO AMEND SECTION 97-5-35, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 97-5-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CRIME OF COMPUTER LURING, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1343:** AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, AS LAST AMENDED BY SECTIONS 1 AND 2, CHAPTER 363, LAWS OF 2019, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT; TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTION 19-5-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ESTABLISHMENT OF ECONOMIC DEVELOPMENT DISTRICTS; AND FOR RELATED PURPOSES.

**H. B. No. 1388:** AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM" ACT; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, TO PILOT A CAREER COACHING PROGRAM TO SUPPORT MIDDLE SCHOOL AND HIGH SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND CONNECTED TO CAREER AVENUES WITHIN AND BEYOND THE CLASSROOM SETTING; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ENSURE ALIGNMENT OF CAREER AND TECHNICAL EDUCATION COURSES ACROSS THE PUBLIC SCHOOL SYSTEM AND COMMUNITY COLLEGE SYSTEM, WHICH INCLUDES DUAL ENROLLMENT COURSES; TO REQUIRE THE STATE WORKFORCE INVESTMENT BOARD TO CREATE A SINGLE LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR CERTAIN REIMBURSEMENTS; TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFYING INDUSTRY CERTIFICATION"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO WORK IN PARTNERSHIP WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION

AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM INVENTORY AND RETURN ON INVESTMENT ANALYSIS OF WORKFORCE DEVELOPMENT PROGRAMS IN THE STATE; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG K-12 EDUCATION, EMPLOYERS AND INDUSTRY AND POSTSECONDARY EDUCATION TO COMPLETE CERTAIN OBJECTIVES; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, OR A CAREER-READINESS ASSESSMENT DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIFORM STATEWIDE TESTING PROGRAM SHALL PROVIDE FOR THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, OR A CAREER-READINESS ASSESSMENT DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMINOLOGY USED FOR CAREER EDUCATION FROM "TRACK" TO "CAREER TECHNICAL EDUCATION PATHWAYS"; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO PROVIDE THAT THE CAREER TECHNICAL EDUCATION PATHWAYS COURSES MAY BE TAILORED TO THE INDIVIDUAL NEEDS OF EACH SCHOOL DISTRICT; TO BRING FORWARD SECTIONS 37-15-38 AND 37-71-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1418:** AN ACT ENTITLED THE "SECOND AMENDMENT PRESERVATION ACT"; TO PROVIDE THAT THE MISSISSIPPI LEGISLATURE PREEMPTS THE LAW OF FIREARMS, COMPONENTS, AMMUNITION AND FIREARM SUPPLIES TO THE COMPLETE EXCLUSION OF ANY ORDER, ORDINANCE OR REGULATION BY ANY POLITICAL SUBDIVISION OR MUNICIPALITY OF THIS STATE; TO PROVIDE THAT THE COMPREHENSIVE FIREARMS CODE OF THE STATE OF MISSISSIPPI IS INTERPOSED IN PLACE OF ANY FEDERAL LAW CONFISCATING FIREARMS OF LAW-ABIDING CITIZENS; TO BRING FORWARD SECTIONS 45-9-51, 45-9-53 AND 45-9-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDE CONDITIONS ON CARRYING CONCEALED WEAPONS; TO BRING FORWARD SECTIONS 97-37-7 AND 97-37-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE CONDITIONS AND PENALTIES FOR CARRYING CONCEALED FIREARMS AND DEADLY WEAPONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 1440:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NATCHEZ, MISSISSIPPI, AND THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO NATCHEZ, INC., A MISSISSIPPI NONPROFIT CORPORATION ORGANIZED FOR ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 8:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI STATE UNIVERSITY BULLDOGS BASEBALL TEAM FOR WINNING THE 2021 NCAA BASEBALL NATIONAL CHAMPIONSHIP.

Joseph Thomas, Chairman

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

**H. B. No. 416:** Public records; exempt the booking information of certain mentally ill patients from. Public Health and Welfare; Judiciary, Division B.

**H. B. No. 514:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. Corrections.

**H. B. No. 515:** Prison Overcrowding Emergency Powers Act; extend repealer on. Corrections.

**H. B. No. 534:** Corrections; extend repealer on intensive supervision program and electronic home detention. Corrections.

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on. Corrections.

**H. B. No. 590:** Charitable solicitations; revise provisions relating to notice, demand and service of process. Judiciary, Division A.

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death". Judiciary, Division B.

**H. B. No. 611:** Corporations and limited liability companies; authorize notice from Secretary of State to be served by electronic mail. Judiciary, Division A.

**H. B. No. 629:** Expungement; clarify procedures in all courts. Judiciary, Division B.

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification. Veterans and Military Affairs.

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create. Judiciary, Division A.

**H. B. No. 799:** Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting. Judiciary, Division B.

**H. B. No. 813:** Mississippi Study on the Affordability of Insulin Act; create. Public Health and Welfare.

**H. B. No. 907:** "Reentry Court Act of 2022"; establish. Corrections; Judiciary, Division B.

**H. B. No. 935:** Nonadjudication; authorize completion of workforce training or similar training as an option for. Judiciary, Division B.

**H. B. No. 1180:** Mississippi National Guard; revise conditions under which members will be placed on retired list. Veterans and Military Affairs.

**H. B. No. 1310:** Subpoenas; authorize attorneys who have entered an appearance to issue. Judiciary, Division B.

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INTRODUCTIONS FOR FRIDAY, FEBRUARY 4, 2022

**S. B. No. 2994:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE OUTSIDE LEGAL DEFENSE EXPENSES CONNECTED TO THE CASE OF MISSISSIPPI IMMIGRANTS RIGHTS ALLIANCE ET AL. V. MICHAEL WATSON ET AL. IN THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, NORTHERN DIVISION, CIVIL ACTION NO. 3:19-CV-00831-CWR-FKB, SUBJECT TO APPROVAL BY THE OFFICE OF THE ATTORNEY GENERAL, FOR FISCAL YEAR 2022.

By Senator(s) Wiggins

**S. B. No. 2995:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HATTIESBURG, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS IN INFRASTRUCTURE IN THE MIDTOWN AREA OF THE CITY, INCLUDING, BUT NOT LIMITED TO, ROADS, BRIDGES, WATER, SEWER, DRAINAGE, SIDEWALKS, STORMWATER DETENTION, LAND ACQUISITION, UTILITY RELOCATION AND LIGHTING; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2996:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GLUCKSTADT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR AND CONSTRUCTION OF POLICE HEADQUARTERS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. C. R. No. 544:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLYMPIAN CORY MCGEE FROM PASS CHRISTIAN, MISSISSIPPI, FOR HER OUTSTANDING TRACK AND FIELD ACCOMPLISHMENT IN THE 1,500 METERS FINAL AT THE 2020 TOKYO OLYMPICS AND EXTENDING BEST WISHES FOR CONTINUED SUCCESS.

By Senator(s) Thompson, Carter, DeLano, Moran

**S. R. No. 22:** Rules

A RESOLUTION RECOGNIZING AND COMMENDING BISHOP JAMES EDWARD SWANSON, SR., ON HIS TENURE AS THE RESIDENT BISHOP OF THE MISSISSIPPI CONFERENCE OF THE UNITED METHODIST CHURCH FOR HIS SPIRITUAL AND CHARITABLE CONTRIBUTIONS TO THE STATE OF MISSISSIPPI AND AS THE FIRST AFRICAN AMERICAN TO LEAD THE MISSISSIPPI UNITED METHODIST DENOMINATION.

By Senator(s) Williams

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 43:** AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; AND FOR RELATED PURPOSES.

**H. B. No. 192:** AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENT FOR CERTAIN LICENSE PLATES FOR DISABLED VETERANS FROM ONE HUNDRED PERCENT PERMANENT SERVICE-CONNECTED DISABILITY TO SEVENTY-FIVE PERCENT PERMANENT SERVICE-CONNECTED DISABILITY; AND FOR RELATED PURPOSES.

**H. B. No. 258:** AN ACT TO AMEND SECTION 49-7-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO CREATE AN ELECTRONIC HARVEST REPORTING PROGRAM FOR WHITE-TAILED DEER AND WILD TURKEY; TO PROVIDE THAT THE PROGRAM SHALL BE SIMPLE TO USE BY SPORTSMEN SO AS TO PROMOTE COMPLIANCE AND ACCURATE REPORTING; AND FOR RELATED PURPOSES.

**H. B. No. 360:** AN ACT TO AMEND SECTION 99-18-1, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF THE STATE PUBLIC DEFENDER; TO REMOVE THE REQUIREMENT THAT FUNDS FOR THE OFFICE OF THE STATE PUBLIC DEFENDER SHALL BE SUPPLIED FROM SPECIFIC FUNDS; TO REMOVE THE AUTHORITY OF THE STATE PUBLIC DEFENDER TO TRANSFER MONEY BETWEEN THE VARIOUS FUNDING SOURCES; TO REMOVE THE REQUIREMENT FOR THE STATE PUBLIC DEFENDER TO COORDINATE THE COLLECTION AND DISSEMINATION OF STATISTICAL DATA IN COORDINATION WITH THE MISSISSIPPI PUBLIC DEFENDERS' TASK FORCE; TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE PUBLIC DEFENDER, TO AUTHORIZE HIS OR HER ABILITY TO SOLICIT AND ACCEPT MONIES, GIFTS AND SERVICES FROM ANY PUBLIC OR PRIVATE SOURCE, AND TO REPRESENT AN INDIGENT PERSON IN CRIMINAL OR YOUTH COURT MATTERS WHEN SUCH PERSON HAS A CONSTITUTIONAL RIGHT TO APPOINTED REPRESENTATION; TO AMEND SECTION 99-18-17, MISSISSIPPI CODE OF 1972, TO TERMINATE THE CAPITAL DEFENSE FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO CREATE NEW SECTION 99-18-19, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE INDIGENT APPEALS DIVISION WITHIN THE OFFICE OF THE STATE PUBLIC DEFENDER; TO CREATE NEW SECTION 99-18-21,

MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PUBLIC DEFENDER TRAINING DIVISION WITHIN THE OFFICE OF THE STATE PUBLIC DEFENDER; TO REPEAL SECTION 99-40-1, MISSISSIPPI CODE OF 1972, TO REPEAL THE PROVISIONS WHICH ESTABLISHED THE DIVISIONS OF INDIGENT APPEALS AND PUBLIC DEFENDER TRAINING WITHIN THE OFFICE OF THE STATE PUBLIC DEFENDER, AND WHICH CREATED SPECIAL FUNDS IN THE STATE TREASURY FOR EACH DIVISION; TO AMEND SECTION 43-21-203, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE THE OFFICE OF THE STATE PUBLIC DEFENDER WITH READ-ONLY ACCESS TO THE MISSISSIPPI YOUTH COURT INFORMATION DELIVERY SYSTEM ("MYCIDS"); AND FOR RELATED PURPOSES.

**H. B. No. 422:** AN ACT TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO REQUIRE A PORTION OF THE STATE ASSESSMENTS COLLECTED UNDER THE STATUTE PRESCRIBING STANDARD MONETARY ASSESSMENTS FOR CERTAIN VIOLATIONS TO BE DEPOSITED INTO THE LAW ENFORCEMENT OFFICERS TRAINING FUND, THE MISSISSIPPI FORENSICS LABORATORY IMPLIED CONSENT LAW FUND AND THE FORENSICS LABORATORY DNA IDENTIFICATION SYSTEM FUND INSTEAD OF INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

**H. B. No. 621:** AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES FOR THE CRIME OF FLEEING FROM LAW ENFORCEMENT IN A MOTOR VEHICLE; AND FOR RELATED PURPOSES.

**H. B. No. 679:** AN ACT TO CREATE THE "VICTORIA HUGGINS MISSISSIPPI PILL PRESS ACT OF 2022"; TO PROHIBIT ANY PERSON FROM UNAUTHORIZED POSSESSION AND TRANSFER OF PILL PRESSES AND SIMILAR DEVICES; TO REQUIRE THAT ALL PILL PRESSES OR SIMILAR DEVICES WHICH ARE USED TO MANUFACTURE A CONTROLLED SUBSTANCE OR COUNTERFEIT CONTROLLED SUBSTANCE BE REGISTERED WITH THE STATE BOARD OF PHARMACY; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 695:** AN ACT TO AMEND SECTION 9-23-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE INTERVENTION COURTS ADVISORY COMMITTEE TO PROMULGATE RULES AND REGULATIONS THAT ALLOW THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE ADDITIONAL FUNDING TO INTERVENTION COURTS BASED ON THE FINANCIAL NEEDS OF THE COURT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM CERTIFICATION STANDARDS FOR OPERATION OF AN INTERVENTION COURT OR PROBLEM SOLVING COURT BY REQUIRING THE PROVISION OF MENTAL HEALTH SERVICES; TO AMEND SECTION 41-113-1, MISSISSIPPI CODE OF 1972, TO INCLUDE DRUG ABUSE IN THE LEGISLATIVE INTENT FOR THE TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-113-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE DIRECTOR OF THE OFFICE OF TOBACCO CONTROL TO INCLUDE IMPLEMENTATION OF A FENTANYL DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-114-1, MISSISSIPPI CODE OF 1972, TO INCLUDE VAPORIZING DEVICES IN THE DEFINITION OF "SMOKE" OR "SMOKING" FOR THE PROVISIONS OF LAW THAT RESTRICT TOBACCO USE IN PUBLIC FACILITIES; TO BRING FORWARD SECTIONS 41-113-9 AND 41-113-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI TOBACCO CONTROL

ADVISORY COUNCIL AND THE TOBACCO CONTROL PROGRAM FUND, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 764:** AN ACT TO CREATE THE "MISSISSIPPI HEALTH CARE WORKERS RETENTION ACT OF 2022"; TO MAKE AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED HOSPITALS TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED LONG-TERM CARE FACILITIES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED AMBULANCE SERVICES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF HEALTH FOR PROVIDING FUNDS TO ELIGIBLE ENTITIES UNDER THIS ACT TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY TO BE DISTRIBUTED IN THE MANNER THAT THE DEPARTMENT DETERMINES IS THE MOST EQUITABLE AND EFFICIENT TO SUPPLEMENT THE FUNDS OTHERWISE PROVIDED AND TO EFFECTUATE THE PURPOSES OF THIS ACT; TO PROVIDE THAT MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS THAT QUALIFY FOR PREMIUM PAY UNDER THIS SECTION SHALL RECEIVE PREMIUM PAY WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS ACT SUBJECT TO THE RECIPIENT'S WRITTEN AGREEMENT TO CONTINUE EMPLOYMENT WITH THE RECIPIENT'S PRIMARY CURRENT EMPLOYER OR ANOTHER ELIGIBLE HEALTH CARE EMPLOYER IN THE STATE OF MISSISSIPPI FOR FIVE MONTHS FOLLOWING THE RECEIPT OF SUCH PREMIUM PAY; TO FURTHER PROVIDE THAT THE WRITTEN AGREEMENT SHALL BE DEVELOPED AND PROMULGATED BY THE DEPARTMENT AND INCLUDE A PROVISION THAT THE LICENSED/CERTIFIED HEALTH CARE WORKER MAY BE REQUIRED TO REPAY TO THE STATE OF MISSISSIPPI THE AMOUNT OF HIS OR HER PREMIUM PAY FUNDS IF THE TERMS OF THE AGREEMENT ARE NOT MET; TO PROVIDE CERTAIN REPORTING AND APPROVAL REQUIREMENTS UNDER THIS ACT; TO PROVIDE THAT NONE OF THE FUNDS PROVIDED UNDER THIS SECTION MAY BE USED TO PROVIDE PREMIUM PAY TO ANY LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE WORKING UNDER A CONTRACT WITH A STAFFING AGENCY TO PROVIDE SERVICES IN THE STATE OF MISSISSIPPI FOR A LIMITED DURATION OF LESS THAN ONE YEAR, SUCH AS TRAVEL NURSES, AS DETERMINED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 768:** AN ACT TO AMEND SECTIONS 37-144-1, 37-144-3, 37-144-5, 37-144-7, 37-144-9, 37-144-11, 37-144-13, 37-144-15, 37-144-17, 37-144-19 AND 37-144-21, MISSISSIPPI CODE OF 1972, TO EXPAND THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM TO INCLUDE A LOAN REPAYMENT PROGRAM FOR GRADUATES OF MEDICAL OR OSTEOPATHIC SCHOOL WHO WISH TO RECEIVE FINANCIAL ASSISTANCE FOR REPAYMENT OF THEIR STATE AND FEDERAL MEDICAL EDUCATION LOANS BY PRACTICING MEDICINE IN RURAL OR MEDICALLY UNDERSERVED AREAS OF MISSISSIPPI; TO PROVIDE THAT A PARTICIPANT IN THE LOAN REPAYMENT PROGRAM IS ELIGIBLE TO RECEIVE

FINANCIAL ASSISTANCE FOR REPAYMENT OF THE PARTICIPANT'S STATE OR FEDERAL MEDICAL EDUCATION LOANS IN THE AMOUNT OF NOT MORE THAN \$30,000.00 FOR EACH YEAR THAT THE PARTICIPANT PRACTICES MEDICINE IN A RURAL OR MEDICALLY UNDERSERVED AREA OF MISSISSIPPI, UP TO A MAXIMUM OF \$120,000.00 PER PARTICIPANT; TO PROVIDE THAT ANY PARTICIPANT WHO RECEIVES FINANCIAL ASSISTANCE THROUGH THE LOAN REPAYMENT PROGRAM WHO FAILS TO COMPLETE THE PERIOD OF PRACTICE IN A RURAL OR MEDICALLY UNDERSERVED AREA OF MISSISSIPPI FOR WHICH THE PARTICIPANT HAS OBLIGATED HIMSELF OR HERSELF SHALL BE LIABLE FOR THE REPAYMENT OF ALL FINANCIAL ASSISTANCE PROVIDED TO THE PARTICIPANT THROUGH THE PROGRAM, ALONG WITH OTHER PENALTIES THAT MAY BE PRESCRIBED; TO PROVIDE THAT THE LOAN REPAYMENT PROGRAM SHALL BE FUNDED BY APPROPRIATION OF THE LEGISLATURE ONLY FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

**H. B. No. 769:** AN ACT TO ESTABLISH THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM TO BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE PROGRAM AND ANY GRANT AWARDED UNDER THE PROGRAM SHALL BE FOR THE PURPOSE OF STRENGTHENING AND IMPROVING THE HEALTH CARE SYSTEM AND INCREASING ACCESS TO HEALTH CARE SERVICES PROVIDERS TO HELP COMMUNITIES ACHIEVE AND MAINTAIN OPTIMAL HEALTH BY PROVIDING TRANSITIONAL ASSISTANCE TO PROVIDERS; TO SPECIFY THE INFORMATION THAT APPLICANTS FOR GRANTS MUST SUBMIT TO THE DEPARTMENT; TO PROVIDE THAT APPLICANTS ARE LIMITED TO ONE APPLICATION PER BUSINESS ENTITY AND SUBSIDIARIES OF THE ENTITY ARE NOT ELIGIBLE TO SUBMIT SEPARATE APPLICATIONS; TO PROVIDE THE MAXIMUM AMOUNT OF A GRANT THAT MAY BE AWARDED TO AN APPLICANT; TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED BY APPROPRIATION OF THE LEGISLATURE FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

**H. B. No. 833:** AN ACT TO AMEND SECTION 63-17-75, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW TO PROHIBIT CERTAIN DIRECT SALES ACTIVITIES BY A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; TO AMEND SECTION 63-17-109, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW DOES NOT PROHIBIT REGARDING A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; AND FOR RELATED PURPOSES.

**H. B. No. 917:** AN ACT TO CREATE THE "HOME-BASED OPPORTUNITY FREEDOM ACT OF 2022"; TO PROVIDE CERTAIN DEFINITIONS; TO PROHIBIT ANY LOCAL UNIT OF GOVERNMENT FROM ADOPTING OR ENFORCING AN ORDINANCE OR REGULATION THAT RESTRICTS A PARTICULAR HOME-BASED OCCUPATION OR ACTIVITY OR IMPOSES A BURDEN ON HOME-BASED WORK; AND FOR RELATED PURPOSES.

**H. B. No. 976:** AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF LAW THAT REGULATE ALTERNATIVE NICOTINE PRODUCTS; TO AMEND SECTION 97-32-21, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE ATTORNEY GENERAL TO PERFORM RANDOM CHECKS; TO AMEND SECTION 67-1-81, MISSISSIPPI CODE OF 1972, TO REQUIRE HOLDERS OF A PACKAGE RETAIL PERMIT TO HAVE AN INDEPENDENT, THIRD-PARTY AGE VERIFICATION SERVICE AVAILABLE ON THE PROPERTY OF THE LOCATION IN WHICH ALCOHOLIC BEVERAGES ARE SOLD; AND FOR RELATED PURPOSES.

**H. B. No. 980:** AN ACT TO CREATE A NEW SECTION WITHIN ARTICLE 3, CHAPTER 29, TITLE 41, MISSISSIPPI CODE OF 1972, TO PROVIDE AN AUTOMATIC DEFENSE TO PROSECUTION FOR ANY CHARGE THAT IS BROUGHT WITHIN TWO YEARS OF A FEDERAL DECLASSIFICATION OF A CONTROLLED SUBSTANCE THAT IS THE SUBJECT OF THE OFFENSE; AND FOR RELATED PURPOSES.

**H. B. No. 1001:** AN ACT TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY MUNICIPALITY MAY, AT AN ELECTION HELD FOR THAT PURPOSE, EITHER PROHIBIT OR PERMIT THE SALE AND THE RECEIPT, STORAGE AND TRANSPORTATION FOR THE PURPOSE OF SALE, OF BEER AND LIGHT WINE; AND FOR RELATED PURPOSES.

**H. B. No. 1021:** AN ACT TO AMEND SECTIONS 21-23-8, 99-5-9 AND 99-5-11, MISSISSIPPI CODE OF 1972, TO PROVIDE A PROCEDURE TO DETERMINE BAIL FOR INDIGENT DEFENDANTS; AND FOR RELATED PURPOSES.

**H. B. No. 1031:** AN ACT TO CREATE THE CAPITAL CITY WATER/SEWER PROJECTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION, REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY OF JACKSON'S WATER AND SEWER SYSTEMS AND RELATED FACILITIES; TO PROVIDE THAT IF THE CITY OF JACKSON DESIRES ASSISTANCE UNDER THIS ACT, THE CITY MUST ESTABLISH A PLAN FOR THE PROJECT OR PROJECTS FOR WHICH IT DESIRES ASSISTANCE AND SUBMIT THE PLAN AND AN APPLICATION FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT IF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROVIDES ASSISTANCE TO THE CITY OF JACKSON UNDER THIS ACT, THE CITY SHALL PROVIDE QUARTERLY REPORTS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION DESCRIBING THE RECEIPT AND EXPENDITURE OF SUCH ASSISTANCE, THE STATUS OF THE PROJECT OR PROJECTS AND ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1061:** AN ACT TO CREATE PROCEDURES AND PROTECTIONS FOR RESIDENTIAL EVICTIONS WITHIN THE RESIDENTIAL LANDLORD AND TENANT ACT; TO CREATE NEW SECTION 89-8-31, MISSISSIPPI CODE OF 1972, TO PROSCRIBE WHEN A LANDLORD MAY COMMENCE PROCEEDINGS TO EVICT A TENANT; TO CREATE NEW SECTION 89-8-33, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION; TO CREATE NEW SECTION 89-8-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ISSUANCE OF SUMMONS; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS INCLUDING THE FACT THAT THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY; TO CREATE NEW SECTION 89-8-37, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO REQUEST A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO PROVIDE THAT A JUDGE SHALL NOT ISSUE A WARRANT OF REMOVAL IF THE TENANT HAS PAID THE SUMS OWED TO THE LANDLORD IN CASES OF A JUDGMENT OF POSSESSION FOR FAILURE TO PAY RENT; TO CREATE NEW SECTION 89-8-39, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CONTINUANCES;

TO CREATE NEW SECTION 89-8-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPEALS FROM A FINAL JUDGMENT SHALL BE PURSUANT TO APPLICABLE MISSISSIPPI RULES OF COURT; TO CREATE NEW SECTION 89-8-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LANDLORD MAY CHARGE THE TENANT DOUBLE THE RENT FOR THE TIME THAT THE TENANT CONTINUES IN POSSESSION OF THE PREMISES FOLLOWING THE DATE TO VACATE; TO AMEND SECTION 89-8-11, MISSISSIPPI CODE OF 1972, TO REQUIRE RULES AND REGULATIONS TO BE WRITTEN; TO AMEND SECTION 89-8-13, MISSISSIPPI CODE OF 1972, TO PROVIDE A CERTAIN TIME PERIOD FOR A TENANT TO QUIT THE PREMISES IF THE MATERIAL NONCOMPLIANCE BY THE TENANT IS THE NONPAYMENT OF RENT PURSUANT TO THE RENTAL AGREEMENT; TO AMEND SECTION 89-8-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NOTICE TO TERMINATE THE TENANCY SHALL NOT BE REQUIRED WHEN THE LANDLORD OR TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OF THIS CHAPTER THAT MATERIALLY AFFECTS HEALTH OR SAFETY; TO AMEND SECTION 89-7-29, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION FOR PREMISES OR OTHER LANDS THAT ARE NOT DWELLING UNITS; TO REQUIRE THE LANDLORD TO IDENTIFY ANY ITEMS OF TENANT PROPERTY LOCATED AT THE PREMISES AS TO WHICH THE LANDLORD ASSERTS A VALID LIEN; TO AMEND SECTIONS 89-7-27, 89-7-31, 89-7-33, 89-7-35, 89-7-37, 89-7-39, 89-7-43, 89-7-47, 89-8-3, 89-8-7, 89-8-9, 89-8-15 AND 89-8-17, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 89-7-41 AND 89-7-45, MISSISSIPPI CODE OF 1972, WHICH GOVERN THE DISPOSITION OF TENANT PERSONAL PROPERTY AND WHEN A WARRANT OF REMOVAL MAY ISSUE; AND FOR RELATED PURPOSES.

**H. B. No. 1080:** AN ACT TO AMEND SECTION 97-3-69, MISSISSIPPI CODE OF 1972, TO REVISE THE EVIDENTIARY REQUIREMENTS FOR RAPE TRIALS; TO REPEAL SECTION 97-3-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR SPOUSAL RAPE; TO AMEND SECTION 97-3-65, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 97-3-68, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE EVIDENTIARY PROCEDURES FOR RAPE PROSECUTIONS; TO AMEND SECTION 97-3-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELEMENTS OF THE CRIME OF RAPE; TO AMEND SECTION 97-3-101, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF SEXUAL BATTERY; AND FOR RELATED PURPOSES.

**H. B. No. 1098:** AN ACT TO AMEND SECTION 19-5-177, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE BOARD OF COMMISSIONERS OF CERTAIN FIRE PROTECTION DISTRICTS FROM IMPOSING FEES IF THE BOARD OF SUPERVISORS OF A COUNTY HAS LEVIED A SPECIAL TAX FOR A FIRE PROTECTION DISTRICT; TO AMEND SECTION 19-5-195, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1164:** AN ACT TO AMEND SECTION 57-10-601, MISSISSIPPI CODE OF 1972, WHICH DESIGNATES THE MISSISSIPPI DEVELOPMENT AUTHORITY AS THE AGENCY TO IMPLEMENT A STATE PROGRAM AND PARTICIPATE IN THE FEDERAL STATE SMALL BUSINESS CREDIT INITIATIVE ACT OF 2010, TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FORM A PRIVATE NONPROFIT ENTITY THAT IS EXEMPT FROM FEDERAL INCOME TAXATION, THE PURPOSE OF WHICH IS TO PROMOTE, AID AND ENCOURAGE ECONOMIC DEVELOPMENT IN THIS STATE OR A LOCALITY OR REGION OF THIS STATE, AND FOR OTHER ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

**H. B. No. 1169:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL

PROPERTY OR SERVICES TO THE MISSISSIPPI AQUARIUM, IN GULFPORT, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1313:** AN ACT TO CREATE THE "STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM ACT," TO PROVIDE TUITION ASSISTANCE FOR ATTENDANCE AT APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS OR PUBLIC WORKFORCE TRAINING PROGRAMS TO ELIGIBLE STUDENTS WHO WERE ENTERED INTO FOSTER CARE ON OR AFTER REACHING 14 YEARS OF AGE AND WHO HAVE NOT REACHED 26 YEARS OF AGE OR LIVED AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AFTER REACHING 14 YEARS OF AGE AND WHO HAVE NOT REACHED 26 YEARS OF AGE; TO PROVIDE THAT THE MISSISSIPPI POSTSECONDARY STUDENT FINANCIAL ASSISTANCE BOARD SHALL ADMINISTER THE PROGRAM; TO PRESCRIBE THE CRITERIA FOR INITIAL AND CONTINUED ELIGIBILITY FOR RECEIPT OF A FAITH SCHOLARSHIP; TO PROVIDE THAT THE NUMBER OF SCHOLARSHIPS ALLOWED SHALL BE LIMITED TO 150 NEW RECIPIENTS PER YEAR UNTIL THE PROGRAM REACHES A MAXIMUM OF 900 SCHOLARSHIP RECIPIENTS; TO REQUIRE APPROVED POSTSECONDARY EDUCATIONAL INSTITUTION TO PROVIDE SUMMER AND HOLIDAY ROOM AND BOARD ACCOMMODATION FOR RECIPIENTS OF FAITH SCHOLARSHIPS; AND FOR RELATED PURPOSES.

**H. B. No. 1353:** AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-203, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-104-321 AND 27-104-323, MISSISSIPPI CODE OF 1972, WHICH CREATE THE CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-71-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE PAYMENT OF ALCOHOLIC BEVERAGE TAXES INTO THE STATE TREASURY, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND AND THE STATE GENERAL FUND DURING FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins called up the following entitled bill:

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 643 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2022, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2063 was adopted.

YEAS AND NAYS On S. B. No. 2063. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Branning, Chism, Frazier, Hill, Norwood, Parker, Tate. Total--7.  
Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2188:** Driver's license fees; waive for applicants in MDCPS custody.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2188. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senators Butler A. (36th) and Branning as co-authors of **S. B. No. 2188**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2839:** PERS; increase total book value limit for certain investments from 10% to 20% of total book value of all investments.

YEAS AND NAYS On S. B. No. 2839. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2841:** State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds.

YEAS AND NAYS On S. B. No. 2841. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Blackwell called up the motion to reconsider the vote whereby **S. B. No. 2033** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2033:** Recipients of Medicaid; extend postpartum coverage up to 12 months..

The foregoing motion prevailed.

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Senator Blackwell called up the motion to reconsider the vote whereby **S. B. No. 2448** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2448:** Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement..

The foregoing motion prevailed.

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Senator Michel called up the following entitled bill:

**S. B. No. 2326:** Mississippi Insurance E-Commerce Act; create.

YEAS AND NAYS On S. B. No. 2326. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

---

Senator Michel called up the following entitled bill:

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

YEAS AND NAYS On S. B. No. 2357. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators McLendon, Tate, Boyd, Suber, Simmons S. (13th), Carter, Seymour, Caughman, Butler A. (36th), Jackson (11th), McCaughn, Barnett, Simmons D. T. (12th), Jordan, Butler K. (38th), Thomas, Parks, Younger, DeLano, Moran and Branning as co-authors of **S. B. No. 2357**.

Senator Caughman called up the following entitled bill:

**S. B. No. 2019:** Mississippi Debt Management Services Act; extend repealer.

YEAS AND NAYS On S. B. No. 2019. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**S. B. No. 2039:** Real estate appraisal management companies; extend repealer on registration provisions.

YEAS AND NAYS On S. B. No. 2039. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Carter. Total--1.

---

Senator Michel called up the following entitled bill:

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property.

YEAS AND NAYS On S. B. No. 2319. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2319.**

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Senator Michel called up the following entitled bill:

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

YEAS AND NAYS On S. B. No. 2336. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited.

YEAS AND NAYS On S. B. No. 2669. On motion of Senator Thomas, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Suber. Total--1.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**S. B. No. 2731:** Mississippi Department of Human Services; authorize to use a combined reporting system.

YEAS AND NAYS On S. B. No. 2731. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--41.

Nays--Barrett, Branning, Chism, England, Hill, McDaniel, Seymour, Sojourner, Suber, Tate, Williams. Total--11.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2731**.

Senator Bryan called up the following entitled bill:

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.

YEAS AND NAYS On S. B. No. 2899. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2900:** Newborn screening program; revise certain provisions of.

YEAS AND NAYS On S. B. No. 2900. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

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Senator Branning called up the following entitled nomination:

**S. N. No. 1:** William J. Van Devender, Jr., Jackson, Mississippi, Commercial Transportation Enforcement Division Appeals Board, term effective immediately and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 1 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Moran called up the following entitled bill:

**S. B. No. 2076:** Derelict vessel removal procedures; certain public parties may initiate with notifying DMR.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2076. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

---

Senator Moran called up the following entitled bill:

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

YEAS AND NAYS On S. B. No. 2476. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Moran called up the following entitled bill:

**S. B. No. 2478:** Combination seafood dealer and processor license; separate into two licenses.

YEAS AND NAYS On S. B. No. 2478. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

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Senator Moran called up the following entitled bill:

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.

YEAS AND NAYS On S. B. No. 2511. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

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

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 282 by inserting the following before the period:

; however, the inclusion of public entities in this provision does not invalidate any existing agreements authorized under this paragraph (z) before the effective date of this act. The commission shall retain the ability to service, refinance or restructure any indebtedness incurred through any such existing agreements.

FURTHER, AMEND the title to conform by inserting the following on line 5 after the semicolon:

TO SPECIFY THAT THIS PROVISION DOES NOT INVALIDATE ANY EXISTING AGREEMENTS AUTHORIZED BEFORE THE EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT THE COMMISSION SHALL RETAIN THE ABILITY TO SERVICE, REFINANCE OR RESTRUCTURE ANY INDEBTEDNESS INCURRED THROUGH ANY SUCH EXISTING AGREEMENTS;

Amendment No. 1 to S. B. No. 2507 was adopted.

YEAS AND NAYS On S. B. No. 2507. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Younger called up the following entitled bill:

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.

YEAS AND NAYS On S. B. No. 2029. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane moved that the rules be suspended to move to calendar item 41, **S. B. No. 2263**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements.

YEAS AND NAYS On S. B. No. 2263. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator Fillingane moved that the rules be suspended to move to calendar item 42, **S. B. No. 2397**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2397:** Controlled substances; authorize automatic defense for charges brought within two years of a federal declassification.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senator England offered the following AMENDMENT NO. 1.

AMEND on line 24 by deleting the word "or" and inserting "on" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2397 was adopted.

Senator Sparks offered the following AMENDMENT NO. 2.

AMEND on line 31 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 2 to S. B. No. 2397 was adopted.

YEAS AND NAYS On S. B. No. 2397. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--40.

Nays--Barrett, Branning, Chism, Hill, McDaniel, McLendon, McMahan, Parker, Sojourner, Tate, Whaley, Williams. Total--12.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2264:** DPS; implement uniform reporting standards for jail census data and create a centralized database.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

Senator Barnett offered the following AMENDMENT NO. 1.

AMEND on line 190 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2264 was adopted.

YEAS AND NAYS On S. B. No. 2264. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Tate. Total--1.

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Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 2264**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2034:** Intestacy; revise provisions for venue.

YEAS AND NAYS On S. B. No. 2034. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Sojourner entered a motion to reconsider the vote whereby **S. B. No. 2476** passed the Senate.

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

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Unanimous consent was granted to withdraw Senator Branning as co-author of **S. B. No. 2264**.

**S. B. No. 2264:** DPS; implement uniform reporting standards for jail census data and create a centralized database.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles Edward Cole of Tupelo, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Jimmy Ray Nichols, Sr. of Brandon, MS.

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Senators Johnson, Thomas and Simmons S. (13th) moved that when the Senate adjourns, it adjourn in memory of Bobby Ray of Merigold, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Tommy James Ellett of Greenwood, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Marlene Davis Younger of Columbus, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Ray Irvine Cross of Florence, AL.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Sylvia Gatlin of McComb, MS.

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MESSAGE FROM THE LT. GOVERNOR  
February 7, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, unexpired four year term beginning immediately and ending June 30, 2023, vice Mrs. Leila Malatesta.

Delbert Hosemann  
LT. GOVERNOR

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The executive nomination in the foregoing message was referred to committee as follows:

Norman Paul Katool, Public Procurement Review Board, unexpired four year term beginning immediately and ending June 30, 2023, Accountability, Efficiency, Transparency.

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Senator Polk moved that the Senate adjourn until 10:00 AM, Tuesday, February 8, 2022.

The motion prevailed, and at 5:07 PM, the Senate stood adjourned in memory of Charles Edward Cole, Jimmy Ray Nichols, Sr., Bobby Ray, Tommy James Ellett, Marlene Davis Younger, Ray Irvine Cross and Sylvia Gatlin.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, FEBRUARY 7, 2022

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THIRTY-SIXTH DAY, TUESDAY, FEBRUARY 8, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Leon Minniefield, Bethlehem Missionary Baptist Church, Panther Burn, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 512:** Remember legacy of former POW and Retired Air Force Colonel Carlyle "Smitty" Harris at U.S. Post Office dedication in his honor. Title Sufficient. Do Be Adopted.

**S. C. R. No. 513:** Commend William (Bill) Bynum CEO of HOPE in Jackson, Mississippi, as recipient of 26th Heinz Award for the Economy. Title Sufficient. Do Be Adopted.

**S. C. R. No. 515:** Commend Mississippi-Alabama Sea Grant Consortium on its 50th Anniversary and recognize its achievements. Title Sufficient. Do Be Adopted.

**S. C. R. No. 516:** Recognize March 2022 as "Kidney Disease Awareness Month." Title Sufficient. Do Be Adopted.

**S. C. R. No. 517:** Extend sympathy of Legislature to surviving family of former Mayor, attorney, and blues promoter Bill Luckett of Clarksdale. Title Sufficient. Do Be Adopted.

**S. C. R. No. 522:** Celebrating the legendary Mississippi basketball Coach Lafayette Stribling and extending the sympathy of Legislature. Title Sufficient. Do Be Adopted.

**S. C. R. No. 525:** Commend James A. Barber on the occasion of his retirement as Executive Director of PEER. Title Sufficient. Do Be Adopted.

**S. C. R. No. 530:** Celebrate life and commend military service of Bridgette Rochelle Horn. Title Sufficient. Do Be Adopted.

**S. C. R. No. 532:** Commend University of Mississippi Quarterback Matt Corral for leading team to best regular season in program history. Title Sufficient. Do Be Adopted.

**S. C. R. No. 535:** Recognize The Williams Brothers as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Music. Title Sufficient. Do Be Adopted.

**S. C. R. No. 536:** Recognize Larry Gordon as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Motion Pictures/Television. Title Sufficient. Do Be Adopted.

**S. C. R. No. 537:** Recognize Holly Lange as the recipient of the 2022 Governor's Arts Award Governor's Choice. Title Sufficient. Do Be Adopted.

**S. C. R. No. 538:** Recognize Mary Lovelace O'Neal as the recipient of the 2022 Governor's Arts Award for Excellence in Visual Art. Title Sufficient. Do Be Adopted.

**S. C. R. No. 539:** Recognize Alcorn State University Jazz Festival as the recipient of the 2022 Governor's Arts Award for Arts in Community. Title Sufficient. Do Be Adopted.

**S. C. R. No. 540:** Recognize Myrna Colley-Lee as the recipient of the 2022 Governor's Arts Award for Costume Design and Arts Patron. Title Sufficient. Do Be Adopted.

**S. C. R. No. 541:** Recognize January 2022 as "Cervical Health Awareness Month in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 542:** Recognize the legacy of former Northern District Transportation Commissioner Zack Stewart. Title Sufficient. Do Be Adopted.

**S. C. R. No. 543:** Extend sympathy of the Legislature on the passing of Third District Circuit Court Judge Robert "Ken" Coleman of New Albany, MS. Title Sufficient. Do Be Adopted.

**S. C. R. No. 544:** Commend Olympian Cory McGee of Pass Christian for track and field accomplishments at 2020 Tokyo Olympics. Title Sufficient. Do Be Adopted.

**S. R. No. 3:** Commend Jackson Prep "Patriots" Baseball Team for winning MAIS 5A State Baseball Championship for 4th consecutive season. Title Sufficient. Do Be Adopted.

**S. R. No. 4:** Commend Mississippi Insurance Department employee Nancy Cross for 63 years of service. Title Sufficient. Do Be Adopted.

**S. R. No. 5:** Commend Brandon High School "Lady Bulldogs" Volleyball Team for winning 6A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 7:** Congratulate Nakobe Dean, OL for National Champion Georgia "Bulldogs" Football Team from Horn Lake High School. Title Sufficient. Do Be Adopted.

**S. R. No. 8:** Commend Brookhaven High School "Panthers" Boys Cross-Country Team for third consecutive State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 9:** Commend Pearl High School "Pirates" Boys Track Team for winning MHSAA State 6A Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 10:** Recognize sports and civic legacy of Coach L.D. Ready, Sr., of Richton, Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 11:** Commend Brookhaven Academy "Lady Cougars" Softball Team for MAIS 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 12:** Commend Loyd Star High School "Hornets" Golf Team for winning MHSAA Class 1 State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 13:** Pay tribute to the Civil Rights legacy of Rev. Dr. Charles Johnson, Sr., of Meridian, MS, and extend the condolences of Senate. Title Sufficient. Do Be Adopted.

**S. R. No. 14:** Celebrate the life and commend civic service of Marvin Hogan of Jackson, Mississippi, and extend condolences. Title Sufficient. Do Be Adopted.

**S. R. No. 15:** Celebrate the life and commend civic and business leadership of Carroll V. Hood of Hazlehurst, Mississippi, and extend condolences. Title Sufficient. Do Be Adopted.

**S. R. No. 19:** Mourn the passing and commend service of Randy Tate, Executive Director of Boys & Girls Club of Pike County. Title Sufficient. Do Be Adopted.

**S. R. No. 20:** Congratulate South Panola High School Cheerleading Team for second consecutive National Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 21:** Congratulate Brandon High School Cheerleading Team for National Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 22:** Recognize Bishop James Edward Swanson, Sr., on his tenure as Resident Bishop of the MS Conference of The United Methodist Church. Title Sufficient. Do Be Adopted.

**H. C. R. No. 1:** Gary Jude Harkins; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 11:** Lieutenant Toby Johnson; commend for service during Hurricane Ida. Title Sufficient. Do Be Adopted.

**H. C. R. No. 12:** Firefighter Linc Tucker; commend for meritorious service. Title Sufficient. Do Be Adopted.

**H. C. R. No. 13:** Samuel Larry Richey; commend his life upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 14:** Vietnam War Veterans; recognize and honor those exposed to Agent Orange. Title Sufficient. Do Be Adopted.

**H. C. R. No. 15:** Mr. George Smith; commend his life and legacy upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 17:** Carroll V. Hood; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 33:** James A. Barber; commend service as Executive Director of PEER upon his retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 43:** Scott Central High School Football Team; commend and congratulate upon winning Class 2A State Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 44:** Ole Miss Rebels All Girl Cheerleading Team; commend and congratulate on winning 2022 UCA Division 1A Game Day National Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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REPORT OF COMMITTEE ON RULES

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

**H. C. R. No. 45:** Ole Miss Rebels Women's Golf Team; commend and congratulate upon winning 2021 NCAA Division I National Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Hopson called up the following entitled bill:

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriations bills.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2781. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2791:** Salaries of public officers; bring forward various laws relating to.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2791. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2794:** Legislators; allow office expense allowance for every month of the term.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2794. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner, Wiggins. Total--4.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2724:** "MS Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022"; establish.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2724. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Bryan, Chism. Total--2.

Absent and those not voting---None.

Voting Present--McDaniel, Sojourner. Total--2.

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Unanimous consent was granted to add Senators Blount, Horhn, Thomas, Jackson (11th), Jordan, Butler K. (38th) and Hickman as co-authors of **S. B. No. 2724**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2782:** Law Enforcement Officers Death Benefits Trust Fund; include presumption of eligibility for officers with COVID-19.

YEAS AND NAYS On S. B. No. 2782. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill, Jackson (11th), McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Wiggins, Williams and Younger as co-authors of **S. B. No. 2782**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2822:** "Mississippi Water and Wastewater Transformation Infrastructure Grant Program Act of 2022"; establish.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2822. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators McLendon, Branning, Boyd, McMahan, Parker, Seymour, Sparks, Hill, England, Parks, Barrett, Moran and Caughman as co-authors of **S. B. No. 2822**.

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Senator Hopson moved that the rules be suspended to move to calendar item 96, **S. B. No. 2721**, and the motion prevailed.

Senator Parker called up the following entitled bill:

**S. B. No. 2721:** American Rescue Plan Act (ARPA) Workforce Development Program; create.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

Senator Horhn offered the following AMENDMENT NO. 1.

AMEND on line 74 by inserting the following before the period:

, or other qualified entity as determined by Accelerate Mississippi

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2721 was adopted.

YEAS AND NAYS On S. B. No. 2721. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--DeBar. Total--1.

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Unanimous consent was granted to add Senator Moran as co-author of **S. B. No. 2721**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on lines 155 and 159 by correcting the numbering of the paragraphs.

FURTHER, AMEND on line 2579 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2022, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2844 was adopted.

Senator Bryan offered the following AMENDMENT NO. 2.

AMEND on line 165 by inserting the following after the period:

The contract may provide that some or all employees may participate in the Public Employees' Retirement System (PERS) of Mississippi.

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2844 failed.

YEAS AND NAYS On S. B. No. 2844. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Butler A. (36th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horhn, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--37.

Nays--Branning, Bryan, Butler K. (38th), Chism, Frazier, Hickman, Hill, Jackson (11th), Jordan, McDaniel, Norwood, Parker, Sojourner, Tate, Wiggins. Total--15.

Absent and those not voting---None.

---

Senator Harkins called up the following entitled bill:

**S. B. No. 2842:** Mississippi Health Care Industry Zone Act and related ad valorem tax and sales tax exemptions; extend repeal date.

YEAS AND NAYS On S. B. No. 2842. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Boyd, Branning, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Barnett, Blount, Bryan, Butler A. (36th), Hickman, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--10.

Absent and those not voting---None.

Voting Present--Frazier, Horhn. Total--2.

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 501:** Commend Philadelphia automobile dealer Bill Griffis for his nomination for the 2022 TIME Dealer of the Year Award.

**S. C. R. No. 502:** Commend former Mississippi Representative Honorable Fred Banks on his receipt of "2021 Lifetime Achievement Award" by MS BAR.

**S. C. R. No. 503:** Mourn the passing of former Senator Joseph Stogner of Sandy Hook, Mississippi, and commend his public and charitable service.

**S. C. R. No. 504:** Commend Columbia High School "Wildcats" Football Team for first State Championship since 1982.

**S. C. R. No. 505:** Recognize legacy of NFL Hall of Fame Running Back Walter Payton and dedication of "Walter Payton Field" in Columbia, Mississippi.

**S. C. R. No. 506:** Commend Mississippi Humanities Council on the occasion of its 50th Anniversary.

**S. C. R. No. 507:** Extending the deepest sympathy on the passing of former Mississippi First Lady and community activist Elise Winter.

**S. C. R. No. 508:** Paying tribute to public health career and contributions of respected state health officer and first Medicaid Director Dr. Alton Cobb.

**S. C. R. No. 509:** Commend State Parole Board Chairman Steven Pickett on the occasion of his retirement.

**S. C. R. No. 510:** Commend Mississippi "Braves" Baseball Team for winning the Double A South Championship.

**S. C. R. No. 514:** Congratulate MSU 2021 Baseball Team on National Championship.

**S. C. R. No. 526:** Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball."

**S. C. R. No. 534:** Congratulate Jackson State University "Tigers" Football Team for remarkable season.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 47:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF RETIRED BRIGADIER GENERAL MARTHA JO LESLIE.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 12:05 PM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2875:** Alcoholic beverages; revise definition of beer.

On motion of Senator Chassaniol, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2875. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.  
Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.  
Absent and those not voting----None.  
Voting Present--Parks. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2512:** City of Southaven; extend repeal date on restaurant tax.

YEAS AND NAYS On S. B. No. 2512. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senator Blackwell as co-author of **S. B. No. 2512**.

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Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2716** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2716:** RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify.

The foregoing motion prevailed.

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Senator Moran called up the motion to reconsider the vote whereby **S. B. No. 2476** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

The foregoing motion prevailed.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2275. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**S. B. No. 2450:** MS Windstorm Underwriting Association; divert nonadmitted policy fee to the State and School Employees' Insurance Fund.

YEAS AND NAYS On S. B. No. 2450. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--38.

Nays--Barnett, Bryan, Carter, Chism, DeBar, DeLano, England, Hill, McDaniel, Moran, Sojourner, Thompson, Wiggins. Total--13.

Absent and those not voting----None.

Voting Present--McCaughn. Total--1.

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Senator Michel called up the following entitled bill:

**S. B. No. 2856:** Mississippi Electronic Protection Licensing Act; revise definitions to include a battery-charged security fence.

YEAS AND NAYS On S. B. No. 2856. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate called up the following entitled bill:

**S. B. No. 2413:** Elections; prohibit spending of private money on communications to electors.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2413. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Barnett, Blackmon, Butler K. (38th), Frazier, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barrett, England, Sparks and McDaniel as co-authors of **S. B. No. 2413**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2415:** Mississippi Adequate Education Program; bring forward statutes for possible amendment.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2415. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parks called up the following entitled bill:

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.

YEAS AND NAYS On S. B. No. 2690. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parks called up the following entitled bill:

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer.

YEAS AND NAYS On S. B. No. 2700. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Younger called up the following entitled bill:

**S. B. No. 2002:** "Mississippi Grain Producer Indemnity Act"; enact.

YEAS AND NAYS On S. B. No. 2002. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson (11th), Simmons D. T. (12th), Jordan, McLendon, Thomas, Barnett, Simmons S. (13th) and Hickman as co-authors of **S. B. No. 2002**.

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Senator Younger called up the following entitled bill:

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.

YEAS AND NAYS On S. B. No. 2007. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Younger called up the following entitled bill:

**S. B. No. 2479:** Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license.

On motion of Senator Younger, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2479. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McDaniel, Sojourner. Total--3.

Unanimous consent was granted to add Senator Hickman as co-author of **S. B. No. 2479**.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2224:** Arrest warrants; authorize electronic signatures.

YEAS AND NAYS On S. B. No. 2224. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Boyd and Younger as co-authors of **S. B. No. 2224**.

Senator Chassaniol called up the following entitled bill:

**S. B. No. 2092:** Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures.

YEAS AND NAYS On S. B. No. 2092. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2425:** State Superintendent of Public Education, I.H.L Commissioner and Director of the Community College Board; set maximum salaries.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND on line 19 by inserting the following language after "2021":

, until his contract term ends

AMEND on line 20 by striking "date that such superintendent's period of employment as superintendent ends" and insert in lieu thereof the following:

expiration date of such superintendent's contract term that was active on July 1, 2021

AMEND by deleting SECTION 2 in its entirety and renumbering subsequent sections accordingly.

AMEND by inserting the following language on line 150 before the period:

, until his contract term ends

AMEND on line 151 by deleting "the date that such director's period of employment as director ends" and inserting in lieu thereof the following:

the expiration date of such director's contract term that was active on July 1, 2021

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2425 was adopted.

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

The motion prevailed, and at 3:17 PM, the Senate stood in recess.

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The Senate resumed business at 3:24 PM, pursuant to recess, with President Hosemann presiding.

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Senators Hill and McDaniel offered the following AMENDMENT NO. 2.

AMEND on line 20 by striking "the date that such superintendent's period of employment as superintendent ends" and inserting in lieu thereof:

July 1, 2022

AMEND on line 23 by striking "and shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per year" and inserting in lieu thereof:

and shall be within ten percent (10%) of the southeast average of the salary of state superintendents

FURTHER, AMEND on line 153 by striking "Two Hundred Fifty Thousand Dollars (\$250,000.00)" and inserting in lieu thereof:

Two Hundred Thousand Dollars (\$200,000.00)

Amendment No. 2 to S. B. No. 2425 failed.

YEAS AND NAYS On S. B. No. 2425. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hopson. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2425.**

Senator DeBar called up the following entitled bill:

**S. B. No. 2428:** District of Innovation Task Force of 2022; create.

YEAS AND NAYS On S. B. No. 2428. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violation to the State Auditor.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2338. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2623:** Involuntary civil commitments; limit county's liability for costs of medical treatment.

Senators Wiggins and Thompson offered the following AMENDMENT NO. 1.

AMEND on line 107 by deleting the word "shall" and inserting the word "may" in lieu thereof.

FURTHER, AMEND on line 108 after the word "treatment" and on line 114 after the word "attention" by inserting the following:

"or placement"

Amendment No. 1 to S. B. No. 2623 was adopted.

YEAS AND NAYS On S. B. No. 2623. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators DeLano and Carter as co-authors of **S. B. No. 2623**.

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Senator Carter called up the following entitled bill:

**S. B. No. 2604:** Mississippi Broadband Expansion Act; enact.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

Senator Carter offered the following AMENDMENT NO. 1.

AMEND by inserting the following new section after line 254 and renumbering the succeeding sections accordingly:

SECTION \*. In the event federal rules or guidelines require funds to be expended before the Legislature meets on the Tuesday after the first Monday of January, 2023, and such requirement is certified by the Executive Director of the Public Utilities Staff, the commission shall be authorized to expend funds from the Mississippi Broadband Expansion Fund and shall notify the Lieutenant Governor, the Speaker of the House of Representatives, and the Legislative Budget Office of such expenditures prior to their distribution.

Amendment No. 1 to S. B. No. 2604 was adopted.

Senator Carter offered the following AMENDMENT NO. 2.

AMEND by inserting the following section after line 254 and renumbering subsequent sections accordingly:

SECTION \*. Section 31-3-1, Mississippi Code of 1972, is amended as follows:

31-3-1. The following words, as used in this chapter, shall have the meanings specified below:

"Board": The State Board of Contractors created under this chapter.

"Contractor": Any person contracting or undertaking as prime contractor, subcontractor or sub-subcontractor of any tier to do any erection, building, construction, reconstruction, demolition, repair, maintenance or related work on any public or private project; however, "contractor" shall not include any owner of a dwelling or other structure to be constructed, altered, repaired or improved and not for sale, lease, public use or assembly, or any person duly permitted by the Mississippi State Oil and Gas Board, pursuant to Section 53-3-11, Mississippi Code of 1972, to conduct operations within the state, and acting pursuant to said permit. It is further provided that nothing herein shall apply to:

(a) Any contract or undertaking on a public or private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving erection, building, construction, reconstruction, repair, maintenance or related work where such contract, subcontract or undertaking is less than Fifty Thousand Dollars (\$50,000.00);

(b) Highway construction, highway bridges, overpasses and any other project incidental to the construction of highways which are designated as federal aid projects and in which federal funds are involved;

(c) A residential project to be occupied by fifty (50) or fewer families and not more than three (3) stories in height;

(d) A residential subdivision where the contractor is developing either single-family or multifamily lots;

(e) A new commercial construction project not exceeding seventy-five hundred (7500) square feet and not more than two (2) stories in height undertaken by an individual or entity licensed under the provisions of Section 73-59-1 et seq.;

(f) Erection of a microwave tower built for the purpose of telecommunication transmissions;

(g) Any contract or undertaking on a public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than Five Thousand Dollars (\$5,000.00);

(h) Any contract or undertaking on a private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than Ten Thousand Dollars (\$10,000.00);

(i) Any contract or undertaking on a private or public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of technically specialized installations if performed by a Mississippi contractor who has been in the business of installing fire protection sprinkler systems on or before July 1, 2000; or

(j) Any contractor undertaking to build, construct, reconstruct, repair, demolish, perform maintenance on, or other related work, whether on the surface or subsurface, on oil or gas wells, pipelines, processing plants, or treatment facilities or other structures of facilities. Nothing herein shall be construed to limit the application or effect of Section 31-5-41.

(k) Any contract or undertaking by a subcontractor or sub-subcontractor of any tier involving the construction and other related work required by a licensed prime contractor in the buildout and expansion of broadband infrastructure.

"Certificate of responsibility": A certificate numbered and held by a contractor issued by the board under the provisions of this chapter after payment of the special privilege license tax therefor levied under this chapter.

"Person": Any person, firm, corporation, joint venture or partnership, association or other type of business entity.

"Private project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is not funded in whole or in part with public funds.

"Public agency": Any board, commission, council or agency of the State of Mississippi or any district, county or municipality thereof, including school, hospital, airport

and all other types of governing agencies created by or operating under the laws of this state.

"Public funds": Monies of public agencies, whether obtained from taxation, donation or otherwise; or monies being expended by public agencies for the purposes for which such public agencies exist.

"Public project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is funded in whole or in part with public funds.

FURTHER, AMEND the title on line 17 by inserting the following after the semicolon:

TO AMEND SECTION 31-3-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM LICENSING REQUIREMENTS UNDER THE STATE BOARD OF CONTRACTORS CERTAIN UNDERTAKINGS BY A SUBCONTRACTOR OR SUB-SUBCONTRACTOR INVOLVING THE CONSTRUCTION IN THE BUILDOUT AND EXPANSION OF BROADBAND INFRASTRUCTURE;

Amendment No. 2 to S. B. No. 2604 was adopted.

YEAS AND NAYS On S. B. No. 2604. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Unanimous consent was granted to add Senators Hickman and Caughman as co-authors of **S. B. No. 2604**.

Senator Branning called up the following entitled bill:

**S. B. No. 2480:** Highways; conform weight tolerance provision, and remove repealers relating to harvest permits and timber deed grantees.

YEAS AND NAYS On S. B. No. 2480. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**S. B. No. 2517:** Logging fleets; authorize voluntary inspection program.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2517. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2517.**

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Senator McCaughn called up the following entitled bill:

**S. B. No. 2519:** Motor vehicle loads; bring forward provisions related to.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2519. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2004:** Public lands; extend repealer on section prescribing who may purchase.

YEAS AND NAYS On S. B. No. 2004. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2004.**

Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property.

YEAS AND NAYS On S. B. No. 2525. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2525.**

Senator Parks called up the following entitled bill:

**S. B. No. 2419:** Acute care hospital employee loan repayment program; create.

On motion of Senator Parks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2419. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson,

Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Butler A. (36th), Hickman, Parker and Jackson (11th) as co-authors of **S. B. No. 2419**.

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Senator Parks called up the following entitled bill:

**S. B. No. 2698:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

YEAS AND NAYS On S. B. No. 2698. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2698**.

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Senator Parks called up the following entitled bill:

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

On motion of Senator Parks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2893. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Norwood, Blount, Butler A. (36th), Thomas, Butler K. (38th), Frazier, Jackson (11th) and Jordan as co-authors of **S. B. No. 2893**.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2849:** COVID-19 Destination Marketing Organization Grant Program Fund; create.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2849. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2849**.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2874:** Mississippi Arts and Entertainment Center; revise lease or contract requirements for the operation of.

YEAS AND NAYS On S. B. No. 2874. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Hickman and Jackson (11th) as co-authors of **S. B. No. 2874**.

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Senator McDaniel called up the following entitled bill:

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.

YEAS AND NAYS On S. B. No. 2158. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson (11th) and Branning as co-authors of **S. B. No. 2158**.

Senator DeBar called up the following entitled bill:

**S. B. No. 2105:** School board members; increase pay.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND on lines 13 through 14 by deleting the following language: "in the amount of Four Thousand Dollars (\$4,000.00)," and inserting in lieu thereof:

subject to the following provisions:

(a) For a person serving as a member of the school board of a school district with less than five thousand (5,000) students enrolled in the school district, the person shall receive an annual salary of Four Thousand Dollars (\$4,000.00);

(b) For a person serving as a member of the school board of a school district with at least five thousand (5,000) students but less than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Five Thousand Dollars (\$5,000.00); and

(c) For a person serving as a member of the school board of a school district with greater than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Six Thousand Dollars (\$6,000.00).

AMEND on line 14 by deleting the word "which" and inserting "This" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2105 was adopted.

YEAS AND NAYS On S. B. No. 2105. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Blackwell, DeBar, Jackson (11th), Norwood, Barnett, Jordan, Parker, Younger, Branning, McMahan, Thomas, Butler A. (36th), Frazier, McLendon, Suber, Tate, Boyd, Moran, Hickman, Sparks, Barrett, Butler K. (38th), Simmons D. T. (12th) and Simmons S. (13th) as co-authors of **S. B. No. 2105**.

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Senator Tate called up the following entitled bill:

**S. B. No. 2606:** Statewide Elections Management System; provide for voter's proof of citizenship.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on line 98 by deleting "July 1, 2022" and inserting "its passage" in lieu thereof.

Amendment No. 1 to S. B. No. 2606 was adopted.

YEAS AND NAYS On S. B. No. 2606. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Tate, Thompson, Wiggins, Williams, Younger. Total--32.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--13.

Absent and those not voting--Bryan, Chassaniol, Hickman, Kirby, Whaley. Total--5.

Senator Suber, who would have voted yea on S. B. No. 2606, announced a pair with Senator Horhn, who would have voted nay.

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Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2606**.

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Senator Seymour called up the following entitled bill:

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

YEAS AND NAYS On S. B. No. 2649. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Parker and Branning as co-authors of **S. B. No. 2649**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2321. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Jackson (11th), Tate, McLendon, Barrett, McMahan, Caughman, Parker, Branning, Moran, McDaniel, Blackwell, Younger, Sojourner, Chism, Butler K. (38th), Jordan, Barnett, Hill and Parks as co-authors of **S. B. No. 2321**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.

YEAS AND NAYS On S. B. No. 2620. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2465:** Construction liens; failure to file notice shall not invalidate claim of lien.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2465. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**S. B. No. 2087:** Open meetings law for public bodies; require all official meetings to be broadcast via video livestream applications.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2087. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

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Senator Suber entered a motion to reconsider the vote whereby **S. B. No. 2264** passed the Senate.

**S. B. No. 2264:** DPS; implement uniform reporting standards for jail census data and create a centralized database.

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Senator Wiggins entered a motion to reconsider the vote whereby **S. B. No. 2275** passed the Senate.

**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

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Unanimous consent was granted to Senator Caughman as co-author of **S. B. No. 2673**.

**S. B. No. 2673:** "Mississippi Frontline Nurses and Health Care Workers Retention Grant Program"; establish in the Mississippi Department of Health.

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Senator Hill entered a motion to reconsider the vote whereby **S. B. No. 2425** passed the Senate.

**S. B. No. 2425:** State Superintendent of Public Education, I.H.L Commissioner and Director of the Community College Board; set maximum salaries.

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2606** passed the Senate.

**S. B. No. 2606:** Statewide Elections Management System; provide for voter's proof of citizenship.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Charles Franklin Payne of Jackson, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Kenneth "Kenny" Earl Dennis of Pearl, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Daniel Jay "Dan" Lacey of Biloxi, MS.

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Senators Seymour and McCaughn moved that when the Senate adjourns, it adjourn in memory of John Girard Guthrie of Wiggins, MS.

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Senator Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Marie Tennin of Lambert, MS.

\_\_\_\_\_  
Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Claude Gordon Willoughby of Summit, MS.

\_\_\_\_\_  
Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Pauline "Polly" Tarver Scott of Natchez, MS.

\_\_\_\_\_  
Senators Sojourner and McDaniel moved that when the Senate adjourns, it adjourn in memory of Grady Wigginton of Guntown, MS.

\_\_\_\_\_  
Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Ida Sue Herrin of Braxton, MS.

\_\_\_\_\_  
Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Arnold Hederman of Magee, MS.

\_\_\_\_\_  
Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Jeanette Thomas Abraham and Chandler Joseph Roesch of Vicksburg, MS.

\_\_\_\_\_  
Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Jack Patrick Walker of Hattiesburg, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 698:** AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE NAME OF THE RIVERS MCGRAW MENTAL HEALTH DIVERSION PROGRAM ACT TO THE "RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT"; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO TRANSITION THE MENTAL HEALTH DIVERSION PROGRAM INTO A MENTAL HEALTH TREATMENT COURT AND TO CLARIFY THE GOALS OF THE MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS AND TO DEFINE ADDITIONAL TERMS; TO CREATE NEW SECTION 9-27-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO MAINTAIN A UNIFORM CERTIFICATION PROCESS FOR MENTAL HEALTH TREATMENT COURTS AND TO ESTABLISH MINIMUM STANDARDS AND DEADLINES FOR CERTIFICATION AND RECERTIFICATION; TO AMEND SECTION 9-27-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 9-27-11,

MISSISSIPPI CODE OF 1972, TO REVISE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN A MENTAL HEALTH TREATMENT COURT AND TO LIST CERTAIN CRIMES OF VIOLENCE WHICH DISQUALIFY DEFENDANTS; TO CREATE NEW SECTION 9-27-12, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS IN RELATION TO THE MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-15, MISSISSIPPI CODE OF 1972, TO REQUIRE PARTICIPANTS TO UNDERGO CHEMICAL OR DRUG TESTS; TO AMEND SECTION 9-27-17, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 9-27-19, MISSISSIPPI CODE OF 1972, TO REQUIRE A PETITION FOR COMMITMENT TO BE DISMISSED UPON A PARTICIPANT'S SUCCESSFUL COMPLETION OF THE REQUIREMENTS IMPOSED BY A MENTAL HEALTH TREATMENT COURT; TO REPEAL SECTION 9-27-7, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE ADMINISTRATIVE OFFICE OF COURTS TO COLLECT CERTAIN DATA AND REPORTS FROM THE MENTAL HEALTH COURTS AND ESTABLISHES STANDARDS FOR MENTAL HEALTH COURTS; AND FOR RELATED PURPOSES.

**H. B. No. 718:** AN ACT TO AMEND SECTION 97-29-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CRIME OF PROMOTION OF PROSTITUTION; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO REVISE WHERE THE PROCEEDS OF FORFEITED ASSETS FROM HUMAN TRAFFICKING ARE DEPOSITED; TO AMEND SECTION 97-3-54.9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 97-3-54.8, WHICH PROVIDES FOR THE "RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND"; AND FOR RELATED PURPOSES.

**H. B. No. 1067:** AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IMPUTATION OF INCOME SHALL NOT BE BASED UPON A STANDARD AMOUNT IN LIEU OF FACT-GATHERING FOR CHILD SUPPORT CALCULATIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1331:** AN ACT TO AMEND SECTIONS 23-15-213 AND 23-15-211, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ELECTION COMMISSIONERS SHALL ONLY BE REQUIRED TO TAKE THE SKILL ASSESSMENT ONCE EVERY FOUR YEARS TO BECOME CERTIFIED BY THE SECRETARY OF STATE INSTEAD OF EVERY YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1341:** AN ACT TO AMEND SECTION 21-8-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNCIL MEMBERS ELECTED TO REPRESENT WARDS MUST BE RESIDENTS OF THEIR WARDS FOR TWO YEARS AT THE TIME OF QUALIFICATION FOR AN ELECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1476:** AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR FILING CAMPAIGN FINANCE REPORTS WHEN THOSE REPORTS ARE FILED ELECTRONICALLY OR WITH A FAX MACHINE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, February 9, 2022.

The motion prevailed, and at 5:10 PM, the Senate stood adjourned in memory of Kenneth "Kenny" Earl Dennis, Daniel Jay "Dan" Lacey, Jeanette Thomas Abraham, Chandler Joseph Roesch, Jack Patrick Walker, Charles Franklin Payne, John Girard

Guthrie, Marie Tennin, Claude Gordon Willoughby, Pauline "Polly" Tarver Scott, Grady Wigginton, Mrs. Ida Sue Herrin and Arnold Hederman.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, FEBRUARY 8, 2022

**S. R. No. 23: Rules**

A RESOLUTION RECOGNIZING THE OUTSTANDING LEGACY AND CIVIC CONTRIBUTIONS OF LINDA ROSS ALDY, C.A.E., UPON THE OCCASION OF HER RETIREMENT AFTER 16 YEARS OF EFFECTIVE SERVICE AS EXECUTIVE DIRECTOR OF THE MISSISSIPPI OPTOMETRIC ASSOCIATION (MOA).

By Senator(s) Parker, Blackwell, Caughman, Bryan

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THIRTY-SEVENTH DAY, WEDNESDAY, FEBRUARY 9, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Randolph Seals, Jr., Pastor, Greater New Kingdom Missionary Baptist Church, Cleveland, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED

FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

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

**H. B. No. 672:** AN ACT TO REQUIRE ANY MEDICAL FACILITY OR ANY OTHER FACILITY THAT CONDUCTS A MEDICAL FORENSIC EXAMINATION ON AN ALLEGED RAPE OR SEXUAL ASSAULT VICTIM AND PREPARES A SEXUAL ASSAULT EVIDENCE COLLECTION KIT TO IMMEDIATELY CONTACT THE APPROPRIATE LAW ENFORCEMENT AGENCY TO COLLECT THE KIT; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO IMMEDIATELY COLLECT AND STORE THE KIT IN COMPLIANCE WITH CERTAIN STANDARDS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO SEND THE KIT TO THE MISSISSIPPI FORENSICS LABORATORY WITHIN A CERTAIN NUMBER OF DAYS; TO REQUIRE THE FORENSICS LABORATORY TO PROCESS THE KIT AND ENTER DNA INFORMATION INTO THE APPROPRIATE FEDERAL, STATE AND LOCAL DATABASES; TO CREATE THE SEXUAL ASSAULT EVIDENCE KIT ACCOUNTABILITY TASK FORCE; TO PROVIDE THE PURPOSE OF THE TASK FORCE; TO AMEND SECTION 99-37-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE VICTIMS COMPENSATION FUND SHALL PAY ALL MEDICAL COSTS ASSOCIATED WITH FORENSIC MEDICAL EXAMINATION AND PREPARATION OF SEXUAL ASSAULT EVIDENCE KITS; TO AMEND SECTION 99-49-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURES FOR PRESERVATION OF BIOLOGICAL EVIDENCE; TO AMEND SECTION 45-47-1, MISSISSIPPI CODE OF 1972, TO REQUIRE DNA SAMPLES OF THOSE ARRESTED FOR THE COMMISSION OR ATTEMPTED COMMISSION OF RAPE OR SEXUAL ASSAULT TO BE ENTERED INTO FEDERAL, STATE AND LOCAL DATABASES FOR COMPARISON TO OTHER SAMPLES; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITED EXEMPTION FOR NURSE PRACTITIONERS WITH A MASTERS DEGREE OR HIGHER IN ADVANCED FORENSIC NURSING; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins called up the following entitled bill:

**S. B. No. 2831:** Sales and use taxes; bring forward code sections for purpose of possible amendment.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2831. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 512, S. C. R. No. 513, S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 522, S. C. R. No. 525, S. C. R. No. 530, S. C. R. No. 532, S. C. R. No. 535, S. C. R. No. 536, S. C. R. No. 537, S. C. R. No. 538, S. C. R. No. 539, S. C. R. No. 540, S. C. R. No. 541, S. C. R. No. 542, S. C. R. No. 543, S. C. R. No. 544, S. R. No. 3, S. R. No. 4, S. R. No. 5, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, S. R. No. 14, S. R. No. 15, S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, H. C. R. No. 1, H. C. R. No. 11, H. C. R. No. 12, H. C. R. No. 13, H. C. R. No. 14, H. C. R. No. 15, H. C. R. No. 17, H. C. R. No. 33, H. C. R. No. 43, H. C. R. No. 44 and H. C. R. No. 45 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 512:** Remember legacy of former POW and Retired Air Force Colonel Carlyle "Smitty" Harris at U.S. Post Office dedication in his honor.

**S. C. R. No. 513:** Commend William (Bill) Bynum CEO of HOPE in Jackson, Mississippi, as recipient of 26th Heinz Award for the Economy.

**S. C. R. No. 515:** Commend Mississippi-Alabama Sea Grant Consortium on its 50th Anniversary and recognize its achievements.

**S. C. R. No. 516:** Recognize March 2022 as "Kidney Disease Awareness Month."

**S. C. R. No. 517:** Extend sympathy of Legislature to surviving family of former Mayor, attorney, and blues promoter Bill Luckett of Clarksdale.

**S. C. R. No. 522:** Celebrating the legendary Mississippi basketball Coach Lafayette Stribling and extending the sympathy of Legislature.

**S. C. R. No. 525:** Commend James A. Barber on the occasion of his retirement as Executive Director of PEER.

**S. C. R. No. 530:** Celebrate life and commend military service of Bridgette Rochelle Horn.

**S. C. R. No. 532:** Commend University of Mississippi Quarterback Matt Corral for leading team to best regular season in program history.

**S. C. R. No. 535:** Recognize The Williams Brothers as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Music.

**S. C. R. No. 536:** Recognize Larry Gordon as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Motion Pictures/Television.

**S. C. R. No. 537:** Recognize Holly Lange as the recipient of the 2022 Governor's Arts Award Governor's Choice.

**S. C. R. No. 538:** Recognize Mary Lovelace O'Neal as the recipient of the 2022 Governor's Arts Award for Excellence in Visual Art.

**S. C. R. No. 539:** Recognize Alcorn State University Jazz Festival as the recipient of the 2022 Governor's Arts Award for Arts in Community.

**S. C. R. No. 540:** Recognize Myrna Colley-Lee as the recipient of the 2022 Governor's Arts Award for Costume Design and Arts Patron.

**S. C. R. No. 541:** Recognize January 2022 as "Cervical Health Awareness Month in Mississippi."

**S. C. R. No. 542:** Recognize the legacy of former Northern District Transportation Commissioner Zack Stewart.

**S. C. R. No. 543:** Extend sympathy of the Legislature on the passing of Third District Circuit Court Judge Robert "Ken" Coleman of New Albany, MS.

**S. C. R. No. 544:** Commend Olympian Cory McGee of Pass Christian for track and field accomplishments at 2020 Tokyo Olympics.

**S. R. No. 3:** Commend Jackson Prep "Patriots" Baseball Team for winning MAIS 5A State Baseball Championship for 4th consecutive season.

**S. R. No. 4:** Commend Mississippi Insurance Department employee Nancy Cross for 63 years of service.

**S. R. No. 5:** Commend Brandon High School "Lady Bulldogs" Volleyball Team for winning 6A State Championship.

**S. R. No. 7:** Congratulate Nakobe Dean, OL for National Champion Georgia "Bulldogs" Football Team from Horn Lake High School.

**S. R. No. 8:** Commend Brookhaven High School "Panthers" Boys Cross-Country Team for third consecutive State Championship.

**S. R. No. 9:** Commend Pearl High School "Pirates" Boys Track Team for winning MHSAA State 6A Championship.

**S. R. No. 10:** Recognize sports and civic legacy of Coach L.D. Ready, Sr., of Richton, Mississippi.

**S. R. No. 11:** Commend Brookhaven Academy "Lady Cougars" Softball Team for MAIS 5A State Championship.

**S. R. No. 12:** Commend Loyd Star High School "Hornets" Golf Team for winning MHSAA Class 1 State Championship.

**S. R. No. 13:** Pay tribute to the Civil Rights legacy of Rev. Dr. Charles Johnson, Sr., of Meridian, MS, and extend the condolences of Senate.

**S. R. No. 14:** Celebrate the life and commend civic service of Marvin Hogan of Jackson, Mississippi, and extend condolences.

**S. R. No. 15:** Celebrate the life and commend civic and business leadership of Carroll V. Hood of Hazlehurst, Mississippi, and extend condolences.

**S. R. No. 19:** Mourn the passing and commend service of Randy Tate, Executive Director of Boys & Girls Club of Pike County.

**S. R. No. 20:** Congratulate South Panola High School Cheerleading Team for second consecutive National Championship.

**S. R. No. 21:** Congratulate Brandon High School Cheerleading Team for National Championship.

**S. R. No. 22:** Recognize Bishop James Edward Swanson, Sr., on his tenure as Resident Bishop of the MS Conference of The United Methodist Church.

**H. C. R. No. 1:** Gary Jude Harkins; commend life and legacy upon his passing.

**H. C. R. No. 11:** Lieutenant Toby Johnson; commend for service during Hurricane Ida.

**H. C. R. No. 12:** Firefighter Linc Tucker; commend for meritorious service.

**H. C. R. No. 13:** Samuel Larry Richey; commend his life upon his passing.

**H. C. R. No. 14:** Vietnam War Veterans; recognize and honor those exposed to Agent Orange.

**H. C. R. No. 15:** Mr. George Smith; commend his life and legacy upon his passing.

**H. C. R. No. 17:** Carroll V. Hood; commend life and legacy upon his passing.

**H. C. R. No. 33:** James A. Barber; commend service as Executive Director of PEER upon his retirement.

**H. C. R. No. 43:** Scott Central High School Football Team; commend and congratulate upon winning Class 2A State Championship.

**H. C. R. No. 44:** Ole Miss Rebels All Girl Cheerleading Team; commend and congratulate on winning 2022 UCA Division 1A Game Day National Championship.

**H. C. R. No. 45:** Ole Miss Rebels Women's Golf Team; commend and congratulate upon winning 2021 NCAA Division I National Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 512, S. C. R. No. 513, S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 522, S. C. R. No. 525, S. C. R. No. 530, S. C. R. No. 532, S. C. R. No. 535, S. C. R. No. 536, S. C. R. No. 537, S. C. R. No. 538, S. C. R. No. 539, S. C. R. No. 540, S. C. R. No. 541, S. C. R. No. 542, S. C. R. No. 543, S. C. R. No. 544, S. R. No. 3, S. R. No. 4, S. R. No. 5, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, S. R. No. 14, S. R. No. 15, S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, H. C. R. No. 1, H. C. R. No. 11, H. C. R. No. 12, H. C. R. No. 13, H. C. R. No. 14, H. C. R. No. 15, H. C. R. No. 17, H. C. R. No. 33, H. C. R. No. 43, H. C. R. No. 44 and H. C. R. No. 45. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), DeBar, England, Jackson (11th), McDaniel, McLendon, Michel, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks and Thompson as co-authors of **S. C. R. No. 512.**

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th), Frazier, Horhn, Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 513**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Jackson (11th), Simmons S. (13th) and Thompson as co-authors of **S. C. R. No. 515**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier and Simmons S. (13th) as co-authors of **S. C. R. No. 516**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, Hopson, Horhn, McLendon, Simmons D. T. (12th), Simmons S. (13th), Thomas and Thompson as co-authors of **S. C. R. No. 517**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, Frazier, McDaniel, Michel, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 522**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), DeBar, Frazier, Horhn, Kirby, Parker, Seymour, Simmons D. T. (12th), Sparks, Thomas and Thompson as co-authors of **S. C. R. No. 525**.

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Unanimous consent was granted to add Senators Barnett, Seymour, Simmons S. (13th) and Thompson as co-authors of **S. C. R. No. 530**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, DeBar, Hopson, Horhn, Jackson (11th), Kirby, Simmons D. T. (12th), Simmons S. (13th) and Thompson as co-authors of **S. C. R. No. 532**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Jackson (11th), Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 535**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Jackson (11th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 536**.

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Unanimous consent was granted to add Senators Barnett, Hopson, Jackson (11th), McDaniel, Michel and Thomas as co-authors of **S. C. R. No. 537**.

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Unanimous consent was granted to add Senators Barnett, Jackson (11th) and Thomas as co-authors of **S. C. R. No. 538**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, Hopson, Jackson (11th), Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 539**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Jackson (11th) and Thomas as co-authors of **S. C. R. No. 540**.

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Unanimous consent was granted to add Senators Barnett, Frazier, Jackson (11th), Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 541**.

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Unanimous consent was granted to add Senators Barnett, Branning, Frazier, Jackson (11th), Kirby and McLendon as co-authors of **S. C. R. No. 542**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Sparks as co-authors of **S. C. R. No. 543**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Frazier, Jackson (11th), McLendon, Seymour, Simmons S. (13th) and Sparks as co-authors of **S. C. R. No. 544**.

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Unanimous consent was granted to add Senators Barnett, Branning, McLendon, Michel and Thomas as co-authors of **S. R. No. 3**.

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Unanimous consent was granted to add Senators Barnett, Branning, Frazier, Jackson (11th), McDaniel, McLendon, Michel, Seymour, Simmons D. T. (12th) and Thomas as co-authors of **S. R. No. 4**.

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Unanimous consent was granted to add Senators Barnett and Frazier as co-authors of **S. R. No. 5**.

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Unanimous consent was granted to add Senators Barnett, McLendon and Thomas as co-authors of **S. R. No. 7**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 8**.

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Unanimous consent was granted to add Senators Barnett and Frazier as co-authors of **S. R. No. 9**.

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Unanimous consent was granted to add Senators Barnett, McDaniel and Seymour as co-authors of **S. R. No. 10**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. R. No. 11**.

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Unanimous consent was granted to add Senators Barnett and McLendon as co-authors of **S. R. No. 12**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, Jackson (11th), Simmons S. (13th) and Thomas as co-authors of **S. R. No. 13**.

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Unanimous consent was granted to add Senators Barnett, Simmons S. (13th) and Thomas as co-authors of **S. R. No. 14**.

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Unanimous consent was granted to add Senators Barnett, Caughman, Horhn, Jackson (11th) and McDaniel as co-authors of **S. R. No. 15**.

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Unanimous consent was granted to add Senators Barnett, Frazier and Simmons S. (13th) as co-authors of **S. R. No. 19**.

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 20**.

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Unanimous consent was granted to add Senators Barnett, Frazier, Harkins and Simmons S. (13th) as co-authors of **S. R. No. 21**.

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Unanimous consent was granted to add Senators Barnett, Frazier, Horhn, Jackson (11th) and Thomas as co-authors of **S. R. No. 22**.

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Senator Barnett called up the motion to reconsider the vote whereby **S. B. No. 2275** passed the Senate and moved that the motion to reconsider be tabled:  
**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

The foregoing motion prevailed.

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Senator Tate called up the motion to reconsider the vote whereby **S. B. No. 2606** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2606:** Statewide Elections Management System; provide for voter's proof of citizenship..

The foregoing motion prevailed.

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Senator DeBar called up the motion to reconsider the vote whereby **S. B. No. 2425** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2425:** State Superintendent of Public Education, I.H.L. Commissioner and Director of the Community College Board; set maximum salaries.

The foregoing motion prevailed.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2643:** Divorce; authorize where marriage is irretrievably broken.

YEAS AND NAYS On S. B. No. 2643. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Kirby, McCaughn, Moran, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--35.

Nays--Chism, DeBar, Hill, Jordan, McDaniel, McLendon, McMahan, Michel, Norwood, Polk, Seymour, Tate, Williams. Total--13.

Absent and those not voting---None.

Voting Present--Barnett, Branning, Frazier, Sparks. Total--4.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2231:** DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 65 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2231 was adopted.

YEAS AND NAYS On S. B. No. 2231. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Blackwell, Boyd, Carter, Caughman, DeLano, England, Fillingane, Harkins, Hopson, Kirby, McCaughn, McMahan, Michel, Moran, Parker, Parks, Polk, Wiggins, Williams, Younger. Total--20.

Nays--Barnett, Barrett, Blackmon, Blount, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, Frazier, Hickman, Hill, Horhn, Jackson (11th), Jordan, McDaniel, McLendon, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley. Total--30.

Absent and those not voting--Chassaniol, Johnson. Total--2.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:51 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2658:** Medicaid; delete language that required rates of reimbursement to not be changed unless amended by Legislature.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND on line 379 by inserting "by these organizations" after the word "Reimbursement"

AMEND on line 399 by deleting "shall" and inserting "may"

AMEND on lines 489 and 490 by deleting "for medical transportation services"

AMEND on line 492 by inserting "emergency ambulance" after the word "covered"

AMEND on line 492 by deleting the words "July 1, 2022" and inserting "January 1, 2023"

AMEND on line 498 by inserting the following language after the word "gap":

, as defined by the Centers for Medicare and Medicaid services,

AMEND on line 498 by inserting "emergency" after the word "all"

AMEND by striking the language starting with "Except" on line 499 to the word "services." on line 511.

AMEND on line 511 by inserting the following language before the word "Ambulance":

Subject to approval by the Centers for Medicare and Medicaid Services,

AMEND by striking all of the language starting with subitem "c." on line 513 through the period on line 519.

AMEND by creating a new subsection (60) on line 885 and inserting the following language:

(60) Border city university-affiliated pediatric teaching hospital.

(a) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this section, the division shall establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), or other program(s) authorized under this section, for a border city university-affiliated pediatric teaching hospital. Any program established under this subsection shall be subject to the availability

of funds specifically appropriated for that purpose by the Legislature and effective for the state fiscal years 2023 and 2024.

(b) As used in this subsection, the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21).

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) This subsection shall stand repealed on July 1, 2024.

AMEND on line 899 by deleting the words "decreasing or changing payments, payment methodology or rates of reimbursement" and inserting the following in lieu thereof:

implementing a payment methodology that would result in a reduction in reimbursement

AMEND on line 900 by deleting the word "of" and inserting "or"

AMEND on line 1217 by deleting the word "shall" and substituting "may" in lieu thereof.

AMEND on line 1221 by deleting the words "July 1, 2022" and inserting "its passage" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2658 was adopted.

YEAS AND NAYS On S. B. No. 2658. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, Boyd, Chism, Hill, Hopson, McCaughn, McDaniel, Moran, Seymour, Sojourner, Suber, Tate. Total--12.

Senator Tate called up the following entitled bill:

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

On motion of Senator Fillingane, the Committee Substitute was offered for consideration and the motion lost.

Senator Fillingane offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-297, Mississippi Code of 1972, is amended as follows:

23-15-297. (1) All candidates, upon entering the race for party nominations for office, shall first pay to the proper officer as provided for in Section 23-15-299 for each primary election the following amounts:

(a) Candidates for Governor, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(c) Candidates for State Senator and State Representative, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(d) Candidates for district attorney, Two Hundred Fifty Dollars (\$250.00).

(e) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(f) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(g) Candidates for United States Senator, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(h) Candidates for United States Representative, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(2) (a) The state executive committee of a political party shall set the entry fee that a candidate is to pay upon entering the race for party nominations for the offices listed in paragraphs (a), (b), (c), (g) and (h) of subsection (1) of this section and Section 23-15-1093(2)(a). For each respective office, the entry fee set by the state executive committee shall not exceed the average of the entry fees provided by law in the Southeastern United States as determined by the Secretary of State. The authority granted under this subsection shall not be exercised by any state executive committee of a political party for any individual office more than once every two (2) years, beginning from the effective date of this act.

(b) Each state executive committee of a political party shall report the entry fee determined for each office to the Secretary of State by at least ninety (90) days before the qualifying deadline for the office as provided in Section 23-15-299. If a state executive committee does not meet the deadline in this paragraph for any office, there shall be no entry fee assessed for the office in that party's primary election during that election cycle.

(3) All \* \* \* independent candidates and special election candidates entering the race for office shall pay to the proper officer as provided for in Section 23-15-299 the following amounts:

(a) Candidates for Governor, One Thousand Dollars (\$1,000.00).

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, Five Hundred Dollars (\$500.00).

(c) Candidates for district attorney, State Senator and State Representative, Two Hundred Fifty Dollars (\$250.00).

(d) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(e) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(f) Candidates for United States Senator, One Thousand Dollars (\$1,000.00).

(g) Candidates for United States Representative, Five Hundred Dollars (\$500.00).

(4) The Secretary of State shall:

(a) Publish the fees listed in this section and Section 23-15-1093 by at least forty-five (45) days before the qualifying deadline for each office; and

(b) Promulgate any rules or regulations necessary to administer and enforce this section.

SECTION 2. Section 23-15-1093, Mississippi Code of 1972, is amended as follows:

23-15-1093. (1) Any person desiring to have his name placed on the presidential preference primary ballot shall pay a qualifying fee and file the petition or petitions as described in this section.

(2) (a) For candidates entering the race for party nominations for office, the amount of the qualifying fee shall be the amount determined by the state executive committee of the party pursuant to Section 23-15-297(2).

(b) For independent candidates entering the race for office, the amount of the qualifying fee shall be Two Thousand Five Hundred Dollars (\$2,500.00).

(c) Each independent candidate shall pay the qualifying fee to the Secretary of State. Each political party candidate shall pay the qualifying fee to the state executive committee of the appropriate political party.

(3) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee

incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable.

( \*\* \*4) A candidate shall file a petition or petitions in support of his candidacy with the state executive committee of the appropriate political party or the Secretary of State, whichever is applicable, after January 1 of the year in which the presidential preference primary is to be held and before January 15 of that same year. To comply with this section, a candidate may file a petition or petitions signed by a total of not less than five hundred (500) qualified electors of the state, or petitions signed by not less than one hundred (100) qualified electors of each congressional district of the state, in which case there shall be a separate petition for each congressional district. The petitions shall be in such form as prescribed by the state executive committee or Secretary of State, whichever is applicable; provided, that there shall be a space for the county of residence of each signer next to the space provided for his signature. No signature may be counted as valid unless the county of residence of the signer is provided. Each petition shall contain an affirmation under the penalties of perjury that each signer is a qualified elector in his congressional district or in the state, as appropriate.

SECTION 3. Section 23-15-299, Mississippi Code of 1972, is amended as follows:

23-15-299. (1) (a) Assessments made pursuant to \*\* \* subsection (1)(a), (b) \*\* \*, (c) and (d) of Section 23-15-297 shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \*\* \* subsection (3)(a), (b) and (c) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(2) (a) Assessments made pursuant to \*\* \* subsection (1)( \*\* \*e) and ( \*\* \*f) of Section 23-15-297, shall be paid by each candidate who seeks a nomination in the political party election to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county executive committee within two (2) business days. No candidate may attempt to qualify with any political party that does not have a duly organized county executive committee, and the circuit clerk shall not accept any assessments paid for nonlegislative offices pursuant to \*\* \* subsection (1)( \*\* \*e) and ( \*\* \*f) of Section 23-15-297 if the circuit clerk

does not have contact information for the secretary of the county executive committee for that political party.

(b) Assessments made pursuant to \*\*\* subsection (3)(d) and (e) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county election commission within two (2) business days.

(3) (a) Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297 must be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297 must be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(4) (a) The fees paid pursuant to subsections (1), (2) and (3) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he or she is affiliated, if applicable, the email address of the candidate, if any, and the office for which he or she is a candidate.

(b) The state executive committee shall transmit to the Secretary of State a copy of the written statements accompanying the fees paid pursuant to subsections (1)

and (2) of this section. All copies must be received by the Office of the Secretary of State by not later than 6:00 p.m. on the date of the qualifying deadline; provided, however, the failure of the Office of the Secretary of State to receive such copies by 6:00 p.m. on the date of the qualifying deadline shall not affect the qualification of a person who pays the required fee and files the required statement by 5:00 p.m. on the date of the qualifying deadline. The name of any person who pays the required fee and files the required statement after 5:00 p.m. on the date of the qualifying deadline shall not be placed on the primary election ballot or the general election ballot.

(5) The Secretary of State or the secretary or circuit clerk to whom such payments are made shall promptly receipt for same stating the office for which the candidate making payment is running and the political party with which he or she is affiliated, if applicable, and he or she shall keep an itemized account in detail showing the exact time and date of the receipt of each payment received by him or her and, where applicable, the date of the postmark on the envelope containing the fee and from whom, and for what office the party paying same is a candidate.

(6) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable. The Secretary of State shall deposit any qualifying fees received from candidates into the Elections Support Fund established in Section 23-15-5.

(7) (a) Upon receipt of the proper fee and all necessary information, the proper executive committee or the Secretary of State, whichever is applicable, shall then determine at the time of the qualifying deadline, unless otherwise provided by law, whether each candidate is a qualified elector of the state, state district, county or county district which they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The proper executive committee or the Secretary of State, whichever is applicable, shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee or the Secretary of State, whichever is applicable, shall also determine whether any candidate has been convicted (i) of any felony in a court of this state, (ii) on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, (iii) of any felony in a federal court on or after December 8, 1992, or (iv) of any offense that involved the misuse or abuse of his or her office or money coming into his or her hands by virtue of the office. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state.

(b) If the proper executive committee or the Secretary of State, whichever is applicable, finds that a candidate either (i) is not a qualified elector, (ii) does not meet all qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (iii) has been convicted of a felony or other disqualifying offense as described in paragraph (a) of this subsection, and not pardoned, then the executive committee shall notify the candidate and give the candidate an opportunity to be heard. The executive committee shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and the committee shall attempt to contact the candidate by telephone, email and facsimile if the candidate provided this information on the forms. If the candidate fails to appear at the hearing or to prove that he or she meets all qualifications to hold the office subject to no contingencies, then the name of that candidate shall not be placed upon the ballot.

(c) If the proper executive committee or the Secretary of State, whichever is applicable, determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(d) Where there is but one (1) candidate for each office contested at the primary election, the proper executive committee or the Secretary of State, whichever is applicable, when the time has expired within which the names of candidates shall be furnished shall declare such candidates the nominees.

(8) No candidate may qualify by filing the information required by this section by using the internet.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE ANY NECESSARY RULES AND REGULATIONS TO ADMINISTER AND ENFORCE THIS SECTION; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO USE OR DISBURSE FUNDS RECEIVED AS QUALIFYING FEES FOR PRESIDENTIAL CANDIDATES; TO CONFORM; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Senator Blount offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on line 15 through 65 by deleting the language starting with the word "All" and ending on the (3).

AMEND on line 65 by restoring the deleted language.

AMEND on line 84 through 85 by deleting "One Thousand Dollars (\$1,000.00)" and inserting "Five Thousand Dollars (\$5,000.00)" in lieu thereof.

AMEND on line 86 through 87 by deleting "Five Hundred Dollars (\$500.00)" and inserting "Two Thousand Five Hundred Dollars (\$2,500.00)" in lieu thereof.

AMEND on lines 102 through 105 by deleting the new language and renumbering subparagraphs accordingly.

AMEND on line 105 through 106 by deleting "Two Thousand Five Hundred Dollars (\$2,500.00)" and inserting "Ten Thousand Dollars (\$10,000.00)" in lieu thereof.

AMEND by deleting Section 3 in its entirety and renumbering subsequent sections.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 1 to S. B. No. 2358 failed.

Senator Blount offered the following AMENDMENT NO. 2 TO AMENDMENT NO. 1.

AMEND on line 29 through 30 by deleting "the amount determined by the state executive committee of the party pursuant to subsection 2 of this Section" and inserting the following in lieu thereof:

Two Hundred Fifty Dollars (\$250.00)

FURTHER, AMEND the title to conform.

Amendment No. 2 to Amendment No. 1 to S. B. No. 2358 failed.

Amendment No. 1 to S. B. No. 2358 was adopted.

YEAS AND NAYS On S. B. No. 2358. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horn, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Chism, Frazier, Hickman, Hill, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Turner-Ford. Total--19.

Absent and those not voting---None.

Voting Present--Branning, McDaniel, Seymour. Total--3.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2543:** Department of Public Safety; revise provision related to.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senator England offered the following AMENDMENT NO. 1.

AMEND by deleting the language on lines 309 through 329 and inserting in lieu thereof the following:

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the

defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audio-video communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

FURTHER, AMEND on line 584 by deleting the following language:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2543 was adopted.

YEAS AND NAYS On S. B. No. 2543. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2543**.

Senator Wiggins called up the following entitled bill:

**S. B. No. 2451:** Mississippi Equal Pay Act; enact.

Senators Simmons D. T. (12th), Wiggins and McDaniel offered the following AMENDMENT NO. 1.

AMEND on line 53 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2451 was adopted.

YEAS AND NAYS On S. B. No. 2451. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T.

(12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams. Total--42.

Nays--Blackmon, Turner-Ford. Total--2.

Absent and those not voting----None.

Voting Present--Branning, Chism, Frazier, McDaniel, Polk, Sojourner, Tate, Younger. Total--8.

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Senator Polk called up the following entitled bill:

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2810. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2810.**

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Senator McDaniel called up the following entitled bill:

**S. B. No. 2499:** Solid Waste Disposal Law; define advanced plastic recycling.

On motion of Senator McDaniel, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2499. On motion of Senator McDaniel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**S. B. No. 2066:** District attorneys; increase annual salaries of.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2066. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Bryan, Chism, Hill, McDaniel, Seymour, Sojourner. Total--6.  
Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2536:** Public Funds Offender Registry; create.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senators Barnett and England offered the following AMENDMENT NO. 1.

AMEND on line 43 by inserting the following after the word "listed":

and if all fines, penalties and restitution have been paid

Amendment No. 1 to S. B. No. 2536 was adopted.

YEAS AND NAYS On S. B. No. 2536. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request.

YEAS AND NAYS On S. B. No. 2725. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2664:** Medicaid services; require Medicaid to reimburse licensed birthing centers and to seek necessary waivers.

YEAS AND NAYS On S. B. No. 2664. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator Carter called up the following entitled bill:

**S. B. No. 2282:** Carbon dioxide geologic sequestration; revise laws regarding.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

Senator McDaniel offered the following AMENDMENT NO. 1.

AMEND on line 419 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2282 was adopted.

YEAS AND NAYS On S. B. No. 2282. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeLano, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Michel, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Wiggins, Younger. Total--24.

Nays--Barrett, Blackwell, Boyd, Branning, Caughman, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Williams. Total--28.

Absent and those not voting----None.

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2282** failed to pass the Senate.

**S. B. No. 2282:** Carbon dioxide geologic sequestration; revise laws regarding.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 43 by striking "appointment" and inserting in lieu thereof the following:

submission of the appointment to the Senate

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2503 was adopted.

YEAS AND NAYS On S. B. No. 2503. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, McMahan. Total--2.

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Unanimous consent was granted to add Senators Hill and Tate as co-authors of **S. B. No. 2503**.

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Senator McDaniel entered a motion to reconsider the vote whereby **S. B. No. 2794** passed the Senate.

**S. B. No. 2794:** Legislators; allow office expense allowance for every month of the term.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2504:** Department of Wildlife, Fisheries and Parks; set term of executive director and create division of parks and recreation.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 65 by striking "appointment" and inserting in lieu thereof the following:

submission of the appointment to the Senate

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2504 was adopted.

YEAS AND NAYS On S. B. No. 2504. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, Hopson, McMahan. Total--3.

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Unanimous consent was granted to add Senators Hill, Tate, Branning and Chism as co-authors of **S. B. No. 2504**.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2506:** Bow hunting; establish a three day season in last weekend of September for legal bucks.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

Senator England offered the following AMENDMENT NO. 1.

AMEND on line 33 by striking "through February 15" and inserting "through the 3rd Sunday of February" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2506 failed.

YEAS AND NAYS On S. B. No. 2506. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Harkins, England, Williams, Younger, Tate, McCaughn, McLendon, Jackson (11th), Fillingane, Moran, Branning, Sparks, DeBar, Simmons D. T. (12th), Barnett and Chism as co-authors of **S. B. No. 2506**.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2820. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

YEAS AND NAYS On S. B. No. 2421. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Younger called up the following entitled bill:

**S. B. No. 2077:** Mississippi Farms and Families Program; create.

YEAS AND NAYS On S. B. No. 2077. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner, Tate. Total--5.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Butler K. (38th), Parker, Boyd, Simmons D. T. (12th), Simmons S. (13th), Thomas, McLendon, Norwood, Horhn, Chassaniol, Hickman, Blount, Moran, Barnett, Seymour and Jackson (11th) as co-authors of **S. B. No. 2077**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2793:** Legal service contracts; clarify exemption from Public Procurement Review Board.

YEAS AND NAYS On S. B. No. 2793. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Sparks as co-author of **S. B. No. 2793**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2806:** Public purchase bidding; prohibit reverse auctions for any design or construction labor or services.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2806. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Simmons D. T. (12th) called up the following entitled bill:

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend repealer on authority for.

On motion of Senator Simmons D. T. (12th), the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2898. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2461. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Horhn and Hickman as co-authors of **S. B. No. 2461**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2626:** Comprehensive Landlord and Tenant Act; enact.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2626. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting---None.

Voting Present--Barnett, Jackson (11th), Simmons D. T. (12th), Turner-Ford. Total--4.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2509:** Outdoor advertising signs; remove maximum limits on height and square footage.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2509. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2237:** Sentence suspension; prohibit for crimes involving the exploitation of children.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

Senator Sparks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-5-35, Mississippi Code of 1972, is amended as follows:

97-5-35. Any person who violates any provision of Section 97-5-33 shall be guilty of a felony and upon conviction shall be fined not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00) and shall be imprisoned for not less than five (5) years nor more than forty (40) years. Any person convicted of a second or subsequent violation of Section 97-5-33 shall be fined not less than One Hundred Thousand Dollars (\$100,000.00) nor more than One Million Dollars (\$1,000,000.00) and shall be confined in the custody of the Department of Corrections for life or such lesser term as the court may determine, but not less than twenty (20) years. The five-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole notwithstanding any provision of law to the contrary.

SECTION 2. Section 97-5-31, Mississippi Code of 1972, is brought forward as follows:

97-5-31. As used in Sections 97-5-33 through 97-5-37, the following words and phrases shall have the meanings given to them in this section:

(a) "Child" means any individual who has not attained the age of eighteen (18) years.

(b) "Sexually explicit conduct" means actual or simulated:

(i) Oral genital contact, oral anal contact, or sexual intercourse as defined in Section 97-3-65, whether between persons of the same or opposite sex;

(ii) Bestiality;

(iii) Masturbation;

(iv) Sadistic or masochistic abuse;

(v) Lascivious exhibition of the genitals or pubic area of any person;  
or

(vi) Fondling or other erotic touching of the genitals, pubic area, buttocks, anus or breast.

(c) "Producing" means producing, directing, manufacturing, issuing, publishing or advertising.

(d) "Visual depiction" includes, without limitation, developed or undeveloped film and video tape or other visual unaltered reproductions by computer.

(e) "Computer" has the meaning given in Title 18, United States Code, Section 1030.

(f) "Simulated" means any depicting of the genitals or rectal areas that gives the appearance of sexual conduct or incipient sexual conduct.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 97-5-35, MISSISSIPPI CODE OF 1972, TO PROHIBIT SUSPENSION OF THE SENTENCE OF AN OFFENDER IN A CASE INVOLVING THE EXPLOITATION OF CHILDREN; TO BRING FORWARD SECTION 97-5-31, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2237 was adopted.

YEAS AND NAYS On S. B. No. 2237. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hickman. Total--1.

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Unanimous consent was granted to add Senators McLendon, Parker, Caughman, Hill, Tate, Barrett, Younger, McMahan, Branning, McCaughn, Chism, Whaley, Seymour, Moran, Sparks, Blackwell and England as co-authors of **S. B. No. 2237**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2244:** Juvenile offenders; provide alternative sentencing and parole options.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

Senators Simmons D. T. (12th) and Fillingane offered the following AMENDMENT NO. 1.

AMEND on line 192 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2022, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2244 was adopted.

YEAS AND NAYS On S. B. No. 2244. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins. Total--34.

Nays--Barrett, Branning, Caughman, Chism, England, Hill, Johnson, McCaughn, McDaniel, McLendon, McMahan, Parker, Seymour, Sojourner, Tate, Whaley, Williams, Younger. Total--18.

Absent and those not voting---None.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2246:** Warrants; authorize issuance for sex offenses against children upon oral testimony.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND on line 8 by changing "crimes" to "crime"

AMEND on line 9 by inserting the following after "investigations"

for sex offenses against children involving a computer

FURTHER, AMEND on line 3 by deleting "AND OTHER COMPUTER CRIMES"

Amendment No. 1 to S. B. No. 2246 was adopted.

YEAS AND NAYS On S. B. No. 2246. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2246**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties to sell unless certain conditions are met.

Senator Thompson offered the following AMENDMENT NO. 1.

AMEND on line 12 by deleting the word "sell".

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2545 was adopted.

YEAS AND NAYS On S. B. No. 2545. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Wiggins, Younger. Total--46.

Nays--McDaniel, Seymour, Sojourner, Turner-Ford, Whaley, Williams. Total--6.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2601:** Mississippi Pink Alert System Act of 2022; create.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on line 32 by deleting "persons" and inserting in lieu thereof "female children who are age eight (8) years to seventeen (17) years and"

AMEND on line 42 by deleting "person" and inserting in lieu thereof "female child who is age eight (8) years to seventeen (17) years"

On motion of Senator McMahan, unanimous consent was granted to withdraw Amendment No. 1 to S. B. No. 2601.

Senators McMahan and Hill offered the following AMENDMENT NO. 2.

AMEND on line 186 by inserting the following before the period:

, and shall stand repealed on June 30, 2022

Amendment No. 2 to S. B. No. 2601 was adopted.

YEAS AND NAYS On S. B. No. 2601. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--None.

Absent and those not voting--Blackmon, Chism, Frazier, Horhn, McDaniel, Parks, Sojourner. Total--7.

Voting Present--Blackwell, Butler A. (36th). Total--2.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2261:** Buddy's Law; order psychiatric evaluations for children adjudicated delinquent for abuse of a domesticated dog or cat.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2261. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker and Jackson (11th) as co-authors of **S. B. No. 2261**.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2563:** Mississippi Pill Press Act of 2022; enact.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2563. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting----None.  
Voting Present--McDaniel, Sojourner. Total--2.

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Unanimous consent was granted to add Senators McLendon and Jackson (11th) as co-authors of **S. B. No. 2563**.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2437:** Work Initiative; authorize the establishment of.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

Senator Barnett offered the following AMENDMENT NO. 1.

AMEND on line 236 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2437 was adopted.

YEAS AND NAYS On S. B. No. 2437. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator Hill called up the following entitled bill:

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

YEAS AND NAYS On S. B. No. 2913. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators DeLano, Carter, Jackson (11th), England, Younger, McCaughn, Moran, Tate and Hill as co-authors of **S. B. No. 2913**.

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Senator Jordan called up the following entitled bill:

**S. B. No. 2283:** Uniform Controlled Substances Act; revise schedules.

YEAS AND NAYS On S. B. No. 2283. On motion of Senator Jordan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2283**.

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Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2604** passed the Senate.

**S. B. No. 2604:** Mississippi Broadband Expansion Act; enact.

Senator Bryan moved to reconsider the vote whereby **S. B. No. 2604** passed the Senate.

The foregoing motion prevailed.

Senator Bryan offered the following AMENDMENT NO. 3.

AMEND by inserting the following sections after line 254 and renumbering subsequent sections accordingly:

SECTION \*. The following shall be codified as Section 21-27-79, Mississippi Code of 1972:

21-27-79. (1) Any municipally-owned electric utility created under this chapter which has more than one-third (1/3) of its service area located outside the corporate boundaries of the municipality shall have the same powers as are granted to an electric cooperative by the Mississippi Broadband Enabling Act, Section 77-17-1 et seq.

(2) If more than one-fifth (1/5) of the land area of a municipal school district is located in the territory served by a municipally-owned electric utility described in subsection (1) of this section, then the electric utility owned by the municipality in which the central office of that school district is located shall have the same powers as are granted to an electric cooperative by the Mississippi Broadband Enabling Act, Section 77-17-1 et seq.

SECTION \*. Section 17-13-5, Mississippi Code of 1972, is amended as follows:

17-13-5. For the purpose of this chapter, the following words shall be defined as herein provided unless the context requires otherwise:

(a) "Local governmental unit" shall mean any county, any incorporated city, town or village, any school district, any utility district, any community college, any institution of higher learning, any municipal airport authority or regional airport authority in the state, any local tourism commission in the state or any public improvement district created under the Public Improvement District Act. For the purposes of this chapter, the term "local governmental unit" includes a municipally-owned electric utility system described in Section 21-27-79 for the purpose authorized in that section.

(b) "Governing authority" shall mean the board of supervisors of any county, board of trustees of any school district or community college whether elective or appointive, the governing board of any city, town or village, the board of commissioners of a utility district, the Board of Trustees of State Institutions of Higher Learning, the commissioners of a municipal airport authority or regional airport authority, the commission of a local tourism commission or the board of directors of any public improvement district created under the Public Improvement District Act.

SECTION \*. Section 77-17-3, Mississippi Code of 1972, is amended as follows:

77-17-3. As used in this chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Broadband affiliate" or "affiliate" means any entity that is (i) wholly or partially owned by an electric cooperative, and (ii) formed to own or operate a broadband system or provide broadband services.

(b) "Broadband service provider" means an entity that provides broadband services to others on a wholesale basis or to \* \* \* end-user customers on a retail basis.

(c) "Broadband operator" means a broadband service provider that owns or operates a broadband system on an electric cooperative's electric delivery system with the electric cooperative's consent.

(d) "Broadband services" means any service that consists of or includes the provision of or connectivity to a high-speed, high-capacity transmission medium that can

carry signals from or to multiple sources and that either: (i) is used to provide access to the Internet, or (ii) provides computer processing, information storage, information content or protocol conversion, including any service applications or information service provided over such high-speed access service. As used herein, "broadband services" also includes video services, voice over Internet protocol services, any wireless services, and Internet protocol-enabled services.

(e) "Broadband system" means the fiber, cables, materials, equipment and other facilities that are used or useful for the provision of broadband services.

(f) "Electric delivery system" means the poles, lines, fiber, cables, broadband system, materials, equipment, easements and other facilities or properties used by an electric cooperative to deliver or facilitate the delivery, sale or use of electric energy.

(g) "Electric cooperative" means an electric power association formed or operating under Sections 77-5-201, et seq. For the purposes of this chapter, the term "electric cooperative" includes a municipally-owned electric utility system described in Section 21-27-79.

(h) "Internet protocol-enabled services" means any service, capability, functionality or application provided using Internet protocol, or any successor protocol, that enables an end user to send or receive a communication in Internet protocol format, or any successor format, regardless of whether the communications is voice, data or video.

(i) "Landowner" includes any person or entity holding an interest in real property.

(j) "Video services" means video programming services without regard to delivery technology, including Internet protocol technology ("Internet Protocol television or IPTV") and video programming provided as a part of a service that enables users to access content, information, email or other services offered over the public Internet. The term "video programming" means any programming generally considered comparable to programming provided by a television broadcast station or others.

(k) "Voice over Internet protocol services" means any service that: (i) enables real-time, two-way voice communications that originate from or terminate to the user's location in Internet protocol or any successor protocol; (ii) uses a broadband connection from the user's location; and (iii) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

FURTHER, AMEND the title to conform.

Amendment No. 3 to S. B. No. 2604 was adopted.

YEAS AND NAYS On S. B. No. 2604. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Blount entered a motion to reconsider the vote whereby **S. B. No. 2358** passed the Senate.

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

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Senator Wiggins entered a motion to reconsider the vote whereby **S. B. No. 2231** failed to pass the Senate.

**S. B. No. 2231:** DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request.

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Senator Whaley entered a motion to reconsider the vote whereby **S. B. No. 2504** passed the Senate.

**S. B. No. 2504:** Department of Wildlife, Fisheries and Parks; set term of executive director and create division of parks and recreation.

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Senator Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Mary L. Keys of Marks, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Leslie Earl Naab of Brookhaven, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Gina Leigh Syring Savell of Big Point, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 616:** AN ACT TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITY OF ANY MUNICIPALITY TO SECURE ABANDONED OR DILAPIDATED BUILDINGS ONCE PROPERTY IS ADJUDICATED TO BE A MENACED PROPERTY AND THE OWNER HAS FAILED TO CLEAN THE PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 733:** AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO DEFINE NEW TERMS UNDER THE PHARMACY BENEFIT PROMPT PAY ACT; TO CREATE NEW SECTION 73-21-154, MISSISSIPPI CODE OF 1972, TO

PROHIBIT HEALTH INSURANCE ISSUERS AND PHARMACY BENEFIT MANAGERS FROM CERTAIN DISCRIMINATORY PRACTICES RELATING TO ENTITIES PARTICIPATING IN THE FEDERAL 340B DRUG DISCOUNT PROGRAM; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS FROM REIMBURSING A PHARMACY OR PHARMACIST FOR A PRESCRIPTION DRUG OR PHARMACIST SERVICE IN A NET AMOUNT LESS THAN THE NATIONAL AVERAGE DRUG ACQUISITION COST FOR THE PRESCRIPTION DRUG OR PHARMACIST SERVICE IN EFFECT AT THE TIME THE DRUG OR SERVICE IS ADMINISTERED OR DISPENSED, PLUS A PROFESSIONAL DISPENSING FEE; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE TO ALLOW PHARMACIES TO CHALLENGE A REIMBURSEMENT FOR A SPECIFIC DRUG OR DRUGS AS BEING BELOW THE REIMBURSEMENT RATE REQUIRED BY THE PRECEDING PROVISION; TO PROVIDE THAT IF THE APPEAL IS UPHELD, THE PHARMACY BENEFIT MANAGER SHALL MAKE THE CHANGE IN THE PAYMENT TO THE REQUIRED REIMBURSEMENT RATE; TO AMEND SECTIONS 73-21-157 AND 73-21-159, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE LICENSING AND REGULATION OF PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS BY THE STATE BOARD OF PHARMACY; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACIES, PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM ORDERING A PATIENT TO USE AN AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR OFFERING OR IMPLEMENTING PLAN DESIGNS THAT PENALIZE A PATIENT WHEN A PATIENT CHOOSES NOT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM PENALIZING OR RETALIATING AGAINST A PHARMACIST, PHARMACY OR PHARMACY EMPLOYEE FOR EXERCISING ANY RIGHTS UNDER THIS ACT, INITIATING ANY JUDICIAL OR REGULATORY ACTIONS, OR APPEARING BEFORE ANY GOVERNMENTAL AGENCY, LEGISLATIVE MEMBER OR BODY OR ANY JUDICIAL AUTHORITY; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF PHARMACY TO BRING INJUNCTIVE ACTIONS AND IMPOSE MONETARY PENALTIES ON PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS FOR NONCOMPLIANCE WITH THE PHARMACY BENEFIT PROMPT PAY ACT; TO AMEND SECTIONS 73-21-83 AND 73-21-91, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 39:** A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE

LEGISLATURE; TO PROVIDE THAT SUCH AN INITIATIVE MEASURE MAY BE PROPOSED BY A PETITION SIGNED OVER A TWELVE-MONTH PERIOD BY QUALIFIED ELECTORS EQUAL IN NUMBER TO AT LEAST TWELVE PERCENT OF THE VOTES FOR ALL CANDIDATES FOR GOVERNOR IN THE LAST GUBERNATORIAL ELECTION; TO PROVIDE THAT THE SIGNATURES OF THE QUALIFIED ELECTORS FROM ANY CONGRESSIONAL DISTRICT SHALL NOT EXCEED THE TOTAL NUMBER OF SIGNATURES REQUIRED TO QUALIFY AN INITIATIVE MEASURE FOR PLACEMENT ON THE BALLOT DIVIDED BY THE NUMBER OF CONGRESSIONAL DISTRICTS IN EXISTENCE ON THE DAY THAT THE PETITION IS FILED; TO PROVIDE THAT NO MORE THAN FIVE INITIATIVE MEASURES MAY BE SUBMITTED TO THE VOTERS ON A SINGLE BALLOT, AND THE FIRST FIVE INITIATIVE MEASURES SUBMITTED TO THE SECRETARY OF STATE WITH SUFFICIENT PETITIONS SHALL BE THE MEASURES THAT ARE SUBMITTED TO THE VOTERS; TO PROVIDE THAT IN ORDER TO BE APPROVED, AN INITIATIVE MEASURE MUST RECEIVE A MAJORITY OF THE VOTES CAST AND NOT LESS THAN FORTY PERCENT OF THE TOTAL VOTES CAST AT THE ELECTION AT WHICH THE INITIATIVE MEASURE WAS SUBMITTED; TO PROVIDE THAT IF CONFLICTING INITIATIVE MEASURES ARE APPROVED AT THE SAME ELECTION, THE INITIATIVE MEASURE RECEIVING THE HIGHEST NUMBER OF AFFIRMATIVE VOTES SHALL PREVAIL AND BECOME LAW; TO PROVIDE THAT THE LEGISLATURE SHALL PROVIDE BY LAW THE MANNER IN WHICH INITIATIVE PETITIONS SHALL BE CIRCULATED, PRESENTED AND CERTIFIED; TO PROVIDE THAT THE MISSISSIPPI CONSTITUTION SHALL ONLY BE AMENDED BY A PROPOSED AMENDMENT BEING PASSED BY TWO-THIRDS VOTE OF EACH HOUSE OF THE LEGISLATURE AND UPON RECEIVING A MAJORITY VOTE WHEN PLACED ON THE BALLOT TO BE VOTED UPON BY THE QUALIFIED ELECTORS OF THE STATE; AND PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE PROVISIONS AUTHORIZING CONSTITUTIONAL AMENDMENTS BY INITIATIVE;

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 475:** AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONTRACTS FOR CONSTRUCTION AND MAINTENANCE PROJECTS AT THE STATE INSTITUTIONS WHICH ARE FUNDED BY STATE GENERAL OBLIGATION BONDS; AND FOR RELATED PURPOSES.

**H. B. No. 478:** AN ACT TO AMEND SECTION 49-19-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW WHICH AUTHORIZES THE MISSISSIPPI FORESTRY COMMISSION TO HIRE LAW ENFORCEMENT OFFICERS TO INVESTIGATE AND MAKE ARRESTS ASSOCIATED WITH WOODS ARSON; AND FOR RELATED PURPOSES.

**H. B. No. 503:** AN ACT TO DESIGNATE A CERTAIN INTERSECTION ON INTERSTATE 22 IN LEE COUNTY, MISSISSIPPI, AS THE "SHERIFF HAROLD RAY PRESLEY MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 504:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "KOREAN WAR VETERANS HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 505:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "VIETNAM VETERANS WAY"; AND FOR RELATED PURPOSES.

**H. B. No. 617:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITY OF ANY MUNICIPALITY, TO WAIVE LIENS, UNDER CERTAIN CIRCUMSTANCES, THAT ARE IMPOSED ON REAL PROPERTY FOR COSTS AND/OR PENALTIES ASSOCIATED WITH A MUNICIPALITY'S CLEANING OF REAL PROPERTY THAT HAS BEEN DEEMED A MENACE; TO PROVIDE THAT AN APPLICATION FOR THE WAIVER BE SUBMITTED FOR CONSIDERATION OF SUCH WAIVER; TO PROHIBIT THE PROPERTY OWNER WHO CAUSED THE PROPERTY TO BE DEEMED A MENACE BY THE MUNICIPALITY FROM SUBMITTING SUCH APPLICATION; TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 688:** AN ACT TO AMEND SECTION 29-1-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE RESTRICTIONS IMPOSED ON THE PURCHASE OF PUBLIC LANDS BY CERTAIN CORPORATIONS AND NONRESIDENT ALIENS; AND FOR RELATED PURPOSES.

**H. B. No. 920:** AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CREATE THE INMATE INCENTIVE TO WORK PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE PAYMENT TO ELIGIBLE INMATES HOUSED IN STATE CORRECTIONAL FACILITIES; TO CREATE A SPECIAL FUND ENTITLED "THE INMATE INCENTIVE TO WORK PROGRAM FUND", WHICH SHALL BE FUNDED BY A PORTION OF THE INMATE WELFARE FUND; TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1006:** AN ACT TO DIRECT THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ESTABLISH THE COMMUNITY AND JUNIOR COLLEGE NURSING SUPPLEMENTAL FUNDING PROGRAM, WHICH WILL PROVIDE ADDITIONAL FUNDING TO THE PUBLIC COMMUNITY AND JUNIOR COLLEGES TO EXPAND AND IMPROVE THE OPERATION AND ADMINISTRATION OF THE EXISTING NURSING DEGREE PROGRAMS THAT ARE OFFERED AT THE COLLEGES; AND FOR RELATED PURPOSES.

**H. B. No. 1015:** AN ACT TO CREATE THE "PROPERTY CLEAN-UP REVOLVING FUND" TO ASSIST MUNICIPALITIES WITH THE CLEAN UP OF PROPERTIES THAT HAVE BEEN DETERMINED TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY IN ACCORDANCE WITH SECTION 21-19-11; TO AUTHORIZE THE CREATION OF A REVOLVING LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY FOR SUCH PROPERTY CLEAN UP; TO AUTHORIZE MUNICIPALITIES TO ENTER INTO LOAN AGREEMENTS AND TAKE SUCH ACTIONS NECESSARY TO PARTICIPATE IN THE REVOLVING LOAN PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1068:** AN ACT TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT,

FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-14-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI UNIFORM AGENTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1113:** AN ACT TO DESIGNATE THE INTERSECTION OF MISSISSIPPI HIGHWAY 18 AND U.S. HIGHWAY 45 LOCATED IN CLARKE COUNTY, MISSISSIPPI, AS THE "PFC DAMIAN LAQUASHA HEIDELBERG MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 1132:** AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO ADD 350 HIGH STREET, 401 NORTH LAMAR STREET, AND 455 NORTH LAMAR STREET, TO THE LIST OF STATE PROPERTIES LOCATED IN THE CITY OF JACKSON THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION IS REQUIRED TO EXERCISE GENERAL SUPERVISION AND CARE OVER AND KEEP IN GOOD CONDITION; TO REQUIRE THE DEPARTMENT TO SOLICIT AND APPROVE OR DISAPPROVE ANY LEASE, USE OR RENTAL AGREEMENT FOR A CHARGE OR OTHER CONSIDERATION FOR CERTAIN SPACE NOT EXCEEDING THREE THOUSAND SQUARE FEET IN ANY INDIVIDUAL BUILDING, WITH A PRIVATE ENTRY WHO WILL PROVIDE FOOD AND/OR CATERING SERVICES FOR STATE EMPLOYEES, VISITORS AND THE GENERAL PUBLIC; TO REQUIRE THAT THE DEPARTMENT SELECT THE ENTITY FOR SUCH LEASE, CONTRACT, OR RENTAL AGREEMENT USING A COMPETITIVE PROCESS THAT IS PUBLICLY ADVERTISED; TO REQUIRE THAT THE DEPARTMENT DEMONSTRATE THAT ANY SUCH AGREEMENT ENTERED INTO WILL NEITHER RESULT IN A NET COST TO THE STATE, NOR IMPAIR OR IMPEDE THE FUNCTION OF STATE AGENCIES AT SUCH LOCATION; AND FOR RELATED PURPOSES.

**H. B. No. 1360:** AN ACT TO AMEND SECTION 81-5-85, MISSISSIPPI CODE OF 1972, TO ALIGN BANK AND SAVINGS ASSOCIATION MERGER APPROVAL WITH PROVISIONS OF THE MISSISSIPPI BUSINESS CORPORATION ACT; TO AMEND SECTION 81-5-97, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN THE COMMISSIONER OF BANKING MAY APPROVE BANK OR BANK BRANCH CLOSURES; AND FOR RELATED PURPOSES.

**H. B. No. 1394:** AN ACT TO CREATE THE DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM, WHICH SHALL CONSIST OF THE ACADEMIC DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM AND THE CAREER AND TECHNICAL DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM; TO REQUIRE THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ADMINISTER THE SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 939:** AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER UNTIL JULY 1, 2025, ON THE

PROVISION OF LAW THAT AUTHORIZES MUNICIPALITIES HAVING A POPULATION OF 150,000 OR MORE TO INSTITUTE A PROGRAM TO ADDRESS DISPUTED AND DELINQUENT WATER AND SEWER CUSTOMER ACCOUNTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate adjourn until 10:00 AM, Thursday, February 10, 2022.

The motion prevailed, and at 6:44 PM, the Senate stood adjourned in memory of Mary L. Keys, Leslie Earl Naab and Gina Leigh Syring Savell.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 9, 2022

**S. C. R. No. 545:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE PUBLIC SERVICE OF LONGTIME HINDS COUNTY CIRCUIT COURT JUDGE AND FORMER STATE REPRESENTATIVE TOMIE T. GREEN ON THE OCCASION OF HER RETIREMENT.  
By Senator(s) Norwood, Horhn, Frazier, Blount, Simmons (12th)

**S. C. R. No. 546:** Rules

A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).  
By Senator(s) Chassaniol, Fillingane, Frazier, Younger, Johnson, Hill

**S. C. R. No. 547:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE SERVICE AND LEGACY OF WORLD WAR II HERO AND POW OLIN PICKENS OF NESBIT, MISSISSIPPI, AND EXTEND THE BEST WISHES OF THE LEGISLATURE ON HIS 100TH BIRTHDAY.  
By Senator(s) McLendon, McMahan, Blackwell, Parker

**S. C. R. No. 548:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER SENATOR AND SECRETARY OF THE SENATE GEORGE P. SMITH OF WIGGINS, HARRISON COUNTY, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.  
By Senator(s) Seymour

**S. R. No. 24:** Rules

A RESOLUTION COMMEMORATING THE CELEBRATION OF SAINT PATRICK'S DAY AND RECOGNIZING THE CULTURAL AND HISTORIC LINKS BETWEEN IRELAND AND MISSISSIPPI AND THE ESTABLISHMENT OF THE AMERICAN-IRISH STATE LEGISLATORS CAUCUS.  
By Senator(s) McCaughn, Kirby, Blackwell, Blount

**S. R. No. 25:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAKE HIGH SCHOOL "LADY HORNETS" FAST-PITCH SOFTBALL TEAM AND COACH JAKE

LOPER FOR WINNING THE 2021 CLASS 2A STATE CHAMPIONSHIP, THE FIRST FAST-PITCH TITLE IN SCHOOL HISTORY.

By Senator(s) McCaughn

**S. R. No. 26:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE RICHLAND HIGH SCHOOL "RANGERS" BOYS SOCCER TEAM AND COACH JOHN ADAMS FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP, THEIR SECOND STATE CHAMPIONSHIP IN FOUR SEASONS.

By Senator(s) Caughman, Kirby

**S. R. No. 27:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE FLORENCE HIGH SCHOOL GIRLS SOCCER TEAM AND COACH BILL HOOD FOR WINNING THEIR FIRST MHSAA CLASS 5A STATE CHAMPIONSHIP TITLE.

By Senator(s) Caughman

**S. R. No. 28:** Rules

A RESOLUTION TO RECOGNIZE PAT THOMASSON, CEO OF THOMASSON COMPANY IN PHILADELPHIA, MISSISSIPPI, AS THE FIRST FEMALE CHAIR OF THE BOARD OF DIRECTORS OF THE MISSISSIPPI MANUFACTURERS ASSOCIATION AND COMMEND HER BUSINESS AND CIVIC ACHIEVEMENTS.

By Senator(s) Branning

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THIRTY-EIGHTH DAY, THURSDAY, FEBRUARY 10, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Butler K. (38th).

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

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

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 INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

The motion prevailed, and at 10:32 AM, the Senate stood in recess.

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The Senate resumed business at 10:58 AM, pursuant to recess, with President Hosemann presiding.

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## REPORT OF COMMITTEE ON RULES

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

**S. R. No. 23:** Recognize legacy and service of Linda Ross Aldy upon her retirement as Executive Director of MS Optometric Association (MOA). Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 863:** AN ACT TO BRING FORWARD SECTIONS 47-5-531 THROUGH 47-5-575, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990, FOR THE PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, WHICH CREATES THE PRISON INDUSTRY ENHANCEMENT PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 933:** AN ACT TO AMEND SECTION 79-11-751, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT BOARD APPROVAL FOR TRANSFERS OF FUNDS GREATER THAN \$10,000.00 IS NOT REQUIRED TO BE IN WRITTEN FORM; TO AMEND SECTION 79-11-753, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AT ALL REGULARLY SCHEDULED MEETINGS, THE BOARD OF A HOMEOWNERS ASSOCIATION IS ONLY REQUIRED TO REVIEW THE LATEST ACCOUNT STATEMENTS PREPARED BY THE FINANCIAL INSTITUTIONS WHERE THE ASSOCIATION HAS ITS OPERATING AND RESERVE ACCOUNTS; TO REMOVE THE DEFINITION FOR REMOTE COMMUNICATION; TO AMEND SECTION 79-11-757, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT BOARD APPROVAL FOR TRANSFERS OF FUNDS GREATER THAN \$10,000.00 IS NOT REQUIRED TO BE IN WRITTEN FORM; TO AMEND SECTION 79-11-759, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HOMEOWNERS ASSOCIATIONS MAY MAINTAIN COMPARABLE

INSURANCE COVERAGE FOR ITS DIRECTORS AND OFFICERS AS AN ALTERNATIVE TO FIDELITY BOND COVERAGE; TO PROVIDE THAT THE MANAGING AGENT IS SOLELY RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE PROVISIONS OF THIS ACT; TO PROVIDE THAT ANY BANK OR SAVINGS ASSOCIATION WITH WHOM A TRUST FUND ACCOUNT IS OPENED SHALL BE HELD HARMLESS FROM ANY LIABILITIES, COSTS, EXPENSES, OR FEES INCURRED BY SUCH BANK OR SAVINGS ASSOCIATION AS A RESULT OF ANY ACTION BROUGHT UNDER THIS ACT; TO BRING FORWARD SECTION 79-11-755, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1013:** AN ACT TO AMEND SECTION 49-19-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI FORESTRY COMMISSION AND COUNTY FORESTERS WHO ARE EMPLOYED BY THE COMMISSION TO ELECTRONICALLY ACCEPT BIDS FOR TIMBER SALES; TO BRING FORWARD SECTION 29-1-1, 31-7-13, 49-19-3 AND 55-3-53, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1036:** AN ACT TO AMEND SECTION 37-29-231, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF TRUSTEES OF EACH COMMUNITY OR JUNIOR COLLEGE, IN ITS DISCRETION, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY OR MUNICIPAL LOCAL GOVERNING AUTHORITY OF THE TOWN, CITY OR MUNICIPALITY WHERE THE COMMUNITY OR JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION SERVICES; TO PROVIDE THAT THE INTERLOCAL AGREEMENT SHALL ALLOW THE COMMUNITY COLLEGE TO ALLOCATE UP TO 50% OF THE TOTAL PURCHASE COST OF NEWLY ACQUIRED FIRE PROTECTION SERVICE EQUIPMENT USED TO PROVIDE TO FIRE PROTECTION SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY OR JUNIOR COLLEGE; TO AUTHORIZE THE BOARD OF TRUSTEES OF THE COMMUNITY OR JUNIOR COLLEGE TO ASSESS A STUDENT FEE UP TO \$10.00 PER SEMESTER FOR EACH STUDENT ENROLLED TO OFFSET THE COST OF THE COLLEGE'S COMMITMENT TO PAY A PERCENTAGE OF THE PURCHASE PRICE FOR THE FIRE SERVICE EQUIPMENT; TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL DISCONTINUE THE LEVY AND COLLECTION OF THE ASSESSMENT ONCE THE REQUISITE AMOUNT OF FUNDS HAVE BEEN COLLECTED; TO PROHIBIT ANY RETROACTIVE PAYMENTS BY THE BOARD OF TRUSTEES TO THE LOCAL GOVERNING AUTHORITY FOR THE PURCHASE OF EQUIPMENT MADE PRIOR TO THE EXECUTION OF THE INTERLOCAL AGREEMENT; TO REQUIRE THE BOARD OF TRUSTEES AND THE LOCAL GOVERNING AUTHORITY TO DULY ADOPT A SYNONYMOUS POLICY DETERMINING THE TIME AND MANNER OF PAYMENT OF THE FEE; TO AMEND SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO BRING FORWARD SECTION 37-101-101, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1179:** AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES TO GRANT UP TO SIX DAYS OF ADMINISTRATIVE LEAVE WITH PAY WITHIN A SIX-MONTH PERIOD TO EMPLOYEES WHO ARE QUALIFIED MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR PATROL PARTICIPATING IN OFFICIAL EMERGENCY SERVICES MISSIONS; TO PROVIDE THAT EMPLOYEES OF ANY PUBLIC OR PRIVATE BUSINESS OR INDUSTRY, WHO ARE ACTIVE MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR PATROL, MAY, IN THE DISCRETION OF AN EMPLOYEE'S EMPLOYER, BE ENTITLED TO A LEAVE OF ABSENCE FROM THEIR RESPECTIVE DUTIES ON ALL DAYS DURING WHICH THEY PARTICIPATE IN AN OFFICIAL OPERATIONAL EMERGENCY SERVICES MISSION FOR THE CIVIL AIR PATROL IN THIS STATE OR IN A STATE CONTIGUOUS TO THIS STATE WHEN THE CIVIL AIR PATROL REQUESTS THE EMPLOYEE'S PARTICIPATION; AND FOR RELATED PURPOSES.

**H. B. No. 1376:** AN ACT TO CREATE THE MISSISSIPPI CONSUMER PRIVACY ACT FOR STATE AGENCIES; TO PROVIDE THAT ANY RECORDS THAT INCLUDE THE ADDRESS, TELEPHONE NUMBER, ELECTRONIC MAIL ADDRESS, DATE OF BIRTH OR SOCIAL SECURITY NUMBER OF ANY LICENSEE AND ARE HELD BY A STATE AGENCY THAT LICENSES PROFESSIONS OR OCCUPATIONS SHALL NOT BE DEEMED PUBLIC RECORDS, UNLESS THAT LICENSEE HAS CONSENTED TO THE RELEASE OF SUCH INFORMATION; TO PROVIDE LIMITED SITUATIONS WHEN PERSONAL INFORMATION OBTAINED BY THE MISSISSIPPI DEPARTMENT OF REVENUE IN CONNECTION WITH A MOTOR VEHICLE RECORD MAY BE DISCLOSED TO ANY REQUESTOR BY THE DEPARTMENT; TO PROVIDE PENALTIES FOR THE IMPROPER USE OF PERSONAL INFORMATION; TO PROVIDE THAT WHENEVER THE DEPARTMENT PROVIDES A REQUESTOR ACCESS TO PERSONAL INFORMATION IN BULK UNDER A CONTRACT, THE CONTRACT SHALL REQUIRE CERTAIN INFORMATION; TO PROVIDE THAT ANY RECORDS HELD BY THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS THAT INCLUDE CERTAIN PERSONAL INFORMATION OF A PERSON WHO HAS DONE BUSINESS WITH THE DEPARTMENT SHALL NOT BE PUBLIC RECORDS; TO BRING FORWARD SECTION 49-7-4, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1378:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 130 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "CORPORAL WALTER GANN MEMORIAL HIGHWAY"; TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 45 LOCATED IN PRENTISS COUNTY AS THE "SENATOR JOHN WHITE MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Hopson called up the following entitled bill:

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

[Until July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in the driver's license division and the sworn officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

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Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
Trooper	***40,314	
Trooper FC		***43,497
Corporal	***46,680	
Sergeant		***49,862

Rank	Years of Experience	
	Over 16 Over 24	Over 20 Over 29
Staff Sgt.	***53,045	
Sr. Staff Sgt.		***56,228
Sgt. 1st Class	***59,410	***

62,593

Rank	Years of Experience		
	Over 5 Over 20	Over 10 Over 25	Over 15 Over 29
Master Sgt.	*** **	*** **	*** **
	56,228 65,776	59,410 68,959	62,593 72,141
Lieutenant	*** **	*** **	*** **
	65,776 75,324	68,959 78,507	72,141 81,689
Captain	*** **	*** **	*** **
	84,872	78,507 88,055	81,689 91,237
Major	*** **	*** **	*** **
	94,420	97,603	91,237 100,786

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Lt. Colonel	***	***	***	***				
			103,968	107,151		100,786	110,334	
Colonel	***	***	***	***				
			118,821	118,821	118,821	118,821		

Department of Public Safety/MS Bureau of Narcotics  
Sworn Officers Salary Schedule

\*\*\*

Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
LE-Agent I	***40,314	
LE-Agent II		***43,497
LE-Agent III	***46,680	
LE-Agent IV		***49,862

Rank	Years of Experience	
	Over 16 Over 24	Over 20 Over 29
LE-Agent V	***53,045	
LE-Agent VI		***56,228

Rank	Years of Experience					
	Over 7	Over 12	Over 17	Over 22	Over 27	Over 32
Lieutenant	***	***	***	***	***	***
			65,776	68,959	72,141	
			75,324	78,507	81,689	
Captain	***	***	***	***	***	
		0	78,507	81,689		
		84,872	88,055	91,237		
Major		***	***	***	***	
			0	91,237		
		94,420	97,603	100,786		

Lt. Colonel	***	***	***	***
	103,968	107,151	100,786	110,334
Colonel	***	***	***	***
	118,821	118,821	118,821	118,821

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector DPS-Highway Patrol Officer VII DPS-Investigator I DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer DPS-Dir. Corr. Intelligence DPS-Dist. Executive Officer DPS-Regional Supv. Driver. Serv.

	DPS-Branch Director
	LE-Dir/Training
	LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)
(j) Major	DPS-Bureau Director II
(k) Lt. Colonel	DPS-Deputy Administrator; DPS-Chief of Staff
(l) Colonel/Chief of Patrol	Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I LE-Agent II LE-Agent III LE-Agent IV LE-Agent V LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II Office Director I
(e) Lt. Colonel	BN-Deputy Administrator
(f) Colonel	Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data

and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

SECTION 2. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

[From and after July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in the driver's license division and the sworn officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

\* \* \*

Rank	Years of Experience	
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Less than 4	Over 4
Over 8	Over 12

Trooper	* * *45,950	
Trooper FC		* * *48,700
Corporal	* * *51,450	
Sergeant		* * *54,200

Rank	Years of Experience	
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Over 16	Over 20
Over 24	Over 29

Staff Sgt.	* * *56,950	
Sr. Staff Sgt.		* * *59,700
Sgt. 1st Class	* * *62,700	* * *

65,800

Rank	Years of Experience		
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Over 5	Over 10	Over 15
Over 20	Over 25	Over 29

Master Sgt.	* * * * * 59,700	* * * * * 62,450	* * * * * 65,200
	67,950	70,700	73,450

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Lieutenant	*** **	68,750	71,500	74,250
		77,000	79,750	82,750
Captain	*** **	87,000	81,000	84,000
			90,000	93,000
Major	*** **	96,000	99,000	93,000
				102,000
Lt. Colonel	*** **	105,000	108,000	102,000
				111,000
Colonel	*** **			
		119,321	119,321	119,321

Department of Public Safety/MS Bureau of Narcotics

Sworn Officers Salary Schedule

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Rank	Years of Experience					
	Less than 4 Over 8	Over 4 Over 12				
LE-Agent I	** *45,950					
LE-Agent II		** *48,700				
LE-Agent III	** *51,450					
LE-Agent IV		** *54,200				
Rank	Years of Experience					
	Over 16 Over 24	Over 20 Over 29				
LE-Agent V	** *56,950					
LE-Agent VI		** *59,700				
Rank	Years of Experience					
	Over 7	Over 12	Over 17	Over 22	Over 27	Over 32
Lieutenant	***	***	***	***	***	***

	68,750	71,500	74,250
	77,000	79,750	82,750
Captain	***	***	***
		81,000	84,000
	87,000	90,000	93,000
Major	***	***	***
			93,000
	96,000	99,000	102,000
Lt. Colonel	***	***	***
			102,000
	105,000	108,000	111,000
Colonel	***	***	***
			119,321
	119,321	119,321	119,321

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector

	DPS-Highway Patrol Officer VII
	DPS-Investigator I
	DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer
	DPS-Dir. Corr. Intelligence
	DPS-Dist. Executive Officer
	DPS-Regional Supv. Driver. Serv.
	DPS-Branch Director
	LE-Dir/Training
	LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)
(j) Major	DPS-Bureau Director II
(k) Lt. Colonel	DPS-Deputy Administrator;
	DPS-Chief of Staff
(l) Colonel/Chief of Patrol Dir-Office of MS Hwy Safety Patrol	

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I
	LE-Agent II
	LE-Agent III
	LE-Agent IV
	LE-Agent V
	LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II
	Office Director I
(e) Lt. Colonel	BN-Deputy Administrator

(f) Colonel Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2120 was adopted.

YEAS AND NAYS On S. B. No. 2120. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Simmons D. T. (12th), Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger as co-authors of **S. B. No. 2120**.

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Senator Hopson moved that **S. B. No. 2673** be recommitted to Appropriations, and the motion prevailed.

**S. B. No. 2673:** "Mississippi Frontline Nurses and Health Care Workers Retention Grant Program"; establish in the Mississippi Department of Health.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2772:** State Small Business Credit Initiative; authorize MDA to form a private nonprofit entity for economic development.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2772. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Whaley called up the motion to reconsider the vote whereby **S. B. No. 2504** passed the Senate and moved that it be reconsidered:

**S. B. No. 2504:** Department of Wildlife, Fisheries and Parks; set term of executive director and create division of parks and recreation.

The foregoing motion prevailed.

Senator Whaley offered the following AMENDMENT NO. 2.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-4-3, Mississippi Code of 1972, is amended as follows:

49-4-3. For the purposes of this chapter, the following words shall have the meanings ascribed herein, unless the context otherwise requires:

(a) "Department" means the Mississippi Department of Wildlife, Fisheries and Parks.

(b) "Commission" means the Mississippi Commission on Wildlife, Fisheries and Parks.

(c) "Executive director" means the chief officer of the department, who is responsible for all functions of the department except those reserved to the Division of Parks and Recreation.

(d) "Division" means the department's Division of Parks and Recreation.

(e) "Executive Director of Parks and Recreation" means the chief officer of the division.

SECTION 2. Section 49-4-6, Mississippi Code of 1972, is amended as follows:

49-4-6. (1) There is hereby created the Mississippi Department of Wildlife, Fisheries and Parks, whose principal office shall be located in Jackson, Mississippi.

(2) (a) The department shall be headed by an executive director who shall be appointed by the Governor with the advice and consent of the Senate. The commission shall submit to the Governor three (3) qualified nominees for the position of executive director. The Governor shall appoint the executive director from the list of qualified nominees submitted \* \* \*. The executive director may serve a term of four (4) years and shall be eligible for reappointment at the end of each term. A reappointment by the Governor shall be subject to the advice and consent of the Senate. No person appointed by the Governor to serve as executive director shall be eligible to take office unless his name shall have been submitted to the Senate for its advice and consent at least thirty (30) days prior to the scheduled adjournment of the regular session of the Legislature being held in the calendar year in which the term of the office of the incumbent executive director shall expire; however, if for any reason an appointment is not given the advice and consent of the Senate prior to the adjournment of such regular session, the Governor may submit an appointment to the Senate for its advice and consent at any time during a regular or extraordinary session of the Legislature.

(b) When a vacancy occurs by the death, removal or resignation of the incumbent, the incumbent's replacement shall be appointed by the Governor, with the advice and consent of the Senate, to serve for the remainder of the unexpired term, but the appointment shall not be subject to the time constraints in paragraph (a) of this subsection. Upon expiration of the remainder of the term, the executive director shall be eligible for reappointment by the Governor, with the advice and consent of the Senate, for a four-year term as provided in paragraph (a) of this subsection.

(c) The executive director may assign those powers and duties as deemed appropriate to carry out the department's lawful functions, except those falling under the responsibility of the division, which may be assigned by the Executive Director of Parks and Recreation. Upon recommendation by the Governor to the commission, the executive director may be removed from office only by both a majority vote of the membership of the commission and the Governor's approval of the removal. To remove the executive director the commission must determine on sound evidence that there is good cause for removal such as willful dereliction in carrying out the duties of executive director, obvious malfeasance in his actions as executive director or conviction of any criminal act. After the determination is made by the commission that the executive director should be removed from office, the commission shall notify the Governor of its determination and the Governor must approve that determination before the executive director is actually removed from office.

(3) The executive director shall appoint heads, who will serve at the pleasure of the executive director. This subsection does not apply to the appointment and service of the Executive Director of Parks and Recreation.

(4) The executive director shall have the authority to organize the department as deemed appropriate to carry out the responsibilities of the department, but the Executive Director of Parks and Recreation shall have independent authority to organize the division.

The organizational charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The executive director shall develop and implement a merit promotion system for all sworn law enforcement officers. Promotion to higher rank shall be based on an individual's merit and length of service. The executive director shall implement the merit promotion system before July 1, 1995.

(6) The Division of Parks and Recreation is created within the department. The division is exclusively vested with the department's powers and duties with respect to state parks.

(7) The division shall be headed by the Executive Director of Parks and Recreation, who shall be appointed by the Governor with the advice and consent of the Senate in the same manner provided in this section for the executive director of the department. The Executive Director of Parks and Recreation shall have authority over the division independent of the authority of the department's executive director.

SECTION 3. Section 49-4-11, Mississippi Code of 1972, is amended as follows:

49-4-11. (1) The executive director shall possess a combination of educational qualifications, experience and skills that clearly demonstrate the ability to manage a multi-functional agency. The minimum qualifications for the position of executive director are as follows:

(a) A master's degree in one (1) of the management functions of the agency, wildlife or fisheries conservation \* \* \* or related sciences, or a master's degree in public or business administration, and at least six (6) years' experience in a public or private organization with administrative management functions similar to those of the agency. At least three (3) of the six (6) years' experience must be in a position with administrative management responsibilities, including personnel supervision and budget management; or

(b) A bachelor's degree in wildlife or fisheries conservation, biology, \* \* \* forestry, agriculture or related sciences, or a bachelor's degree in public or business administration, and at least eight (8) years' experience in a public or private organization with administrative management functions directly related to those of the agency, with four (4) of those years in an administrative management position with personnel supervision and budget management responsibilities.

(2) The Executive Director of Parks and Recreation shall possess a combination of educational qualifications, experience and skills that clearly demonstrate the ability to manage the division. The minimum qualifications for the position of Executive Director of Parks and Recreation are as follows:

(a) A master's degree in parks and recreation or related sciences, or a master's degree in public or business administration, and at least six (6) years' experience in a public or private organization with administrative management functions similar to those of the agency. At least three (3) of the six (6) years' experience must be in a position with administrative management responsibilities, including personnel supervision and budget management; or

(b) A bachelor's degree in parks and recreation or related sciences, or a bachelor's degree in public or business administration, and at least eight (8) years' experience in a public or private organization with administrative management functions directly related to those of the division, with four (4) of those years in an administrative management position with personnel supervision and budget management responsibilities.

SECTION 4. Section 49-4-13, Mississippi Code of 1972, is amended as follows:

49-4-13. \* \* \* (1) The Executive Director of the Department of Wildlife, Fisheries and Parks shall have the following powers and duties, subject to subsection (2) of this section:

(a) To supervise and direct all administrative and technical activities of the department;

(b) To employ, subject to the approval of the commission, qualified professional personnel in the subject matter or fields, and such other technical and clerical staff as may be required for the operation of the department;

(c) To coordinate all studies in the State of Mississippi concerned with the supply, development, use and conservation of wildlife, fisheries and parks;

(d) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department, including a detailed statement of expenditures of the department and any recommendations the department may have;

(e) To enter into cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with studies and investigations pertaining to wildlife, fisheries and parks, provided the agreements do not have a financial cost in excess of the amounts appropriated for such purposes by the Legislature;

(f) In his discretion, to enter into an affinity relationship with a credit card issuer and to expend funds derived therefrom to improve wildlife management areas; and

(g) To carry out all regulations and rules adopted by the commission and enforce all licenses and permits issued by the commission.

(2) With respect to state parks, all powers and duties specified for the executive director in subsection (1) of this section shall be given to the Executive Director of Parks and Recreation.

SECTION 5. Section 49-4-19, Mississippi Code of 1972, is amended as follows:

49-4-19. (1) All employees of the department, except those of the division, when authorized by the executive director, shall be entitled to transportation, traveling and subsistence expenses while away from the office on official business of the department, in accordance with Section 25-3-41 \* \* \*.

(2) All employees of the division, when authorized by the Executive Director of Parks and Recreation, shall be entitled to transportation, traveling and subsistence expenses while away from the office on official business of the division, in accordance with Section 25-3-41.

SECTION 6. Section 49-1-1, Mississippi Code of 1972, is amended as follows:

49-1-1. Wherever used in this chapter, or in any other statute, or rule or regulation affecting the former State Game and Fish Commission and any of its functions or duties:

(a) "Commission" means the Mississippi Commission on Wildlife, Fisheries and Parks.

(b) "Department" means the Mississippi Department of Wildlife, Fisheries and Parks.

(c) "Director" or "executive director" means the Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks.

(d) "Executive Director of Parks and Recreation" means the Executive Director of the Division of Parks and Recreation within the Mississippi Department of Wildlife, Fisheries and Parks.

SECTION 7. Section 49-1-3, Mississippi Code of 1972, is amended as follows:

49-1-3. The Commission on Wildlife, Fisheries and Parks shall be the Mississippi Commission on Wildlife Conservation and shall retain all powers and duties granted by law to the Mississippi Commission on Wildlife Conservation, and wherever the term "Mississippi Commission on Wildlife Conservation" appears in any law the same shall mean the Commission on Wildlife, Fisheries and Parks. The Executive Director of the Department of Wildlife, Fisheries and Parks may assign to the appropriate divisions such powers and duties as it deems appropriate to carry out the lawful duties of the department, and expend funds as lawfully appropriated. With respect to state parks, the powers and duties of the Division of Parks and Recreation are granted to it by statute, independent of assignment by the department's executive director.

SECTION 8. Section 49-1-4, Mississippi Code of 1972, is amended as follows:

49-1-4. The Department of Wildlife, Fisheries and Parks shall be the Department of Wildlife Conservation and shall retain all powers and duties granted by law to the Department of Wildlife Conservation, and wherever the term "Department of Wildlife Conservation" appears in any law the same shall mean the Department of Wildlife, Fisheries and Parks. The executive director may assign to the appropriate divisions such powers and duties as deemed appropriate to carry out the lawful functions of the department. With respect to state parks, the powers and duties of the Division of Parks and Recreation are granted to it by statute, independent of assignment by the department's executive director.

SECTION 9. Section 49-1-19, Mississippi Code of 1972, is amended as follows:

49-1-19. (1) No member of the commission, the executive director, the Executive Director of Parks and Recreation, administrative officer, employee, supervisor or conservation officer shall be active in any manner for or on behalf of his own candidacy or the candidacy of any candidate for any public office during his term of office or employment with said department. Violation of this subsection shall constitute a Class II violation and upon conviction thereof the violator shall be punished as provided in Section 49-7-143 for each offense. A conviction shall render vacant the office or position of the violator.

(2) While retaining the right to vote as he may please and to express privately his opinions on all political subjects, no executive director, Executive Director of Parks and Recreation, or conservation officer shall use his official authority or influence for the purpose of interfering with an election or affecting the results thereof, nor for the purpose of coercing the political action of any person or body.

SECTION 10. Section 49-1-21, Mississippi Code of 1972, is amended as follows:

49-1-21. (1) Each member of the commission or any officer or employee of the commission handling funds of the commission shall execute and file with the proper officer a bond in the sum of Thirty Thousand Dollars (\$30,000.00), with a surety company authorized to do business in the state, which bond shall be approved by the Commissioner

of Insurance and conditioned upon the faithful performance of his official duties. Premiums on the bonds shall be paid by the Department of Wildlife, Fisheries and Parks.

(2) The executive director and the Executive Director of Parks and Recreation shall each execute and file with the State Treasurer a bond in the sum of Thirty Thousand Dollars (\$30,000.00), and each conservation officer shall execute and file a bond in the sum of Two Thousand Dollars (\$2,000.00), conditioned upon the faithful performance of their respective duties and that they, respectively, will account for and pay over pursuant to law all state monies received by them under the laws for the protection of wild animals, birds and fish. They shall be reimbursed for the premiums on their bonds from the Fisheries and Wildlife Fund in case a surety company acts as surety on such bond.

Before entering upon the duties of his office, the executive director, the Executive Director of Parks and Recreation, and each Conservation Officer of the Department of Wildlife, Fisheries and Parks shall take and subscribe to the constitutional oath of office. Such oath or affirmation shall be filed in the office of the Secretary of State.

SECTION 11. Section 49-1-29, Mississippi Code of 1972, is amended as follows:

49-1-29. (1) The commission may promulgate rules and regulations, inaugurate studies and surveys, and establish any services it deems necessary to carry out wildlife laws. A violation of any rules or regulations promulgated by the commission shall constitute a misdemeanor and shall be punished as provided in Section 49-7-101.

(2) The executive director shall have authority with commission approval:

(a) To close or shorten the open season as prescribed by law in cases of urgent emergency on any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians, in any locality, when it finds after investigation and public review that the action is reasonably necessary to secure the perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply in the affected area. The statutes shall continue in full force and effect, except as restricted and limited by the rules and regulations promulgated by the commission.

(b) To designate wildlife refuges, with the consent of the property owner or owners, in any localities it finds necessary to secure perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply for the purpose of providing a safe retreat where the animals may rest and replenish adjacent hunting, trapping or fishing grounds or waters, and to approve land suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22.

(c) To acquire and hold for the state by purchase, condemnation, lease, or agreement as authorized from time to time by the Legislature, and to receive by gifts or devise, lands or water suitable for fish habitats, game and bird habitats, \* \* \* access sites, wildlife refuges, or for public shooting, trapping or fishing grounds or waters, to provide areas on which any citizen may hunt, trap or fish under any special regulations as the commission may prescribe, and to approve lands suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22. The Executive Director of Parks and Recreation shall have the authority granted in this paragraph with respect to state parks.

(d) To extend and consolidate lands or waters suitable for the above purposes by exchange of lands or waters under its jurisdiction.

(e) To capture, propagate, transport, sell or exchange any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians needed for stocking or restocking any lands or waters of the state.

(f) To enter into cooperative agreements with persons, firms, corporations or governmental agencies for purposes consistent with this chapter.

(g) To regulate the burning of rubbish, slashings and marshes or other areas it may find reasonably necessary to reduce the danger of destructive fires.

(h) To conduct research in improved wildlife and fisheries conservation methods and to disseminate information to the residents of the state through the schools, public media and other publications.

(i) To have exclusive charge and control of the propagation and distribution of wild birds, animals, reptiles, fish and amphibians, the conduct and control of hatcheries, biological stations and game and fur farms owned or acquired by the state; to expend for the protection, propagation or preservation of game birds, game or fur-bearing animals, reptiles, fish and amphibians all funds of the state acquired for this purpose arising from licenses, gifts or otherwise; and shall have charge of the enforcement of all wildlife laws.

(j) To grant permits and provide regulations for field trials and dog trainers.

(k) To prohibit and to regulate the taking of nongame gross fish, except minnows.

(l) To enter into agreements with landowners to trap and purchase quail on the premises of the landowner and to provide for the distribution of quail.

(m) To operate or lease to third persons concessions or other rights or privileges on lakes owned or leased by the department. Owners of land adjoining land owned or leased by the department shall have priority to the concessions or rights or privileges, if the owners meet the qualifications established by the commission.

(n) To implement a beaver control program and to charge fees, upon the recommendation of the Beaver Control Advisory Board, to landowners participating in the beaver control program described in Section 49-7-201.

(o) To apply for, receive and expend any federal, state or local funds, contributions or funds from any other source for the purpose of beaver control or eradication.

(p) To require the department to divide the districts into zones if necessary, and periodically survey the districts or zones to obtain information that is necessary to properly determine the population and allowable harvest limits of wildlife within the district or zone.

(q) To grant wildlife personnel access to enter the enclosure and utilize the best collection methods available to obtain tissue samples for testing where CWD has been diagnosed within five (5) miles of the enclosure.

If CWD is detected within an enclosure, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure, a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

SECTION 12. Section 55-3-2, Mississippi Code of 1972, is amended as follows:

55-3-2. For purposes of Chapter 3, Title 55, Mississippi Code of 1972, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Commission" means the Mississippi Commission on Wildlife, Fisheries and Parks.

(b) "Department" means the Mississippi Department of Wildlife, Fisheries and Parks.

(c) "Executive director" means the Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks.

(d) "Division" means the Division of Parks and Recreation within the department.

(e) "Executive Director of Parks and Recreation" means the chief officer of the division.

SECTION 13. Section 55-3-41, Mississippi Code of 1972, is amended as follows:

55-3-41. A fund to be known as "Mississippi Park Fund" is hereby established in the State Treasury, and all funds held in the "Mississippi Park System Fund" shall be transferred thereto.

Funds collected by the department shall be deposited in the State Treasury to the credit of the fund. The interest from the Mississippi Park Fund earned from any investment or deposit made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited to the Mississippi Park Fund by the treasurer. Expenditures shall be made from the fund upon requisition signed by the Executive Director of Parks and Recreation, or by a person whom the Executive Director of Parks and Recreation may designate and the State Fiscal Officer shall issue his warrant on the State Treasury payable out of the Mississippi Park Fund. All funds in the Mississippi Park Fund shall be expended only pursuant to appropriation approved by the Legislature and as provided by law.

SECTION 14. Section 55-3-45, Mississippi Code of 1972, is amended as follows:

55-3-45. The commission may appoint for each state park a local advisory committee to furnish counsel and advice to the Executive Director of Parks and Recreation and to park personnel concerning the operation and development of said park. The committee is to serve without pay.

SECTION 15. Section 55-3-47, Mississippi Code of 1972, is amended as follows:

55-3-47. (1) In order to carry out its management responsibilities over all state park lands which are now or which may hereafter come under its jurisdiction, the Mississippi Department of Wildlife, Fisheries and Parks is hereby authorized to lease, and to grant easements and rights-of-way over and across, any part of such state park lands. Such leases, easements and rights-of-way may be granted for such consideration, and upon such terms and conditions, as the department may deem to be in the best interest of the state, consistent with the use of said lands for recreational purposes, and subject to the following limitations: The department shall lease such lands for a term not exceeding twenty-five (25) years and shall grant in the original lease contract a nonnegotiable option to renew such lease for an additional term not to exceed twenty-five (25) years. Both the original lease contract and the option to renew such lease shall be transferable contracts. Further, the department shall not lease such lands for purposes which are incompatible with recreational use and may place such terms, limitations, restrictions and conditions in such leases as are deemed necessary to ensure the proper utilization of such lands. Any easement for a utility line shall be granted for that period of time which the department deems to be in the best interest of a state park.

(2) The department is further authorized to enter into such agreements as may be required, upon such terms as may be found to be in the best interest of the state, in

settlement of disputes or litigation regarding the title to or boundaries of any state park lands within the jurisdiction of the department, provided such settlement agreements shall be negotiated and drafted with the advice, counsel and assistance of the Attorney General and shall be approved by the Department of Finance and Administration.

(3) In case any of the real estate within any state park under the jurisdiction of the department shall cease to be used or useful for state park purposes, or becomes the subject of boundary or title disputes or litigation, the department may sell and convey the same, with the approval of the Department of Finance and Administration, upon such terms as the Department of Finance and Administration may elect and may, in addition, exchange the same, with the approval of the department, for real estate belonging to any other political subdivision or state, county or local governmental agency or department. The department is authorized to sell and convey or otherwise transfer any state park or historical site as described in subsection (2) of Section 55-3-33. Before any such sale or transfer, except as may occur in settlement of title or boundary disputes or litigation, the department shall publish notice of its intention to sell the park land by public sale to the highest and best bidder at least once each week for three (3) consecutive weeks in at least one (1) public newspaper of general circulation in the county where such land is located and also in at least one (1) newspaper of general circulation throughout the state. Prior to any such sale, the department shall obtain at least two (2) separate and independent appraisals of the land to be sold and may not accept any bid lower than the average of all appraisals made. The department may reject any and all bids. The owner or any co-owner of record next preceding the state in title to any lands sold hereunder by public bid, excluding any entity which may have exercised the power of eminent domain to assist the state in acquiring said lands, shall have the opportunity to reacquire such lands by matching the successful bid therefor. If the owner or any co-owner of record next preceding the state in title, or the heirs or estate of such owner or co-owner, acquires said lands, then the department shall not reserve unto the state any minerals owned by the state underlying the conveyed lands. However, if anyone other than such owner or co-owner, or his heirs or estate, acquires said lands, then the department shall reserve unto the state one-half (1/2) of the minerals owned by the state underlying the conveyed lands, except for lands sold in settlement of title or boundary disputes or litigation, in which case the department may, in its discretion, reserve said minerals. Appraisal fees shall be shared equally by the department and purchaser.

(4) In exercising the authority granted in this section, the department may act by and through \* \* \* the Executive Director of Parks and Recreation in the execution of any document or instrument prepared hereunder. Any lease, deed or settlement agreement executed under the provisions of this section shall bear the seal and attest of the Secretary of State, with whom said instrument or document shall be filed and recorded in addition to any other recording requirements of state law.

This section shall not apply to sixteenth section school lands or lieu lands included within any state park, except as may be necessary or appropriate for the department to ratify or confirm any action taken by the agency or department having jurisdiction over such school or lieu lands.

All revenues collected by the department by virtue of any transaction consummated under the provisions of this section shall be deposited in the Mississippi Park Fund created by Section 55-3-41, from which funds shall be expended only as authorized by the legislative appropriations process.

(5) This section shall not apply to the donation and conveyance of the Nanih Waiya State Park to the Mississippi Band of Choctaw Indians.

SECTION 16. Section 55-3-49, Mississippi Code of 1972, is amended as follows:

55-3-49. The department, through \* \* \* the Executive Director of Parks and Recreation, shall inaugurate a positive program of preventive maintenance for all parks under its jurisdiction.

SECTION 17. Section 55-3-53, Mississippi Code of 1972, is amended as follows:

55-3-53. (1) The Mississippi Department of Wildlife, Fisheries and Parks is hereby authorized and empowered to sell and dispose of timber, trees, deadwood and stumps standing, growing and being upon the lands of state parks. Such timber shall be sold and disposed of under the direction and specifications of the Department of Wildlife, Fisheries and Parks in accordance with sound and efficient principles of selective cutting, forestry management and conservation.

Before any such timber, trees, deadwood and stumps shall be sold, the Department of Wildlife, Fisheries and Parks shall select and mark the trees to be cut and disposed of. No trees or timber shall be marked for cutting when the cutting thereof would destroy or mar the scenic views from the tourist observation points in said park. The purchaser shall pay double price on sale basis for all trees, timber or stumps cut that had not been marked for removing by the Department of Wildlife, Fisheries and Parks.

Before any such timber, trees, deadwood or stumps standing, growing or being upon such land shall be sold, the department shall advertise its intention so to do by publication in a newspaper published or having general circulation in the county or counties where parks are located, such notice to be published at least once a week for three (3) consecutive weeks preceding the sale and by posting one (1) notice in the courthouse in such county. The notice shall specify that such bids shall be filed with the superintendent of the state park involved, who shall transmit same to the Department of Wildlife, Fisheries and Parks for rejection or approval. Said department shall accept the bid of the highest and best bidder for cash, but shall have the right to reject any and all of such bids.

Provided, however, in the case of damage by fire, windstorm, insects or other natural causes which would require immediate sale of the timber, because the time involved for advertisement as prescribed herein would allow decay, rot or destruction substantially decreasing the purchase price to be received had not such delay occurred, the advertisement provisions of this section shall not apply. The \* \* \* Executive Director of Parks and Recreation, upon a written recommendation from the county forester of the county wherein said state park is located, shall determine when immediate sale of the timber is required. When the \* \* \* Executive Director of Parks and Recreation shall find an immediate sale necessary for the causes stated herein, he shall, in his discretion, set the time for receipt of bids on the purchase of said timber, but shall show due diligence in notifying competitive bidders so that a true competitive bid shall be received.

Whenever any timber, trees, deadwood or stumps are sold under the provisions of this section, the purchaser thereof shall have all necessary rights of ingress and egress to enter upon said land and cut and remove such timber, trees, deadwood or stumps.

The proceeds derived or received from all sales under the provisions of this section shall be placed in the State Parks Timber Management Endowment Fund created under Section 55-3-54.

(2) Notwithstanding the provisions of subsection (1) of this section, the Department of Wildlife, Fisheries and Parks may cut and sell trees damaged by fire, windstorm or insects and deadwood and stumps located upon the lands of state parks for firewood. Such firewood shall be sold only to overnight guests at state parks for use at state parks. The Department of Wildlife, Fisheries and Parks shall select and mark all trees to be cut for firewood.

SECTION 18. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each

day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the

names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of Parks and Recreation within the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against

coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

- 20, and
- a. A county traversed by Interstate 55 and Interstate
  - b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities offering alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; however, the governing authorities of the municipality in which such area is located may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; and

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 49-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE AND REVISE DEFINITIONS RELATING TO THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS AND ITS DIVISION OF PARKS AND RECREATION; TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT TO BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO ESTABLISH THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY SERVE A TERM OF FOUR YEARS AND MAY SEEK REAPPOINTMENT SUBJECT TO THE APPROVAL AND APPOINTMENT BY THE GOVERNOR AND THE ADVICE AND CONSENT OF THE SENATE; TO PROVIDE THAT THE SUBMISSION OF THE APPOINTMENT TO THE SENATE TO FILL AN UNEXPIRED TERM OCCURRING DUE TO THE DEATH, REMOVAL OR RESIGNATION OF AN INCUMBENT SHALL NOT BE SUBJECT TO THE TIME CONSTRAINTS PROVIDED FOR APPOINTMENTS TO FULL FOUR-YEAR TERMS; TO CREATE THE DIVISION OF PARKS AND RECREATION WITHIN THE DEPARTMENT; TO PROVIDE THAT THE DIVISION SHALL BE HEADED BY THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE IN THE SAME MANNER AS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND MAY SERVE A TERM OF FOUR YEARS; TO SPECIFY THAT THE DIVISION IS EXCLUSIVELY VESTED WITH THE DEPARTMENT'S POWERS AND DUTIES WITH RESPECT TO STATE PARKS; TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION SHALL HAVE AUTHORITY OVER THE DIVISION INDEPENDENT OF THE AUTHORITY OF THE DEPARTMENT'S EXECUTIVE DIRECTOR; TO AMEND SECTION 49-4-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM QUALIFICATIONS OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, AND TO PROVIDE THE MINIMUM QUALIFICATIONS OF THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION; TO AMEND SECTION 49-4-13, MISSISSIPPI CODE OF 1972, TO ALLOCATE THE POWERS AND DUTIES OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND THE EXECUTIVE DIRECTOR OF PARKS AND RECREATION; TO AMEND SECTIONS 49-4-19, 49-1-1, 49-1-3, 49-1-4, 49-1-19, 49-1-21, 49-1-29, 55-3-2, 55-3-41, 55-3-45, 55-3-47, 55-3-49, 55-3-53 AND 67-1-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

Amendment No. 2 to S. B. No. 2504 was adopted.

YEAS AND NAYS On S. B. No. 2504. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

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

Voting Present--McMahan, Tate. Total--2.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2729:** Single or loose cigarettes; prohibit sale of and set certain penalties for violations.

Senator Bryan moved that **S. B. No. 2729** be recommitted to Public Health and Welfare, and the motion prevailed.

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Senator Barnett called up the following entitled bill:

**S. B. No. 2600:** The Community Rebound Act of 2022; enact.

On motion of Senator Sparks, the Committee Substitute was offered for consideration and the motion lost.

Senator Sparks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created a study committee for the purpose of studying the challenges of monitoring the formerly incarcerated in the pursuit of the reduction of recidivism through targeted support, supervision and skills attainment, and for recommending solutions. The committee shall comprise the following nine (9) members:

(a) Three (3) members of the Senate, to be appointed by the Lieutenant Governor;

(b) Three (3) members of the House, to be appointed by the Speaker of the House of Representatives; and

(c) The Commissioner of the Department of Corrections, or a designee, as ex officio, nonvoting member.

(d) The Chairman of the Mississippi Parole Board, or a designee, as ex officio, nonvoting member.

(e) The Executive Director of Accelerate Mississippi, or a designee, as ex officio, nonvoting member.

(2) Appointments to the study committee shall be made within thirty (30) days of the effective date of this act. At the first meeting, the committee shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records.

(3) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(4) The Commissioner of the Department of Corrections shall provide the staff and other support necessary for the study committee to perform its duties.

(5) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(6) The study committee shall be dissolved on or before January 1, 2023.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE CHALLENGES OF MONITORING FORMERLY INCARCERATE TO REDUCE RECIDIVISM THROUGH TARGETED SUPPORT, SUPERVISION AND SKILLS ATTAINMENT, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2600 was adopted.

YEAS AND NAYS On S. B. No. 2600. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Tate called up the following entitled bill:

**S. B. No. 2572:** Election commissioners; remove requirement of a skills assessment.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on line 203 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2572 was adopted.

YEAS AND NAYS On S. B. No. 2572. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Butler K. (38th), England, Thomas, Jackson (11th), Barnett, Hickman and Jordan as co-authors of **S. B. No. 2572**.

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Senator Tate called up the following entitled bill:

**S. B. No. 2575:** Judicial candidates; revise limitations on speech of.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on lines 17 through 24 by deleting the language starting with the word "It" and ending with the word "vote."

AMEND after line 24 by inserting the following and renumbering subsequent sections accordingly:

SECTION 2. Section 23-15-976, Mississippi Code of 1972, is amended as follows:

23-15-976. A judicial office is a nonpartisan office and a candidate for election thereto is prohibited from \* \* \* qualifying for such an office based on party affiliation. \* \* \*

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2575 was adopted.

Senator Hopson offered the following AMENDMENT NO. 2.

AMEND on line 26 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 2 to S. B. No. 2575 was adopted.

YEAS AND NAYS On S. B. No. 2575. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Caughman, Chassaniol, Chism, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Tate, Whaley, Wiggins, Williams. Total--29.

Nays--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Carter, DeBar, DeLano, Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson. Total--17.

Absent and those not voting--McCaughn, Parks, Suber, Turner-Ford. Total--4.

Senator Blount, who would have voted nay on S. B. No. 2575, announced a pair with Senator Younger, who would have voted yea.

Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2575** passed the Senate.

Unanimous consent was granted to add Senators England and Hill as co-authors of **S. B. No. 2575**.

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:54 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Branning called up the following entitled bill:

**S. B. No. 2508:** Personal delivery devices; regulate.

YEAS AND NAYS On S. B. No. 2508. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Norwood. Total--1.

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

Senator Branning called up the following entitled bill:

**S. B. No. 2481:** Memorial highways; designate segment of MS-488 in Leake County as Hunky Cross Highway in memory of Austin Morrow & others.

Senators Branning, Sojourner, Boyd and DeBar offered the following AMENDMENT NO. 1.

AMEND on lines 7 through 9 by striking "beginning at its intersection with Collier Ferry Road and extending one (1) mile east" and inserting in lieu thereof the following:

beginning at its intersection with Highway 35 and extending east to Whit Alford Road

FURTHER, AMEND by inserting the following below line 13 and renumber subsequent sections accordingly:

SECTION \*. (1) The segment of U.S. Highway 84 located in Franklin County, Mississippi, beginning one-half (1/2) mile east of its intersection with Log Cabin Road and extending east to its intersection with Higginbotham Road is designated and shall be known as the "Mark 'Peanut' Youngblood Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION \*. (1) The segment of Mississippi Highway 334 located in the corporate limits of Oxford, Mississippi, beginning at the bridge passing over U.S. Highway 278/Mississippi Highway 6 and extending north to University Avenue is designated and shall be known as the "Leonard E. Thompson Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION \*. (1) The segment of Mississippi Highway 30 located in the corporate limits of Oxford, Mississippi, beginning at the bridge passing over Mississippi Highway 7 and extending east to County Road 207 is designated and shall be known as the "Nathan Hodges, Jr., Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION \*. Section 9, Chapter 450, Laws of 2020, as amended by Section 1, Chapter 365, Laws of 2021, is amended as follows:

Section 9. (1) The segment of Mississippi Highway 42 in Greene County, Mississippi, beginning at its southern intersection with Mississippi Highway 63 and extending \* \* \* to the Greene County and Perry County line, is designated as the "Deputy U.S. Marshal Jake Green and Greene County Deputy Lawrence Dunnam Memorial Highway, EOW April 1, 1921."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

FURTHER, AMEND the title to conform by inserting the following on line 4 before "AND":

TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 84 LOCATED IN FRANKLIN COUNTY, MISSISSIPPI, AS THE "MARK 'PEANUT' YOUNGBLOOD MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 334 IN OXFORD, MISSISSIPPI, AS THE "LEONARD E. THOMPSON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 30 IN OXFORD, MISSISSIPPI, AS THE "NATHAN HODGES, JR., MEMORIAL HIGHWAY"; TO AMEND SECTION 9, CHAPTER 450, LAWS OF 2020, AS AMENDED BY SECTION 1, CHAPTER 365, LAWS OF 2021, TO REVISE THE DESCRIPTION OF THE SEGMENT OF MISSISSIPPI HIGHWAY 42 IN GREENE COUNTY, MISSISSIPPI, DESIGNATED AS THE "DEPUTY U.S. MARSHAL JAKE GREEN AND GREENE COUNTY DEPUTY LAWRENCE DUNNAM MEMORIAL HIGHWAY, EOW APRIL 1, 1921";

Amendment No. 1 to S. B. No. 2481 was adopted.

YEAS AND NAYS On S. B. No. 2481. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Polk called up the following entitled bill:

**S. B. No. 2165:** State agencies; prohibit travel to any state, county or municipality that has banned employee travel to Mississippi.

On motion of Senator Polk, the Committee Substitute was offered for consideration.

Senator Polk moved that **S. B. No. 2165** be recommitted to Accountability, Efficiency, Transparency, and the motion prevailed.

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Senator Polk called up the following entitled bill:

**S. B. No. 2814:** Mississippi Water Quality Commission; create for the purpose of providing oversight of certain water and sewer systems.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2814. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

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

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Unanimous consent was granted to add Senators Jackson (11th) and Jordan as co-authors of **S. B. No. 2814**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2803:** Sheriffs; increase salaries of sheriffs for counties with certain population.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

Senator Polk offered the following AMENDMENT NO. 1.

AMEND on line 21 by deleting "forty-five thousand (45,000) and inserting forty-four thousand (44,000) in lieu thereof.

AMEND on line 25 by deleting "thirty-four thousand (34,000) and inserting thirty thousand (30,000) in lieu thereof.

AMEND on lines 25 and 26 by deleting "forty-five thousand (45,000) and inserting forty-four thousand (44,000) in lieu thereof.

AMEND on line 29 by deleting "fifteen thousand (15,000) and inserting twelve thousand five hundred (12,500) in lieu thereof.

AMEND on lines 29 and 30 by deleting "thirty-four thousand (34,000) and inserting thirty thousand (30,000) in lieu thereof.

AMEND on line 33 by deleting "fifteen thousand (15,000) and inserting twelve thousand five hundred (12,500) in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2803 was adopted.

Senator Harkins offered the following AMENDMENT NO. 2.

AMEND by inserting the following subsection after line 199 and renumbering subsequent subsections accordingly:

(\* In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Ten Thousand Dollars (\$10,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

Amendment No. 2 to S. B. No. 2803 was adopted.

YEAS AND NAYS On S. B. No. 2803. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators England, Norwood, Simmons D. T. (12th), Seymour, Barrett, Suber, DeBar, DeLano, Jordan, Frazier, Thomas, Butler K. (38th), Jackson (11th), Barnett, McLendon, Michel, Harkins, Williams, Caughman, Butler A. (36th), Parker, Hickman, Blackwell, Wiggins, Tate, Sparks, Moran, Whaley, Blount, Hopson and McCaughn as co-authors of **S. B. No. 2803**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2647:** Board of Cosmetology and Barbering; create, and abolish Board of Barber Examiners.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senators Blackwell and Polk offered the following AMENDMENT NO. 1.

AMEND by striking lines 31 - 41 and substituting the following in lieu thereof:

73-7-1. There is hereby \*\*\* created the State Board of Cosmetology and Barbering, composed of \*\*\* the following eight (8) members to be appointed by the Governor, with the advice and consent of the Senate \*\*\*: one (1) cosmetologist who is a salon owner, three (3) barbers, one (1) cosmetology or barber school owner, one (1) cosmetology or barber instructor, one (1) manicurist or esthetician, and one (1) member of the public who is not a cosmetologist, barber or related profession. The State Health Officer, or his or her designee, shall serve in an ex officio capacity. \*\*\* Two (2) members shall be appointed from each Supreme Court district and two (2) members from the state at large.

Amendment No. 1 to S. B. No. 2647 was adopted.

YEAS AND NAYS On S. B. No. 2647. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Blackmon, Blackwell, Blount, Boyd, Chassaniol, DeBar, Frazier, Hopson, Horhn, Norwood, Polk, Simmons S. (13th), Sparks, Suber, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--19.

Nays--Barnett, Barrett, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Seymour, Simmons D. T. (12th), Sojourner, Tate, Thomas, Whaley. Total--32.

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

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Senator DeBar moved that the rules be suspended to move to calendar item 24, **S. B. No. 2706**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

**S. B. No. 2706:** Third-grade reading assessment for 2021-2022 school year; allow students who fail to be promoted to fourth grade with remediation.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2706. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Norwood, Butler A. (36th), Butler K. (38th), McLendon, Frazier, Thomas, Simmons D. T. (12th), Simmons S. (13th), Jackson (11th), Barnett and Jordan as co-authors of **S. B. No. 2706**.

Senator Wiggins called up the following entitled bill:

**S. B. No. 2350:** Certificate of Foreign Birth; allow issuance by Bureau of Vital Statistics.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND on line 37 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2350 was adopted.

YEAS AND NAYS On S. B. No. 2350. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Tate called up the following entitled bill:

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on line 72 by deleting "(i)"

AMEND on lines 74 through 78 by deleting "file a notice of appeal with the Mississippi Ethics Commission. The commission shall consider the appeal in accordance with the rules to be adopted and published by the commission pursuant to Title 25, Chapter 43, Mississippi Code of 1972." and inserting in lieu thereof the following:

appeal the decision of the Secretary of State to the Circuit Court for the First Judicial District of Hinds County in accordance with the applicable rules of the court.

FURTHER, AMEND by deleting lines 79 through 83.

Amendment No. 1 to S. B. No. 2306 was adopted.

YEAS AND NAYS On S. B. No. 2306. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2659:** Medicaid waivers and authority of Governor to alter eligibility in accordance with federal law; bring forward.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND by striking Section 1 in its entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2659 was adopted.

YEAS AND NAYS On S. B. No. 2659. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeLano called up the following entitled bill:

**S. B. No. 2530:** State Enterprise Security Program; bring forward provisions which establish.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2530. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeLano called up the following entitled bill:

**S. B. No. 2531:** Mississippi Emergency Communications Act; create.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

Senator DeLano offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Emergency Communications Authority Act."

SECTION 2. As used in this act, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

(a) "Authority" means the Mississippi Emergency Communications Authority.

(b) "Board of Governance" or "board" means the governing body of the authority.

(c) The director of the authority shall be the Emergency Management Communications Coordinator of the Mississippi Emergency Management Agency (MEMA).

(d) "Commercial mobile radio service provider" or "CMRS provider" means a person, corporation, or entity licensed by the Federal Communications Commission to offer CMRS in the State of Mississippi, and includes, but is not limited to, broadband personal communications service, cellular radio telephone service, geographic area Specialized Mobile Radio (SMR) services in the 800 MHz and 900 MHz bands that offer real-time, two-way voice service that is interconnected with the public switched network, incumbent wide area SMR licensees, or any other cellular or wireless telecommunications service to any service user.

(e) "Next Generation 9-1-1" or "NG9-1-1" or "NG911" means a secure, Internet Protocol (IP)-based, open-standards system comprised of hardware, software, data and operational policies and procedures that:

(i) Provides standardized interfaces from emergency call and message services to support emergency communications;

(ii) Processes all types of emergency calls, including voice, text, data and multimedia information;

(iii) Acquires and integrates additional emergency call data useful to call routing and handling;

(iv) Delivers the emergency calls, messages, and data to the appropriate Public Safety Answering Point (PSAP) and other appropriate emergency entities based on the location of the caller;

(v) Supports data, video and other communications needs for coordinated incident response and management; and

(vi) Interoperates with services and networks used by first responders (and other 911 systems) to facilitate emergency response. NG911 is designed to provide access to emergency services from all connected communications sources and provide multimedia data capabilities for Public Safety Answering Points (PSAPs) and other emergency service organizations.

(f) "Emergency Communications Service Charge Fund" means the Emergency Communications Service Fund required to be established and maintained pursuant to Section 3 of this act.

(g) "Emergency communications service charge" means the emergency communications service charge levied and maintained pursuant to this section and collected pursuant to Section 3 of this act.

(h) "Distribution formula" means the formula specified in Section 3 of this act by which monies generated from the Emergency Communications Service Charge Fund are distributed to the local emergency communications districts and to the authority.

(i) "ECD" means an emergency communications district created pursuant to Section 19-5-301 et seq., or by a local and private act of the State of Mississippi.

(j) "Exchange access facility" means an "exchange access facility" as defined by Section 19-5-303.

(k) "Place of primary use" means the street address representative of where the consumer's use of communications services primarily occurs, which must be either the residential street address or the primary business street address of the consumer. When location of primary use is impractical to determine, the physical address for billing may be used.

(l) "Service supplier" means a "service supplier" as defined by Section 19-5-303.

(m) "Consumer" means a person who purchases retail communications service or prepaid wireless telecommunications service in a retail transaction.

(n) "Prepaid wireless emergency communications services charge" means the charge that is required to be collected by a seller from a consumer in the amount established under Section 3 of this act.

(o) "Prepaid wireless communications service" means a wireless communications service that allows a caller to access PSAP through a placed call or wireless data connection, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount.

(p) "Service provider" means an entity that provides a service that allows the two-way transmission, conveyance or routing of voice, data, audio, video or any information of signals, including cable and internet protocol services, to a point or between or among points by or through any electronic, radio, satellite, cable, optical, microwave or other medium or method in existence on or after the effective date of this definition, regardless of protocol used for the transmission or conveyance, only if that service is capable of contacting a PSAP by entering or dialing the digits 911 and is subject to applicable federal or state requirements to provide the 911 dialing capability. The term does not include wireless and internet-protocol-enabled services that are exempt from Federal Communications Commission regulations for 911 communications service, 911 service and next generation 911 service.

(q) "Retail transaction" means the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. A retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for purposes of Section 27-65-19(1)(d)(v)3.c.

(r) "Seller" means a person who sells prepaid wireless telecommunications service to another person.

(s) "Emergency Services IP Network" or "ESInet" means a managed IP network that is used for emergency services communications, and which can be shared by all public safety agencies. It provides the IP transport infrastructure upon which independent application platforms and core services can be deployed, including, but not restricted to, those necessary for providing NG9-1-1 services. ESInets may be constructed from a mix of dedicated and shared facilities. ESInets may be interconnected at local, regional, state, federal, national and international levels to form an IP-based internetwork (network of networks).

(t) "Geographic Information System" or "GIS" is a system for capturing, storing, displaying, analyzing and managing data and associated attributes which are spatially referenced.

(u) "Internet Protocol" or "IP" means the method by which data is sent from one computer to another on the internet or other networks.

(v) "Public Safety Answering Point" or "PSAP" is an entity responsible for receiving 9-1-1 calls and processing those calls according to a specific operational policy.

(w) "NG911 Implementation Fund" established to deposit/transfer all revenues derived from the existing CMRS providers' accounts payable fund (as stated in Section 19-5-333(2)(c)(i)) that was levied on CMRS connections since the inception of Sections 19-5-335 and 19-5-343. These monies shall be deposited/transferred into an insured, interest-bearing account and these revenues which are deposited into the NG911 Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. Interest derived from the NG911 Implementation Fund shall be used for capital improvements and implementation of NG911 and related purposes as decided by the authority.

(x) "NG911 Fund" is specifically used to implement/deploy, maintain and upgrade as necessary a statewide NG911 Services Network, activities and/or infrastructure and other duties of the Mississippi Emergency Communications Authority as set forth in this act.

(y) "Location" is a single physical address.

SECTION 3. (1) There is established the Mississippi Emergency Communications Authority as an instrumentality of the state. The authority and service providers shall work in cooperation with the state and local government to plan for and implement a framework of both technical and operational aspects of implementing and operating an interoperable and interconnected Next Generation 911 public safety network. The authority may contract and be contracted with and defend and bring actions, including, but not limited to, a private right of action to enforce this act. The authority shall be an entity within the Mississippi Emergency Management Agency and attached to said agency for all operational purposes. The director is the ultimate authority and administrative head of the authority. The director shall be responsible for ensuring the authority is compliant with applicable state and federal programs and law. The director shall serve at the will and pleasure of the Executive Director of Mississippi Emergency Management Agency. All employees shall serve at the will and pleasure of the executive director.

(2) The primary purpose of the authority shall be to provide standards, protocols and guidelines for developing and implementing N911 plans for ECDs throughout the state.

(3) The authority shall administer, receive, audit and remit emergency communications services charges for the benefit of local governments, as specified in this article, and on such terms and conditions as may be determined to be in the best interest of the operations of ECDs.

(4) The authority shall act as a statewide authority and resource for the implementation of a statewide NG911 plan. On or before December 31, 2022, the authority shall develop, establish and publish minimum standards and requirements for ECD N911 plans to be certified as compliant with the statewide NG911 Plan.

(5) In addition to the purposes specified in subsection (2) of this section, the authority shall have the duties and responsibilities to:

(a) Apply for, receive, and use federal grants or state grants or both;

(b) Study, evaluate and establish technology standards for the regional and statewide provision of a public safety communications network and NG911 systems; review and revise technology standards based on orders and ruling by the Federal Communications Commission (FCC);

(c) Identify and recommend any changes necessary to accomplish more effective, efficient and sustainable emergency communication service across this state, including consolidation and interoperability of PSAPs and/or 911 systems, recommending a long-term plan for standardization of operational processes and training, recommending any legislation necessary to implement the long-term strategic statewide NG911 Plan, and reporting its recommendations to the Legislature;

(d) Identify and recommend any changes necessary in the assessment and collection of emergency communication service charges; provide a report to the Legislative Services Office of the Senate and the House of Representatives;

(e) Develop, offer or make recommendations to the Mississippi Board of Emergency Telecommunications Standards and Training (Section 19-5-351) and other state agencies, as to standardized training that should be provided to telecommunicators, trainers, supervisors and directors of Public Safety Answering Points;

(f) Recommend minimum standards for the operation of public safety answering points and the authority shall develop and implement a quality assurance program internally and shall monitor local and regional PSAP compliance with technical and operational standards, requirements and practices;

(g) Collect data and statistics regarding the performance and operation of public safety answering points and coordinate with ECDs to provide technical assistance when requested;

(h) Identify any necessary changes or enhancements to develop and deploy NG911 statewide and to establish policies and procedures to develop and implement a plan to provide NG911 services;

(i) Investigate and incorporate Geographical Information Systems standards and mapping and other resources into the plan and formulate recommended strategies for the efficient and effective delivery of NG911 services;

(j) Each ECD shall submit financial and program audits to the board of governance on a schedule of not less than once every three (3) years. The State Auditor shall be responsible for determining that such audits are prepared in accordance with generally accepted governmental auditing standards, and that such program audits shall test whether emergency communications districts are spending funds in an efficient and effective manner and whether emergency communications districts are using best practices in the contracting for goods and services. The State Auditor shall also prescribe procedures necessary to assure that the books and records are kept in accordance with generally accepted accounting principles; and

(k) The Mississippi Emergency Communications Authority shall have the authority to act upon any adverse findings noted in such audits or financial statements and to order such action as may be necessary to remedy the adverse findings.

(6) (a) Management of the authority shall be vested in a director with technical guidance and recommendations from the board of governance which shall consist of the following:

(i) The Commissioner of Public Safety, or his or her designee;

(ii) One (1) member appointed by the Governor selected from two (2) nominees submitted by the GIS Coordinating Council;

(iii) One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi 911 Coordinators Association;

(iv) One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi Chapter of the Association of Public Safety Communications Officials;

(v) One (1) member appointed by the Governor selected from two (2) nominees submitted by the Mississippi Chapter of the National Emergency Number Association;

(vi) One (1) member appointed by the Lieutenant Governor who shall be an elected member of a county board of supervisors selected from two (2) nominees submitted by the Mississippi Association of Supervisors;

(vii) One (1) member appointed by the Lieutenant Governor who may be a county manager, county administrator or finance officer from a county that operates or contracts for the operation of a public safety answering point selected from two (2) nominees submitted by the Mississippi Association of Supervisors;

(viii) One (1) member appointed by the Governor selected from two (2) nominees submitted by Mississippi Emergency Medical Services;

(ix) One (1) member appointed by the Lieutenant Governor who shall be an elected member of a municipal governing authority, city manager, city administrator, or finance officer from a municipality that operates or contracts for the operation of a public safety answering point selected from two (2) nominees submitted by the Mississippi Municipal League;

(x) One (1) member appointed by the Governor who shall be from the telecommunications industry;

(xi) One (1) member appointed by the Lieutenant Governor who is a sheriff responsible for managing a public safety answering point selected from two (2) nominees submitted by the Mississippi Sheriffs' Association;

(xii) One (1) police chief appointed by the Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Association of Chiefs of Police; and

(xiii) One (1) fire chief appointed by the Lieutenant Governor who is serving a local government selected from two (2) nominees submitted by the Mississippi Fire Chiefs Association.

(b) The initial term for appointments made pursuant to subparagraphs (ii), (iii), (iv), (v), (vi) and (vii) of paragraph (a) of this subsection shall be from July 1, 2022, until June 30, 2025. These initial appointments shall be made by July 1, 2022. The initial term for appointments made pursuant to subparagraphs (viii), (ix), (x), (xi), (xii) and (xiii) of paragraph (a) of this subsection shall be from July 1, 2022, until June 30, 2024. All subsequent terms shall be for three (3) years. Any vacancies that occur prior to the end of a term shall be filled by appointment in the same manner as the original appointment and shall be for the remainder of the unexpired term. Upon expiration of his or her term of office, a board member shall continue to serve until his or her successor has been duly appointed and qualified. Members may be appointed to successive terms. In the event of a vacancy, the vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. Any vacancy occurring on the board, whether for an

expired or unexpired term, shall be filled by appointment as soon as practicable after the vacancy occurs. Appointments made at times when the Senate is not in session shall be effective immediately ad interim and shall serve until the Senate acts on the appointment as provided herein. Any appointments made while the Senate is not in session shall be submitted to the Senate not later than the third legislative day following the reconvening of the Legislature. In the event the Senate fails or refuses to act on the appointment, the person whose name was submitted shall continue to serve until action is taken on the appointment by the Senate.

(c) The board may appoint additional persons to serve in an advisory role to the board. Such advisers shall be nonvoting and shall not be counted in ascertaining if a quorum is present.

(d) Members of the board of governance shall receive no compensation for their services, but may be authorized by the authority to receive reimbursement from funds of the authority as provided by state law for travel associated with their service in an amount not to exceed the reimbursement authorized for state officers and employees in Section 25-3-41.

(e) Seven (7) members of the board of governance shall constitute a quorum, and the affirmative votes of a majority of a quorum shall be required for any action to be taken by the board.

(f) The director of the authority shall convene the initial meeting of the board of the authority no later than August 1, 2022, at which time the board shall elect one (1) of its members as chairperson. In addition, the board shall elect from its membership a vice chairperson and a secretary/treasurer.

(g) The board of governance shall promulgate bylaws and may adopt other procedures for governing its affairs and for discharging its duties as may be permitted or required by law or applicable rules and regulations, provided that the director has ultimate authority for approving, denying or modifying such bylaws and procedures.

(7) The authority, through its director and board of governance, shall have the power and authority to:

(a) Have a seal and alter the same at its pleasure;

(b) Require each ECD to submit a plan to implement a NG911 program consistent with Section 3 of this act. The ECD may obtain technical assistance from the authority in formulating its plan. Each NG911 plan shall be designed to meet the individual circumstances of each community and public agency participating in the ECD. The plan shall consider efficiencies to be achieved from regionalization and consolidation. Once the board reviews each ECD's plan for completeness and compliance with the statewide NG911 Plan, the board shall vote to make a recommendation to the director. The director may either approve, deny, or remand the plan back to the board with notes for further work;

(c) Make and execute contracts, lease agreements, and all other instruments necessary or convenient to exercise the powers of the authority or to further the public purpose for which the authority is created, including, but not limited to, professional services;

(d) Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or personal property of every kind and character, or any interest therein, in furtherance of the purpose of the authority;

(e) Apply for and to accept any gifts or grants, loan guarantees, loans of funds, property, or financial or other aid in any form from the federal government or any

agency or instrumentality thereof, from the state government or any agency or instrumentality thereof, or from any other source for any or all purposes specified in this article and to comply, subject to the provisions of this article, with the terms and conditions thereof;

(f) Deposit or otherwise invest funds held by it in any state depository or in any investment that is authorized for the investment of proceeds of state general obligation bonds and to use for its corporate purposes or redeposit or reinvest interest earned on such funds;

(g) Establish and maintain the Emergency Communications Service Charge Fund, the NG911 Fund and the NG911 Implementation Fund;

(h) Receive, manage, control and distribute the Emergency Communications Service Charge Fund remitted to the Department of Revenue on behalf of the authority and pursuant to Section 6 of this act. The emergency communications service charges shall be deposited into an insured, interest-bearing account. The revenues which are deposited into the Emergency Communications Service Charge Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. Interest derived from the Emergency Communications Service Charge Fund shall be divided on a pro rated basis of total revenue collected on behalf of each 911 Emergency Communications District (ECD);

(i) Retain during each calendar month an amount not to exceed five percent (5%) of the money allocated to the NG911 Fund for the operations of the authority in administering Section 3 of this act;

(j) Identify and define by geospatial layer, all ECD's throughout the state. The authority shall adopt a schedule of all zip codes plus four (4) designations as required by the federal Universal Sourcing Act for ECDs in the state. An ECD that has within its jurisdiction zip code designations that do not adhere to county lines shall assist the authority in determining the appropriate ECD for scheduling. This schedule will be used by the authority to establish a distribution formula by which the authority will make disbursements of the emergency communications service charge to ECDs in the following amounts and in the following manner:

(i) Out of the funds collected by the Department of Revenue, on behalf of the authority, up to thirty percent (30%) shall be deposited into the NG911 Fund, and shall be used to plan and prepare for the transition from legacy 911 to NG911 by implementing/deploying and maintaining core components of NG911 functionality, including an IP-based system comprised of managed Emergency Services IP networks (ESInets), functional elements (applications), databases (GIS), and call-handling systems that replicate traditional E911 features and functions and provides additional capabilities. Other than paragraph (i) of this subsection (7), no other NG911 funds shall be used for any other purpose. The funds deposited in the NG911 Fund shall accrue to the benefit of each ECD. No ECD may access NG911 Funds until the authority, through written authorization from the director, has approved the ECD's NG911 Plan.

(ii) The remainder of all funds collected by the authority, which shall not be less than seventy percent (70%) of the total funds collected by the Department of Revenue on behalf of the authority of the Emergency Communications Service Charge Fund shall be distributed by the authority monthly based on the number of CMRS connections or other method as recommended by a vote of the board and subject to approval by the Director, in each ECD for use in providing PSAP services, including capital improvements, and in their normal operations. This method shall consider the best available pro rata formula for distributing funds to each county by population of prepaid wireless plans;

(k) To obtain from an independent, third-party auditor retained by the board to provide annual reports to the authority no later than sixty (60) days after the close of each fiscal year, which shall provide an accounting for all emergency communications service charges deposited into the Emergency Communications Services Charge Fund during the preceding fiscal year and all disbursements to ECDs during the preceding fiscal year. The authority shall provide a copy of the annual reports to the Chairmen of Appropriations Committees of the House of Representatives and Senate and Legislative Services Office within thirty (30) days of receipt of report;

(l) To retain an independent, third-party accountant who shall audit service providers at the discretion of the authority to verify the accuracy of each service providers' emergency communications service charge collection. The information obtained by the audits shall be used solely for the purpose of verifying that service providers are accurately collecting and remitting the emergency communications service charges and may be used for any legal action initiated by the authority against service providers. The authority is prohibited from retaining a third-party accountant on a contingency fee or other success-based arrangement. The authority shall be subject to the following:

(i) The authority shall develop a schedule for auditing service providers according to criteria adopted by the board. Such schedule shall provide for an audit of a service provider not more than once every three (3) years. Any such audit shall cover a representative sample of the service provider's customer base in the state; and

(ii) Any claim by the authority seeking to adjust the amount of any collection, remittance or charge reported by the service provider or imposing any penalty shall be limited to the period of three (3) years prior to the date of the initial notice to the service provider of the audit;

(m) To levy interest charges at the legal rate of interest established in Section 75-17-1 on any amount due and outstanding from any service provider who fails to remit emergency communications service charges in accordance with Section 6 of this act;

(n) To promulgate such rules and regulations as may be necessary to effect the provisions of Sections 1 through 9 of this act;

(o) To maintain a registration database of all service providers and to impose an administrative fine on any provider that fails to comply with the registration requirements in this act;

(p) In order to provide additional funding for implementing, deploying, operating, and maintaining NG911 programs, the authority may receive federal, state, county or municipal funds, as well as funds from private sources, and may expend such funds for the purposes of Section 19-5-301 et seq.

(8) The creation of the authority and the carrying out of its purpose under this act are in all respects for the benefit of the people of this state. The authority shall be carrying out an essential governmental function on behalf of local governments in the exercise of the powers conferred upon it by this act and is, therefore, given the same immunity from liability for carrying out its intended functions as other state officials and employees.

(9) The authority shall not be required to pay taxes or assessments upon any real or personal property acquired under its jurisdiction, control, possession, or supervision.

(10) All monies received by the authority pursuant to this act shall be deemed to be trust funds to be held and applied solely as provided in this act.

(11) This act, being for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes thereof.

(12) The board shall be subject to and shall comply with the Mississippi Administrative Procedures Law in the same manner as a state agency. The board may promulgate and amend, from time to time, such rules or regulations, consistent with this act and the Mississippi Administrative Procedures Law as it deems consistent with or required for the public welfare, for the administration of any provision of this act, or for the orderly conduct of the board's affairs. Any claim by the authority that a service supplier has violated any provision of this act shall be adjudicated as a contested proceeding under the Mississippi Administrative Procedures Law, Section 25-43-1.101, and be subject to judicial review under the Mississippi Administrative Procedures Law, Section 25-43-1.101.

(13) It is the Legislature's intent to ensure that the NG911 Fund shall be used for capital improvements and implementation of NG911 by the ECD and related purposes consistent with a certified NG911 implementation plan as approved by the authority and Board of Governance.

(14) The NG911 Implementation Fund shall be used to fund planning, capital expenditures and/or infrastructure associated with the deployment of NG911 plans and the duties of the Mississippi Emergency Communications Authority or its authorized agent as set forth in this act.

SECTION 4. All information submitted to the authority or to the independent, third-party auditor as required by this act shall be retained by the authority and such auditor in confidence and shall be subject to review only by the authority. Further, notwithstanding any other provision of the law, no information so submitted shall be subject to subpoena or otherwise released to any person other than to the submitting service provider, the authority, and the aforesaid independent, third-party auditor without the express permission of the administrator and the submitting service provider. General information collected by the aforesaid independent, third-party auditor shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers of revenues attributable to an individual service provider.

SECTION 5. The Attorney General shall provide legal services for the authority.

SECTION 6. (1) The state hereby authorizes each county to levy an emergency communications service charge in an amount not to exceed One Dollar (\$1.00) per residential telephone subscriber line per month, Four Dollars (\$4.00) per Voice over Internet Protocol subscriber account per month, Four Dollars (\$4.00) per commercial telephone subscriber line per month for exchange telephone service, Four Dollars (\$4.00) per CMRS connection per month, and Four Dollars (\$4.00) for a prepaid wireless telecommunications service purchased in a retail transaction.

(2) (a) No such emergency communications service charge shall be imposed upon more than two hundred (200) exchange access facilities or Voice over Internet Protocol lines per location. Trunks or service lines used to supply service to CMRS providers shall not have an emergency communications service charge levied against them.

(b) In computing the amount due under this subsection, the number of emergency communications service charges a consumer shall be assessed shall not exceed the number of simultaneous outbound calls that can be made from voice channels that the service supplier has activated and enabled. For service that provides to multiple locations shared simultaneous outbound voice channel capacity configured to and capable of accessing a PSAP in different states, the monthly emergency communications service charge shall be assessed only for the portion of such shared voice channel capacity in Mississippi as identified by the service provider's books and records. In determining the portion of the shared capacity in the state, a service provider may rely on, among other factors, a customer's certification of its allocation of capacity in Mississippi, which may be based on each end-user location, the total number of end users, and the number of end users at each end-user location.

(3) For purposes of applying the emergency communication service charge (a) when a service provider delivers service to the same person, business or organization the voice channel capacity to make more than one (1) simultaneous outbound call from an exchange access facility, then each such separate simultaneous outbound call voice channel capacity, regardless of technology, shall constitute a separate service; and (b) when the same person, business, or organization has several wireless telephones, each CMRS connection shall constitute a separate service. A broadband connection used for telephone service shall not constitute a separate voice channel capacity subscription for purposes of the emergency communication service charge.

(4) Each service provider shall act as a collection agent for the emergency communications service charge and shall, as part of the provider's normal monthly billing process, collect the emergency communications service charges levied upon providers and customers pursuant to subsection (1) of this section and shall, not later than thirty (30) days after the end of the calendar month in which such emergency communications service charges are collected, remit to the Department of Revenue the emergency communications service charges so collected. A return, in such form as the Department of Revenue and the service supplier agree upon, shall be filed with the Department of Revenue, to include aggregate emergency communications service charges collected and reported to the Department of Revenue on a county or ECD basis as determined by the authority using a zip code, plus four (4) designations, as required by the federal Uniform Sourcing Act, and a remittance of the amount of service charge collected payable to the Emergency Communications Service Charge Fund.

(5) Each service provider shall be entitled to deduct and retain from the emergency communications service charges collected by such provider during each calendar month an amount not to exceed one percent (1%) of the gross aggregate amount of such collections as reimbursement for the costs incurred by such provider in collecting, handling and processing such emergency communications service charges.

(6) Each service provider shall list the emergency communications service charge as a separate entry on each bill, which includes an emergency communications service charge.

(7) The service supplier shall maintain records of the amount of service charge collected for a period of at least two (2) years from date of collection. The authority shall receive an annual audit of the service supplier's books and records with respect to the collection and remittance of the service charge.

(8) The service charge shall be the liability of the consumer and not the service provider. The service provider shall have no obligation to take any legal action to enforce the collection of any emergency communications service charge; however, the service provider shall annually provide the authority, upon request by the authority, with a list of the amount uncollected, together with the names and addresses of those service users who carry a balance that can be determined by the service provider to be nonpayment of such service charge. Good-faith compliance by the service provider with this provision shall constitute a complete defense to any legal action or claim which may result from the service provider's determination of nonpayment and/or the identification of service users in connection therewith.

(9) Each service provider shall register with the authority and the Department of Revenue and shall provide the following information upon registration:

- (a) The company name of the provider;
- (b) The marketing name of the provider;
- (c) The publicly traded name of the provider;

(d) The physical address of the company headquarters and of the main office located in the State of Mississippi; and

(e) The names and addresses of the providers' board of directors/owners.

Each service provider shall notify the authority of any change in the information prescribed in paragraphs (a) through (e) of this subsection (9). The authority may impose an administrative fine in an amount not to exceed Ten Thousand Dollars (\$10,000.00) on any provider which fails to comply with the provisions of this subsection.

(10) (a) For prepaid wireless communications service, the emergency communications service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the emergency communications service charge shall be either separately stated on an invoice, receipt or other similar document that is provided to the consumer by the seller, or otherwise disclosed to the consumer.

(b) The prepaid wireless emergency service charge is the liability of the consumer and not of the seller or of any service provider, except that the seller shall be liable to remit all prepaid wireless emergency service charges that the seller collects from consumers as provided in subsection (1) of this section, including all such charges that the seller is deemed to have collected where the amount of the charge has not been separately stated on an invoice, receipt or other similar document provided to the consumer by the seller.

(c) Prepaid wireless emergency communications service charges collected by sellers shall be remitted to the Department of Revenue at the times and in the manner provided by Title 27, Chapter 65, Mississippi Code of 1972, with respect to sales and use taxes. The Department of Revenue shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply to Title 27, Chapter 65, Mississippi Code of 1972.

(d) The audit and appeal procedures applicable to Title 27, Chapter 65, Mississippi Code of 1972, shall apply to prepaid wireless emergency communications service charges.

(e) The Department of Revenue shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use tax purposes under Title 27, Chapter 65, Mississippi Code of 1972.

(f) A seller shall be permitted to deduct and retain two percent (2%) of prepaid wireless emergency service charges that are collected by the seller from consumers.

(11) The amount of the emergency communications service charge that is collected by a service providers or seller from a consumer, shall not be considered revenue for any purpose and, therefore, shall not be included in the base for measuring any tax, fee, surcharge or other charge that is imposed by this state, any political subdivision of this state or any intergovernmental agency.

(12) No service provider or seller of prepaid wireless communications service shall be liable for damages to any person resulting from or incurred in connection with accessing or attempting to access emergency services.

(13) No service provider shall be liable for damages to any person or entity resulting from or incurred in connection with the service provider's provision of assistance

to any investigative or law enforcement officer of the United States, this or any other state, or any political subdivision of this or any other state, in connection with any investigation or other law enforcement activity by such law enforcement officer that the provider believes in good faith to be lawful.

(14) Partial payments made by a customer shall be applied first to the amount the customer owes to the service provider or seller or seller of prepaid wireless telecommunication service.

(15) The emergency communications service charge provided in Section 6 of this act and the service charge provided in Section 19-5-357 to fund the training of public safety telecommunicators shall be the only charges assessed to service providers and customers of service providers relating to emergency communications services.

SECTION 7. (1) The Department of Revenue shall pay all remitted emergency communications service charges over to the authority, or as otherwise directed by the authority through contract or a memorandum of understanding, within thirty (30) days of receipt, for use by the authority in accordance with the purposes permitted by this act, after deducting an amount, not to exceed one percent (1%) of collected charges that shall be retained by the department to reimburse its direct costs of administering the collection and remittance of emergency communication service charges.

(2) In order to provide additional funding for the district, the board of commissioners may receive federal, state, county or municipal funds, as well as funds from private sources, and may expend such funds for the purposes of Section 19-5-301 et seq.

SECTION 8. Wireless emergency telephone service shall not be used for personal use and shall be used solely for the use of communications by the public. Any person who knowingly uses or attempts to use wireless emergency telephone service for a purpose other than obtaining public safety assistance, or who knowingly uses or attempts to use wireless emergency telephone service in an effort to avoid any emergency communications charges, is guilty of a misdemeanor and shall be subject to a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment of not more than thirty (30) days in the county jail, or both such fine and imprisonment. If the value of the emergency communications charge or service obtained in a manner prohibited by this section exceeds One Hundred Dollars (\$100.00), the offense may be prosecuted as a felony and punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) and imprisonment of not more than three (3) years, or both such fine and imprisonment.

SECTION 9. All emergency communication districts must adopt an NG911 Plan no later than December 31, 2027, and any district failing to adopt its plan by such date may not receive any monies from the NG911 Fund or NG911 Implementation Fund.

SECTION 10. Section 33-15-7, Mississippi Code of 1972, is brought forward as follows:

33-15-7. (a) There is hereby created within the executive branch of the state government a department called the Mississippi Emergency Management Agency with a director of emergency management who shall be appointed by the Governor; he shall hold office during the pleasure of the Governor and shall be compensated as determined by any appropriation that may be made by the Legislature for such purposes.

(b) The director, with the approval of the Governor, may employ such technical, clerical, stenographic and other personnel, to be compensated as provided in any appropriation that may be made for such purpose, and may make such expenditures within the appropriation therefor, or from other funds made available to him for purposes of emergency management, as may be necessary to carry out the purposes of this article.

(c) The director and other personnel of the emergency management agency shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for other state agencies.

(d) The director, subject to the direction and control of the Governor, shall be the executive head of the emergency management agency and shall be responsible to the Governor for carrying out the program for emergency management of this state. He shall coordinate the activities of all organizations for emergency management within the state, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this article as may be prescribed by the Governor.

SECTION 11. Section 33-15-14, Mississippi Code of 1972, is amended as follows:

33-15-14. (1) The agency is responsible for maintaining a comprehensive statewide program of emergency management. The agency is responsible for coordination with efforts of the federal government with other departments and agencies of state government, with county and municipal governments and school boards and with private agencies that have a role in emergency management.

(2) In performing its duties under this article, the agency shall:

(a) Work with the Governor, or his representative, in preparing a State Comprehensive Emergency Management Plan of this state, which shall be integrated into and coordinated with the emergency management plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for emergency management by the political subdivisions of the state, such local plans to be integrated into and coordinated with the emergency plan and program of this state. The plan must contain provisions to ensure that the state is prepared for emergencies and minor, major and catastrophic disasters, and the agency shall work closely with local governments and agencies and organizations with emergency management responsibilities in preparing and maintaining the plan. The State Comprehensive Emergency Management Plan will be operations oriented and:

(i) Include an evacuation component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of evacuation activities. This component must, at a minimum: ensure coordination pertaining to evacuees crossing county lines; set forth procedures for directing people caught on evacuation routes to safe shelter; and establish policies and strategies for emergency medical evacuations.

(ii) Include a shelter component that includes specific regional and interregional planning provisions and promotes coordination of shelter activities between the public, private and nonprofit sectors. This component must, at a minimum: contain strategies to ensure the availability of adequate public shelter space in each region of the state; establish strategies for refuge-of-last-resort programs; provide strategies to assist local emergency management efforts to ensure that adequate staffing plans exist for all shelters, including medical and security personnel; provide for a post-disaster communications system for public shelters; establish model shelter guidelines for operations, registration, inventory, power generation capability, information management and staffing; and set forth policy guidance for sheltering people with special needs.

(iii) Include a post-disaster response and recovery component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of post-disaster response and recovery activities. This component must provide for post-disaster response and recovery strategies according to whether a disaster is minor, major or catastrophic. The post-disaster response and recovery component must, at a minimum: establish the structure of the state's

post-disaster response and recovery organization; establish procedures for activating the state's plan; set forth policies used to guide post-disaster response and recovery activities; describe the chain of command during the post-disaster response and recovery period; describe initial and continuous post-disaster response and recovery actions; identify the roles and responsibilities of each involved agency and organization; provide for a comprehensive communications plan; establish procedures for monitoring mutual aid agreements; provide for rapid impact assessment teams; ensure the availability of an effective statewide urban search and rescue program coordinated with the fire services; ensure the existence of a comprehensive statewide medical care and relief plan administered by the State Department of Health; and establish systems for coordinating volunteers and accepting and distributing donated funds and goods.

(iv) Include additional provisions addressing aspects of preparedness, response and recovery, as determined necessary by the agency.

(v) Address the need for coordinated and expeditious deployment of state resources, including the Mississippi National Guard. In the case of an imminent major disaster, procedures should address predeployment of the Mississippi National Guard, and, in the case of an imminent catastrophic disaster, procedures should address predeployment of the Mississippi National Guard and the United States Armed Forces. This subparagraph (v) does not authorize the agency to call out and deploy the Mississippi National Guard, which authority and determination rests solely with the Governor.

(vi) Establish a system of communications and warning to ensure that the state's population and emergency management agencies are warned of developing emergency situations and can communicate emergency response decisions.

(vii) Establish guidelines and schedules for annual exercises that evaluate the ability of the state and its political subdivisions to respond to minor, major and catastrophic disasters and support local emergency management agencies. Such exercises shall be coordinated with local governments and, to the extent possible, the federal government.

(viii) 1. Assign lead and support responsibilities to state agencies and personnel for emergency support functions and other support activities.

2. The agency shall prepare an interim post-disaster response and recovery component that substantially complies with the provisions of this paragraph (a). Each state agency assigned lead responsibility for an emergency support function by the State Comprehensive Emergency Management Plan shall also prepare a detailed operational plan needed to implement its responsibilities. The complete State Comprehensive Emergency Management Plan shall be submitted to the Governor no later than January 1, 1996, and on January 1 of every even-numbered year thereafter.

(b) Adopt standards and requirements for county emergency management plans. The standards and requirements must ensure that county plans are coordinated and consistent with the State Comprehensive Emergency Management Plan. If a municipality elects to establish an emergency management program, it must adopt a city emergency management plan that complies with all standards and requirements applicable to county emergency management plans.

(c) Assist political subdivisions in preparing and maintaining emergency management plans.

(d) Review periodically political subdivision emergency management plans for consistency with the State Comprehensive Emergency Management Plan and standards and requirements adopted under this section.

(e) Make recommendations to the Legislature, building code organizations and political subdivisions for zoning, building and other land use controls, safety measures for securing mobile homes or other nonpermanent or semipermanent structures; and other preparedness, prevention and mitigation measures designed to eliminate emergencies or reduce their impact.

(f) In accordance with the State Comprehensive Emergency Management Plan and program for emergency management, ascertain the requirements of the state, its political subdivisions and the Mississippi Band of Choctaw Indians for equipment and supplies of all kinds in the event of an emergency; plan for and either procure supplies, medicines, materials and equipment or enter into memoranda of agreement or open purchase orders that will ensure their availability; and use and employ from time to time any of the property, services and resources within the state in accordance with this article.

(g) Anticipate trends and promote innovations that will enhance the emergency management system.

(h) Prepare and distribute to appropriate state and local officials catalogs of federal, state and private assistance programs.

(i) Implement training programs to improve the ability of state and local emergency management personnel to prepare and implement emergency management plans and programs, and require all local civil defense directors or emergency management directors to complete such training as a condition to their authority to continue service in their emergency management positions.

(j) Review periodically emergency operating procedures of state agencies and recommend revisions as needed to ensure consistency with the State Comprehensive Emergency Management Plan and program.

(k) Prepare, in advance whenever possible, such executive orders, proclamations and rules for issuance by the Governor as are necessary or appropriate for coping with emergencies and disasters.

(l) Cooperate with the federal government and any public or private agency or entity in achieving any purpose of this article.

(m) Assist political subdivisions with the creation and training of urban search and rescue teams and promote the development and maintenance of a state urban search and rescue program.

(n) Delegate, as necessary and appropriate, authority vested in it under this article and provide for the subdelegation of such authority.

(o) Require each county or municipality to designate an agent for working with the agency in the event of a natural disaster. The county or municipality may designate any person as agent who has completed training programs required of emergency management directors.

(p) Report biennially to the Governor and the President of the Senate, and the Speaker of the House of Representatives, no later than January 1 of every odd-numbered year, the status of the emergency management capabilities of the state and its political subdivisions.

(q) In accordance with Section 25-43-1 et seq., create, implement, administer, promulgate, amend and rescind rules, programs and plans needed to carry out the provisions of this article with due consideration for, and in cooperating with, the plans and programs of the federal government.

(r) Have the sole power and discretion to enter into, sign, execute and deliver long-term or multiyear leases of real and personal property with other state and federal agencies.

(s) Do other things necessary, incidental or appropriate for the implementation of this article.

(t) In accordance with Section 33-15-15, create, implement, administer, promulgate, amend and rescind rules regarding the development of the Mississippi Disaster Reservist Program.

(u) Unless otherwise instructed by the Governor, sponsor and develop mutual aid plans and agreements between the political subdivisions of the state and the Mississippi Band of Choctaw Indians similar to the mutual aid arrangements with other states referenced in Section 33-15-11(b)(10).

(v) Serve as the statewide coordinator for Emergency Communications, including 911, E911, NG911 and all other related functions.

SECTION 12. Section 19-5-313, Mississippi Code of 1972, which provides for emergency telephone services charges, is hereby repealed.

SECTION 13. Section 19-5-331, Mississippi Code of 1972, which defines certain terms as used in the provisions providing for enhanced wireless emergency telephone service, is hereby repealed.

SECTION 14. Section 19-5-333, Mississippi Code of 1972, which creates the Commercial Mobile Radio Service Board and provides for its powers and duties, is hereby repealed.

SECTION 15. Section 19-5-335, Mississippi Code of 1972, which provides for the collection of services charges by the Commercial Mobile Radio Service Board and requires registration of Commercial Mobile Radio Service providers, is hereby repealed.

SECTION 16. Section 19-5-337, Mississippi Code of 1972, which provides for the confidentiality of proprietary information submitted to the Commercial Mobile Radio Service Board, is hereby repealed.

SECTION 17. Section 19-5-339, Mississippi Code of 1972, which provides for the requirement to provide enhanced 911 service, is hereby repealed.

SECTION 18. Section 19-5-341, Mississippi Code of 1972, which makes it an offense and provides criminal penalties for using wireless emergency telephone service for personal use, is hereby repealed.

SECTION 19. Section 19-5-343, Mississippi Code of 1972, which provides for the collection and remittance of prepaid wireless E911 charges, is hereby repealed.

SECTION 20. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY ACT; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO ESTABLISH THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY AS AN ENTITY WITHIN THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; TO PROVIDE

FOR THE AUTHORITY'S POWERS AND DUTIES; TO PROVIDE FOR THE DISTRIBUTION OF THE SERVICE CHARGES; TO PROVIDE FOR CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE AUTHORITY; TO AUTHORIZE THE LEVY OF A SERVICE CHARGE; TO BRING FORWARD SECTION 33-15-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 19-5-313, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EMERGENCY TELEPHONE SERVICE CHARGES; TO REPEAL SECTION 19-5-331, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS AS USED IN THE PROVISIONS PROVIDING FOR ENHANCED WIRELESS EMERGENCY TELEPHONE SERVICE; TO REPEAL SECTION 19-5-333, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMERCIAL MOBILE RADIO SERVICE (CMRS) BOARD AND PROVIDES FOR ITS POWERS AND DUTIES; TO REPEAL SECTION 19-5-335, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION OF SERVICE CHARGES BY THE COMMERCIAL MOBILE RADIO SERVICE BOARD AND REQUIRES REGISTRATION OF CMRS PROVIDERS; TO REPEAL SECTION 19-5-337, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONFIDENTIALITY OF PROPRIETARY INFORMATION SUBMITTED TO THE COMMERCIAL MOBILE RADIO SERVICE BOARD; TO REPEAL SECTION 19-5-339, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE; TO REPEAL SECTION 19-5-341, MISSISSIPPI CODE OF 1972, WHICH MAKES IT AN OFFENSE AND PROVIDES CRIMINAL PENALTIES FOR USING WIRELESS EMERGENCY TELEPHONE SERVICE FOR PERSONAL USE; TO REPEAL SECTION 19-5-343, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION AND REMITTANCE OF PREPAID WIRELESS E911 CHARGES; AND FOR RELATED PURPOSES.

Senators Hopson and Hill offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND by deleting SECTION 6 in its entirety and renumbering subsequent sections accordingly.

Amendment No. 1 to Amendment No. 1 to S. B. No. 2531 was adopted.

Amendment No. 1 as amended to S. B. No. 2531 was adopted.

YEAS AND NAYS On S. B. No. 2531. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Bryan called up the following entitled bill:

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on lines 142 through 153 by deleting the underlined language and restoring the old language.

AMEND on line 165 by adding the following language:

(k) "Pilot freestanding emergency room" is a facility open twenty-four (24) hours a day for the treatment of urgent and emergent medical conditions which is not located on a hospital campus. In order to be eligible for licensure under this chapter, the pilot freestanding emergency room shall be located at least fifteen (15) miles from the nearest hospital-based emergency room in any rural community where the federal CMMS has previously designated as a medically underserved area in a county without emergency hospital care that is open twenty-four (24) hours a day, or a county with less than twenty-five thousand (25,000) residents, and the owner or manager is a hospital operator of an existing rural Mississippi hospital at the time of licensure.

AMEND on line 166 by deleting "brought forward" and inserting "amended" in lieu thereof.

AMEND on line 167 by inserting (1) before the word "The"

AMEND on line 195 before SECTION 3 by inserting the following:

(2) The licensing agency shall authorize no more than five (5) facilities as provided for in Section 41-75-1(k).

AMEND on line 196 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2735 was adopted.

YEAS AND NAYS On S. B. No. 2735. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Bryan called up the following entitled bill:

**S. B. No. 2818:** "Mississippi County Health Department Infrastructure Grant Program Act of 2022"; establish.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

Senator Bryan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-9-107, Mississippi Code of 1972, is amended as follows:

25-9-107. The following terms, when used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Board" means the State Personnel Board created under the provisions of this chapter.

(b) "State service" means all employees of state departments, agencies and institutions as defined herein, except those officers and employees excluded by this chapter.

(c) "Nonstate service" means the following officers and employees excluded from the state service by this chapter. The following are excluded from the state service:

(i) Members of the State Legislature, their staff and other employees of the legislative branch;

(ii) The Governor and staff members of the immediate Office of the Governor;

(iii) Justices and judges of the judicial branch or members of appeals boards on a per diem basis;

(iv) The Lieutenant Governor, staff members of the immediate Office of the Lieutenant Governor and officers and employees directly appointed by the Lieutenant Governor;

(v) Officers and officials elected by popular vote and persons appointed to fill vacancies in elective offices;

(vi) Members of boards and commissioners appointed by the Governor, Lieutenant Governor or the State Legislature;

(vii) All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges;

(viii) Officers and enlisted members of the National Guard of the state;

(ix) Prisoners, inmates, student or patient help working in or about institutions;

(x) Contract personnel; provided that any agency which employs state service employees may enter into contracts for personal and professional services

only if such contracts are approved in compliance with the rules and regulations promulgated by the Public Procurement Review Board under Section 27-104-7. Before paying any warrant for such contractual services in excess of Seventy-five Thousand Dollars (\$75,000.00), the Auditor of Public Accounts, or the successor to those duties, shall determine whether the contract involved was for personal or professional services, and, if so, was approved by the Public Procurement Review Board as required by law;

(xi) Part-time employees; provided, however, part-time employees shall only be hired into authorized employment positions classified by the board, shall meet minimum qualifications as set by the board, and shall be paid in accordance with the Variable Compensation Plan as certified by the board;

(xii) Persons appointed on an emergency basis for the duration of the emergency; the effective date of the emergency appointments shall not be earlier than the date approved by the State Personnel Director, and shall be limited to thirty (30) working days. Emergency appointments may be extended to sixty (60) working days by the State Personnel Board;

(xiii) Physicians, dentists, veterinarians, nurse practitioners and attorneys, while serving in their professional capacities in authorized employment positions who are required by statute to be licensed, registered or otherwise certified as such, provided that the State Personnel Director shall verify that the statutory qualifications are met prior to issuance of a payroll warrant by the Auditor;

(xiv) Personnel who are employed and paid from funds received from a federal grant program which has been approved by the Legislature or the Department of Finance and Administration whose length of employment has been determined to be time-limited in nature. This subparagraph shall apply to personnel employed under the provisions of the Comprehensive Employment and Training Act of 1973, as amended, and other special federal grant programs which are not a part of regular federally funded programs wherein appropriations and employment positions are appropriated by the Legislature. Such employees shall be paid in accordance with the Variable Compensation Plan and shall meet all qualifications required by federal statutes or by the Mississippi Classification Plan;

(xv) The administrative head who is in charge of any state department, agency, institution, board or commission, wherein the statute specifically authorizes the Governor, board, commission or other authority to appoint said administrative head; provided, however, that the salary of such administrative head shall be determined by the State Personnel Board in accordance with the Variable Compensation Plan unless otherwise fixed by statute;

(xvi) The State Personnel Board shall exclude top-level positions if the incumbents determine and publicly advocate substantive program policy and report directly to the agency head, or the incumbents are required to maintain a direct confidential working relationship with a key excluded official. Provided further, a written job classification shall be approved by the board for each such position, and positions so excluded shall be paid in conformity with the Variable Compensation Plan;

(xvii) Employees whose employment is solely in connection with an agency's contract to produce, store or transport goods, and whose compensation is derived therefrom;

(xviii) Repealed;

(xix) The associate director, deputy directors and bureau directors within the Department of Agriculture and Commerce;

(xx) Personnel employed by the Mississippi Industries for the Blind; provided that any agency may enter into contracts for the personal services of MIB employees without the prior approval of the State Personnel Board or the State Personal Service Contract Review Board; however, any agency contracting for the personal services of an MIB employee shall provide the MIB employee with not less than the entry-level compensation and benefits that the agency would provide to a full-time employee of the agency who performs the same services;

(xxi) Personnel employed by the Mississippi Department of Wildlife, Fisheries and Parks and the Mississippi Department of Marine Resources as law enforcement trainees (cadets); such personnel shall be paid in accordance with the Colonel Guy Groff State Variable Compensation Plan;

(xxii) Administrators and instructional employees under contract or employed by the Mississippi School of the Arts (MSA) established in Section 37-140-1 et seq.;

(xxiii) The President of the Mississippi Lottery Corporation and personnel employed by the Mississippi Lottery Corporation; and

(xxiv) Employees, excluding administrative employees, of the State Veterans Affairs Board who are employed at a veterans home established by the State Veterans Affairs Board under Section 35-1-19.

(xxv) Personnel employed by the Mississippi Department of Health whose employment is solely in connection with the Department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2023.

(xxvi) Personnel employed by the Mississippi Department of Revenue whose employment is solely in connection with the Department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2023.

(d) "Agency" means any state board, commission, committee, council, department or unit thereof created by the Constitution or statutes if such board, commission, committee, council, department, unit or the head thereof, is authorized to appoint subordinate staff by the Constitution or statute, except a legislative or judicial board, commission, committee, council, department or unit thereof.

SECTION 2. Section 25-43-1.103, Mississippi Code of 1972, is amended as follows:

25-43-1.103. (1) This chapter applies to all agencies and all proceedings not expressly exempted under this chapter.

(2) This chapter creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(3) Specific statutory provisions which govern agency proceedings and which are in conflict with any of the provisions of this chapter shall continue to be applied to all proceedings of any such agency to the extent of such conflict only.

(4) The provisions of this chapter shall not be construed to amend, repeal or supersede the provisions of any other law; and, to the extent that the provisions of any other law conflict or are inconsistent with the provisions of this chapter, the provisions of such other law shall govern and control.

(5) An agency may grant procedural rights to persons in addition to those conferred by this chapter so long as rights conferred upon other persons by any provision of law are not substantially prejudiced.

(6) For the purposes of implementing, administering and/or enforcing the provisions of rules and regulations promulgated pursuant to the Mississippi Medical Cannabis Act, the Mississippi State Department of Health and the Mississippi Department of Revenue shall be exempted from this chapter from February 2, 2022, through June 30, 2023. This subsection shall stand repealed on June 30, 2023.

SECTION 3. Section 25-53-1, Mississippi Code of 1972, is amended as follows:

25-53-1. The Legislature recognizes that in order for the State of Mississippi to receive the maximum use and benefit from information technology and services now in operation or which will in the future be placed in operation, there should be full cooperation and cohesive planning and effort by and between the several state agencies and that it is the responsibility of the Legislature to provide statutory authority therefor. The Legislature, therefore, declares and determines that for these and other related purposes there is hereby established an agency of state government to be known as the Mississippi Department of Information Technology Services (MDITS). The Legislature further declares that the Mississippi Department of Information Technology Services (MDITS) shall provide statewide services that facilitate cost-effective information processing and telecommunication solutions. State agencies shall work in full cooperation with the board of MDITS to identify opportunities to minimize duplication, reduce costs and improve the efficiency of providing common technology services across agency boundaries. The provisions of this chapter shall not apply to the Department of Human Services for a period of three (3) years beginning July 1, 2017. The provisions of this chapter shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017. Through June 30, 2023, the provisions of this chapter shall not apply to the Department of Health and the Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act.

SECTION 4. Section 25-53-5, Mississippi Code of 1972, as amended by Senate Bill 2095, 2022 Regular Session, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into

consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and

regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment or services to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder,

and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through \* \* \* June 30, 2023, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and/or the Mississippi Department of Revenue for the purposes of implementing, administering and/or enforcing the provisions of the Mississippi Medical Cannabis Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(s) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(t) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

(u) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

(v) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College

Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

(w) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 5. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have

received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on

specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, any personal or professional service contract entered into by the Mississippi Department of Health and/or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2023, and any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, and any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into

contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue

Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 6. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$50,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing

or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Fifty Thousand Dollars (\$50,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$50,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design or construction of public facilities, including buildings, roads and bridges and term contracts as provided in paragraph (n) of this section. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Fifty Thousand Dollars (\$50,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued

within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back

provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this

section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for

the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an

emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and/or the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2023.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers

or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Fifty Thousand Dollars (\$50,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 7. Section 45-27-7, Mississippi Code of 1972, is amended as follows:

45-27-7. (1) The Mississippi Justice Information Center shall:

(a) Develop, operate and maintain an information system which will support the collection, storage, retrieval and dissemination of all data described in this chapter, consistent with those principles of scope, security and responsiveness prescribed by this chapter.

(b) Cooperate with all criminal justice agencies within the state in providing those forms, procedures, standards and related training assistance necessary for the uniform operation of the statewide center.

(c) Offer assistance and, when practicable, instruction to all local law enforcement agencies in establishing efficient local records systems.

(d) Make available, upon request, to all local and state criminal justice agencies, to all federal criminal justice agencies and to criminal justice agencies in other states any information in the files of the center which will aid such agencies in the performance of their official duties. For this purpose the center shall operate on a

twenty-four-hour basis, seven (7) days a week. Such information, when authorized by the director of the center, may also be made available to any other agency of this state or any political subdivision thereof and to any federal agency, upon assurance by the agency concerned that the information is to be used for official purposes only in the prevention or detection of crime or the apprehension of criminal offenders.

(e) Cooperate with other agencies of this state, the crime information agencies of other states, and the national crime information center systems of the Federal Bureau of Investigation in developing and conducting an interstate, national and international system of criminal identification and records.

(f) Make available, upon request, to nongovernmental entities or employers certain information for noncriminal justice purposes as specified in Section 45-27-12.

(g) Institute necessary measures in the design, implementation and continued operation of the justice information system to ensure the privacy and security of the system. Such measures shall include establishing complete control over use of and access to the system and restricting its integral resources and facilities and those either possessed or procured and controlled by criminal justice agencies. Such security measures must meet standards developed by the center as well as those set by the nationally operated systems for interstate sharing of information.

(h) Provide data processing for files listing motor vehicle drivers' license numbers, motor vehicle registration numbers, wanted and stolen motor vehicles, outstanding warrants, identifiable stolen property and such other files as may be of general assistance to law enforcement agencies; provided, however, that the purchase, lease, rental or acquisition in any manner of "computer equipment or services," as defined in Section 25-53-3, Mississippi Code of 1972, shall be subject to the approval of the Mississippi Information Technology Services.

(i) Maintain a field coordination and support unit which shall have all the power conferred by law upon any peace officer of this state.

(2) The department, including the investigative division or the center, may:

(a) Obtain and store fingerprints, descriptions, photographs and any other pertinent identifying data from crime scenes and on persons who:

(i) Have been or are hereafter arrested or taken into custody in this state:

1. For an offense which is a felony;
2. For an offense which is a misdemeanor;
3. As a fugitive from justice; or

(ii) Are or become habitual offenders; or

(iii) Are currently or become confined to any prison, penitentiary or other penal institution; or

(iv) Are unidentified human corpses found in the state; or

(v) Have submitted fingerprints for conducting criminal history record checks.

(b) Compare all fingerprint and other identifying data received with that already on file and determine whether or not a criminal record is found for such person,

and at once inform the requesting agency or arresting officer of those facts that may be disseminated consistent with applicable security and privacy laws and regulations. A record shall be maintained for a minimum of one (1) year of the dissemination of each individual criminal history, including at least the date and recipient of such information.

(c) Establish procedures to respond to those individuals who file requests to review their own records, pursuant to Sections 45-27-11 and 45-27-12, and to cooperate in the correction of the central center records and those of contributing agencies when their accuracy has been successfully challenged either through the related contributing agencies or by court order issued on behalf of an individual.

(d) Retain in the system the fingerprints of all law enforcement officers and part-time law enforcement officers, as those terms are defined in Section 45-6-3, any fingerprints sent by the Mississippi State Department of Health, and of all applicants to law enforcement agencies.

(3) There shall be a presumption that a copy of any document submitted to the center in accordance with the provisions of Section 45-27-9 that has been processed as set forth in this chapter and subsequently certified and provided by the center to a law enforcement agency or a court shall be admissible in any proceeding without further authentication unless a person objecting to that admissibility has successfully challenged the document under the provisions of Section 45-27-11.

SECTION 8. Section 45-27-12, Mississippi Code of 1972, is amended as follows:

45-27-12. (1) State conviction information and arrest information which is contained in the center's database or the nonexistence of such information in the center's database shall be made available for the following noncriminal justice purposes:

(a) To any local, state or federal governmental agency that requests the information for the enforcement of a local, state or federal law;

(b) To any individual, nongovernmental entity or any employer authorized either by the subject of record in writing or by state or federal law to receive such information; and

(c) To any federal agency or central repository in another state requesting the information for purposes authorized by law.

(2) Information disseminated for noncriminal justice purposes as specified in this section shall be used only for the purpose for which it was made available and may not be re-disseminated.

(3) No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or organization that would not be eligible to receive the information pursuant to this section.

(4) Upon request for a check pursuant to this section, the nongovernmental entity or employer must provide proper identification and authorization information from the subject of the record to be checked and adhere to policies established by the center for such record checks.

(5) Any individual or his attorney who is the subject of the record to be checked, upon positive verification of the individual's identity, may request to review the disseminated information and shall follow the procedure set forth in Section 45-27-11. If the individual wishes to correct the record as it appears in the center's system, the person shall follow the procedure set forth in Section 45-27-11. The right of a person to review the person's criminal history record information shall not be used by a prospective

employer or others as a means to circumvent procedures or fees for accessing records for noncriminal justice purposes.

(6) The center may impose procedures, including the submission of fingerprints, fees or restrictions, as are reasonably necessary to assure the record's security, to verify the identities of those who seek to inspect them, and to maintain an orderly and efficient mechanism for access. All fees shall be assessed and deposited in accordance with the provisions of Section 45-27-8.

(7) The center shall (a) retain, separate from other division records, personal information, including any fingerprints, sent to it by the Mississippi Department of Health; and (b) notify the Department of Health upon receiving notice that an individual for whom personal information has been retained is the subject of: (i) a warrant for arrest; (ii) an arrest; (iii) a conviction, including a plea in abeyance; or (iv) a pending diversion agreement.

(8) The center is authorized to implement the Rap-Back criminal history records check system and the Department of Health is authorized to implement and to utilize the state/federal Rap-Back criminal history system as a method of ongoing monitoring of individuals providing such care to Mississippi's vulnerable population in "covered" entities including prospective designated caregivers and entities named in the Mississippi Medical Cannabis Act and to apply for and provide matching funds in order for Mississippi to receive federal grants to make necessary upgrades to the department's data systems to accommodate Rap-Back capabilities.

( \*\* \*9) Local agencies may release their own agency records according to their own policies.

( \*\* \*10) Release of the above-described information for noncriminal justice purposes shall be made only by the center, under the limitations of this section, and such compiled records will not be released or disclosed for noncriminal justice purposes by other agencies in the state.

SECTION 9. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONNEL EMPLOYED BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS SOLELY IN CONNECTION WITH EITHER DEPARTMENT'S RESPONSIBILITIES IN IMPLEMENTING, ADMINISTERING AND ENFORCING PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT SHALL BE EXEMPT FROM BEING CONSIDERED AS STATE SERVICE EMPLOYEES FOR PURPOSES OF THE STATE PERSONNEL BOARD; TO SET A DATE OF REPEAL FOR THIS PROVISION; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND/OR ENFORCING THE PROVISIONS OF THE RULES AND REGULATIONS PROMULGATED PURSUANT TO THE MISSISSIPPI MEDICAL CANNABIS ACT, THE MISSISSIPPI STATE DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE SHALL BE EXEMPTED FROM THE ADMINISTRATIVE PROCEDURE ACT FROM FEBRUARY 2, 2022, THROUGH JUNE 30, 2023; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THROUGH JUNE 30, 2023, THE PROVISIONS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BID AND CONTRACT REQUIREMENTS SHALL NOT APPLY TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE

PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL 2095, 2022 REGULAR SESSION, TO PROVIDE THAT THROUGH JUNE 30, 2023, THE PROVISIONS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BID AND CONTRACT REQUIREMENTS SHALL NOT APPLY TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICE CONTRACT ENTERED INTO BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY IN CONNECTION WITH THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT FROM FEBRUARY 2, 2022, THROUGH JUNE 30, 2023, SHALL BE EXEMPT FROM THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; TO AMEND SECTION 45-27-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY SHALL RETAIN ANY FINGERPRINTS SENT BY THE DEPARTMENT OF HEALTH PURSUANT TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 45-27-12, MISSISSIPPI CODE OF 1972, TO CONFORM TO THIS ACT AND THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2818 was adopted.

YEAS AND NAYS On S. B. No. 2818. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism. Total--1.

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

Voting Present--Hill, McDaniel, Sojourner. Total--3.

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Senator Tate called up the following entitled bill:

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on lines 25 and 26 by deleting "Office of the Secretary of State" and inserting "Department of Finance and Administration" in lieu thereof.

AMEND on line 34 by inserting the word "Produces" after "(ii)"

AMEND on line 34 by striking "ballot" and inserting "ballots" in lieu thereof.

AMEND on line 41 by deleting "Secretary of State" and inserting "Department of Finance and Administration" in lieu thereof.

AMEND on line 54 by striking the word "not" and on line 55 by inserting after "(a)" the word "Not"

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2879 was adopted.

YEAS AND NAYS On S. B. No. 2879. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2430. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2443:** Nationally certified school employees; delete caps on nurses & speech pathologists, add athletic trainers for salary supplements.

Senator DeBar offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each \*\*\* public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

\*\*\*2022-2023 MINIMUM SALARY SCHEDULE

Years

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Exp.	AAAA	AAA	AA	A
0	46,750.00	44,250.00	41,500.00	39,000.00
1	47,250.00	44,750.00	42,000.00	39,500.00
2	47,750.00	45,250.00	42,500.00	40,000.00
3	48,250.00	45,750.00	43,000.00	40,500.00
4	48,750.00	46,250.00	43,500.00	41,000.00
5	50,375.00	47,775.00	44,925.00	42,325.00
6	50,875.00	48,275.00	45,425.00	42,825.00
7	51,375.00	48,775.00	45,925.00	43,325.00
8	51,875.00	49,275.00	46,425.00	43,825.00
9	52,375.00	49,775.00	46,925.00	44,325.00
10	54,000.00	51,300.00	48,350.00	45,650.00
11	54,500.00	51,800.00	48,850.00	46,150.00
12	55,000.00	52,300.00	49,350.00	46,650.00
13	55,500.00	52,800.00	49,850.00	47,150.00
14	56,000.00	53,300.00	50,350.00	47,650.00
15	57,625.00	54,825.00	51,775.00	48,975.00

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16	58,125.00	55,325.00	52,275.00	49,475.00
17	58,625.00	55,825.00	52,775.00	49,975.00
18	59,125.00	56,325.00	53,275.00	50,475.00
19	59,625.00	56,825.00	53,775.00	50,975.00
20	61,250.00	58,350.00	55,200.00	52,300.00
21	61,750.00	58,850.00	55,700.00	52,800.00
22	62,250.00	59,350.00	56,200.00	53,300.00
23	62,750.00	59,850.00	56,700.00	53,800.00
24	63,250.00	60,350.00	57,200.00	54,300.00
25	65,750.00	62,850.00	59,700.00	56,800.00
26	66,250.00	63,350.00	60,200.00	57,300.00
27	66,750.00	63,850.00	60,700.00	57,800.00
28	67,250.00	64,350.00	61,200.00	58,300.00
29	67,750.00	64,850.00	61,700.00	58,800.00
30	68,250.00	65,350.00	62,200.00	59,300.00
31	68,750.00	65,850.00	62,700.00	59,800.00
32	69,250.00	66,350.00	63,200.00	60,300.00
33	69,750.00	66,850.00	63,700.00	60,800.00
34	70,250.00	67,350.00	64,200.00	61,300.00

35

& above	70,750.00	67,850.00	64,700.00	61,800.00
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2023-2024 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	47,750.00	45,250.00	42,500.00	40,000.00
1	48,250.00	45,750.00	43,000.00	40,500.00
2	48,750.00	46,250.00	43,500.00	41,000.00
3	49,250.00	46,750.00	44,000.00	41,500.00
4	49,750.00	47,250.00	44,500.00	42,000.00
5	51,375.00	48,775.00	45,925.00	43,325.00
6	51,875.00	49,275.00	46,425.00	43,825.00

7	52,375.00	49,775.00	46,925.00	44,325.00
8	52,875.00	50,275.00	47,425.00	44,825.00
9	53,375.00	50,775.00	47,925.00	45,325.00
10	55,000.00	52,300.00	49,350.00	46,650.00
11	55,500.00	52,800.00	49,850.00	47,150.00
12	56,000.00	53,300.00	50,350.00	47,650.00
13	56,500.00	53,800.00	50,850.00	48,150.00
14	57,000.00	54,300.00	51,350.00	48,650.00
15	58,625.00	55,825.00	52,775.00	49,975.00
16	59,125.00	56,325.00	53,275.00	50,475.00
17	59,625.00	56,825.00	53,775.00	50,975.00
18	60,125.00	57,325.00	54,275.00	51,475.00
19	60,625.00	57,825.00	54,775.00	51,975.00
20	62,250.00	59,350.00	56,200.00	53,300.00
21	62,750.00	59,850.00	56,700.00	53,800.00
22	63,250.00	60,350.00	57,200.00	54,300.00
23	63,750.00	60,850.00	57,700.00	54,800.00
24	64,250.00	61,350.00	58,200.00	55,300.00
25	66,750.00	63,850.00	60,700.00	57,800.00
26	67,250.00	64,350.00	61,200.00	58,300.00
27	67,750.00	64,850.00	61,700.00	58,800.00
28	68,250.00	65,350.00	62,200.00	59,300.00
29	68,750.00	65,850.00	62,700.00	59,800.00
30	69,250.00	66,350.00	63,200.00	60,300.00
31	69,750.00	66,850.00	63,700.00	60,800.00
32	70,250.00	67,350.00	64,200.00	61,300.00
33	70,750.00	67,850.00	64,700.00	61,800.00
34	71,250.00	68,350.00	65,200.00	62,300.00
35 & above	71,750.00	68,850.00	65,700.00	62,800.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. \* \* \* However, \* \* \* school districts are authorized, in their discretion, to negotiate the salary levels applicable to \* \* \* licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school

year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board or is employed by a state agency under the State Personnel Board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. The total number of licensed athletic trainers eligible for a salary supplement under this subparagraph (v) may not exceed twenty (20).

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its \* \* \* adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this

subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding \* \* \* licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed

appropriate in designating successful student achievement shall be used in establishing MPBP criteria. \* \* \*

(5) (a) \* \* \* If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY FOR THE 2022-2023 SCHOOL YEAR; TO SET THE MINIMUM TEACHER SALARY FOR THE 2023-2024 SCHOOL YEAR AND SUBSEQUENT SCHOOL YEARS; TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOLS DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2443 was adopted.

YEAS AND NAYS On S. B. No. 2443. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senators Moran, McLendon, Seymour, Jackson (11th), Whaley, Blackwell, Boyd, Caughman, McMahan, Blount, Branning, Thomas, Frazier, Butler K. (38th), Tate, McCaughn, Sparks, Barrett, England, Suber, Carter, Barnett, Fillingane, Harkins, Kirby, Hickman, Hill, Hopson, Norwood, Simmons D. T. (12th) and DeLano as co-authors of **S. B. No. 2443**.

Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2658** passed the Senate.

**S. B. No. 2658:** Medicaid; delete language that required rates of reimbursement to not be changed unless amended by Legislature.

Senator Polk called up the following entitled bill:

**S. B. No. 2362:** Salary cap; exempt certain attorneys employed by Attorney General from.

Senator Polk offered the following AMENDMENT NO. 1.

AMEND on line 66 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 2362 was adopted.

YEAS AND NAYS On S. B. No. 2362. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Brandy Magnitsky Floyd of Petal, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John George Kopp, Jr., Brian Jeremy Napp, Marcella Grace Covacevich, Louis Bourque, Sr. and Arlin George "Coach" Batia of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Alice Louise Baggett and Carl V. Breland of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kenneth Elton Hickman and Martha Jane Phelps of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dellene (Goff) Willcuts of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Anthony L. Woody of Saucier, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jesse Bryant Helveston of McHenry, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Melissa "Lisa" Thompson of Ocean Springs, MS.

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Senators Jackson (11th) and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Larry Haynes of Clarksdale, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Arnold Smith Hederman of Slidell, LA.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James C. Hodges and Elizabeth Ann Lovett of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James Harris Addy and Don Hall of Decatur, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ronald Stennis Hurst of Hickory, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Alene Jewel Donald of Lawrence, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Louise Fortenberry Johnston of Lake, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Steve Lampkin of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Frances Eugenia Wilson Garvin of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Leonard Wicker of Pulaski, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Brandi Lynn Vega of Newton County, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 686:** AN ACT TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS AN APPRAISAL MANAGEMENT COMPANY FROM ENGAGING IN OR CONDUCTING BUSINESS IN THIS STATE WITHOUT FIRST OBTAINING A REGISTRATION ISSUED BY THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD, TO EXTEND THE DATE OF THE REPEALER ON THE SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 936:** AN ACT TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVISION OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITIES FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITIES FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITIES FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

**H. B. No. 1069:** AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHANCERY CLERK OF THE COUNTY TO MAINTAIN A HARD COPY BOOK FORMAT OR DIGITAL FORMAT OF ANY LIEN THAT ARISES AGAINST REAL PROPERTY AS A RESULT OF A COUNTY'S ASSESSMENT OF UNPAID FEES FOR GARBAGE OR RUBBISH COLLECTION; TO REMOVE THE PROVISION OF LAW THAT PROVIDES PROOF OF PAYMENT OF GARBAGE LIENS

MAY BE FILED WITH THE CIRCUIT CLERK OF THE COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 1361:** AN ACT TO CREATE A NEW SECTION OF LAW IN THE MOTOR VEHICLE SALES FINANCE LAW TO CLARIFY THAT EMPLOYEES OF A STATE LICENSEE MAY WORK FROM HOME OR OTHER REMOTE LOCATION SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1423:** AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE IN THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS, EFFECTIVE ON JANUARY 1, 2023; AND FOR RELATED PURPOSES.

**H. B. No. 1425:** AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA WASTEWATER INFRASTRUCTURE GRANT PROGRAM TO ASSIST POLITICAL SUBDIVISIONS, UTILITY AUTHORITIES AND NONPROFIT UTILITIES IN THE CONSTRUCTION OF ELIGIBLE WASTEWATER AND STORMWATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA WASTEWATER INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY ASSISTANCE PROVIDED FOR A PROJECT UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO A GRANTEE COST-SHARING REQUIREMENT OF NOT LESS THAN TWENTY PERCENT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA DRINKING WATER INFRASTRUCTURE GRANT PROGRAM TO ASSIST POLITICAL SUBDIVISIONS, UTILITY AUTHORITIES AND NONPROFIT UTILITIES IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA DRINKING WATER INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY ASSISTANCE PROVIDED FOR A PROJECT UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO A GRANTEE COST-SHARING REQUIREMENT OF NOT LESS THAN TWENTY PERCENT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

**H. B. No. 1426:** AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARIES OF THE ELECTED STATE AND DISTRICT OFFICERS SHALL BE FIXED AT THE LEVEL RECOMMENDED BY THE STATE PERSONNEL BOARD TO THE JOINT LEGISLATIVE BUDGET COMMITTEE TO THE

EXTENT SUFFICIENT FUNDS ARE AVAILABLE; TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO REVISE THE CEILING ESTABLISHED FOR SALARIES OF PUBLIC OFFICERS; TO AMEND SECTION 25-3-71, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPORTING REQUIREMENT ON SALARY INCREASES FOR COUNTY ELECTED OFFICIALS; TO AMEND SECTION 25-9-133, MISSISSIPPI CODE OF 1972, TO REMOVE AN INCORRECT STATUTORY REFERENCE; TO AMEND SECTION 37-3-13, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE STATE BOARD OF EDUCATION TO SET THE SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTIONS 47-5-20 AND 47-5-28, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 57-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SET SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTION 65-1-2, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 81-1-69, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARY OF THE COMMISSIONER OF BANKING AND CONSUMER FINANCE SHALL BE FIXED BY THE GOVERNOR IN CONJUNCTION WITH THE STATE COMPENSATION PLAN; TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO DESIGNATE A NEW NAME FOR THE VARIABLE COMPENSATION PLAN; TO REPEAL SECTION 25-3-34, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EDUCATION BENCHMARK AWARDS FOR APPOINTIVE STATE AND DISTRICT OFFICIALS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 481:** AN ACT TO AMEND SECTION 81-1-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISIONS OF LAW THAT AUTHORIZE THE COMMISSIONER OF BANKING AND CONSUMER FINANCE TO JOIN AN EXAMINATION OR ISSUE A JOINT REPORT OF EXAMINATION WITH THE FEDERAL RESERVE BANK OF CERTAIN BANK HOLDING COMPANIES; AND FOR RELATED PURPOSES.

**H. B. No. 687:** AN ACT TO REENACT SECTIONS 81-22-1 THROUGH 81-22-28, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI DEBT MANAGEMENT SERVICES ACT; TO AMEND SECTION 81-22-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI DEBT MANAGEMENT SERVICES ACT; AND FOR RELATED PURPOSES.

**H. B. No. 883:** AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REVISED COMPOSITION OF THE BOARDS OF TRUSTEES FOR THE NORTHEAST MISSISSIPPI COMMUNITY COLLEGE DISTRICT AND THE COAHOMA COMMUNITY COLLEGE DISTRICT TO REPRESENT THE BOARDS' MAKE UP AS IT EXISTED BEFORE JULY 1, 2019; AND FOR RELATED PURPOSES.

**H. B. No. 990:** AN ACT TO DESIGNATE A CERTAIN BRIDGE ON INTERSTATE 20 FRONTAGE ROAD LOCATED IN WARREN COUNTY, MISSISSIPPI, AS THE "MARGARET GILMER MEMORIAL BRIDGE"; AND FOR RELATED PURPOSES.

**H. B. No. 1052:** AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF WORKFORCE DEVELOPMENT WITHIN THE DEPARTMENT OF CORRECTIONS; TO BRING FORWARD SECTIONS 47-5-10, 47-5-1001, 47-5-1003, 47-5-1005, 47-5-1007, 47-5-1009, 47-5-1011, 47-5-1013, 47-5-1014, 47-5-110, 47-5-138, 47-5-20, 47-5-24, 47-5-28, 47-5-601, 47-5-603, 47-5-605, 47-7-2, 47-7-3, 47-7-3.1, 47-7-3.2, 47-7-4, 47-7-5, 47-7-6, 47-7-9, 47-7-13, 47-7-17, 47-7-18, 47-7-19, 47-7-21, 47-7-23, 47-7-25, 47-7-27, 47-7-29, 47-7-33, 47-7-33.1, 47-7-34, 47-7-35, 47-7-36, 47-7-37, 47-7-37.1, 47-7-38, 47-7-38.1, 47-7-39, 47-7-40, 47-7-41, 47-7-43, 47-7-47 AND 47-7-101, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1101:** AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO EXEMPT YOUTH SERVICES COUNSELORS FROM THE TRIP OPTIMIZER SYSTEM REQUIREMENTS FOR TRAVEL; AND FOR RELATED PURPOSES.

**H. B. No. 1139:** AN ACT TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS FOR A VIOLATION OF THE IMPLIED CONSENT LAW; AND FOR RELATED PURPOSES.

**H. B. No. 1247:** AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; AND FOR RELATED PURPOSES.

**H. B. No. 1421:** AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM TO ASSIST RURAL WATER ASSOCIATIONS IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

**H. B. No. 1424:** AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ADDITIONAL APPOINTED CRIMINAL INVESTIGATORS FOR CERTAIN DISTRICT ATTORNEYS; TO INCREASE THE SALARY OF CRIMINAL INVESTIGATORS; TO AMEND SECTION 25-31-10.1,

MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1427:** AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SPECIAL FUND CREATED BY THIS ACT; TO CREATE THE "MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS AS PREMIUM PAY FOR THEIR EFFORTS DURING THE COVID-19; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 33:** AN ACT TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL CAMPAIGN FINANCE STATEMENTS, REPORTS OF CONTRIBUTIONS AND EXPENDITURES, AND OTHER REPORTS REQUIRED TO BE FILED SHALL BE POSTED ONLINE BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-815, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 155:** AN ACT TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO DELETE THE PROHIBITION ON THE STATE HEALTH PLAN COVERING HEARING AIDS; AND FOR RELATED PURPOSES.

**H. B. No. 160:** AN ACT TO BE KNOWN AS THE "TRAVEL INSURANCE ACT OF 2022" WHICH REVISES THE "LIMITED LINES TRAVEL INSURANCE ACT"; TO AMEND SECTION 83-83-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE ACT; TO CREATE NEW SECTION 83-83-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THE SCOPE AND PURPOSES OF THE ACT; TO AMEND SECTION 83-83-3, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 83-83-5, MISSISSIPPI CODE OF 1972, TO UPDATE THE REQUIREMENTS OF LIMITED LINES TRAVEL INSURANCE PRODUCERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-6, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PREMIUM TAX REQUIREMENTS OF TRAVEL INSURERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-8, MISSISSIPPI CODE OF 1972, TO SET FORTH HOW TRAVEL PROTECTION PLANS MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-9, MISSISSIPPI CODE OF 1972, TO UPDATE THE POLICIES UNDER THE ACT; TO CREATE NEW SECTION 83-83-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THE REQUIREMENTS FOR TRAVEL ADMINISTRATORS UNDER THE ACT; TO AMEND SECTION 83-83-13, MISSISSIPPI CODE OF 1972, TO CLARIFY PERMISSIBLE SALES PRACTICES UNDER THE ACT; TO CREATE NEW SECTION 83-83-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 172:** AN ACT TO CREATE THE "MISSISSIPPI ARCHITECTS AND ENGINEERS GOOD SAMARITAN ACT"; TO PROVIDE IMMUNITY FROM LIABILITY

FOR ANY CIVIL ACTIONS ARISING FROM WORK PERFORMED BY ARCHITECTS OR ENGINEERS AT THE REQUEST OF AN ELECTED OFFICIAL DURING A STATE OF EMERGENCY; TO PROVIDE THAT THE IMMUNITY PROVIDED BY THIS ACT SHALL ONLY APPLY TO SAFETY ASSESSMENT SERVICES; TO BRING FORWARD SECTION 11-46-9, WHICH EXEMPTS GOVERNMENTAL ENTITIES FROM LIABILITY UNDER CERTAIN CIRCUMSTANCES FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 379:** AN ACT TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST IS CONSIDERED TO BE JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY; AND FOR RELATED PURPOSES.

**H. B. No. 451:** AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE NONADMITTED POLICY FEE; AND FOR RELATED PURPOSES.

**H. B. No. 452:** AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO REQUIRE HEALTH INSURANCE AND EMPLOYEE BENEFIT PLANS TO REIMBURSE PROVIDERS FOR TELEMEDICINE SERVICES USING THE PROPER MEDICAL CODES; AND FOR RELATED PURPOSES.

**H. B. No. 453:** AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SPECIAL FUND CREATED BY THIS ACT; TO CREATE THE "MISSISSIPPI TOURISM RECOVERY FUND - ROUND 2" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DISTRIBUTE FUNDS TO DESTINATION MARKETING ORGANIZATIONS UNDER THIS ACT; TO CREATE THE "MISSISSIPPI DESTINATION DEVELOPMENT FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO SUPPORT INCREASED TOURIST VISITATION; AND FOR RELATED PURPOSES.

**H. B. No. 482:** AN ACT TO REENACT SECTIONS 83-79-1 THROUGH 83-79-13, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROPERTY INSURANCE CLARITY ACT THAT REQUIRES INSURERS AUTHORIZED TO TRANSACT HOMEOWNERS INSURANCE BUSINESS IN THE STATE TO PROVIDE POLICY AND PREMIUM INFORMATION TO THE DEPARTMENT OF INSURANCE AND AUTHORIZES THE DEPARTMENT TO PUBLISH ON ITS WEBSITE AGGREGATE INFORMATION FOR HOMEOWNERS INSURANCE POLICIES; TO AMEND REENACTED SECTION 83-79-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROPERTY INSURANCE CLARITY ACT; AND FOR RELATED PURPOSES.

**H. B. No. 522:** AN ACT TO AMEND SECTION 37-9-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A NONPUBLIC SCHOOL THAT IS ACCREDITED BY A REGIONAL ACCREDITATION AGENCY OTHER THAN THE STATE BOARD OF

EDUCATION TO USE THE CRIMINAL RECORD INFORMATION AND REGISTRY CHECK REQUIRED FOR BACKGROUND AND FINGERPRINTING OF POTENTIAL SCHOOL EMPLOYEES BEFORE BEING HIRED; AND FOR RELATED PURPOSES.

**H. B. No. 526:** AN ACT TO AMEND SECTION 37-181-3, MISSISSIPPI CODE OF 1972, WHICH IS THE DEFINITIONS SECTION OF THE "EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT," TO REVISE THE DEFINITIONS FOR "ELIGIBLE STUDENT" AND "ELIGIBLE SCHOOL" TO REFLECT THE INCLUSION OF STUDENTS DIAGNOSED WITH DYSLEXIA WHO DO NOT RECEIVE THE ASSISTANCE OF A MISSISSIPPI DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 591:** AN ACT TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 604:** AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 818:** AN ACT TO AMEND SECTION 37-13-205, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTIFIED OR CLASSIFIED STAFF TO PROVIDE INSTRUCTION IN COMPUTER SCIENCE IN THE PUBLIC SCHOOLS; TO AMEND SECTION 37-13-207, MISSISSIPPI CODE OF 1972, TO ENCOURAGE SCHOOL DISTRICTS TO DESIGNATE A CENTRAL LOCATION FOR THE DELIVERY OF INSTRUCTION AND COURSES IN COMPUTER SCIENCE FOR ALL STUDENTS IN THE DISTRICT; TO AMEND SECTION 37-13-211, MISSISSIPPI CODE OF 1972, TO DESIGNATE CERTIFIED OR CLASSIFIED STAFF AS ADDITIONAL SCHOOL EMPLOYEES WHO ARE TO BE PROVIDED ANNUAL TRAINING IN THE COMPUTER SCIENCE CURRICULUM; TO BRING FORWARD SECTION 37-13-213, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO WORK WITH THE INSTITUTIONS OF HIGHER LEARNING TO IDENTIFY TEACHER PREPARATION PROGRAMS LEADING TO CERTIFICATION IN THE COMPUTER SCIENCE FIELD, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 821:** AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 41-59-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH AND MISSISSIPPI INSURANCE DEPARTMENT TO DEVELOP A COORDINATED ENTITY TO PROVIDE A STATEWIDE SYSTEM OF NONTRANSPORT EMERGENCY MEDICAL SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 823:** AN ACT TO AMEND SECTION 73-69-5, MISSISSIPPI CODE OF 1972, TO DEFINE A BATTERY-CHARGED SECURITY FENCE; TO AMEND SECTION 73-69-27, MISSISSIPPI CODE OF 1972, TO PROHIBIT MUNICIPALITIES OR COUNTIES FROM REGULATING BATTERY-CHARGED SECURITY FENCES AND BATTERY-CHARGED SECURITY FENCE CONTRACTING; AND FOR RELATED PURPOSES.

**H. B. No. 879:** AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROCUREMENT CARD FOR CLASSROOM SUPPLIES SHALL BE RECEIVED BY DFA BY JULY 1 AND ISSUED TO TEACHERS ON AUGUST 1 BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE FOR THE ISSUANCE OF SUCH PROCUREMENT CARDS TO TEACHERS EMPLOYED AT UNIVERSITY-BASED PROGRAMS, PART-TIME GIFTED AND SPECIAL EDUCATION TEACHERS; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE PERCENTAGE OF FUNDS DEPOSITED INTO THE EDUCATION ENHANCEMENT FUND FOR APPROPRIATION TO STATE DEPARTMENT OF EDUCATION TO BE USED TOWARD THE COST OF MAEP TO 26.22%; TO PROVIDE FOR THIS INCREASE BY ERADICATING THE 9.61% OF EDUCATION ENHANCEMENT FUNDS APPROPRIATED TO THE CLASSROOM SUPPLY FUND; TO SPECIFY THAT \$25,000,000.00 DEPOSITED INTO THE EDUCATION ENHANCEMENT FUND SHALL BE APPROPRIATED FOR THE CLASSROOM SUPPLY FUND; AND FOR RELATED PURPOSES.

**H. B. No. 881:** AN ACT TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS WITH SIGNIFICANT DEVELOPMENTAL DISABILITIES, COMPLEX COMMUNICATION NEEDS, SIGNIFICANT LANGUAGE OR LEARNING DEFICITS, WHO ARE UNABLE TO SUFFICIENTLY HAVE THEIR EDUCATIONAL NEEDS MET WITHIN THEIR PUBLIC SCHOOL'S REGULAR OR SPECIAL EDUCATION PROGRAM, TO RECEIVE EDUCATIONAL INSTRUCTION, TRAINING AND SPECIAL EDUCATION SERVICES FROM A STATE-SUPPORTED UNIVERSITY OR COLLEGE AUTHORIZED BY THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SUCH INSTRUCTION AND TRAINING; TO AUTHORIZE QUALIFIED INSTRUCTORS WHO HOLD THE APPROPRIATE LICENSURE ENDORSEMENTS TO SERVE AS THE LEAD TEACHER FOR CHILDREN ENROLLED WITHIN THE UNIVERSITY BASED PROGRAM (UBP) THROUGH THE IDEA-PART C AND IDEA-PART B ELIGIBILITY AND PLACEMENT PROCESS; TO ALLOW CERTAIN SPEECH-LANGUAGE PATHOLOGISTS AND EDUCATIONAL AUDIOLOGISTS TO SERVE AS THE LEAD INSTRUCTOR WITH AN EDUCATOR SERVING AS A RELATED SERVICE PROVIDER AS NECESSARY TO MEET THE EDUCATIONAL NEEDS OF THE CHILD; TO PROVIDE THAT THE JUSTIFICATION FOR THE PLACEMENT OF EXCEPTIONAL STUDENTS AGES 3 TO 21 IS DETERMINED IN CONJUNCTION WITH THE LOCAL SCHOOL DISTRICT THROUGH THE STUDENT'S IEP; TO AMEND SECTION 37-23-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SPEECH-LANGUAGE PATHOLOGISTS, EDUCATIONAL AUDIOLOGISTS AND SPECIAL AND EARLY CHILDHOOD EDUCATORS WHO MEET CERTAIN QUALIFICATIONS TO SERVE AS A LEAD TEACHER IN A UNIVERSITY-BASED PROGRAM; TO REQUIRE UNIVERSITY-BASED PROGRAMS TO SUBMIT REPORTS TO THE STATE DEPARTMENT OF EDUCATION AT THE SAME TIME THAT SUCH REPORTS ARE SUBMITTED BY LOCAL SCHOOL DISTRICTS; TO AMEND SECTION 37-23-35, MISSISSIPPI CODE OF 1972, TO REQUIRE IDEA-PART B AND PRESCHOOL ALLOCATIONS FOR THE EDUCATIONAL INSTRUCTION FOR PUBLIC SCHOOL STUDENTS ENROLLED IN A UBP TO BE CALCULATED BY THE STATE DEPARTMENT OF EDUCATION BASED ON THE NUMBER OF STUDENTS PLACED IN THE UBP BY THE LOCAL PUBLIC SCHOOL DISTRICT; TO REQUIRE THE DEPARTMENT TO INFORM THE LOCAL SCHOOL DISTRICT OF THE AMOUNT OF FUNDS TO BE FORWARDED TO THE UBP PROVIDING THE EDUCATIONAL SERVICES ON INSTRUCTION AND TRAINING; TO REQUIRE A COLLABORATIVE AGREEMENT BETWEEN THE LOCAL PUBLIC SCHOOL DISTRICT AND THE UBP IF

THE STATE-SUPPORTED UNIVERSITY OR COLLEGE CHARGES THE SCHOOL DISTRICT AN AMOUNT THAT IS IN EXCESS OF THE STATE AND FEDERAL FUNDS ALLOCATED FOR EACH ENROLLED SPECIAL EDUCATION STUDENT; TO REQUIRE THE DEPARTMENT TO DISTRIBUTE ALL NECESSARY STATE FUNDS DIRECTLY TO THE STATE-SUPPORTED UNIVERSITY OR COLLEGE; AND FOR RELATED PURPOSES.

**H. B. No. 884:** AN ACT TO ESTABLISH THE "ACCELERATE MISSISSIPPI SCHOLARSHIP PROGRAM" FOR THE PURPOSE OF ESTABLISHING AND MAKING SCHOLARSHIPS AVAILABLE TO STUDENTS WHO BECOME ELIGIBLE TO PARTICIPATE IN THE PROGRAM FOR COSTS ASSOCIATED WITH DUAL-CREDIT AND DUAL-ENROLLMENT OPTION, CAREER AND TECHNICAL EDUCATION COURSES THAT LEAD TO INDUSTRY CERTIFICATION AND OVERLOAD COURSES; TO ESTABLISH THE MINIMUM QUALIFICATIONS FOR EACH SUBSIDIARY SCHOLARSHIP PROGRAM, TO PROVIDE THAT THE PROGRAMS SHALL BE RESPECTIVELY ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE STATE BOARD OF EDUCATION; TO AMEND SECTIONS 37-71-7 AND 37-71-9, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS OF THE "MISSISSIPPI LEARN TO EARN ACT" PERTAINING TO APPLICATION PROCEDURES IN A MANNER CONSISTENT WITH THE IMPLEMENTATION OF THE "ACCELERATE MISSISSIPPI SCHOLARSHIP PROGRAM"; AND FOR RELATED PURPOSES.

**H. B. No. 885:** AN ACT TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DISTRIBUTE EDUCATION ENHANCEMENT FUNDS FOR CLASSROOM SUPPLIES TO ELIGIBLE TEACHERS THROUGH THE USE OF DIGITAL SOLUTIONS AND THEIR APPLICABLE CREDENTIALS; TO PROVIDE EEF FUNDS TO UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE ESTABLISHMENT AND ADMINISTRATION OF A FELLOWSHIP PROGRAM TO EDUCATE CERTAIN HEALTHCARE PROFESSIONALS ON PROVIDING EARLY CHILDHOOD SERVICES TO CHILDREN WITH BEHAVIORAL AND DEVELOPMENTAL DELAYS; TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 929:** AN ACT TO ESTABLISH A MISSISSIPPI FREEDOM TRAIL COMMISSION TO DEVELOP A PLAN TO PROMOTE MISSISSIPPI FREEDOM TRAIL LOCATIONS AND HISTORY FOR PURPOSES OF ECONOMIC DEVELOPMENT; TO PRESCRIBE THE FUNCTIONS AND DUTIES OF THE COMMISSION; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND GRANT FUNDS; TO PROVIDE FOR INTERDEPARTMENTAL COOPERATION; TO AUTHORIZE THE COMMISSION TO PURCHASE AND ERECT "MISSISSIPPI FREEDOM TRAIL" HISTORICAL MARKERS WITH THE ASSISTANCE OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED PURPOSES.

**H. B. No. 974:** AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AIRPORT AUTHORITIES TO PROVIDE DEPENDENT HEALTH INSURANCE COVERAGE AS AN EMPLOYMENT BENEFIT; AND FOR RELATED PURPOSES.

**H. B. No. 1093:** AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) TO CONDUCT A REVIEW OF THE EFFECTIVENESS OF THE MISSISSIPPI DEVELOPMENT AUTHORITY'S EFFORT FUNDED THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND IN 2024 AND EVERY FOUR YEARS THEREAFTER; TO AMEND SECTION 57-1-64, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1105:** AN ACT TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES

REGARDING WHEN A NOTARY IS PERMITTED TO CHARGE A FEE FOR SERVICES RENDERED; TO AMEND SECTION 25-34-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A NOTARY PUBLIC SHALL NOT BE REQUIRED TO BE A RESIDENT OF MISSISSIPPI IF HE OR SHE IS AN EMPLOYEE IN, OR HAS A PRACTICE IN, MISSISSIPPI; TO AMEND SECTION 25-34-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1128:** AN ACT TO AMEND SECTION 39-25-1, MISSISSIPPI CODE OF 1972, TO REMOVE THE MANDATORY CONTRACTUAL REQUIREMENT THAT A NONPROFIT CORPORATION LEASING THE MISSISSIPPI ARTS AND ENTERTAINMENT CENTER SHALL PAY FOR ANY AND ALL UTILITY COSTS INCURRED BY THE CENTER; AND FOR RELATED PURPOSES.

**H. B. No. 1168:** AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL SCHOOL DISTRICTS TO OFFER GIFTED EDUCATION FOR INTELLECTUALLY GIFTED STUDENTS IN GRADES 7 AND 8 BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1170:** AN ACT TO AMEND SECTION 37-173-1, 37-173-9 AND 37-173-21, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA THERAPY SERVICES; TO AMEND SECTION 37-106-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1173:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REVERSE AUCTIONS SHALL ONLY BE REQUIRED BY INDIVIDUAL STATE PUBLIC SCHOOLS, CHARTER SCHOOLS AND SCHOOL DISTRICTS WHEN PURCHASING PRODUCTS TYPICALLY RESOLD BY MULTIPLE VENDORS; TO ALLOW LOCAL SCHOOL BOARDS TO AUTHORIZE A PURCHASING ENTITY IN ITS JURISDICTION TO SOLICIT BIDS WITH AN ALTERNATIVE METHOD FOR PRODUCTS NOT TYPICALLY RESOLD; TO REQUIRE SUCH SCHOOLS OR DISTRICTS TO SUBMIT THE ALTERNATIVE METHOD OF COMPETITIVE OPEN PROCUREMENT TO ITS LOCAL SCHOOL BOARD FOR APPROVAL WHICH MEETS THE REQUIREMENTS OF THE OFFICE OF PURCHASING AND TRAVEL; AND FOR RELATED PURPOSES.

**H. B. No. 1187:** AN ACT TO ENACT THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT; TO PROVIDE THE PURPOSE OF THE ACT; TO PROVIDE DEFINITIONS FOR THE ACT; TO REGULATE THE ELECTRONIC DELIVERY OF INSURANCE DOCUMENTS AND NOTICES; AND FOR RELATED PURPOSES.

**H. B. No. 1198:** AN ACT TO REVISE VARIOUS PROVISIONS OF THE "UNIFORM ATHLETE AGENTS ACT"; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO REVISE TERMINOLOGY AND DEFINITIONS USED IN THE ACT; TO AMEND SECTION 73-42-7, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN AN INDIVIDUAL MAY ACT AS AN ATHLETE AGENT PRIOR TO BECOMING REGISTERED AS SUCH; TO AMEND SECTION 73-42-9, MISSISSIPPI CODE OF 1972, TO REQUIRE ADDITIONAL INFORMATION FROM THE APPLICANT WHEN REGISTERING AS AN ATHLETE AGENT; TO AMEND SECTION 73-42-11, MISSISSIPPI CODE OF 1972, TO CLARIFY GROUNDS FOR DENIAL OF REGISTRATION AND TO PRESCRIBE PROCEDURES FOR RENEWAL OF REGISTRATIONS; TO AMEND SECTION 73-42-13, MISSISSIPPI CODE OF 1972, TO SPECIFY GROUNDS FOR DENIAL, SUSPENSION, REVOCATION OR REFUSAL TO RENEW REGISTRATION AS AN ATHLETE AGENT; TO AMEND SECTION 73-42-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE SECRETARY OF STATE TO CHARGE ADDITIONAL FEES FOR PROCESSING AND ADMINISTERING CRIMINAL BACKGROUND CHECKS FOR APPLICANTS SEEKING REGISTRATION AS AN

ATHLETE AGENT; TO AMEND SECTION 73-42-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CONTRACTUAL REQUIREMENTS FOR AGENCY CONTRACTS, INCLUDING WARNINGS OF POSSIBLE INELIGIBILITY TO PARTICIPATE IN A SPORT, REQUIRED NOTICE TO BE PROVIDED TO ATHLETIC DIRECTORS WITHIN 72 HOURS OF ENTERING AN AGENCY CONTRACT, WHAT WOULD CAUSE THE CONTRACT TO BE VOIDED AND THE REQUIREMENT FOR THE PARENT OR GUARDIAN OF MINOR STUDENT-ATHLETES TO SIGN THE CONTRACT FOR SUCH STUDENT; TO AMEND SECTION 73-42-21, MISSISSIPPI CODE OF 1972, TO SPECIFY REQUIREMENTS FOR NOTICE TO EDUCATIONAL INSTITUTIONS; TO AMEND SECTION 73-42-23, MISSISSIPPI CODE OF 1972, TO RECOGNIZE THE RIGHTS OF PARENTS OR GUARDIANS OF MINOR STUDENT-ATHLETES; TO AMEND SECTION 73-42-27, MISSISSIPPI CODE OF 1972, TO CLARIFY ACTS THAT ATHLETE AGENTS ARE PROHIBITED FROM ENGAGING; TO AUTHORIZE PAYMENT OF CERTAIN EXPENSES OF THE STUDENT-ATHLETE BY AN ATHLETE AGENT; TO AMEND SECTION 73-42-31, MISSISSIPPI CODE OF 1972, TO RECOGNIZE AN EDUCATIONAL INSTITUTION'S AND STUDENT-ATHLETE'S RIGHT TO BRING AN ACTION AGAINST AN ATHLETE AGENT FOR ACTS OR OMISSIONS THAT ADVERSELY AFFECT THE INSTITUTION OR STUDENT-ATHLETE; TO AMEND SECTION 73-42-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM CIVIL PENALTY IMPOSED BY THE SECRETARY OF STATE FOR VIOLATIONS OF THE ACT UP TO \$50,000.00; TO AMEND SECTION 73-42-34, MISSISSIPPI CODE OF 1972, TO CONFORM VENUE REQUIREMENTS FOR COURTS OF PROPER JURISDICTIONS FOR RESIDENT AND NONRESIDENT ATHLETE AGENTS AND PROVIDE A MANNER FOR APPEALS; TO AUTHORIZE THE SECRETARY OF STATE TO SUSPEND REGISTRATIONS FOR AGENTS WHO FAIL TO COMPLY WITH AN ORDER FOR SUPPORT; TO CREATE NEW SECTION 73-42-41, MISSISSIPPI CODE OF 1972, TO RECOGNIZE THE AUTHORITY AND AUTONOMY OF EDUCATIONAL INSTITUTIONS TO ESTABLISH THEIR OWN POLICIES AND REGULATIONS GOVERNING ATHLETE AGENT SOLICITATIONS AND INTERACTIONS WITH STUDENT-ATHLETES; TO BRING FORWARD SECTIONS 73-42-1, 73-42-5, 73-42-15, 73-42-25, 73-42-29, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "UNIFORM ATHLETE AGENTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH IS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1214:** AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE FINDINGS REGARDING GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE; TO AMEND SECTION 53-11-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF RESERVOIR; TO AMEND SECTION 53-11-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE OIL AND GAS BOARD'S AUTHORITY WHEN ENTERING AN ORDER APPROVING A GEOLOGIC SEQUESTRATION FACILITY; TO PROVIDE FOR A METHOD FOR THE BOARD TO ENTER A PRELIMINARY TECHNICAL ORDER APPROVING ANY PROPOSED GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE WHEN A MAJORITY INTEREST HAS NOT CONSENTED; TO AMEND SECTION 53-11-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD DURING WHICH A MAJORITY INTEREST MUST HAVE APPROVED IN WRITING OR THE ORDER REQUIRING UNIT OPERATION IS AUTOMATICALLY REVOKED; TO AMEND SECTION 53-11-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF INTERESTED PERSON REGARDING APPEALS TO CHANCERY COURT; TO AMEND SECTION 11-27-47, MISSISSIPPI CODE OF 1972, TO REVISE THE EMINENT DOMAIN LAWS FOR PIPELINES AND APPLIANCES TO GRANT THE RIGHT OF EMINENT DOMAIN TO ENTITIES FOR THE PURPOSE OF TRANSPORTING OR CONVEYING CARBON DIOXIDE AND OTHER GASEOUS SUBSTANCES IN CONNECTION WITH THE GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE AND OTHER GASEOUS

SUBSTANCES AND ANY ASSOCIATED CARBON CAPTURE AND GEOLOGIC SEQUESTRATION FACILITY PROJECTS; AND FOR RELATED PURPOSES.

**H. B. No. 1239:** AN ACT TO AMEND SECTION 37-7-321, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY PERSON EMPLOYED BY A SCHOOL BOARD AS A SECURITY GUARD OR SCHOOL RESOURCE OFFICER OR IN ANY OTHER POSITION THAT HAS THE POWERS OF A PEACE OFFICER TO HAVE RECEIVED THE MINIMUM LEVEL OF BASIC LAW ENFORCEMENT TRAINING REQUIRED BEFORE THE PERSON MAY EXERCISE THE POWERS OF A PEACE OFFICER IN OR ON THE PROPERTY OF THE SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 1240:** AN ACT TO AMEND SECTION 37-3-82, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY CERTIFIED AND ACCREDITED LAW ENFORCEMENT OFFICERS' TRAINING ACADEMY, LOCATED WITHIN THE STATE OF MISSISSIPPI AND APPROVED BY THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING, TO PROVIDE TRAINING THROUGH THE ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING (ALERRT) PROGRAM; TO BRING FORWARD SECTION 37-7-321, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1312:** AN ACT TO BRING FORWARD SECTIONS 37-68-1, 37-68-3 AND 37-68-5, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "EQUITY IN DIGITAL LEARNING ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 37-68-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO ESTABLISH AND ADMINISTER THE VOLUNTARY EQUITY IN DISTANCE LEARNING GRANT PROGRAM FOR SCHOOLS CHOOSING TO PARTICIPATE FOR THE PURPOSE OF PURCHASING TECHNOLOGY DEVICES AND HARDWARE TO AID IN FACILITATING DISTANCE LEARNING AND SAFE CLASSROOM OR REMOTE INSTRUCTION; TO AUTHORIZE PARTICIPATING SCHOOLS TO PROVIDE, AS MATCHING FUNDS, A PRO RATA SHARE OF ITS TOTAL EQUIPMENT COST, CALCULATED BY PERCENTAGE, BASED ON THE TOTAL EQUIPMENT PURCHASE COST FOR ALL PARTICIPATING SCHOOL DISTRICTS; TO AMEND SECTION 37-68-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO CONDUCT A STATEWIDE TECHNOLOGY NEEDS-ASSESSMENT SURVEY OF SCHOOL DISTRICTS TO DETERMINE THE NEED OR DESIRE TO UPDATE DEVICES AND HARDWARE USED TO FACILITATE DISTANCE LEARNING AND SAFE CLASSROOM OR REMOTE INSTRUCTION; TO REQUIRE THE DEPARTMENT TO ANNUALLY REVISE THE ADOPTED EPL BASED UPON PURCHASING DEMANDS AS NEEDED TO PROVIDE SCHOOLS WITH CHOICES IN THE SELECTION OF THE ELECTRONIC DEVICES; TO AMEND SECTION 37-68-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PRO RATA SHARE OF THE MONIES USED BY A SCHOOL DISTRICT FOR PURPOSES OF THIS ACT MAY BE ALLOCATED FROM ANY OF THE DISTRICT'S AVAILABLE AND UNOBLIGATED ESSER FUNDS, ESSER II FUNDS OR ESSER III FUNDS; TO AMEND SECTION 37-68-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LEGISLATURE MAY MAKE AN INITIAL APPROPRIATION OF \$10,000,000.00 TO THE EQUITY IN DISTANCE LEARNING FUND; TO AMEND SECTION 37-68-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO SUBMIT AN ANNUAL COMPREHENSIVE REPORT TO THE LEGISLATION ON THE USE OF FUNDS DISTRIBUTED UNDER THE GRANT PROGRAM BY DECEMBER 31; AND FOR RELATED PURPOSES.

**H. B. No. 1328:** AN ACT TO AMEND SECTION 43-3-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI INDUSTRIES FOR THE BLIND TO ENTER INTO AGREEMENTS AND CONTRACTS WITH DIFFERENT ENTITIES AND AGREE TO THE TERMS OF INDEMNIFICATION, THE LAW OF ANOTHER STATE OR JURISDICTION OR OTHER SUCH TERMS IF IT DETERMINES THAT THE AGREEMENTS AND CONTRACTS WOULD BE IN ITS BEST INTERESTS; AND FOR RELATED PURPOSES.

**H. B. No. 1334:** AN ACT TO AMEND SECTIONS 49-17-405, 49-17-407 AND 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UNDERGROUND STORAGE TANK FEES ARE INSUFFICIENT TO COVER ADMINISTRATIVE COSTS, THE COSTS ASSOCIATED WITH ADMINISTRATION OF THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND AND RELATED PURPOSES SHALL BE PAID FROM THE FUND; AND FOR RELATED PURPOSES.

**H. B. No. 1340:** AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO ESTABLISH A FAMILY ENGAGEMENT KINDERGARTEN READINESS PILOT PROGRAM TO PROVIDE HOMEBASED INSTRUCTION AND SERVICES TO APPROXIMATELY 1,000 PRESCHOOL-AGE CHILDREN SELECTED FOR ENROLLMENT IN THE PROGRAM AS AN ADDITIONAL COMPONENT OF THE "EARLY LEARNING COLLABORATIVE ACT OF 2013"; AND FOR RELATED PURPOSES.

**H. B. No. 1351:** AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO REGULATE THE EXECUTION OF SCRIVENER'S ERROR AFFIDAVITS FOR PROPERTY DEEDS; AND FOR RELATED PURPOSES.

**H. B. No. 1416:** AN ACT TO CREATE THE "STUDENT PROTECTED EQUAL ACCESS RIGHTS (SPEAR) ACT"; TO PROVIDE EQUAL ACCESS TO THE USE OF SCHOOL PROPERTY TO STUDENTS IN PUBLIC SCHOOLS FOR PURPOSES OF ENGAGING IN POLITICAL ACTIVITIES OR POLITICAL OR PHILOSOPHICAL EXPRESSION BEFORE, DURING AND AFTER THE SCHOOL DAY IN THE SAME MANNER AND TO THE SAME EXTENT THAT STUDENTS MAY ENGAGE IN NONPOLITICAL ACTIVITIES OR EXPRESSION; TO ALLOW STUDENTS IN PUBLIC SCHOOLS TO ORGANIZE PARTISAN OR NONPARTISAN POLITICAL GROUPS, POLITICAL CLUBS, POLITICAL RALLIES, OR OTHER POLITICALLY THEMED GATHERINGS BEFORE, DURING AND AFTER SCHOOL TO THE SAME EXTENT THAT STUDENTS ARE PERMITTED TO ORGANIZE OTHER NONCURRICULAR STUDENT ACTIVITIES AND GROUPS; TO ALLOW SCHOOL DISTRICTS TO DISCLAIM SCHOOL SPONSORSHIP OF NONCURRICULAR GROUPS AND EVENTS IN A MANNER THAT NEITHER FAVORS NOR DISFAVORS GROUPS; TO PROHIBIT PUBLIC SCHOOLS WHICH HAVE LIMITED OPEN FORUMS FROM DENYING EQUAL ACCESS OR A FAIR OPPORTUNITY TO, OR DISCRIMINATING AGAINST STUDENTS WHO WISH TO CONDUCT A MEETING WITHIN THAT LIMITED OPEN FORUM ON THE BASIS OF THE POLITICAL, PHILOSOPHICAL, IDEOLOGICAL OR OTHER CONTENT OF THE SPEECH; TO PROVIDE THAT A PUBLIC SCHOOL IS DEEMED TO HAVE LIMITED OPEN FORUM WHEN SUCH SCHOOL GRANTS AN OPPORTUNITY FOR ONE OR MORE NONCURRICULAR-RELATED STUDENT GROUPS TO MEET ON SCHOOL PREMISES DURING NONINSTRUCTIONAL TIME; TO SPECIFY THE CRITERIA THAT WOULD CONSTITUTE A SCHOOL BEING DEEMED AS OFFERING A FAIR OPPORTUNITY FOR STUDENTS AS A LIMITED OPEN FORUM; TO PROVIDE THAT THE CONSTRUCTION OF THIS ACT IS NOT AUTHORIZING THE STATE OF MISSISSIPPI OR ANY POLITICAL SUBDIVISION THEREOF TO TAKE ANY OFFICIAL ACTION OR POSITION WITH REGARD TO PROMOTING OR SUPPORTING ANY PARTICULAR GROUPS EFFORTS TO SEEK A LIMITED OPEN FORUM; TO PROVIDE FOR THE SEVERABILITY OF UNENFORCEABLE PROVISIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1408:** AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF SHERIFFS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 504:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE COLUMBIA HIGH SCHOOL "WILDCATS" FOOTBALL TEAM AND COACH CHIP BILDERBACK FOR WINNING THEIR FIRST MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 4A STATE CHAMPIONSHIP SINCE 1982.

**S. C. R. No. 509:** A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI STATE PAROLE BOARD CHAIRMAN STEVEN PICKETT AS THE LONGEST-SERVING CHAIRMAN ON THE OCCASION OF HIS RETIREMENT AFTER 30 YEARS OF EFFECTIVE GOVERNMENT SERVICE.

**S. C. R. No. 534:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL TEAM AND AWARD-WINNING COACH DEION "COACH PRIME" SANDERS FOR A REMARKABLE PROGRAM RECORD 11-WIN SEASON AND FOR WINNING THE SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) TITLE FOR THE FIRST TIME SINCE 2007.

Joseph Thomas, Chairman

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MESSAGE FROM THE GOVERNOR  
February 4, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board representing the Fifth Congressional District, unexpired four year term effective February 4, 2022 and ending June 30, 2022.

Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board representing the Fifth Congressional District, four year term effective July 1, 2022 and ending June 30, 2026.

Desmond Wayne Hoda, D.C., Pass Christian, Mississippi, State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, five year term effective April 21, 2022 and ending April 20, 2027.

Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Doug Adams.

Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

James Patrick (Pat) Chaney, MD, Amory, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

Kent Gerard Nicaud, Pass Christian, Mississippi, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, remainder of a four year term effective January 31, 2022 and ending June 30, 2025, vice Darrell Wildman.

Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, remainder of a four year term effective January 31, 2022 and ending June 30, 2022.

Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, four year term effective July 1, 2022 and ending June 30, 2026.

Alicia Ann Drury Tice, Wiggins, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator representing the Second Supreme Court District, four year term beginning June 6, 2021 and ending June 5, 2025.

Christopher Thomas Graham, Clinton, Mississippi, Commissioner, Mississippi Department of Revenue, six year term effective July 1, 2022 and ending June 30, 2028.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Chris Anthony Stockstill, Veterans Home Purchase Board, unexpired four year term effective February 4, 2022 and ending June 30, 2022, Veterans and Military Affairs.

Chris Anthony Stockstill, Veterans Home Purchase Board, four year term effective July 1, 2022 and ending June 30, 2026, Veterans and Military Affairs.

Desmond Wayne Hoda, D.C., State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, five year term effective April 21, 2022 and ending April 20, 2027, Public Health and Welfare.

Anna Ward Sukmann, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, Judiciary, Division B.

Anna Ward Sukmann, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024, Judiciary, Division B.

James Patrick (Pat) Chaney, MD, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027, Public Health and Welfare.

Kent Gerard Nicaud, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, remainder of a four year term effective January 31, 2022 and ending June 30, 2025, Finance.

Patti S. (Pat) Robertson, MS Hospital Equipment and Facilities Authority as the at-large member, remainder of a four year term effective January 31, 2022 and ending June 30, 2022, Finance.

Patti S. (Pat) Robertson, MS Hospital Equipment and Facilities Authority as the at-large member, four year term effective July 1, 2022 and ending June 30, 2026, Finance.

Alicia Ann Drury Tice, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four year term beginning June 6, 2021 and ending June 5, 2025, Public Health and Welfare.

Christopher Thomas Graham, Commissioner, Mississippi Department of Revenue, six year term effective July 1, 2022 and ending June 30, 2028, Finance.

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MESSAGE FROM THE ATTORNEY GENERAL  
February 9, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, remainder of term beginning February 4, 2022 and ending June 30, 2022, vice Dolph Bryan.

James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, four year term beginning July 1, 2022 and ending June 30, 2026.

Lynn Fitch  
ATTORNEY GENERAL

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The executive nominations in the foregoing message were referred to committees as follows:

James Morris (Jim) Richards, Jr., Commercial Transportation Appeals Board, remainder of term beginning February 4, 2022 and ending June 30, 2022, Highways and Transportation.

James Morris (Jim) Richards, Jr., Commercial Transportation Appeals Board, four year term beginning July 1, 2022 and ending June 30, 2026, Highways and Transportation.

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Senator Polk moved that the Senate adjourn until 4:00 PM, Monday, February 14, 2022.

The motion prevailed, and at 3:48 PM, the Senate stood adjourned in memory of Brandy Magnitsky Floyd, Alice Louise Baggett, Brian Jeremy Napp, Marcella Grace Covacevich, Louis Bourque, Sr., Arlin George "Coach" Batia, Larry Haynes, Arnold Smith Hederman,

James C. Hodges, Elizabeth Ann Lovett, James Harris Addy, Don Hall, Carl V. Breland, Ronald Stennis Hurst, Alene Jewel Donald, Louise Fortenberry Johnston, Steve Lampkin, Frances Eugenia Wilson Garvin, Leonard Wicker, Brandi Lynn Vega, Kenneth Elton Hickman, Martha Jane Phelps, Dellene (Goff) Willcuts, Anthony L. Woody, Jesse Bryant Helveston, Melissa "Lisa" Thompson and John George Kopp, Jr.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, FEBRUARY 10, 2022

**S. C. R. No. 549:** Rules

A CONCURRENT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE CARTHAGINIAN NEWSPAPER (1872-2022) IN CARTHAGE, MISSISSIPPI, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

By Senator(s) Branning

**S. R. No. 29:** Rules

A RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI SENATE TO THE BEREAVED FAMILY OF VETERAN CANTON LAW ENFORCEMENT OFFICER CARL LARRY SAXTON, SR., AND COMMENDING HIS LEGACY OF SERVICE TO HIS COMMUNITY.

By Senator(s) Harkins

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FORTY-SECOND DAY, MONDAY, FEBRUARY 14, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horn, Jackson (11th), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Carter, Hill, Johnson, Thompson. Total--4.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Thompson.

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The invocation was delivered by Reverend Steven Cantu, Pastor, Grace Fellowship Church, Greenville, MS.

Senator Simmons D. T. (12th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

**H. B. NO. 657:** MEDICAID; DELETE FREEZE ON PROVIDER REIMBURSEMENT RATES AND PROVIDE FOR PRIOR REVIEW OF CERTAIN ACTIONS BY THE DIVISION.

**H. B. NO. 972:** BOTTOM LAND LEASING FOR OYSTER PRODUCTION; CREATE A PILOT PROGRAM FOR.

**H. B. NO. 1002:** MEMORIAL HIGHWAY; DESIGNATE SEGMENT IN COPIAH COUNTY AS THE "CARROLL V. HOOD MEMORIAL HIGHWAY".

**H. B. NO. 1028:** PUBLIC SERVICE COMMISSION; REMOVE FROM THE PROVISIONS OF THE MISSISSIPPI BUDGET TRANSPARENCY AND SIMPLIFICATION ACT.

**H. B. NO. 1057:** DEPARTMENT OF MARINE RESOURCES; REVISE ACREAGE OF BOTTOM AUTHORIZED TO BE LEASED BY.

**H. B. NO. 1076:** DERELICT VESSELS; PROVIDE CERTAIN REQUIREMENTS FOR THE REMOVAL OF.

**H. B. NO. 1077:** MOLLUSCAN SHELLFISH AQUACULTURE OPERATIONS; REVISE LICENSING OF VESSELS USED FOR.

**H. B. NO. 1130:** DEPARTMENT OF MARINE RESOURCES; REVISE LICENSE ISSUED FOR SEAFOOD DEALERS AND SEAFOOD PROCESSORS.

**H. B. NO. 1487:** STATE SONG; DESIGNATE "ONE MISSISSIPPI" AS OFFICIAL.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2719:** Annual salaries of county boards of supervisors; revise.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2719:** AN ACT TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF MEMBERS OF BOARDS OF SUPERVISORS; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2024, AND FROM AND AFTER JANUARY 1, 2028, MEMBERS OF BOARDS OF SUPERVISORS MAY RECEIVE CERTAIN ADDITIONAL INCREASES IF THE MEMBERS OF THE BOARD OF SUPERVISORS APPROVE SUCH INCREASES; TO PROHIBIT STATE REVENUE FROM BEING USED TO FUND SALARY INCREASES FOR MEMBERS OF BOARDS OF SUPERVISORS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. NO. 811:** MEMORIAL HIGHWAYS; DESIGNATE IN RANKIN COUNTY, MISSISSIPPI.

**H. B. NO. 819:** FIRE PROTECTION FUNDS; INCREASE AND EXPAND PURPOSES FOR.

**H. B. NO. 832:** MENTAL AWARENESS PROGRAM FOR SCHOOL ACT; ENACT TO PROVIDE FOR MENTAL HEALTH SERVICE PROVIDERS AND CERTAIN TRAUMA-INFORMED TRAINING.

**H. B. NO. 979:** FORESTERS; LIABLE FOR COST OF TIMBER FOR FAILURE TO PROVIDE SCALE TICKETS TO LANDOWNERS IF LOGGER FAILS TO REMIT PAYMENT TO FORESTER FOR TIMBER.

**H. B. NO. 1135:** ADVANCED PLASTIC RECYCLING; DEFINE TERMS RELATING TO.

**H. B. NO. 1160:** PUBLIC PROCUREMENT REVIEW BOARD; REVISE THE QUALIFICATIONS OF MEMBERS ON.

**H. B. NO. 1177:** ADJUTANT GENERAL; AUTHORIZE TO CONVEY REAL PROPERTY IN THE BEST INTEREST OF THE MISSISSIPPI MILITARY DEPARTMENT.

**H. B. NO. 1246:** "EARLY LEARNING COLLABORATIVE ACT OF 2013"; REVISE FUNDING FOR.

**H. B. NO. 1469:** INTESTATE SUCCESSION; CHILD CONCEIVED BY ASSISTED REPRODUCTION AFTER DECEDENT'S DEATH IS DEEMED TO BE LIVING AT TIME OF DEATH.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 20:** Anatomical gifts; prohibit discrimination against recipient based on disability. Public Health and Welfare.

**H. B. No. 127:** CDL; prohibit for persons convicted of certain trafficking crimes. Highways and Transportation; Judiciary, Division B.

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids. Insurance.

**H. B. No. 158:** Off-road vehicles; revise definitions of. Highways and Transportation.

**H. B. No. 160:** Travel Insurance Act of 2022; create. Insurance.

**H. B. No. 172:** Mississippi Architects and Engineers Good Samaritan Act; create. Judiciary, Division A.

**H. B. No. 180:** Headlights; require to be used whenever windshield wipers necessitated. Highways and Transportation.

**H. B. No. 258:** Harvest reporting program; require the Department of Wildlife, Fisheries and Parks to create for white-tailed deer and wild turkey. Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency.

**H. B. No. 260:** Inventory of livestock; repeal provision requiring state institutions of higher learning to file quarterly inventory report. Agriculture.

**H. B. No. 261:** Foundation herds of certain livestock; repeal authority of IHL Board relating to purchase, breeding and maintenance of. Agriculture.

**H. B. No. 262:** 4-H Club Demonstration Camps; repeal authority of MSU Extension Service to create and maintain in Panola and Madison Counties. Agriculture.

**H. B. No. 360:** State Public Defender; revise certain powers and duties of. Judiciary, Division B.

**H. B. No. 363:** Home health services; authorize nurse practitioners and physician assistants to order and certify. Public Health and Welfare.

**H. B. No. 365:** MS Rural Hospital Loan Program; establish in State Department of Health. Public Health and Welfare; Appropriations.

**H. B. No. 370:** Bail bond; require release when judge approves participation in intervention program. Judiciary, Division B.

**H. B. No. 379:** Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. Judiciary, Division A.

**H. B. No. 400:** Riding bailiffs; revise salary of. Judiciary, Division B; Appropriations.

**H. B. No. 422:** State assessments; deposit certain into designated special funds instead of General Fund. Appropriations; Accountability, Efficiency, Transparency.

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on. Insurance.

**H. B. No. 452:** Health insurance; revise mandated coverage for telemedicine services. Insurance.

**H. B. No. 475:** IHL Board; extend repealer on authority to oversee certain construction projects funded by state general obligation bonds. Universities and Colleges.

**H. B. No. 477:** Mississippi Qualified Health Center Grant Program; extend expiration date for Department of Health to make physician grants. Public Health and Welfare.

**H. B. No. 478:** Mississippi Forestry Commission; extend repealer on authority to hire law enforcement officers to investigate woods arson. Forestry.

**H. B. No. 481:** Commissioner of Banking and Consumer Finance; extend repealer on authority to join certain examinations with Federal Reserve Bank. Business and Financial Institutions.

**H. B. No. 482:** Property Insurance Clarity Act; extend repealer on. Insurance.

**H. B. No. 503:** Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection." Highways and Transportation.

**H. B. No. 504:** Memorial highway; designate segment of I-22 in Lee County as the "Korean War Veterans Highway." Highways and Transportation.

**H. B. No. 505:** Memorial highway; designate segment of I-22 in Lee County as the "Vietnam Veterans Way." Highways and Transportation.

**H. B. No. 522:** Nonpublic schools; authorize those accredited by a regional agency to use criminal background check procedures as used by public schools. Education.

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

**H. B. No. 555:** "Mississippi Healthy Food and Families Program"; create. Agriculture; Appropriations.

**H. B. No. 567:** Radar; revise population threshold for municipal law enforcement to use on public streets of municipality. Highways and Transportation.

**H. B. No. 591:** Community schools; authorize implementation under the administration of a District Innovation. Education.

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted. Judiciary, Division B.

**H. B. No. 620:** Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws. Judiciary, Division B; Appropriations.

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division. Medicaid.

**H. B. No. 672:** Sexual assault kit; regulate processing of. Public Health and Welfare; Judiciary, Division B.

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create. Judiciary, Division B.

**H. B. No. 681:** Kratom; include in Schedule I controlled substances list. Drug Policy; Judiciary, Division B.

**H. B. No. 683:** State Parole Board; extend repealer on. Accountability, Efficiency, Transparency.

**H. B. No. 686:** Appraisal Management Companies; extend repealer on registration requirements under Mississippi Appraisal Company Act. Business and Financial Institutions.

**H. B. No. 687:** Mississippi Debt Management Services Act; extend repealer on. Business and Financial Institutions.

**H. B. No. 689:** Community Service Revolving Fund; extend repealer on authority to collect fees from paroled offenders for deposit into. Corrections.

**H. B. No. 695:** Intervention courts; revise regulations that govern and add drug abuse prevention to statewide education component. Judiciary, Division B.

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts. Judiciary, Division A.

**H. B. No. 718:** Crime of promoting prostitution; clarify and revise where certain monies are deposited. Judiciary, Division B.

**H. B. No. 720:** Mississippi Department of Employment Security; provide requirements related to fraud prevention, detection and recovery. Economic and Workforce Development.

**H. B. No. 732:** State Commission on the 9-8-8 Comprehensive Behavioral Health Crisis Response System; create. Public Health and Welfare.

**H. B. No. 818:** MS Computer Science and Cyber Education Equality Act; authorize certified or classified staff to provide instruction under. Education.

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for. Insurance.

**H. B. No. 823:** Mississippi Electronic Protection Licensing Act; revise regarding battery-charged security fences. Insurance.

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

**H. B. No. 832:** Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. Education; Appropriations.

**H. B. No. 860:** Autopsies; create "Jenna's Law" to require autopsies to include inquiring about whether death was result of seizure or epilepsy. Public Health and Welfare.

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment. Corrections; Accountability, Efficiency, Transparency.

**H. B. No. 879:** Education Enhancement Fund; revise date of issuance of classroom supply procurement cards. Education; Appropriations.

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions. Education; Appropriations.

**H. B. No. 883:** Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. Universities and Colleges.

**H. B. No. 884:** "Accelerate Mississippi Scholarship Program"; establish to provide student with financial assistance for advanced education courses. Education; Appropriations.

**H. B. No. 885:** Education Enhancement Fund; authorize DFA to issue digital solutions and credentials for use for classroom supply allotments. Education; Appropriations.

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment. Corrections.

**H. B. No. 920:** Inmate Welfare Fund; authorize portion of fund to be used to fund Inmate Incentive to Work Program. Corrections; Appropriations.

**H. B. No. 927:** Newborn screening program; include those conditions listed on the Recommended Uniform Screening Panel within three years after listing. Public Health and Welfare.

**H. B. No. 933:** Homeowners' associations; regulate managing agents of and provide certain requirements for. Business and Financial Institutions.

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction. Corrections; Medicaid.

**H. B. No. 942:** Hunting and fishing; allow online applicants for a license to elect to be an organ donor. Wildlife, Fisheries and Parks.

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination. Highways and Transportation; Judiciary, Division A.

**H. B. No. 974:** Airport authorities; authorize to provide dependent health insurance coverage as employment benefit. Insurance.

**H. B. No. 976:** Sellers of alternative nicotine products and package retailers; require to have a third-party age verification service. Public Health and Welfare; Finance.

**H. B. No. 980:** Controlled substances; provide automatic defense to prosecution for charge that is brought within two years of a federal declassification of. Judiciary, Division B.

**H. B. No. 990:** Memorial highway and bridge; designate in Warren County for Margaret Gilmer. Highways and Transportation.

**H. B. No. 1005:** Nursing Education Incentive Program; create. Universities and Colleges; Appropriations.

**H. B. No. 1021:** Bail; revise procedures to determine for indigent defendants. Judiciary, Division B.

**H. B. No. 1028:** Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Energy; Accountability, Efficiency, Transparency.

**H. B. No. 1036:** Community colleges; authorize to assess student fees to offset cost of fire protection services by local governing authorities. Universities and Colleges; Appropriations.

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development. Corrections; Economic and Workforce Development.

**H. B. No. 1061:** Residential Landlord Tenant Act; revise evictions procedures of the. Judiciary, Division A.

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to. Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency.

**H. B. No. 1067:** Child support; provide for imputation guidelines. Judiciary, Division A.

**H. B. No. 1068:** Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward. Universities and Colleges.

**H. B. No. 1073:** Bridges and culverts; revise laws regarding. Highways and Transportation.

**H. B. No. 1080:** Rape trials; revise evidentiary procedures for spousal rape. Judiciary, Division B.

**H. B. No. 1099:** Incarcerated offenders; prohibit from petitioning to change name and/or gender. Judiciary, Division A.

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

**H. B. No. 1113:** Memorial intersection; designate intersection in Clarke County as the "PFC Damian Laquasha Heidelberg Memorial Intersection." Highways and Transportation.

**H. B. No. 1137:** Regional mental health commissions; increase number of commissioners appointed by board of supervisors for certain counties. Public Health and Welfare.

**H. B. No. 1170:** Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT); to provide dyslexia therapy services. Education; Appropriations.

**H. B. No. 1179:** Civil Air Patrol members; authorize granting of leave of absence to for certain emergency services. Accountability, Efficiency, Transparency.

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Highways and Transportation; County Affairs.

**H. B. No. 1187:** Mississippi Insurance E-Commerce Model Act; enact. Insurance.

**H. B. No. 1198:** "Uniform Athlete Agents Act"; revise to align agency requirement with provisions of the "MS Intercollegiate Athletics Compensation Rights Act." Universities and Colleges.

**H. B. No. 1207:** Penalties for electronic crimes by minors; clarify. Judiciary, Division B.

**H. B. No. 1214:** Carbon dioxide geologic sequestration; revise laws regarding. Energy.

**H. B. No. 1239:** School security guard/resource officer; must have required peace officer training to exercise peace officer powers. Education.

**H. B. No. 1240:** MCOPS programs; authorize training for to provide at any approved training academy in the state. Education.

**H. B. No. 1246:** "Early Learning Collaborative Act of 2013"; revise funding for. Education; Appropriations.

**H. B. No. 1312:** "Equity in Distance Learning Act"; revise certain provisions of. Education; Appropriations.

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children. Universities and Colleges; Appropriations.

**H. B. No. 1334:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. Environment Prot, Cons and Water Res; Accountability, Efficiency, Transparency.

**H. B. No. 1340:** Family Engagement Kindergarten Readiness Pilot Program; require MDE to establish as a component of the ELC Act of 2013. Education; Appropriations.

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of. Judiciary, Division A.

**H. B. No. 1360:** Banks and savings associations; align merger approval with the Mississippi Business Corporation Act. Business and Financial Institutions.

**H. B. No. 1376:** MS Consumer Privacy Act; create to prohibit any agency, department or institution from releasing any personal information. Judiciary, Division A.

**H. B. No. 1378:** Memorial highways; designate in Prentiss County. Highways and Transportation.

**H. B. No. 1389:** "Mississippi Grain Indemnity Act"; enact. Agriculture.

**H. B. No. 1394:** Dual Credit Community College Scholarship Program; create. Education; Appropriations.

**H. B. No. 1416:** "Student Protected Equal Access Rights Act"; establish to provide students to organize partisan political groups in public schools. Education.

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty. Judiciary, Division B.

**H. B. No. 1485:** Harvest permits; extend repealer on provisions establishing maximum weight and approved routes of vehicles. Highways and Transportation.

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

**H. B. No. 1331:** Election commissioners; require skills assessment for every four years instead of every year. Elections; Accountability, Efficiency, Transparency.

**H. B. No. 1341:** Municipal candidates; clarify residency requirements of certain. Elections; Accountability, Efficiency, Transparency.

**H. B. No. 1476:** Campaign finance reports; revise the time for filing electronically. Elections; Accountability, Efficiency, Transparency.

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

**H. B. No. 630:** Expungement; clarify for qualified electors. Elections; Judiciary, Division B.

**H. B. No. 1010:** Firearms in possession of a felon; revise regulations for. Judiciary, Division B.

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

**H. B. No. 906:** Corrections omnibus bill; enact. Corrections; Accountability, Efficiency, Transparency.

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INTRODUCTIONS FOR FRIDAY, FEBRUARY 11, 2022

**S. B. No. 2997:** Local and Private

AN ACT TO AMEND CHAPTER 824, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2016, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2026, ON THE PROVISIONS OF LAW THAT LEVY THE TOURISM AND INDUSTRY PROMOTION TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS AND RESTAURANT SALES IN THE CITY AND CREATE THE CITY OF BATESVILLE, MISSISSIPPI, AND SOUTH PANOLA AREA CHAMBER OF COMMERCE TOURISM AND INDUSTRIAL DEVELOPMENT COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Jackson (11th)

**S. B. No. 2998:** Local and Private

AN ACT TO AMEND CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2008, AS LAST AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE TOWN OF SARDIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO ENHANCE TOURISM, INDUSTRIAL AND ECONOMIC DEVELOPMENT AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th), Boyd

**S. B. No. 2999:** Local and Private

AN ACT TO AMEND CHAPTER 922, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 905, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF HORN LAKE, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS, WHICH SHALL BE USED TO PROMOTE THE CITY'S TOURISM AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Blackwell

**S. B. No. 3000:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC., VICKSBURG FAMILY DEVELOPMENT SERVICE,

INC., TRIUMPH MINISTRIES, INC., WOMEN'S RESTORATION SHELTER OF MOUNTAIN OF FAITH MINISTRIES, GOOD SHEPHERD, INC., AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 3001:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BAY SAINT LOUIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

By Senator(s) Moran

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 592:** AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-11-71 AND 93-5-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1029:** AN ACT TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY ACT; TO PROVIDE FOR LEGISLATIVE FINDINGS; TO PROVIDE DEFINITIONS; TO CREATE THE MISSISSIPPI BROADBAND COMMISSION; TO PROVIDE FOR THE APPOINTMENT AND TERMS OF THE COMMISSIONERS; TO PROVIDE FOR THE COMMISSION TO APPOINT AN EXECUTIVE DIRECTOR; TO PROVIDE FOR THE EXECUTIVE DIRECTOR'S POWERS AND DUTIES; TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY FUND; TO PROVIDE THAT THE COMMISSION SHALL ESTABLISH AND ADMINISTER THE BROADBAND ACCESSIBILITY GRANT PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1035:** AN ACT TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; TO PROVIDE THAT VELVET HUNTING SEASON SHALL BEGIN ON SEPTEMBER 10 AND END SEPTEMBER 20; TO REQUIRE THE COMMISSION TO ESTABLISH A SPECIAL HUNTING PERMIT FOR VELVET HUNTING SEASON; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, WHICH RELATES TO OPEN SEASON ON DEER, TO REQUIRE THE COMMISSION TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; AND FOR RELATED PURPOSES.

**H. B. No. 1059:** AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS FOR THE TRADITIONAL AND ALTERNATE ROUTE TO OBTAIN TEACHER LICENSURE; TO REMOVE THE PRESCRIBED MINIMUM ACT SCORE AND GPA ON COURSEWORK REQUIRED FOR ENTRY INTO AN APPROVED EDUCATOR PREPARATION PROGRAM; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, APPLICANTS FOR LICENSURE MUST DEMONSTRATE SUBJECT MATTER COMPETENCY AS APPROVED BY THE STATE BOARD OF EDUCATION; TO PRESCRIBE THE MINIMUM CRITERIA REQUIRED TO EVIDENCE SUCH COMPETENCY; TO REPLACE THE CRITERIA REQUIREMENT FOR NCATE ACCREDITATION WITH AN ACCREDITOR FOR EDUCATION PREPARATION PROGRAMS APPROVED BY THE STATE BOARD OF EDUCATION; TO REQUIRE A TWO SEMESTER SIX-HOUR SUPERVISED INTERNSHIP TO BE COMPLETED WHILE THE TEACHER IS EMPLOYED AS A FULL-TIME TEACHER INTERN IN A LOCAL SCHOOL DISTRICT, TO PERMIT THE TEACH MISSISSIPPI INSTITUTE TO OFFER AT ANY STATE BOARD OF EDUCATION-APPROVED EPP WITH AN APPROVED TMI PROGRAM; TO REQUIRE THE EPP AND SCHOOL DISTRICT OF INTERNSHIP TO MONITOR THE PERFORMANCE OF INTERN TEACHER; TO REQUIRE APPLICANTS FOR A STANDARD LICENSE-NONTRADITIONAL ROUTE TO SUBMIT A TRANSCRIPT EVIDENCING THE COMPLETION OF 15 SEMESTER HOURS IN THE INTERNSHIP PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1196:** AN ACT TO AMEND SECTIONS 73-5-1, 73-5-8, 73-5-11, 73-5-21 AND 73-5-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE QUALIFICATIONS OF BARBERS TO ENSURE THAT NO LICENSE SHALL BE DENIED SOLELY FOR LACK OF GOOD MORAL CHARACTER OR CONVICTION OF A NONVIOLENT FELONY OR CRIME OF MORAL TURPITUDE; TO AMEND SECTIONS 73-53-8, 73-53-13 AND 73-53-17, MISSISSIPPI CODE OF 1972, TO CLARIFY THE QUALIFICATIONS OF SOCIAL WORKERS TO ENSURE THAT NO LICENSE SHALL BE DENIED SOLELY FOR LACK OF GOOD MORAL CHARACTER OR CONVICTION OF A NONVIOLENT FELONY OR CRIME OF MORAL TURPITUDE; AND FOR RELATED PURPOSES.

**H. B. No. 1320:** AN ACT TO AMEND SECTION 49-15-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO USE OR ATTEMPT TO USE A PURSE SEINE FOR THE TAKING OF FISH OR TO HAVE SUCH SEINE IN THE WATER WITHIN ONE MILE OF THE SHORELINE OF JACKSON COUNTY, MISSISSIPPI AND WITHIN ONE MILE OF THE SHORELINE OF CAT ISLAND; TO REPEAL SECTION 49-15-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE COMMISSION MAY ADOPT ORDINANCES PROHIBITING THE TAKING AND CATCHING OF MENHADEN WITHIN CERTAIN LIMITS; TO BRING FORWARD SECTION 49-15-78, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE USE OF A GILL NET, TRAMMEL NET, ENTANGLEMENT NET, OR LIKE CONTRIVANCES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1323:** AN ACT TO CREATE THE TALLAHATCHIE RIVER AUTHORITY TO BE COMPOSED OF THE GEOGRAPHIC REGION OF THE COUNTIES THAT THE TALLAHATCHIE RIVER OR LITTLE TALLAHATCHIE RIVER TRAVERSE OR BORDER IN THE STATE OF MISSISSIPPI, SUBJECT TO THE BOARD OF SUPERVISORS OF A COUNTY VOTING AND SPREADING ON ITS MINUTES THE DECISION TO PARTICIPATE IN THE AUTHORITY; TO PROVIDE THAT EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS MAY SELECT ONE MEMBER OF THE BOARD OF DIRECTORS; TO PROVIDE CERTAIN AUTHORITY TO THE TALLAHATCHIE RIVER AUTHORITY; TO AUTHORIZE EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS TO CONTRIBUTE FUNDS TO THE AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 1365:** AN ACT TO PROHIBIT ANY AGENCY OR STATE OR LOCAL OFFICIAL FROM SOLICITING, ACCEPTING OR OTHERWISE USING PRIVATE FUNDS FOR ANY ELECTION-RELATED EXPENSES OR VOTER EDUCATION,

VOTER OUTREACH OR VOTER REGISTRATION PROGRAMS; AND FOR RELATED PURPOSES.

**H. B. No. 1486:** AN ACT TO AMEND SECTION 63-1-208, MISSISSIPPI CODE OF 1972, TO REVISE THE COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO PROVIDE FOR WAIVERS FOR CERTAIN TESTS; AND FOR RELATED PURPOSES.

**H. B. No. 1520:** AN ACT TO PROVIDE FOR THE RECOGNITION AND REGISTRATION OF PROFESSIONAL EMPLOYER ORGANIZATIONS OPERATING IN THE STATE OF MISSISSIPPI; TO PROVIDE DEFINITIONS FOR THE ACT; TO CLARIFY WHAT THE ACT DOES NOT DO; TO PROVIDE THE PROCEDURES FOR REGISTRATION WITH THE MISSISSIPPI INSURANCE DEPARTMENT UNDER THIS ACT; TO PROVIDE REGISTRATION FEES; TO PROVIDE FOR CERTAIN VIOLATIONS UNDER THIS ACT AND PENALTIES THAT MAY BE IMPOSED BY THE COMMISSIONER OF INSURANCE FOR SUCH VIOLATIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Kirby called up the following entitled resolution:

**S. R. No. 23:** Recognize legacy and service of Linda Ross Aldy upon her retirement as Executive Director of MS Optometric Association (MOA).

YEAS AND NAYS On S. R. No. 23. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Hill, Johnson, Thompson. Total--4.

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Unanimous consent was granted to add Senators Horhn, Boyd, Butler K. (38th), Chassaniol, Frazier, Jackson (11th), Jordan, Norwood, Thomas and Branning as co-authors of **S. R. No. 23**.

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Senator Polk called up the motion to reconsider the vote whereby **S. B. No. 2373** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2373:** Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees.

The foregoing motion prevailed.

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Senator Polk called up the motion to reconsider the vote whereby **S. B. No. 2081** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2081:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

The foregoing motion prevailed.

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Senator Tate called up the motion to reconsider the vote whereby **S. B. No. 2358** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

The foregoing motion prevailed.

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Senator Tate called up the motion to reconsider the vote whereby **S. B. No. 2575** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2575:** Judicial candidates; revise limitations on speech of.

The foregoing motion prevailed.

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Senator Blackwell called up the motion to reconsider the vote whereby **S. B. No. 2658** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2658:** Medicaid; delete language that required rates of reimbursement to not be changed unless amended by Legislature.

The foregoing motion prevailed.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Richard Lowell "Buddy" Grantier, II of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William L. Gilbert of Ridgeland, MS.

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Senators Michel, Blount, Kirby, Fillingane, Parks, Chassaniol, Harkins and Hopson moved that when the Senate adjourns, it adjourn in memory of Spencer Eugene "Buddy" Medlin of Madison, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Robert Stewart "Bobby" Caldwell, Jr. of Columbus, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Oscar Rounsaville "Rounsa" Garretson of Leakesville, MS.

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

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Senators Hopson and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Sheriff Richard L. Jones of Issaquena County, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Dorris Massie of Water Valley, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Karen Cushing of Olive Branch, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Judy Stevenson of Guntown, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Donna Williams Moore of Byhalia, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Joshua Adams of Ocean Springs, MS.

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Senators Barrett, Simmons S. (13th) and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Ruth Laverne Watson of Cleveland, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Elaine Sims of Lexington, SC.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Sandra Bolden of Meridian, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 15, 2022.

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

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

MESSAGE FROM THE HOUSE

SENATE JOURNAL  
MONDAY, FEBRUARY 14, 2022

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

**H. B. No. 521:** AN ACT TO AMEND SECTION 25-61-3, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983 TO EXEMPT FROM THE DEFINITION OF PUBLIC RECORDS CERTAIN RECORDS OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

\_\_\_\_\_  
Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dorris Massie, Karen Cushing, William L. Gilbert, Oscar Rounsaville "Rounsa" Garretson, Pamela Howell, Elaine Sims, Sandra Bolden, Sheriff Richard L. Jones, Richard Lowell "Buddy" Grantier, II, Judy Stevenson, Donna Williams Moore, Joshua Adams, Ruth Laverne Watson, Spencer Eugene "Buddy" Medlin and Robert Stewart "Bobby" Caldwell, Jr.

Eugene S. Clarke, Secretary of the Senate

\_\_\_\_\_  
NO INTRODUCTIONS FOR MONDAY, FEBRUARY 14, 2022  
\_\_\_\_\_

FORTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total-50.

Absent--McDaniel, Thompson. Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Thompson.  
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The invocation was delivered by Reverend Rusty Keen, District Supervisor of The United Methodist Church, Greenwood, MS.  
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Senator Chassaniol led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Marvin Ramsay, Anthony Steve Lepoma, Sr., Edward R. Perkins and JoAnne Hayes Reynolds of St. Martin Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ruth Wilson and Nancy Marie (Dobson) Landrum of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Maria Elena Diaz Broussard of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Donald Clyde Stewart, Sr. of D'Iberville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Carolyn Smith of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Billy Joe Alexander of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Bob Bailey Goodwin of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Cleatus "Poochie" Wilborn Roberts of Woolmarket Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of George Lewis Rayburn of Perkinston, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Brenda Sue Britt of Helena, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Glenda Moody Arnsdorff, Norma M. Brown Pace, Reverend Wilton D. Pigott, Ruth C. Fletcher, Sally O'Neil Loper and Sidney Wayne Thompson of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Charles Melvin Collins, Dr. Liberty B. Moreno, James Allen Bristow, Joan Thames Howse, Marilyn Pigford Creel and Michael David Scarbrough of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Timothy Leroy "Tim" Anderson of Collinsville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Evelyn Janell Shelton of Marion, MS/Toomsaba, MS

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Benny Jack Graham of Center Hill, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Margaret O. Kosick of Jackson, MS.

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Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 16, 2022.

The motion prevailed, and at 10:23 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 506:** A CONCURRENT RESOLUTION COMMENDING THE MISSISSIPPI HUMANITIES COUNCIL ON THE OCCASION OF ITS 50TH ANNIVERSARY AND EXTENDING THE THANKS OF THE LEGISLATURE FOR ITS SUPPORT OF HUMANITIES EDUCATION IN MISSISSIPPI UNIVERSITIES AND COMMUNITY COLLEGES.

**S. C. R. No. 507:** A CONCURRENT RESOLUTION MOURNING THE PASSING OF FORMER MISSISSIPPI FIRST LADY AND COMMUNITY ACTIVIST ELISE VARNER WINTER AND EXTENDING THE DEEPEST SYMPATHY AND CONDOLENCES OF THE LEGISLATURE.

**S. C. R. No. 508:** A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE MISSISSIPPI PUBLIC HEALTH CAREER OF DR. ALTON COBB, RESPECTED VETERAN STATE HEALTH OFFICER AND FIRST EXECUTIVE DIRECTOR OF THE MISSISSIPPI MEDICAID COMMISSION AND AWARD WINNING ADVOCATE FOR MISSISSIPPI'S PUBLIC HEALTH SYSTEM, AND EXPRESSING THE CONDOLENCES OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 1:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF MR. GARY JUDE HARKINS AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 11:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING LIEUTENANT TOBY JOHNSON FOR HIS EXTRAORDINARY SERVICE AS A MEMBER OF THE JACKSON FIRE DEPARTMENT AND THE MISSISSIPPI URBAN SEARCH AND RESCUE TASK FORCE DURING HURRICANE IDA.

**H. C. R. No. 12:** A CONCURRENT RESOLUTION COMMENDING FIREFIGHTER LINC TUCKER

**H. C. R. No. 13:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. SAMUEL LARRY RICHEY.

**H. C. R. No. 14:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING VETERANS OF THE VIETNAM WAR, ESPECIALLY REPRESENTATIVE MANLY BARTON AND REPRESENTATIVE MAC HUDDLESTON, WHO WERE EXPOSED TO AGENT ORANGE.

**H. C. R. No. 15:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. GEORGE SMITH.

**H. C. R. No. 17:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. CARROLL V. HOOD.

**H. C. R. No. 33:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP AND SERVICE OF MR. JAMES A. BARBER, FORMER EXECUTIVE DIRECTOR OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER), AND HIS CONTRIBUTIONS TO LEGISLATIVE OVERSIGHT IN MISSISSIPPI AND THE FIELD OF PROGRAM EVALUATION UPON THE OCCASION OF HIS RETIREMENT.

**H. C. R. No. 43:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SCOTT CENTRAL HIGH SCHOOL REBELS FOOTBALL TEAM AND HEAD COACH JEFF STOCKSTILL FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A STATE FOOTBALL CHAMPIONSHIP.

**H. C. R. No. 44:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS ALL GIRL CHEERLEADING TEAM AND COACH TROY ALLEN FOR WINNING THE 2022 UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) DIVISION 1A GAME DAY NATIONAL CHAMPIONSHIP.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 45:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS WOMEN'S GOLF TEAM AND COACH KORY HENKES FOR WINNING THE 2021 NCAA DIVISION I NATIONAL CHAMPIONSHIP.

Joseph Thomas, Chairman

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## REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2513:** City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2514:** City of Hattiesburg; extend repeal date on hotel, motel and restaurant tax. Title Sufficient. Do Pass.

**S. B. No. 2997:** City of Batesville; extend repealer on restaurant, hotel and motel tax for tourism. Title Sufficient. Do Pass.

**S. B. No. 2999:** City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals. Title Sufficient. Do Pass.

**S. B. No. 3000:** Warren County; authorize contributions to various organizations. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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

**H. B. No. 424:** Audiology and speech-language pathology interstate compact; create. Public Health and Welfare.

**H. B. No. 464:** "College Sticker Price Act of 2022"; enact to provide students and families certain program and cost information. Universities and Colleges; Appropriations.

**H. B. No. 526:** "Equal Opportunity for Students with Special Needs Act"; revise definition of "eligible student" and "eligible school" to include students with a dyslexia diagnosis. Education; Appropriations.

**H. B. No. 621:** Fleeing law enforcement; increase penalties for the crime of. Judiciary, Division B.

**H. B. No. 626:** Scrap metal; revise various provisions that regulate. Judiciary, Division B.

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create. Appropriations.

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create. Energy.

**H. B. No. 1056:** Professional Counseling Compact; create. Public Health and Welfare.

**H. B. No. 1135:** Advanced plastic recycling; define terms relating to. Energy.

**H. B. No. 1139:** Warrant applications or signature; authorize for violations of implied consent laws. Judiciary, Division B.

**H. B. No. 1168:** Gifted education; require school districts to provide for students in Grades 7 and 8. Education; Appropriations.

**H. B. No. 1173:** Public purchasing law; revise to provide that reverse auction shall be used by certain schools and districts. Accountability, Efficiency, Transparency.

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for. Elections.

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

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create. Wildlife, Fisheries and Parks.

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi. Highways and Transportation.

**H. B. No. 972:** Bottom land leasing for oyster production; create a pilot program for. Ports and Marine Resources.

**H. B. No. 979:** Foresters; liable for cost of timber for failure to provide scale tickets to landowners if logger fails to remit payment to forester for timber. Forestry.

**H. B. No. 1002:** Memorial Highway; designate segment in Copiah County as the "Carroll V. Hood Memorial Highway". Highways and Transportation.

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish. Wildlife, Fisheries and Parks.

**H. B. No. 1057:** Department of Marine Resources; revise acreage of bottom authorized to be leased by. Ports and Marine Resources.

**H. B. No. 1064:** Mississippi Outdoor Stewardship Trust Fund; create. Wildlife, Fisheries and Parks.

**H. B. No. 1076:** Derelict vessels; provide certain requirements for the removal of. Ports and Marine Resources.

**H. B. No. 1077:** Molluscan shellfish aquaculture operations; revise licensing of vessels used for. Ports and Marine Resources.

**H. B. No. 1130:** Department of Marine Resources; revise license issued for seafood dealers and seafood processors. Ports and Marine Resources.

**H. B. No. 1320:** Cat Island; prohibit the use of a purse seine within two miles of. Ports and Marine Resources.

**H. B. No. 1486:** CDLs; require Commissioner of DPS to provide for waivers of certain tests. Highways and Transportation.

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 658:** AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION IN THE MEDICAID SERVICES SECTION THAT FREEZES MEDICAID PROVIDER RATES OF REIMBURSEMENT AT THE LEVELS IN EFFECT ON JULY 1, 2021; TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED CHANGES IN PROVIDER RATES OF REIMBURSEMENT BY THE DIVISION OF MEDICAID BEFORE THE CHANGES WILL TAKE EFFECT; TO PROVIDE THAT THE COMMITTEES HAVE NO AUTHORITY TO VETO OR REVISE ANY PROPOSED RATE CHANGE, BUT ARE LIMITED TO REVIEWING, MAKING OBJECTIONS TO AND MAKING RECOMMENDATIONS FOR SUGGESTED CHANGES TO RATE CHANGES PROPOSED BY THE DIVISION; TO PROHIBIT THE DIVISION OF MEDICAID FROM EXECUTING A CONTRACT OR MAKING CAPITATED PAYMENTS FOR SERVICES WITH ANY ENTITY THAT HAS EXECUTED A SETTLEMENT AGREEMENT WITH THE STATE OF MISSISSIPPI OR ANY OTHER STATE RELATED TO ALLEGATIONS OF FRAUD, WASTE, ABUSE OR OVERPAYMENTS IN THE STATE'S MEDICAID PROGRAM; TO DIRECT THE DIVISION OF MEDICAID TO SELECT A MISSISSIPPI NONPROFIT CORPORATION IN ADDITION TO THE MANAGED CARE ENTITIES WITH WHICH THE DIVISION HAS CONTRACTED AS OF JANUARY 1, 2022, TO PROVIDE MEDICAID SERVICES ON A CAPITATED BASIS UNDER A MANAGED CARE PROGRAM OR COORDINATED CARE PROGRAM IMPLEMENTED BY THE DIVISION; AND FOR RELATED PURPOSES.

**H. B. No. 1367:** AN ACT TO ESTABLISH A PROCESS FOR THE REMOVAL OF DISCRIMINATORY PROVISIONS FROM RECORDED INSTRUMENTS OF CONVEYANCE; TO AUTHORIZE A PERSON WHO OWNS REAL PROPERTY OR AN INTEREST IN REAL PROPERTY WHICH INCLUDES IN THE CHAIN OF TITLE A RECORDED INSTRUMENT OF CONVEYANCE CONTAINING A DISCRIMINATORY PROVISION TO PETITION THE CHANCERY COURT REQUESTING THE REMOVAL OF THE DISCRIMINATORY PROVISION; TO CREATE A FORM FOR THE PETITION; TO AUTHORIZE THE CHANCERY COURT TO MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW SOLELY ON A REVIEW OF THE CONVEYANCE INSTRUMENT; TO CREATE A SUGGESTED FORM FOR THE CHANCELLOR'S FINDINGS; TO DIRECT THE CHANCERY CLERK TO INDEX AND FILE THE COURT'S FINDINGS IN THE COUNTY LAND RECORDS USING THE SAME NAMES USED TO INDEX THE CONVEYANCE INSTRUMENT; TO PROHIBIT THE CHANCERY CLERK FROM COLLECTING A FEE FOR FILING THE PETITION AND THE COURT'S FINDINGS; TO AMEND SECTION 37-113-31, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE USE OF THE TERM "NEGRO" IN THE STATUTE AUTHORIZING THE MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE TO ESTABLISH A 4-H CLUB CAMP IN MADISON COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 1510:** AN ACT TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MONIES THAT ARE DEPOSITED INTO THE ELECTIONS SUPPORT FUND; TO REVISE HOW THE MONIES IN THE ELECTIONS SUPPORT FUND ARE DISTRIBUTED AND FOR WHAT PURPOSES THEY ARE SPENT; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO CERTAIN IDENTIFICATION DATABASES TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION 23-15-165,

MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE PURGED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 372:** Sixteenth section land; authorize leasing of certain classified land to cities/counties for less than 5% of market value. Public Property; Accountability, Efficiency, Transparency.

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create. Tourism; Appropriations.

**H. B. No. 527:** Annual salaries of county boards of supervisors; revise. Economic and Workforce Development.

**H. B. No. 616:** Menaced property; authorize municipalities to secure abandoned or dilapidated buildings on such property. Municipalities.

**H. B. No. 617:** Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. Municipalities.

**H. B. No. 688:** Public lands; extend repealer on statute prohibiting corporations and nonresident aliens from purchasing. Public Property.

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to. Accountability, Efficiency, Transparency.

**H. B. No. 843:** County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation. County Affairs.

**H. B. No. 929:** Mississippi Freedom Trail Commission; establish. Tourism; Appropriations.

**H. B. No. 939:** Municipalities, certain; extend repealer on authority to create program addressing delinquent customer water bills. Municipalities; Accountability, Efficiency, Transparency.

**H. B. No. 1013:** Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Forestry; Accountability, Efficiency, Transparency.

**H. B. No. 1015:** "Property Clean-up Revolving Fund"; establish. Municipalities; Finance.

**H. B. No. 1017:** Justice court clerk; authorize two or more counties to enter into an agreement for the appointment of a. County Affairs.

**H. B. No. 1069:** Liens for delinquent county garbage fees; require chancery to keep certain record of. Judiciary, Division A.

**H. B. No. 1093:** PEER Committee; require to review effectiveness of the Mississippi Development Authority Tourism Advertising Fund. Tourism.

**H. B. No. 1128:** Mississippi Arts and Entertainment Center lease contract; remove requirement that the leasing nonprofit organization shall be responsible for utility payments. Tourism; Appropriations.

**H. B. No. 1159:** Sixteenth section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. Public Property; Accountability, Efficiency, Transparency.

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. Public Property.

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District. Public Property.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of James Marvin Ramsay, Anthony Steve Lepoma, Sr., Bob Bailey Goodwin, Cleatus "Poochie" Wilborn Roberts, George Lewis Rayburn, Brenda Sue Britt, Charles Melvin Collins, Dr. Liberty B. Moreno, James Allen Bristow, Joan Thames Howse, Marilyn Pigford Creel, Michael David Scarbrough, Edward R. Perkins, Timothy Leroy "Tim" Anderson, Evelyn Janell Shelton, Benny Jack Graham, Margaret O. Kosick, Glenda Moody Arnsdorff, Norma M. Brown Pace, Reverend Wilton D. Pigott, Ruth C. Fletcher, Sally O'Neil Loper, Sidney Wayne Thompson, JoAnne Hayes Reynolds, Ruth Wilson, Nancy Marie (Dobson) Landrum, Maria Elena Diaz Broussard, Donald Clyde Stewart, Sr., Carolyn Smith and Billy Joe Alexander.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR TUESDAY, FEBRUARY 15, 2022

**S. B. No. 3002:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3003:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR

WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3004:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3005:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3006:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3007:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3008:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3009:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3010:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3011:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

**S. B. No. 3012:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

**S. B. No. 3013:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Wiggins, Hickman, Tate

**S. B. No. 3014:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Wiggins, Hickman, Tate

**S. B. No. 3015:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAIDING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3016:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAIDING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3017:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAIDING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3018:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAIDING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3019:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAIDING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3020:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAIDING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3021:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

**S. B. No. 3022:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

**S. B. No. 3023:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAID THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3024:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3025:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3026:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3027:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Hill, Frazier, Michel, Moran

**S. B. No. 3028:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Branning, Butler (36th), Butler (38th), Parks

**S. B. No. 3029:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Branning, Butler (36th), Butler (38th), Parks

**S. B. No. 3030:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3031:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3032:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3033:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3034:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3035:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3036:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3037:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3038:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3039:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3040:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2023.  
By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3041:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3042:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3043:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3044:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3045:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3046:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3047:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3048:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3049:** Appropriations

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS, FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3050:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TOURISM FOR THE FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3051:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3052:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3053:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3054:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2023, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2023.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3055:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2022; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022; THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 3056:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI MUNICIPAL-COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FUND" AND THE "MISSISSIPPI RURAL WATER INFRASTRUCTURE GRANT PROGRAM FUND" TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" WHICH PROVIDES DRINKING WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE REIMBURSABLE GRANTS TO MUNICIPALITIES, COUNTIES, RURAL WATER ASSOCIATIONS, AND UTILITY AUTHORITIES, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3057:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI HEALTHCARE WORKFORCE DEVELOPMENT PROGRAM FUND," THE "MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM FUND," AND THE "MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM FUND" TO THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT, ALSO KNOWN AS ACCELERATE MS, FOR THE PURPOSE OF ADMINISTERING THE "AMERICAN RESCUE PLAN ACT (ARPA) NURSE/HEALTH SCIENCE WORKFORCE DEVELOPMENT AND RETENTION ACT" WHICH WILL PROVIDE EDUCATIONAL

TRAINING TO NURSES, PREMIUM PAYMENT TO PRECEPTORS WHO TRAIN NURSES AND CAPITAL INVESTMENTS NECESSARY TO TRAIN HEALTH SCIENCE STUDENTS DUE TO THE VITAL NEED FOR NURSES DURING THE COVID-19 PANDEMIC AND ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3058:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "HOSPITAL NURSING AND RESPIRATORY THERAPIST PROFESSIONAL LOAN REPAYMENT PROGRAM FUND" TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND ADMINISTRATION OF THE "HOSPITAL NURSES AND RESPIRATORY THERAPIST PROFESSIONAL RETENTION LOAN REPAYMENT PROGRAM" BY THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3059:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM" TO PROVIDE GRANTS TO DESTINATION MARKETING ORGANIZATIONS THAT SUPPORT THE TOURISM INDUSTRY WHICH WAS NEGATIVELY IMPACTED BY THE COVID-19 PANDEMIC AS ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3060:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM FUND" TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE "COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM" CREATED TO REIMBURSE HOSPITALS THAT ENHANCED HOSPITAL CAPACITY RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY; MAKING AN ADDITIONAL APPROPRIATION FROM THE "CORONAVIRUS STATE FISCAL RECOVERY FUND" TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF OPERATIONAL EXPENSES IN THE RESPONSE OF THE COVID-19 PANDEMIC ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3061:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING DEATH BENEFITS TO THE BENEFICIARIES OF LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS THAT HAVE DIED IN THE LINE OF DUTY DUE TO THE CORONAVIRUS.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3062:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3063:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF COMPLETING CAPITAL PROJECTS AND OPERATIONAL EXPENDITURES NECESSARY TO RESPOND TO THE EFFECTS OF THE COVID-19 PANDEMIC ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3064:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" WHICH PROVIDES REIMBURSABLE GRANTS TO INDEPENDENT COLLEGES AND UNIVERSITIES FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Butler (36th), DeBar, Frazier, Michel, Parks, Williams

**S. B. No. 3065:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FRIENDS OF ARTS, CULTURE AND EDUCATION (F.A.C.E.); AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 3066:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE JUNIOR AUXILIARY OF PASCAGOULA-MOSS POINT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 3067:** Local and Private

AN ACT TO AMEND CHAPTER 943, LOCAL AND PRIVATE LAWS OF 1993, AS AMENDED BY CHAPTER 983, LOCAL AND PRIVATE LAWS OF 1999, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF MERIDIAN, MISSISSIPPI, TO INCREASE, BY 2% EVERY JULY 1, BEGINNING JULY 1, 2022, THE MONTHLY BENEFITS OF PERSONS WHO, ON JUNE 30, 2022, ARE RECEIVING BENEFITS FROM THE MERIDIAN POLICE AND FIRE DISABILITY AND RELIEF FUND OR THE MERIDIAN GENERAL MUNICIPAL EMPLOYEE RETIREMENT FUND; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Hickman

**S. B. No. 3068:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE AMERICAN LEGION AUXILIARY BOYS STATE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. C. R. No. 550:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE MISSISSIPPI FARM BUREAU FEDERATION AND COMMEMORATING ITS HISTORY AND CONTRIBUTIONS TO AGRICULTURE IN OUR STATE.

By Senator(s) McCaughn, Younger, Hopson, Simmons (12th), McDaniel, Parks, Blackwell, Harkins, Suber, Whaley, McMahan, DeLano, Moran, Norwood, Thomas, England, Seymour, Boyd, Barrett, Jackson (11th), Fillingane, Parker, Caughman, Jordan, Barnett, Sparks, Butler (38th), Butler (36th), Chassaniol, Frazier, Horhn, Polk, Branning, Turner-Ford, DeBar, Chism, Wiggins, Michel, Blount, Sojourner, Kirby, Tate, Hickman

FORTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Parks, Thompson. Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Thompson.

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The invocation was delivered by Dr. Andy Brown, Pastor, First Baptist Church, Starkville, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 1097:** Counties and municipalities; authorize to lease facilities that are to be utilized as fire stations. County Affairs; Municipalities.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Joe Abston of Pascagoula, MS.

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SENATE JOURNAL  
WEDNESDAY, FEBRUARY 16, 2022

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of George J. Mordica of Hattiesburg, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Gussie Audell Waldron, Truman "Pete" Jones, Roland Berry Wright, Ronald Dwight Shaulis, Commander Charles Truett Roberts, Sr. and Captain William Kenneth Meyer of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ernest Michael Hudler of Causeyville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Angela Lea Barnett of Center Hill, MS.

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Senators Jackson (11th), Butler A. (36th) and Barrett moved that when the Senate adjourns, it adjourn in memory of Archie Ross of Monticello, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Earis Peterson of Perkinston, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Michael D. "Mike" Warrington, William Lamar Moody and Judge Robert Kenneth Coleman of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Donnie Brownlee Sanders, Oscar Smith and Elizabeth Gay Hale of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Betty Jean Tanner Speck and Jacky Wayne Smith of Ingomar, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Bro. Malcom Brock of Thaxton, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Susan Elizabeth Merritt of Pinedale, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Doris Dean Swords Huey of Ecru, MS.

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Senators DeLano and Carter moved that when the Senate adjourns, it adjourn in memory of former Representative Michael W. Janus of Biloxi, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 17, 2022.

The motion prevailed, and at 10:13 AM, the Senate stood in recess.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 3002:** Appropriation; IHL - General support. Title Sufficient. Do Pass.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs. Title Sufficient. Do Pass.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. Title Sufficient. Do Pass.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Title Sufficient. Do Pass.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Title Sufficient. Do Pass.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Title Sufficient. Do Pass.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Title Sufficient. Do Pass.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid. Title Sufficient. Do Pass.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center. Title Sufficient. Do Pass.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses. Title Sufficient. Do Pass.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Title Sufficient. Do Pass.

**S. B. No. 3013:** Appropriation; Corrections, Department of. Title Sufficient. Do Pass.

**S. B. No. 3014:** Appropriation; Public Safety, Department of. Title Sufficient. Do Pass.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of. Title Sufficient. Do Pass.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows. Title Sufficient. Do Pass.

**S. B. No. 3017:** Appropriation; Animal Health, Board of. Title Sufficient. Do Pass.

**S. B. No. 3018:** Appropriation; Emergency Management Agency. Title Sufficient. Do Pass.

**S. B. No. 3019:** Appropriation; Military Department. Title Sufficient. Do Pass.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes. Title Sufficient. Do Pass.

**S. B. No. 3021:** Appropriation; Ethics Commission. Title Sufficient. Do Pass.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission. Title Sufficient. Do Pass.

**S. B. No. 3023:** Appropriation; Employment Security, Department of. Title Sufficient. Do Pass.

**S. B. No. 3024:** Appropriation; Revenue, Department of. Title Sufficient. Do Pass.

**S. B. No. 3025:** Appropriation; Tax Appeals Board. Title Sufficient. Do Pass.

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission. Title Sufficient. Do Pass.

**S. B. No. 3027:** Appropriation; Mental Health, Department of. Title Sufficient. Do Pass.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Title Sufficient. Do Pass.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority. Title Sufficient. Do Pass.

**S. B. No. 3030:** Appropriation; Chiropractic Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3031:** Appropriation; Dental Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3032:** Appropriation; Funeral Services Board. Title Sufficient. Do Pass.

**S. B. No. 3033:** Appropriation; Massage Therapy, Board of. Title Sufficient. Do Pass.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of. Title Sufficient. Do Pass.

**S. B. No. 3035:** Appropriation; Counselors, Board of Examiners for Licensed Professional. Title Sufficient. Do Pass.

**S. B. No. 3036:** Appropriation; Veterinary Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3037:** Appropriation; Architecture, Board of. Title Sufficient. Do Pass.

**S. B. No. 3038:** Appropriation; Gaming Commission. Title Sufficient. Do Pass.

**S. B. No. 3039:** Appropriation; Geologists, Board of Registered Professional. Title Sufficient. Do Pass.

**S. B. No. 3040:** Appropriation; Motor Vehicle Commission. Title Sufficient. Do Pass.

**S. B. No. 3041:** Appropriation; Accountancy, Board of Public. Title Sufficient. Do Pass.

**S. B. No. 3042:** Appropriation; Contractors, Board of. Title Sufficient. Do Pass.

**S. B. No. 3043:** Appropriation; Audit, Department of. Title Sufficient. Do Pass.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of. Title Sufficient. Do Pass.

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of. Title Sufficient. Do Pass.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion. Title Sufficient. Do Pass.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of. Title Sufficient. Do Pass.

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi. Title Sufficient. Do Pass.

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Title Sufficient. Do Pass.

**S. B. No. 3050:** Appropriation; Department of Tourism. Title Sufficient. Do Pass.

**S. B. No. 3051:** Appropriation; Personnel Board. Title Sufficient. Do Pass.

**S. B. No. 3052:** Appropriation; Secretary of State. Title Sufficient. Do Pass.

**S. B. No. 3053:** Appropriation; Treasurer's Office. Title Sufficient. Do Pass.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli. Title Sufficient. Do Pass.

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies. Title Sufficient. Do Pass.

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA. Title Sufficient. Do Pass.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds. Title Sufficient. Do Pass.

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds. Title Sufficient. Do Pass.

HOPSON, Chairman

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MESSAGE FROM THE GOVERNOR  
February 15, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Jeffrey Ward (Jeff) Bertucci, Sr., Gulfport, Mississippi, Board of Directors of the College Savings Plan of Mississippi representing the Fifth Congressional District, five year term effective September 15, 2021 and ending June 30, 2026.

Donald Geaty (Don) Brown, Vicksburg, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, five year term beginning July 1, 2021 and ending June 30, 2026.

Tyler Norman, Meridian, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, remainder of five year term effective September 23, 2021 and ending June 30, 2024, vice Jason Branning.

Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022.

Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2022, vice Bryan Stevens.

Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, four year term beginning July 1, 2022 and ending June 30, 2026.

David A. Jackson, Ridgeland, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2024, vice David McNamara.

Lisa Renee Rice, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, remainder of four year term effective February 10, 2022 and ending January 10, 2024, vice Charles R. Russell.

George Edward (Ed) Tucker, Jr., Brandon, Mississippi, MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, remainder

of four year term effective January 31, 2022 and ending January 10, 2024, vice S. Keith Winfield.

Lamonica Patrice Starks, Camden, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, vice Marty Bell.

Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

Dr. Robert Carrington Dews, Jr., Hattiesburg, Mississippi, Mississippi State Board of Physical Therapy as the representative of physicians, four year term effective January 13, 2022 and ending June 30, 2024, vice Dr. Gene Barrett.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Jeffrey Ward (Jeff) Bertucci, Sr., Board of Directors of the College Savings Plan of Mississippi, five year term effective September 15, 2021 and ending June 30, 2026, Universities and Colleges.

Donald Geaty (Don) Brown, Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, five year term beginning July 1, 2021 and ending June 30, 2026, Universities and Colleges.

Tyler Norman, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, remainder of five year term effective September 23, 2021 and ending June 30, 2024, Universities and Colleges.

Myrtis Elizabeth S. (Leisa) McElreath, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, Judiciary, Division B.

Myrtis Elizabeth S. (Leisa) McElreath, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024, Judiciary, Division B.

Gregory K. (Greg) Havard, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2022, Finance.

Gregory K. (Greg) Havard, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, four year term beginning July 1, 2022 and ending June 30, 2026, Finance.

David A. Jackson, MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2024, Finance.

Lisa Renee Rice, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, remainder of four year term effective February 10, 2022 and ending January 10, 2024, Finance.

George Edward (Ed) Tucker, Jr., MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, remainder of four year term effective January 31, 2022 and ending January 10, 2024, Finance.

Lamonica Patrice Starks, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, Public Health and Welfare.

Willie James Green, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022, Corrections.

Dr. Robert Carrington Dews, Jr., Mississippi State Board of Physical Therapy as the representative of physicians, four year term effective January 13, 2022 and ending June 30, 2024, Public Health and Welfare.

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 512:** Remember legacy of former POW and Retired Air Force Colonel Carlyle "Smitty" Harris at U.S. Post Office dedication in his honor.

**S. C. R. No. 513:** Commend William (Bill) Bynum CEO of HOPE in Jackson, Mississippi, as recipient of 26th Heinz Award for the Economy.

**S. C. R. No. 515:** Commend Mississippi-Alabama Sea Grant Consortium on its 50th Anniversary and recognize its achievements.

**S. C. R. No. 516:** Recognize March 2022 as "Kidney Disease Awareness Month."

**S. C. R. No. 517:** Extend sympathy of Legislature to surviving family of former Mayor, attorney, and blues promoter Bill Lockett of Clarksdale.

**S. C. R. No. 522:** Celebrating the legendary Mississippi basketball Coach Lafayette Stribling and extending the sympathy of Legislature.

**S. C. R. No. 525:** Commend James A. Barber on the occasion of his retirement as Executive Director of PEER.

**S. C. R. No. 530:** Celebrate life and commend military service of Bridgette Rochelle Horn.

**S. C. R. No. 532:** Commend University of Mississippi Quarterback Matt Corral for leading team to best regular season in program history.

**S. C. R. No. 535:** Recognize The Williams Brothers as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Music.

**S. C. R. No. 536:** Recognize Larry Gordon as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Motion Pictures/Television.

**S. C. R. No. 537:** Recognize Holly Lange as the recipient of the 2022 Governor's Arts Award Governor's Choice.

**S. C. R. No. 538:** Recognize Mary Lovelace O'Neal as the recipient of the 2022 Governor's Arts Award for Excellence in Visual Art.

**S. C. R. No. 539:** Recognize Alcorn State University Jazz Festival as the recipient of the 2022 Governor's Arts Award for Arts in Community.

**S. C. R. No. 540:** Recognize Myrna Colley-Lee as the recipient of the 2022 Governor's Arts Award for Costume Design and Arts Patron.

**S. C. R. No. 541:** Recognize January 2022 as "Cervical Health Awareness Month in Mississippi."

**S. C. R. No. 542:** Recognize the legacy of former Northern District Transportation Commissioner Zack Stewart.

**S. C. R. No. 543:** Extend sympathy of the Legislature on the passing of Third District Circuit Court Judge Robert "Ken" Coleman of New Albany, MS.

**S. C. R. No. 544:** Commend Olympian Cory McGee of Pass Christian for track and field accomplishments at 2020 Tokyo Olympics.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 46:** A CONCURRENT RESOLUTION DESIGNATING APRIL 11-17, 2022, AS "THE PHILLIP CAMERON HENDRY MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK" TO PROMOTE AWARENESS OF THE IMPORTANCE OF EFFECTIVELY MANAGING MOSQUITOES AND THE PREVENTION OF WEST NILE VIRUS.

**H. C. R. No. 48:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP AND SERVICE OF CHIEF M.E. "GENE" WALDROP UPON HIS 50 YEARS OF POLICE SERVICE IN THE STATE OF MISSISSIPPI.

**H. C. R. No. 49:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE RANGERS FOOTBALL TEAM AND COACH BENJI PARKER FOR WINNING CONSECUTIVE STATE CHAMPIONSHIP TITLES IN THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE.

**H. C. R. No. 50:** A CONCURRENT RESOLUTION COMMENDING MS. BRITTNEY REESE AND CONGRATULATING HER UPON HER SUCCESSES AS AN UNITED STATES OLYMPIC GOLD AND SILVER MEDALIST.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 1418:** Second Amendment Preservation Act; authorize with exclusion for universities and colleges. Judiciary, Division B.

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

**H. B. No. 521:** Mississippi Public Records Act of 1983; exempt certain records of Workers' Compensation Commission from definition of public records. Labor.

**H. B. No. 592:** Child support; suspend for incarcerated persons under certain conditions. Judiciary, Division A.

**H. B. No. 658:** Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes. Medicaid.

**H. B. No. 819:** Fire Protection Funds; increase and expand purposes for. Insurance; Appropriations.

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department. Veterans and Military Affairs; Accountability, Efficiency, Transparency.

**H. B. No. 1196:** Barbers, nurses and social workers; revise certain qualifications for the purpose of licensing of. Judiciary, Division B.

**H. B. No. 1361:** Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. Business and Financial Institutions; Appropriations.

**H. B. No. 1367:** Real property; establish process to remove discriminatory language from recorded instruments of conveyance. Judiciary, Division A.

**H. B. No. 1469:** Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. Judiciary, Division A.

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance. Elections; Accountability, Efficiency, Transparency.

**H. B. No. 1520:** Professional employer organizations; provide for registration and regulation by the Insurance Department. Insurance.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Joe Abston, George J. Mordica, Archie Ross, Earis Peterson, Michael D. "Mike" Warrington, William Lamar Moody, Judge Robert Kenneth Coleman, Donnie Brownlee Sanders, Oscar Smith, Elizabeth Gay Hale, Betty Jean Tanner Speck, Jacky Wayne Smith, Gussie Audell Waldron, Bro. Malcom Brock, Susan Elizabeth Merritt, Doris Dean Swords Huey, former Representative Michael W. Janus, Truman "Pete" Jones, Roland Berry Wright, Ronald Dwight Shaulis, Commander Charles Truett Roberts, Sr., Captain William Kenneth Meyer, Ernest Michael Hudler and Angela Lea Barnett.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 16, 2022

**S. C. R. No. 551:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER STATE REPRESENTATIVE AND STATE SENATOR VERNON DELMA FURNISS OF RENA LARA, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

By Senator(s) Simmons (12th), Jackson (11th), Barnett, Kirby, Jordan, Frazier, Seymour, Wiggins, Norwood, England, McCaughn, Thompson, Suber, Butler (38th), Simmons (13th), Barrett, Tate

**S. C. R. No. 552:** Rules

A CONCURRENT RESOLUTION RECOGNIZING UNITED STATES DISTRICT JUDGE OF THE NORTHERN DISTRICT OF MISSISSIPPI, DEBRA M. BROWN, AS MISSISSIPPI'S FIRST AFRICAN AMERICAN FEMALE CHIEF FEDERAL JUDGE.

By Senator(s) Simmons (12th), Jackson (11th), Frazier, Thomas, Norwood, Hickman

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FORTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Thompson. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Thompson.

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The invocation was delivered by Matt Lipscomb, Missionary, Lake Cormorant, MS.

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

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

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006, S. B. No. 3007, S. B. No. 3008, S. B. No. 3010, S. B. No. 3012, S. B. No. 3015, S. B. No. 3016, S. B. No. 3017, S. B. No. 3018, S. B. No. 3020, S. B. No. 3021, S. B. No. 3022, S. B. No. 3023, S. B. No. 3025, S. B. No. 3026, S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031, S. B. No. 3032, S. B. No. 3033, S. B. No. 3034, S. B. No. 3035, S. B. No. 3036, S. B. No. 3037, S. B. No. 3038, S. B. No. 3039, S. B. No. 3040, S. B. No. 3041, S. B. No. 3042, S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3051, S. B. No. 3052, S. B. No. 3053 and S. B. No. 3054 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

**S. B. No. 3018:** Appropriation; Emergency Management Agency.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.

**S. B. No. 3021:** Appropriation; Ethics Commission.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.

**S. B. No. 3023:** Appropriation; Employment Security, Department of.

**S. B. No. 3025:** Appropriation; Tax Appeals Board.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3030:** Appropriation; Chiropractic Examiners, Board of.

**S. B. No. 3031:** Appropriation; Dental Examiners, Board of.

**S. B. No. 3032:** Appropriation; Funeral Services Board.

**S. B. No. 3033:** Appropriation; Massage Therapy, Board of.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.

**S. B. No. 3035:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

**S. B. No. 3036:** Appropriation; Veterinary Examiners, Board of.

**S. B. No. 3037:** Appropriation; Architecture, Board of.

**S. B. No. 3038:** Appropriation; Gaming Commission.

**S. B. No. 3039:** Appropriation; Geologists, Board of Registered Professional.

**S. B. No. 3040:** Appropriation; Motor Vehicle Commission.

**S. B. No. 3041:** Appropriation; Accountancy, Board of Public.

**S. B. No. 3042:** Appropriation; Contractors, Board of.

**S. B. No. 3043:** Appropriation; Audit, Department of.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3051:** Appropriation; Personnel Board.

**S. B. No. 3052:** Appropriation; Secretary of State.

**S. B. No. 3053:** Appropriation; Treasurer's Office.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli.

YEAS AND NAYS on consideration en bloc of S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006, S. B. No. 3007, S. B. No. 3008, S. B. No. 3010, S. B. No. 3012, S. B. No. 3015, S. B. No. 3016, S. B. No. 3017, S. B. No. 3018, S. B. No. 3020, S. B. No. 3021, S. B. No. 3022, S. B. No. 3023, S. B. No. 3025, S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031, S. B. No. 3032, S. B. No. 3033, S. B. No. 3034, S. B. No. 3035, S. B. No. 3036, S. B. No. 3037, S. B. No. 3038, S. B. No. 3039, S. B. No. 3040, S. B. No. 3041, S. B. No. 3042,

S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3051, S. B. No. 3052, S. B. No. 3053 and S. B. No. 3054. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.  
Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting--Thompson. Total--1.

Senator Hopson called up the following entitled bill:

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.

YEAS AND NAYS On S. B. No. 3026. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.  
Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting--Thompson. Total--1.  
Voting Present--Harkins. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 1, **S. B. No. 3002**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**S. B. No. 3002:** Appropriation; IHL - General support.

YEAS AND NAYS On S. B. No. 3002. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--McDaniel, Seymour. Total--2.  
Absent and those not voting--Thompson. Total--1.

Senator Hopson called up the following entitled bill:

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

YEAS AND NAYS On S. B. No. 3009. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--McDaniel, Sojourner. Total--2.  
Absent and those not voting--Thompson. Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

YEAS AND NAYS On S. B. No. 3011. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Thompson. Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3013:** Appropriation; Corrections, Department of.

YEAS AND NAYS On S. B. No. 3013. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Thompson. Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

YEAS AND NAYS On S. B. No. 3014. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3019:** Appropriation; Military Department.

YEAS AND NAYS On S. B. No. 3019. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

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

Not Voting--DeBar. Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3024:** Appropriation; Revenue, Department of.

YEAS AND NAYS On S. B. No. 3024. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3027:** Appropriation; Mental Health, Department of.

YEAS AND NAYS On S. B. No. 3027. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.

YEAS AND NAYS On S. B. No. 3048. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

YEAS AND NAYS On S. B. No. 3049. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

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

Voting Present--Carter. Total--1.

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Unanimous consent was granted to add Senators Wiggins and DeLano as co-authors of **S. B. No. 3049**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3050:** Appropriation; Department of Tourism.

YEAS AND NAYS On S. B. No. 3050. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies.

YEAS AND NAYS On S. B. No. 3055. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

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

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3056, S. B. No. 3057, S. B. No. 3058, S. B. No. 3059, S. B. No. 3060, S. B. No. 3061, S. B. No. 3063 and S. B. No. 3064 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

YEAS AND NAYS on consideration en bloc of S. B. No. 3056, S. B. No. 3057, S. B. No. 3058, S. B. No. 3059, S. B. No. 3060, S. B. No. 3061, S. B. No. 3063 and S. B. No. 3064. On motion of Senator Polk, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Blount as a co-author of S. B. No. 3056, S. B. No. 3057, S. B. No. 3058, S. B. No. 3059, S. B. No. 3060, S. B. No. 3061, S. B. No. 3063 and S. B. No. 3064.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

Senators Turner-Ford and Tate offered the following AMENDMENT NO. 1.

AMEND on line 189 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2022, and shall stand repealed on June 30, 2022

Amendment No. 1 to S. B. No. 3062 was adopted.

YEAS AND NAYS On S. B. No. 3062. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Blount as co-author of **S. B. No. 3062.**

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of William Lawrence Gilbert of Ridgeland, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Johnny Lee Smith of Greenville, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Robert James Ashley of Natchez, MS.

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Senators McMahan and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Helen McNeer Fisackerly of Winona, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Peggy Virginia Faulkner Kennedy, Elias Michael Kerby, Jr. and Alan S. Thompson of Columbus, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Camelia Ann Young and Gerald L. Young of Enterprise, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Jennifer Counts of Brandon, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William George Kelly, Sr. of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Imogene Smith Hataway of Canton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John Montgomery Horne of Oxford, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 21, 2022.

The motion prevailed, and at 12:34 PM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2966:** Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act.

**S. B. No. 2967:** Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1441:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF OAKLAND, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON THE QUESTION OF IMPLEMENTING THE TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1523:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF SALTILLO, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM AND PARKS AND RECREATION; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1525:** AN ACT TO AMEND CHAPTER 938, LOCAL AND PRIVATE LAWS OF 1998, AS AMENDED BY CHAPTER 981, LOCAL AND PRIVATE LAWS OF 1999, AS AMENDED BY CHAPTER 960, LOCAL AND PRIVATE LAWS OF 2001, AS AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEALER FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW

THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF RICHLAND, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS SALES OF BARS AND RESTAURANTS IN AN AMOUNT NOT TO EXCEED TWO PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM, PARKS AND RECREATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1526:** AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF RICHLAND, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS AND MOTELS WITHIN THE CITY FOR THE PURPOSE OF PROMOTING TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1547:** AN ACT TO AMEND CHAPTER 950, LOCAL AND PRIVATE LAWS OF 1994, AS LAST AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JUNE 30, 2022, TO JUNE 30, 2026, ON THE CITY OF STARKVILLE'S ECONOMIC DEVELOPMENT, TOURISM AND CONVENTION TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1549:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CHARLESTON, MISSISSIPPI, TO EXPEND CITY FUNDS TO PURCHASE ASPHALT TO MAKE CERTAIN TALLAHATCHIE COUNTY ROAD REPAIRS THAT ARE NEEDED DUE TO THE REPAIR OF CITY SEWER AND WATER PIPES THAT ARE LOCATED UNDER SUCH COUNTY ROADS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 33:** Campaign finance reports; require those filed by all candidates to be available online. Elections; Accountability, Efficiency, Transparency.

**H. B. No. 175:** Bonds; revise purposes for which bonds authorized for City of Hazlehurst may be used. Finance.

**H. B. No. 192:** License plate; revise disability requirement for disabled veterans tag. Finance.

**H. B. No. 242:** Sales tax; create sales tax diversion to the Pearl River Valley Water Supply District. Finance.

**H. B. No. 252:** PERS; increase maximum percentage of investments of system that are in certain types of investments. Finance.

**H. B. No. 256:** Manufactured and mobile homes; require certain notice to tax collector when relocated to another county. Finance.

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes. Finance.

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County. Finance.

**H. B. No. 472:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to Mississippi. Finance.

**H. B. No. 473:** State Bond Commission; extend reverter on statute prescribing powers and duties of. Finance.

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives. Finance.

**H. B. No. 483:** Local Governments Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. Appropriations.

**H. B. No. 492:** Health Care Expendable Fund; extend repealer on. Appropriations.

**H. B. No. 502:** School board purchasing agent; increase amount of required surety bond. Accountability, Efficiency, Transparency.

**H. B. No. 512:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Finance.

**H. B. No. 516:** Mississippi Business Finance Corporation; extend repealer on authority to issue bonds to finance economic development projects. Finance.

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities. Appropriations.

**H. B. No. 684:** Small Business and Grocer Investment Act; extend repealer on. Finance.

**H. B. No. 769:** COVID-19 Mississippi Local Provider Innovation Grant Program; create to be administered by Department of Health. Public Health and Welfare; Appropriations.

**H. B. No. 779:** Law Enforcement Death Benefits Trust Fund; include cause of death covered under First Responders Act of 2020. Appropriations.

**H. B. No. 784:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided. Finance.

**H. B. No. 840:** State budget; revise provisions of several FY22 appropriation bills. Appropriations.

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities. Appropriations.

**H. B. No. 876:** Mississippi Employment Security Law; revise to exclude services of petroleum landman from definition of "employment." Appropriations.

**H. B. No. 917:** "Home-based Opportunity Freedom Act of 2022"; create. Finance; Accountability, Efficiency, Transparency.

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit. Finance.

**H. B. No. 928:** Hospitals; establish grant program for expansions of hospital facilities that increase capacity as needed to treat more COVID-19 patients. Public Health and Welfare; Appropriations.

**H. B. No. 961:** Personal delivery devices; provide for the regulation of the use of in pedestrian areas. Judiciary, Division A.

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

**H. B. No. 1001:** Alcoholic beverage, beer, light spirit product and light wine; allow any municipality to hold election to permit or prohibit. Finance.

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects. Appropriations.

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from. Appropriations.

**H. B. No. 1105:** Notaries; revise residency requirements of. Judiciary, Division A.

**H. B. No. 1131:** Secretary of State; authorize to enter into agreements with online providers to conduct online auctions of state-forfeited tax land. Public Property.

**H. B. No. 1160:** Public Procurement Review Board; revise the qualifications of members on. Accountability, Efficiency, Transparency.

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. Finance.

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. Finance.

**H. B. No. 1164:** Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010. Finance.

**H. B. No. 1169:** Sales tax; exempt sales of tangible personal property or services to the Mississippi Aquarium. Finance.

**H. B. No. 1213:** School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. Education; Finance.

**H. B. No. 1222:** Line-Item Appropriation Transparency Act; make certain technical amendments to. Appropriations.

**H. B. No. 1328:** Mississippi Industries for the Blind; revise authority to enter into certain agreements and contracts. Accountability, Efficiency, Transparency.

**H. B. No. 1344:** Highway Patrol and MBN officers; increase salaries of. Appropriations.

**H. B. No. 1353:** Budget process; bring forward various sections relating to. Appropriations.

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health. Appropriations.

**H. B. No. 1422:** Highway Patrol officers and Narcotics Bureau officers; revise the salaries of. Appropriations.

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of. Appropriations.

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of. Appropriations.

**H. B. No. 1425:** ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health. Appropriations.

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials. Appropriations.

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to. Appropriations.

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation. Finance.

**H. B. No. 1475:** Reverse auction; revise method of receiving bids through for agencies and governing authorities. Accountability, Efficiency, Transparency.

**H. B. No. 1477:** Public purchasing laws; revise certain provisions relating to reverse auctions. Accountability, Efficiency, Transparency.

**H. B. No. 1529:** Income tax; revise definition of gross income and authorize deduction for certain expenses. Finance.

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

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes. Accountability, Efficiency, Transparency.

**H. C. R. No. 46:** "Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 11-17, 2022, as. Rules.

**H. C. R. No. 47:** Retired Brigadier General Martha Jo Leslie; commend her life upon her passing. Rules.

**H. C. R. No. 48:** Chief M.E. "Gene" Waldrop; commend upon his 50 years of police service in the State of Mississippi. Rules.

**H. C. R. No. 49:** Northwest Mississippi Community College Football Team; commend on winning MACCC State Championship. Rules.

**H. C. R. No. 50:** Brittney Reese; commend and congratulate successes as an Olympic medalist. Rules.

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MESSAGE FROM THE GOVERNOR  
February 17, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2719:** Annual salaries of county boards of supervisors; revise. (February 17, 2022, 4:17 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Johnny Lee Smith, Robert James Ashley, William George Kelly, Sr., Imogene Smith Hataway, John Montgomery Horne, William Lawrence Gilbert, Helen McNeer Fisackerly, Peggy Virginia Faulkner Kennedy, Elias Michael Kerby, Jr., Alan S. Thompson, Camelia Ann Young, Gerald L. Young and Jennifer Counts.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, FEBRUARY 17, 2022

**S. B. No. 3069:** Local and Private

AN ACT TO AMEND CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2020, TO ADD CARE NOW FOOD PANTRY AS A 501(C)(3) QUALIFIED CHARITABLE ORGANIZATION TO WHICH THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, MAY CONTRIBUTE ANNUALLY; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 3070:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF PERRY COUNTY, MISSISSIPPI, IN PAYING THE COSTS OF WIDENING COCHRAN ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 3071:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF SIMPSON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE INSTALLATION OF LED LIGHTING AND THE IMPLEMENTATION OF OTHER ENERGY EFFICIENCY MEASURES IN COUNTY BUILDINGS, PARKS AND OTHER FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 3072:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS AND UPGRADES TO ITS WATER SUPPLY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3073:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI,

IN PAYING THE COSTS ASSOCIATED WITH THE PAVING OF CITY STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3074:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD PAVING AND BRIDGE REPAIRS IN SUPERVISOR DISTRICT 4; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3075:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF WILKINSON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS AND WITH THE REMOVAL OF AN ABANDONED HOSPITAL; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 3076:** Finance

AN ACT TO AMEND SECTION 85, CHAPTER 480, LAWS OF 2021, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF STATE GENERAL OBLIGATION BONDS TO ASSIST NOXUBEE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A COUNTY EMERGENCY OPERATIONS CENTER AND RELATED FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3077:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PEARL, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A BRIDGE EXTENDING FROM THE INTERSECTION OF THE EXTENSION OF WARE STREET AND RELOCATED ST. AUGUSTINE STREET TO PEARSON ROAD IN THE CITY OF PEARL; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3078:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO LOWER MILLIGAN SPRINGS ROAD, ELLIS ROAD, BLUFF SPRINGS ROAD AND WINDHAM ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 3079:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SAND CREEK WASTEWATER AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH AN UPGRADE OF THE REGIONAL WASTEWATER TREATMENT FACILITY SERVING NORTH LEE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3080:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF TUPELO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3081:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SALTILLO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A TENNIS COURT COMPLEX AT SALTILLO HIGH SCHOOL FOR PUBLIC USE; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3082:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BALDWIN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO LATIMER PARK; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3083:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GUNTOWN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND STORMWATER IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3084:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ITAWAMBA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF A FIRE ENGINE FOR THE HOUSTON FIRE DEPARTMENT, WITH ANY EXCESS FUNDS USED TO ASSIST THE BOARD OF SUPERVISORS OF ITAWAMBA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF PLAYGROUND EQUIPMENT IN THE HOUSTON COMMUNITY PARK; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 3085:** Finance

AN ACT TO AMEND SECTION 31-31-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE OCCUPANCY TAX FOR HOTELS AND MOTELS LOCATED WITHIN THE CITY OF JACKSON FROM 75¢ TO \$2.00 PER DAY FOR EACH OCCUPIED ROOM; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Frazier, Blount

**S. B. No. 3086:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF FLOWOOD, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH EXTENDING LAKELAND DRIVE TO MISSISSIPPI HIGHWAY 471; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3087:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF RICHLAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A WALKWAY OVER U.S. HIGHWAY 49; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3088:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON COUNTY UTILITY

AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH THE STUDY, MONITORING, MANAGEMENT AND OTHER MEASURES NEEDED FOR THE ERADICATION OF THE APPLE SNAIL AND THE RESTORATION OF THE ASSOCIATED NATURAL HABITAT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 3089:** Finance

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

By Senator(s) Seymour

**S. B. No. 3090:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF OXFORD, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF A BUILDING TO BE USED BY THE CITY OF OXFORD POLICE DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 3091:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE COLUMBUS REDEVELOPMENT AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH THE COLUMBUS REVITALIZATION PROJECT, INCLUDING THE REDEVELOPMENT OF "BURNS BOTTOM," NOW KNOWN AS "PARKVIEW"; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3092:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO THE CITY OF CARTHAGE TO DEFRAY THE EXPENSE FOR RENOVATION OF THE CARTHAGE COLISEUM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3093:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CARTHAGE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH WATER, WASTEWATER AND SEWER IMPROVEMENTS, INCLUDING THE REPLACEMENT OF WATER AND SEWER MAINS UNDER BOYD STREET, TANK REHABILITATION AND THREE GENERATORS FOR THE WATER SYSTEM, UPGRADES TO THE WASTEWATER TREATMENT BASIN, AND IMPROVEMENTS TO THE LEAKE COUNTY CORRECTIONAL FACILITY SEWER LIFT STATION AND SEWER LINES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3094:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SOUTH HOLMES WATER ASSOCIATION IN PAYING THE COSTS ASSOCIATED WITH UPGRADES TO ITS WATER DISTRIBUTION SYSTEM, INCLUDING THE PLACEMENT OF METERING STATIONS AND THE REPLACEMENT OF DISTRIBUTION LINES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3095:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE EAST MADISON WATER ASSOCIATION IN PAYING THE COSTS ASSOCIATED WITH VARIOUS IMPROVEMENTS, INCLUDING A NEW WATER WELL, A WATER LINE REPLACEMENT, NEW AUTOMATIC METER READING WATER METERS, RATLIFF FERRY TANK REHABILITATION, GENERATORS AT THREE SITES, AND MISCELLANEOUS IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3096:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF TCHULA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3097:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CANTON MUNICIPAL UTILITIES IN PAYING THE COSTS ASSOCIATED WITH PROVIDING ELECTRICITY, WATER AND WASTEWATER SERVICES TO THE CITY OF CANTON, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3098:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF GOODMAN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3099:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD REPAIRS AND IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3100:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ATTALA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 4; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3101:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ATTALA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 2; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3102:** Finance

AN ACT TO AMEND SECTION 113, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE CITY OF CARTHAGE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS COLISEUM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3103:** Finance

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

By Senator(s) McMahan

**S. B. No. 3104:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SOUTHAVEN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF GUTHRIE DRIVE AND AIRWAYS BOULEVARD; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 3105:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF NOXUBEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPLACING THE ROOF OF THE COUNTY COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 3106:** Finance

AN ACT TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL AUTHORITIES TO ENTER AGREEMENTS TO GRANT A FEE-IN-LIEU OF AD VALOREM TAXES FOR ANY OWNER-OCCUPIED OR RENTAL HOME OR HOUSING DEVELOPMENT, WHETHER SINGLE-FAMILY OR MULTIFAMILY; TO PROVIDE THAT SUCH A FEE-IN-LIEU AGREEMENT MAY BE EFFECTIVE FOR A PERIOD OF UP TO FIVE YEARS, BUT IN THE CASE OF A MULTIFAMILY RENTAL HOUSING DEVELOPMENT WITH AT LEAST FOUR UNITS, OR IN THE CASE OF A HOME OR HOUSING DEVELOPMENT INCORPORATING THE USE OF SOLAR POWER, SUCH A FEE-IN-LIEU AGREEMENT MAY BE EFFECTIVE FOR A PERIOD OF UP TO TEN YEARS; TO SPECIFY THAT, TO QUALIFY FOR SUCH A FEE-IN-LIEU AGREEMENT, A HOME OR HOUSING DEVELOPMENT MUST COMPLY WITH ANY APPLICABLE COMPREHENSIVE LAND-USE PLAN OR ZONING ORDINANCE AND MAY NOT RECEIVE ANY OTHER FINANCIAL INCENTIVE FROM THE COUNTY OR MUNICIPALITY GRANTING THE FEE-IN-LIEU; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3107:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF NOXUBEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PROVIDING COMMUNICATION TOWER COVERAGE THROUGHOUT THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 3108:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BENOIT, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS AND RENOVATIONS TO THE TOWN PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 3109:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REDEVELOPMENT OF HANGAR 173 AT THE GREENVILLE MID-DELTA AIRPORT TO ENHANCE ITS STRUCTURAL SOUNDNESS AND COMPLIANCE WITH CURRENT FEDERAL AND STATE CODE STANDARDS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 3110:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF PEARL TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S SEWER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3111:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF PEARL TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S STORMWATER AND DRINKING WATER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3112:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3113:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3114:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF THE STATE GENERAL FUND TO CLAY COUNTY FOR ROAD AND BRIDGE REPAIR IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3115:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF WEST POINT TO DEFRAY EXPENSES ASSOCIATED WITH PAVING CITY STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 3116:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF WEST POINT TO DEFRAY EXPENSES FOR THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. C. R. No. 553:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE "PRIDE OF DESOTO CENTRAL HIGH SCHOOL MARCHING BAND" AND DIRECTOR

DENNIS COX FOR WINNING THE 2021 MHSAA CLASS 6A MARCHING BAND CHAMPIONSHIP.

By Senator(s) McLendon, Parker, Blackwell

**S. C. R. No. 554:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MILLICENT GUNTER OF BAYOU VIEW ELEMENTARY SCHOOL IN GULFPORT FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST SUCH AWARD FROM THE UNITED STATES GOVERNMENT.

By Senator(s) Carter

**S. R. No. 30:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE PEARL RIVER COMMUNITY COLLEGE "WILDCATS" CHEER SQUAD AND COACH SARAH SMITH FOR THEIR FIRST NATIONAL CHAMPIONSHIP.

By Senator(s) Hill, Seymour, Moran, Polk, Fillingane

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FORTY-NINTH DAY, MONDAY, FEBRUARY 21, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Chism, Thompson. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Thompson.

The invocation was delivered by Dr. Calvin E. Collins, Pastor, New Zion Missionary Baptist Church, Greenwood, MS.

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

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

## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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 REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 505:** A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF NFL HALL OF FAME RUNNING BACK WALTER PAYTON ON THE OCCASION OF THE DEDICATION OF "WALTER PAYTON FIELD" IN COLUMBIA, MISSISSIPPI.

**S. C. R. No. 510:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI "BRAVES" BASEBALL TEAM THE AA AFFILIATE OF THE WORLD CHAMPIONSHIP ATLANTA BRAVES AND MANAGER DAN MEYER FOR WINNING THE DOUBLE-A SOUTH CHAMPIONSHIP SERIES AT TRUSTMARK PARK IN PEARL, MISSISSIPPI, THEIR FIRST LEAGUE CHAMPIONSHIP SINCE 2008.

**S. C. R. No. 516:** A CONCURRENT RESOLUTION RECOGNIZING MARCH 2022 AS "KIDNEY DISEASE AWARENESS MONTH" AND MARCH 10, 2022, AS "WORLD KIDNEY DAY" IN MISSISSIPPI.

**S. C. R. No. 526:** A CONCURRENT RESOLUTION EXPRESSING THE DEEPEST SYMPATHY OF THE LEGISLATURE ON THE PASSING OF LUSIA "LUCY" HARRIS OF MINTER CITY, MISSISSIPPI, AND REMEMBERING HER LEGACY AS A PIONEER OF WOMEN'S BASKETBALL ON THE OCCASION OF THE PREMIER OF THE DOCUMENTARY FILM "THE QUEEN OF BASKETBALL" RELEASED IN HER HONOR.

**S. C. R. No. 535:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO THE ICONIC GOSPEL GROUP THE WILLIAMS BROTHERS AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT IN MUSIC.

**S. C. R. No. 536:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO ICONIC FILM PRODUCER LAWRENCE "LARRY" GORDON AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT IN MOTION PICTURES AND TELEVISION.

**S. C. R. No. 537:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO FOUNDING DIRECTOR OF THE MISSISSIPPI BOOK FESTIVAL HOLLY LANGE AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD GOVERNOR'S CHOICE.

**S. C. R. No. 538:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO ABSTRACT ARTIST AND ARTS EDUCATOR MARY LOVELACE O'NEAL AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN VISUAL ART.

**S. C. R. No. 539:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO THE ALCORN STATE UNIVERSITY JAZZ FESTIVAL AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARDS FOR ARTS IN THE COMMUNITY.

Joseph Thomas, Chairman

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 REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 540:** A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO MYRNA COLLEY-LEE AS THE RECIPIENT OF THE 2022 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN COSTUME DESIGN AND ARTS PATRON.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 513:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING WILLIAM (BILL) BYNUM, FOUNDER AND CEO OF HOPE, A JACKSON, MISSISSIPPI-BASED COMMUNITY DEVELOPMENT FINANCIAL ORGANIZATION TO ASSIST ENTREPRENEURSHIP AND HOMEOWNERSHIP IN THE DEEP SOUTH, UPON HIS RECEIPT OF THE PRESTIGIOUS 26TH HEINZ AWARD FOR THE ECONOMY.

**S. C. R. No. 515:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI-ALABAMA SEA GRANT CONSORTIUM ON THE OCCASION OF ITS 50TH ANNIVERSARY AND RECOGNIZING ITS ACHIEVEMENTS.

**S. C. R. No. 530:** A CONCURRENT RESOLUTION CELEBRATING THE LIFE OF BRIDGETTE ROCHELLE HORN OF PHILADELPHIA, MISSISSIPPI, AND COMMENDING HER MILITARY AND LAW ENFORCEMENT SERVICE TO HER NATION AND HER COMMUNITY.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 426:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

**H. B. No. 1521:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF PROVIDING FUNDING FOR THE NURSING EDUCATION INCENTIVE PROGRAM CREATED IN HOUSE BILL NO. 1005, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1550:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS FOR PHASED CONSTRUCTION OF A NEW DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS BUILDING FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH - OFFICE AGAINST INTERPERSONAL VIOLENCE FOR THE FISCAL YEAR 2022.

**H. B. No. 1581:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1582:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1583:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2023.

**H. B. No. 1584:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2023.

**H. B. No. 1585:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2023.

**H. B. No. 1586:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

**H. B. No. 1587:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2023.

**H. B. No. 1588:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2023.

**H. B. No. 1589:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2023.

**H. B. No. 1590:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2023.

**H. B. No. 1591:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2023.

**H. B. No. 1592:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2023.

**H. B. No. 1593:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2023.

**H. B. No. 1594:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2023.

**H. B. No. 1595:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2023.

**H. B. No. 1596:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2023.

**H. B. No. 1597:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1598:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1599:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2023.

**H. B. No. 1600:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2023.

**H. B. No. 1601:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2023.

**H. B. No. 1602:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1603:** AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2023.

**H. B. No. 1604:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1605:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2023.

**H. B. No. 1606:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1607:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BROADBAND COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1608:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2023.

**H. B. No. 1609:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1610:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2023.

**H. B. No. 1611:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1612:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2023.

**H. B. No. 1613:** AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2023.

**H. B. No. 1614:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2023.

**H. B. No. 1616:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1617:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1618:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1619:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1620:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2023.

**H. B. No. 1621:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1622:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2023.

**H. B. No. 1623:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2023.

**H. B. No. 1624:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2023.

**H. B. No. 1625:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2023.

**H. B. No. 1626:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

**H. B. No. 1627:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

**H. B. No. 1628:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

**H. B. No. 1629:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2023.

**H. B. No. 1630:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

**H. B. No. 1662:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH SITE DEVELOPMENT AND CONSTRUCTION, FURNISHING AND EQUIPPING OF NEW BUILDINGS AND FACILITIES FOR, AND THE RELOCATION OF, THE MISSISSIPPI ARMED FORCES MUSEUM AT CAMP SHELBY TO PROPERTY

OWNED BY THE MISSISSIPPI MILITARY DEPARTMENT AND LOCATED NEAR CAMP SHELBY IN FORREST COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2769:** Ad valorem tax; exempt property owned by a university foundation.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 778:** AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT SUCH FUNDS MAY ONLY BE SPENT ON THE PAYMENT OF DEATH BENEFITS FOR WHICH THE CAUSE OF DEATH IS A DEATH COVERED UNDER THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT OF 2020; AND FOR RELATED PURPOSES.

**H. B. No. 1517:** AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, TO BE DISTRIBUTED TO COMMUNITY COLLEGES, INSTITUTIONS OF HIGHER LEARNING, LOCAL SCHOOL DISTRICTS, AND INDUSTRY PARTNERS FOR SHORT-TERM TRAINING PROGRAMS, EQUIPMENT, SUPPLIES, AND BELATED EXPENSES NECESSARY TO SUPPORT SUCH SHORT-TERM TRAINING PROGRAMS AND TO INCREASE THE CAPACITY OF TRAINING PROGRAMS THAT ARE ALREADY IN PLACE, SO THAT EMPLOYEES AND OTHERS WHO HAVE BEEN DISPLACED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY CAN BE MORE COMPETITIVE AND TRAINED FOR THE JOB MARKET THAT EMERGES AFTER THE COVID-19 PUBLIC HEALTH EMERGENCY, FOR ON THE JOB TRAINING AND FOR CERTAIN ADMINISTRATIVE FEES; AND FOR RELATED PURPOSES.

**H. B. No. 1518:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES, AS PROVIDED IN HOUSE BILL NO. 453, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1522:** AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR THE PURPOSE OF PROVIDING FUNDING FOR

THE COMMUNITY AND JUNIOR COLLEGE NURSING SUPPLEMENTAL FUNDING PROGRAM ESTABLISHED IN HOUSE BILL NO. 1006, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1538:** AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA DRINKING WATER INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1425, 2022 REGULAR SESSION, AND THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1421, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1631:** AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE ATTORNEY GENERAL'S OFFICE FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2022; THE JOINT COMMITTEE ON REAPPORTIONMENT FOR FISCAL YEAR 2022; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022; THE OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; THE GOVERNORS OFFICE – DIVISION OF MEDICAID FOR FISCAL YEAR 2022; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

**H. B. No. 1663:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR MISSISSIPPI STATE UNIVERSITY MAY BE USED; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2019, TO INCREASE FROM \$36,843,000 TO \$41,293,000 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,490,000 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO PROVIDE THAT NOT MORE THAN \$2,870,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE ANNUAL CLEAN WATER STATE REVOLVING FUND APPROPRIATIONS AND THAT NOT MORE THAN \$1,620,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE SUPPLEMENTAL INFRASTRUCTURE AND INVESTMENT JOBS ACT APPROPRIATIONS; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND"; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH DITCH EROSION CONTROL, REPAIR AND REHABILITATION IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE BUILDING FUND FOR THE ARTS; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000 FOR THE ACE FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE

DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO, AND TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$80,000,000 TO \$83,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO EXTEND THE REPEALER ON THE PROVISIONS THAT AUTHORIZE THE STATE BOND COMMISSION TO NEGOTIATE THE SALE OF BONDS ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2966:** AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE OPERATIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2967:** AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE OPERATIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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

**H. B. No. 43:** Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. Education; Appropriations.

**H. B. No. 589:** The Sexual Assault Response for College Students Act; create. Universities and Colleges; Appropriations.

**H. B. No. 768:** Rural Physicians Scholarship Program; expand to include a loan repayment program for graduates who practice in rural areas. Universities and Colleges; Appropriations.

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish. Economic and Workforce Development; Appropriations.

**H. B. No. 1059:** Teacher licensure and certification; revise qualifications for receipt of and entry into educator preparation programs. Education.

**H. B. No. 1098:** Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for. County Affairs; Finance.

**H. B. No. 1132:** Private food service; authorize Department of Finance and Administration to solicit proposals for certain state properties. Public Property.

**H. B. No. 1487:** State song; designate "One Mississippi" as official. Rules.

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INTRODUCTIONS FOR FRIDAY, FEBRUARY 18, 2022

**S. B. No. 3117:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF WIGGINS TO DEFRAID EXPENSES FOR THE IMPROVEMENT OF THE CITY'S SEWER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 3118:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE STATE AID ROAD FUND TO REIMBURSE THE FUND FOR MONIES EXPENDED TO COUNTIES DUE TO THE PROVISIONS OF HOUSE BILL NO. 779, 2019 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

By Senator(s) Branning, Sparks, Boyd, Younger, Whaley, DeBar, Caughtman, Fillingane, Chassaniol, Williams

**S. B. No. 3119:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF POPLARVILLE TO DEFRAID EXPENSES FOR THE IMPROVEMENT OF THE CITY'S WATER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Hill

**S. B. No. 3120:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF POPLARVILLE TO ASSIST IN THE PURCHASE OF EQUIPMENT FOR THE CITY'S FIRE DEPARTMENT AND POLICE DEPARTMENT FOR FISCAL YEAR 2023.

By Senator(s) Seymour, Hill

**S. B. No. 3121:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE TOWN OF SUNFLOWER TO DEFRAY EXPENSES FOR THE RENOVATION OF THE CITY LIBRARY FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 3122:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF HOUSTON TO DEFRAY EXPENSES FOR THE CITY'S WATER AND SEWER SYSTEMS' INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3123:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE DEPARTMENT OF MENTAL HEALTH TO DEFRAY EXPENSES OF ADDITIONAL BEDS FOR ALCOHOL AND DRUG INTERVENTION TREATMENT FOR FISCAL YEAR 2023.

By Senator(s) Turner-Ford

**S. B. No. 3124:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE DEPARTMENT OF HUMAN SERVICES TO DEFRAY EXPENSES FOR THE MEALS ON WHEELS PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) Turner-Ford

**S. B. No. 3125:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE DEPARTMENT OF EMPLOYMENT SECURITY TO DEFRAY EXPENSES FOR THE ON-THE-JOB NURSE (LPN) TRAINING PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) Turner-Ford

**S. B. No. 3126:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF BROOKSVILLE TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S WATER INFRASTRUCTURE FOR FISCAL YEAR 2023.

By Senator(s) Turner-Ford

**S. B. No. 3127:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE DEPARTMENT OF EMPLOYMENT SECURITY TO DEFRAY EXPENSES FOR THE SUMMER YOUTH JOBS PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) Turner-Ford

**S. B. No. 3128:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND TO BE UTILIZED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2023.

By Senator(s) Branning, Sparks, Younger, Whaley, DeBar, Boyd, Caughman, Fillingane, Williams, Chassaniol

**S. B. No. 3129:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO MARSHALL COUNTY FOR THE PURPOSE OF COMPLETING THE RED BANKS ROAD IMPROVEMENT PROJECT FOR THE FISCAL YEAR 2023.

By Senator(s) Whaley, Blackwell

**S. B. No. 3130:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO MARSHALL COUNTY FOR THE PURPOSE OF COMPLETING THE BYHALIA RAILROAD BRIDGE PROJECT FOR THE FISCAL YEAR 2023.

By Senator(s) Whaley, Blackwell

**S. B. No. 3131:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO MARSHALL COUNTY FOR THE PURPOSE OF COMPLETING THE POTTS CAMP RAILROAD BRIDGE AND BYPASS PROJECT FOR THE FISCAL YEAR 2023.

By Senator(s) Whaley

**S. B. No. 3132:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO MARSHALL COUNTY FOR THE PURPOSE OF COMPLETING THE BLACKWATER ROAD BRIDGE PROJECT FOR THE FISCAL YEAR 2023.

By Senator(s) Whaley

**S. B. No. 3133:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE JACKSON COUNTY UTILITY AUTHORITY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE AUTHORITY'S WASTEWATER AND STORMWATER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 3134:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE STONE COUNTY UTILITY AUTHORITY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE AUTHORITY'S SEWER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 3135:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF YALOBUSHA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REBUILDING A BRIDGE ON COUNTY ROAD 221 OVER THE SKUNA RIVER; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Chassaniol

**S. B. No. 3136:** Finance

AN ACT TO CREATE THE MISSISSIPPI INCOME TAX HOLIDAY ACT OF 2022; TO PROVIDE THAT, BEGINNING WITH TAXES OWED FOR CALENDAR YEAR 2022, ANY TAXPAYER FILING A MISSISSIPPI INDIVIDUAL INCOME TAX RETURN WILL RECEIVE A CREDIT IN AN AMOUNT EQUAL TO 20% OF THE TAX AMOUNT, IF ANY, REPORTED AS "INCOME TAX DUE" BEFORE THE APPLICATION OF CREDITS; TO SPECIFY THAT THE CREDIT AUTHORIZED IN THIS ACT MAY NOT BE TRANSFERRED TO ANOTHER TAXPAYER OR CARRIED OVER TO ANOTHER YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 3137:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A BRIDGE OVER WOLF LAKE; AND FOR RELATED PURPOSES.

By Senator(s) Thomas, Jordan

**S. B. No. 3138:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CLEVELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXTENSION OF AIRPORT TERMINAL ROAD AT THE CITY OF CLEVELAND MUNICIPAL AIRPORT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 3139:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CHARLESTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REHABILITATION OF ITS CITY HALL, CITY-WIDE SIDEWALK REPAIRS, AND STREET REPAVING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 3140:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HOUSTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION OF THE HISTORIC HOUSTON THEATER; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3141:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HOUSTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO CITY STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3142:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SHANNON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A COMMUNITY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3143:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PONTOTOC, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RELOCATION OF ITS MAIN FIRE STATION; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Chism

**S. B. No. 3144:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF CALHOUN CITY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH STREET IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3145:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WATER VALLEY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE UPGRADE OF THE CITY-OWNED ELECTRIC SYSTEM BY REPAIRING THE POWER SUBSTATION, AND WITH THE REPAIR AND RENOVATION OF ITS CITY HALL; TO ASSIST THE BOARD OF SUPERVISORS OF CHICKASAW COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH AN HVAC SYSTEM UPGRADE FOR THE COUNTY

COURTHOUSE, AND WITH THE COMPLETION OF THE CONSTRUCTION, EQUIPPING AND FURNISHING OF THE THORN VOLUNTEER FIRE DEPARTMENT; TO ASSIST THE THREE RIVERS SOLID WASTE MANAGEMENT AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH THE UPGRADE OF OLD TRANSFER STATIONS, THE ADDITION OF HISTORICAL SIGNAGE ON THE TANGLEFOOT TRAIL, AND OTHER CAPITAL IMPROVEMENTS; TO ASSIST THE VILLAGE OF PITTSBORO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RECONSTRUCTION OF ITS CITY HALL; TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVING AND OTHER STREET IMPROVEMENTS; TO ASSIST THE TOWN OF CALHOUN CITY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO A MUNICIPALLY OWNED BUILDING; TO ASSIST THE TOWN OF THAXTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVING AND OTHER STREET IMPROVEMENTS; TO ASSIST THE TOWN OF ALGOMA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS CITY HALL; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 3146:** Finance

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND/OR THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO GRANT A PARTIAL AD VALOREM TAX EXEMPTION FOR NONRESIDENTIAL USE PROPERTY THAT IS BEING CONVERTED TO A RESIDENTIAL USE IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE ASSESSED VALUE OF THE PROPERTY FOR RESIDENTIAL USE AND THE ASSESSED VALUE OF THE PROPERTY FOR NONRESIDENTIAL USE; TO PROVIDE THAT THE EXEMPTION SHALL END WHEN THE PROPERTY IS OCCUPIED BY A HOMEOWNER; TO PROVIDE THE MANNER IN WHICH A REQUEST FOR SUCH EXEMPTION MUST BE MADE; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 3147:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE LOCATION OF EMERGENCY WATER STORAGE NEAR THE FACILITIES OF ANDERSON REGIONAL MEDICAL CENTER AND RUSH HEALTH SYSTEMS IN MERIDIAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 3148:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO NORTH HILLS STREET IN MERIDIAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. C. R. No. 555:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE STONE COUNTY HIGH SCHOOL "LADY CATS" SOCCER TEAM AND HEAD COACH CARISSA HARRISON FOR WINNING THEIR FIRST 4A STATE SOCCER CHAMPIONSHIP IN SCHOOL HISTORY.

By Senator(s) Seymour

**S. C. R. No. 556:** Rules

A CONCURRENT RESOLUTION RECOGNIZING FEBRUARY 2022 AS "SELF-CARE MONTH IN MISSISSIPPI" TO ENCOURAGE CONSUMERS, HEALTHCARE PRACTITIONERS AND REGULATORS TO COMMUNICATE THE BENEFITS OF SELF-CARE.

By Senator(s) Fillingane

**S. C. R. No. 557:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING LAURA BIVINS OF ANN SMITH ELEMENTARY SCHOOL IN MADISON COUNTY FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST SUCH AWARD FROM THE UNITED STATES GOVERNMENT.

By Senator(s) Michel

**S. C. R. No. 558:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING DIA CHAWLA OF PILLOW ACADEMY IN GREENWOOD AS THE SECOND MISSISSIPPI HIGH SCHOOL STUDENT TO WIN THE NATIONAL HIGH SCHOOL HEISMAN TROPHY, GIVEN TO THE TOP HIGH SCHOOL STUDENT ATHLETE IN THE UNITED STATES OF AMERICA.

By Senator(s) Jordan, Jackson (11th), Chassaniol, Thomas

**S. R. No. 31:** Rules

A RESOLUTION RECOGNIZING THE JUDICIAL SERVICE OF HINDS COUNTY CHANCELLOR DENISE SWEET OWENS ON THE OCCASION OF HER RETIREMENT.

By Senator(s) Norwood, Jackson (11th), Blount, Butler (36th), Butler (38th), Frazier, Thomas, Horhn, Simmons (12th)

**S. R. No. 32:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING SHAWN CHESSEY AND THE STUDENTS OF EAST CENTRAL HIGH SCHOOL IN JACKSON COUNTY, MISSISSIPPI, FOR BEING AWARDED A LEMELSON-MIT INVENTEAM GRANT FOR DEVELOPING TECHNOLOGY INVENTION AS A SOLUTION TO REAL-WORLD PROBLEMS.

By Senator(s) England

**S. R. No. 33:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE PICAYUNE HIGH SCHOOL "MAROON TIDE" FOOTBALL TEAM AND COACH CODY STOGNER FOR WINNING THE MHSAA 5A STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Hill, Moran, Seymour

**S. R. No. 34:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE CLEVELAND CENTRAL HIGH SCHOOL "WOLVES" BOWLING TEAM AND COACH WADE MCLEMORE FOR WINNING THE MHSAA CLASS II STATE BOYS BOWLING TOURNAMENT THEIR FIRST STATE CHAMPIONSHIP IN PROGRAM HISTORY.

By Senator(s) Simmons (13th)

**S. R. No. 35:** Rules

A RESOLUTION RECOGNIZING HOLLY BRAND OF MERIDIAN AS MISS MISSISSIPPI 2021 AND COMMENDING HER SOCIAL IMPACT INITIATIVE ON VOLUNTEERISM.

By Senator(s) Tate, McCaughn, Hickman

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

**H. B. No. 1323:** Tallahatchie River Authority; create. Economic and Workforce Development.

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

**H. B. No. 1388:** Comprehensive Career and Technical Reform Act; create. Economic and Workforce Development; Education.

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

**H. B. No. 1408:** Sheriffs' salaries; increase. Local and Private.

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

**H. B. No. 1441:** Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants and prepared food at convenience stores. Local and Private; Finance.

**H. B. No. 1523:** City of Saitillo; authorize tourism tax on hotels, motels and restaurants. Local and Private; Finance.

**H. B. No. 1525:** City of Richland; extend repealer on bar and restaurant tourism tax. Local and Private.

**H. B. No. 1526:** City of Richland; extend date of repeal on hotel/motel; tourism tax. Local and Private.

**H. B. No. 1547:** City of Starkville; extend repeal date on economic development, tourism/convention tax. Local and Private.

**H. B. No. 1549:** City of Charleston; authorize expenditure for asphalt to be used on certain county roads damaged due to needed city sewer repairs. Local and Private.

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 502:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING FORMER MISSISSIPPI REPRESENTATIVE HONORABLE FRED L. BANKS, JR., ON THE OCCASION OF HIS RECEIPT OF THE PRESTIGIOUS "2021 LIFETIME ACHIEVEMENT AWARD" BY THE MISSISSIPPI BAR.

**S. C. R. No. 512:** A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LEGACY OF FORMER POW AND RETIRED AIR FORCE COLONEL CARLYLE "SMITTY" HARRIS AND EXTENDING THE CONGRATULATIONS OF THE LEGISLATURE TO SMITTY AND HIS FAMILY ON THE OCCASION OF THE DEDICATION OF THE UNITED STATES POST OFFICE IN TUPELO, MISSISSIPPI, TO BE NAMED IN HIS HONOR.

**S. C. R. No. 514:** A CONCURRENT RESOLUTION CONGRATULATING THE MISSISSIPPI STATE UNIVERSITY "BULLDOGS" BASEBALL TEAM AND HEAD

COACH CHRIS LEMONIS ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BASEBALL CHAMPIONSHIP.

**S. C. R. No. 517:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI MAYOR, POLITICIAN, DELTA BLUES PROMOTER, ENTREPRENEUR, ATTORNEY, PILOT, NATIONAL GUARD OFFICER, DEVELOPER, PRESERVATIONIST, ACTOR, FILM PRODUCER AND RESTAURANT AND NIGHTCLUB IMPRESARIO WILLIAM O. "BILL" LUCKETT, JR., OF CLARKSDALE, MISSISSIPPI.

**S. C. R. No. 522:** A CONCURRENT RESOLUTION CELEBRATING THE LIFE OF LEGENDARY MISSISSIPPI BASKETBALL COACH LAFAYETTE "STRIB" STRIBLING, REMEMBERING HIS HISTORIC CAREER AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

**S. C. R. No. 525:** A CONCURRENT RESOLUTION COMMENDING JAMES A. BARBER, FORMER EXECUTIVE DIRECTOR OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) AND HIS CONTRIBUTIONS TO LEGISLATIVE OVERSIGHT IN MISSISSIPPI AND THE FIELD OF PROGRAM EVALUATION, ON THE OCCASION OF HIS RETIREMENT.

**S. C. R. No. 532:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING UNIVERSITY OF MISSISSIPPI QUARTERBACK MATT CORRAL FOR LEADING OLE MISS TO ITS BEST REGULAR SEASON IN TEAM PROGRAM HISTORY.

**S. C. R. No. 541:** A CONCURRENT RESOLUTION RECOGNIZING JANUARY 2022 AS "CERVICAL HEALTH AWARENESS MONTH IN MISSISSIPPI," ACKNOWLEDGING THAT CERVICAL CANCER IS DETECTABLE AND PREVENTABLE THROUGH REGULAR SCREENING, AND ENCOURAGING ALL WOMEN TO SCHEDULE WELL-WOMAN EXAMS AND PAP+HPV (CO-TESTING) CERVICAL CANCER SCREENING.

**S. C. R. No. 542:** A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF FORMER NORTHERN DISTRICT TRANSPORTATION COMMISSIONER ZACK STEWART AND THANKING HIM FOR HIS OUTSTANDING RECORD OF EFFECTIVE AND DEDICATED SERVICE TO THE PEOPLE OF THE STATE OF MISSISSIPPI.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 544:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLYMPIAN CORY MCGEE FROM PASS CHRISTIAN, MISSISSIPPI, FOR HER OUTSTANDING TRACK AND FIELD ACCOMPLISHMENT IN THE 1,500 METERS FINAL AT THE 2020 TOKYO OLYMPICS AND EXTENDING BEST WISHES FOR CONTINUED SUCCESS.

Joseph Thomas, Chairman

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Senator McMahan called up the following entitled bill:

**S. B. No. 2514:** City of Hattiesburg; extend repeal date on hotel, motel and restaurant tax.

YEAS AND NAYS On S. B. No. 2514. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator McMahan called up the following entitled bill:

**S. B. No. 2997:** City of Batesville; extend repealer on restaurant, hotel and motel tax for tourism.

YEAS AND NAYS On S. B. No. 2997. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator McMahan called up the following entitled bill:

**S. B. No. 2999:** City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals.

YEAS AND NAYS On S. B. No. 2999. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

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

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Senator McMahan called up the following entitled bill:

**S. B. No. 3000:** Warren County; authorize contributions to various organizations.

YEAS AND NAYS On S. B. No. 3000. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--None.  
Absent and those not voting--Chism, Thompson. Total--2.  
Voting Present--McDaniel. Total--1.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Thomas W. Prewitt and Nellie Flo Tindall Michaels of Jackson, MS.  
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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Christopher Floyd Mobley of Madison, MS.  
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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lindy Lafaye Root of New Orleans, LA.  
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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Henry Kyle Thompson, Carol S. Cumberland, Richard "Rick" Louis Farr, Sr. and Daniel Reed "Danny" Buckalew of Meridian, MS.  
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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dr. Leonard O. Byrd, Clement E. "Kem" Banks and Faye Brewer of Meridian, MS.  
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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Lizzie Mae Evans Archie of Meehan, MS.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Elvera "Betty" Menard of Biloxi, MS.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dorothy Muriel Ellis of Gulfport, MS.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Anna June Skinner of St. Martin Community, MS.  
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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Shirley Ray Bond of Wiggins, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Michael "Mike" Stanley Zagaiski of Gulf Breeze, FL.

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Senators Parker, McLendon and Blackwell moved that when the Senate adjourns, it adjourn in memory of Guidano "Dano" Napoli of Southaven, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Pertina Michelle Benjamin and Carlton Pierce of Leakesville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Shelly Dawn Cochran of Lucedale, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 22, 2022.

The motion prevailed, and at 4:16 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON FORESTRY

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

**H. B. No. 478:** Mississippi Forestry Commission; extend repealer on authority to hire law enforcement officers to investigate woods arson. Title Sufficient. Do Pass.

MCCAUGHN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dr. Thomas W. Prewitt, Nellie Flo Tindall Michaels, Lizzie Mae Evans Archie, Dr. Leonard O. Byrd, Elvera "Betty" Menard, Dorothy Muriel Ellis, Anna June Skinner, Shirley Ray Bond, Michael "Mike" Stanley Zagaiski, Guidano "Dano" Napoli, Pertina Michelle Benjamin, Carlton Pierce, Christopher Floyd Mobley, Shelly Dawn Cochran, Lindy Lafaye Root, Henry Kyle Thompson, Carol S. Cumberland, Richard "Rick" Louis Farr, Sr., Daniel Reed "Danny" Buckalew, Clement E. "Kem" Banks and Faye Brewer.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR MONDAY, FEBRUARY 21, 2022

**S. B. No. 3149:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GULFPORT, MISSISSIPPI, TO FUND A COMMISSION CREATED UNDER SECTIONS

21-27-11 AND 21-27-13, MISSISSIPPI CODE OF 1972, TO CONTROL, MANAGE AND OPERATE A MOTOR VEHICLE TRANSPORTATION SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 3150:** Finance

AN ACT TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS AMENDED BY SECTION 1, CHAPTER 437, LAWS OF 2020, TO INCREASE BY \$20,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE MONEY IN THE FUND TO BE UTILIZED AS A LOAN TO HINDS COUNTY, MISSISSIPPI, TO ASSIST IN FUNDING INFRASTRUCTURE IMPROVEMENTS, INCLUDING DEVELOPMENT AND CONSTRUCTION OF A STRUCTURED PARKING FACILITY, AND OTHER IMPROVEMENTS ASSOCIATED WITH A CERTAIN ENTERTAINMENT DEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Frazier, Horhn

**S. B. No. 3151:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ALCORN COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXPANSION OF KIMBERLY CLARK ROAD TO U.S. HIGHWAY 45 AND WITH IMPROVEMENTS TO KENDRICK ROAD/COUNTY ROAD 100; ASSIST THE BOARD OF SUPERVISORS OF TIPPAH COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE MISSISSIPPI HIGHWAY 15 PROJECT, PROJECT STP-2914(3)B BROWNFIELD ROAD, AND PIONEER RAIL SPUR INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 3152:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE YELLOW CREEK PORT PROJECT IN TISHOMINGO COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 3153:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES, AND STATE AGENCIES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 3154:** Appropriations

AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF CONSTRUCTING AN ATHLETIC STADIUM TO HOST THE UNIVERSITY'S SPORTING EVENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Horhn

**S. B. No. 3155:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE COUNTY OF LAFAYETTE FOR THE PURCHASE OF FIRE TRUCKS AND FIREFIGHTING EQUIPMENT FOR ITS RURAL FIRE DEPARTMENT FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 3156:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR REPLACEMENT OF CERTAIN BRIDGES, FOR THE FISCAL YEAR 2023.

By Senator(s) Branning

**S. B. No. 3157:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF BLUE MOUNTAIN TO DEFRAY EXPENSES FOR IMPROVEMENTS TO THE BLUE MOUNTAIN CHILDREN'S PARK FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3158:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF WALNUT TO DEFRAY EXPENSES FOR THE CITY'S STORMWATER DRAINAGE PROJECT FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3159:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF CORINTH TO DEFRAY EXPENSES FOR THE CITY'S VETERANS HONOR MEMORIAL ON OLD HIGHWAY 45/72 FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3160:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF CORINTH TO DEFRAY EXPENSES FOR THE EFLAP BRIDGE REPLACEMENT PROJECT FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3161:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF FARMINGTON TO DEFRAY EXPENSES FOR COMPUTER EQUIPMENT UPGRADE AT CITY HALL FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3162:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE ALCORN COUNTY TO DEFRAY EXPENSES FOR IMPROVEMENTS TO THE GETWELL ROAD-HARPER ROAD INTERSECTION FOR FISCAL YEAR 2023.

By Senator(s) Parks

**S. B. No. 3163:** Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND FOR CERTAIN NEW RAIL INFRASTRUCTURE EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Kirby, Carter, Whaley, DeLano, Michel, Younger, Fillingane, Chassaniol, Barnett, Blackwell, England, Thompson, Tate, Boyd, DeBar, Caughman

**S. B. No. 3164:** Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PHASE OUT, AT A RATE OF 1% PER YEAR OVER A FOUR-YEAR PERIOD BEGINNING IN CALENDAR YEAR 2023, THE 4% INCOME TAX ON TAXABLE INCOME IN EXCESS OF \$5,000.00 UP TO AND INCLUDING \$10,000.00, OR ANY PART THEREOF; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RETAIL

SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY SHALL BE TAXED AT THE RATE OF 5%; TO AMEND SECTION 27-19-99, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE STANDARD LICENSE TAG FEE DEPOSITED INTO THE STATE GENERAL FUND, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE ADDITIONAL FEE DEPOSITED INTO THE STATE GENERAL FUND FROM THE SALE OF DISTINCTIVE LICENSE TAGS DISPLAYING THE EMBLEMS OF CERTAIN PUBLIC OR PRIVATE UNIVERSITIES LOCATED IN OTHER STATES, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.24, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE DUCKS UNLIMITED, INC., DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND IF THERE IS NO MISSISSIPPI CHAPTER OF DUCKS UNLIMITED, INC., SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.137, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE REBUILD THE COAST.ORG DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND WHEN REBUILD THE COAST.ORG IS DISSOLVED, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTIONS 27-19-45, 27-19-47, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.11, 27-19-56.13 AND 27-19-56.467, MISSISSIPPI CODE OF 1972, TO REMOVE THE PORTIONS OF OTHER DISTINCTIVE LICENSE TAG ADDITIONAL FEES THAT ARE CURRENTLY DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE PROVISION THAT UNEXPENDED AMOUNTS ABOVE \$500,000.00 IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND SHALL LAPSE ANNUALLY INTO THE STATE GENERAL FUND, SO THAT THEY WILL LAPSE INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-51-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO PROVIDE THAT EACH TAXPAYER WHO FILED A 2021 FORM 80-105 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A REBATE OF 5% OF HIS 2021 TAX LIABILITY; TO SPECIFY THAT THE REBATE SHALL BE NO LESS THAN \$100.00 AND NO MORE THAN \$1,000.00; TO CREATE THE 2022 INCOME TAX REBATE FUND AS A SPECIAL FUND IN THE STATE TREASURY, TO CONTAIN MONIES APPROPRIATED BY THE LEGISLATURE, TO BE USED BY THE DEPARTMENT OF REVENUE TO PAY TAXPAYERS ENTITLED TO INCOME TAX REBATES UNDER THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE 2022 INCOME TAX REBATE FUND OUT OF THE CAPITAL EXPENSE FUND ANY ADDITIONAL AMOUNT OVER THE AMOUNT PROVIDED BY THE LEGISLATURE AS NECESSARY TO FUND THE REBATE; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Johnson, Sparks

**S. C. R. No. 559:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING PUBLIC SERVICE OF FORMER UNITED STATES MARSHAL NEHEMIAH FLOWERS, JR., ON THE OCCASION OF HIS RETIREMENT FROM THE STATE PAROLE BOARD.

By Senator(s) Blount

**S. C. R. No. 560:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL "BULLDOGS" FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THEIR FIRST STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Barnett

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FIFTIETH DAY, TUESDAY, FEBRUARY 22, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Bishop James E. Swanson, Sr., Resident Bishop, MS Area of the United Methodist Church.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON INSURANCE

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

**H. B. No. 823:** Mississippi Electronic Protection Licensing Act; revise regarding battery-charged security fences. Title Sufficient. Do Pass.

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids. Title Sufficient. Do Pass As Amended.

**H. B. No. 1187:** Mississippi Insurance E-Commerce Model Act; enact. Title Sufficient. Do Pass As Amended.

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman

## REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation. Title Sufficient. Do Pass.

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.). Title Sufficient. Do Pass.

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point. Title Sufficient. Do Pass.

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year. Title Sufficient. Do Pass.

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Auxiliary Boys State Program. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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 REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

**H. B. No. 687:** Mississippi Debt Management Services Act; extend repealer on. Title Sufficient. Do Pass.

**H. B. No. 933:** Homeowners' associations; regulate managing agents of and provide certain requirements for. Title Sufficient. Do Pass.

**H. B. No. 1360:** Banks and savings associations; align merger approval with the Mississippi Business Corporation Act. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

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Senator Bryan was recognized to introduce a bill.

Senator Bryan moved that the Senate resolve itself into a Committee of the Whole for the purpose of immediate consideration of the following bill:

Bonds; authorize issuance to assist MDEQ in paying costs of administration of Water Infrastructure Grant Program Act of 2022.

The foregoing motion failed.

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Senator Polk moved that the Senate stand in recess until 1:15 PM.

The motion prevailed, and at 10:45 AM, the Senate stood in recess.

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The Senate resumed business at 1:15 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 3163:** Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure. Title Sufficient. Do Pass.

**S. B. No. 2983:** Bonds; authorize issuance for various Mississippi Development Authority programs. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 3153:** Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 3150:** Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements. Title Sufficient. Do Pass.

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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#### REPORT OF COMMITTEE ON CORRECTIONS

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

**H. B. No. 514:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. Title Sufficient. Do Pass As Amended.

**H. B. No. 515:** Prison Overcrowding Emergency Powers Act; extend repealer on. Title Sufficient. Do Pass As Amended.

**H. B. No. 534:** Corrections; extend repealer on intensive supervision program and electronic home detention. Title Sufficient. Do Pass As Amended.

**H. B. No. 689:** Community Service Revolving Fund; extend repealer on authority to collect fees from paroled offenders for deposit into. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

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SENATE JOURNAL  
TUESDAY, FEBRUARY 22, 2022

REPORT OF COMMITTEE ON CORRECTIONS

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

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Ronald Wayne Jones of New Hebron, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Jerry Alton King of Monticello, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Steve Chaney of Tupelo, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William "Bill" Barrett of Perkinston Community, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of David Ray Brownlee (Navy Veteran) of Dallas, TX.

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Senator England, joined by all Senators, moved that when the Senate adjourns, it adjourn in memory of Michael Thompson, Sr. of Diamondhead, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Pamela Shepherd Holmes of Greenwood, MS.

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

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 23, 2022.

The motion prevailed, and at 1:18 PM, the Senate stood in recess.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 3167:** Capital Expense Funds; FY2023 appropriation to MDOT for the Emergency Road and Bridge Repair Fund. Title Sufficient. Do Pass.

HOPSON, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 51:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE CHEER TEAM AND COACH BRANDON CASEY FOR WINNING THE 2022 OPEN SMALL CO-ED NATIONAL CHAMPIONSHIP.

**H. C. R. No. 53:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING DR. SAM POLLES UPON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. C. R. No. 51:** Northwest Mississippi Community College Cheer Team; commend upon winning the 2022 Open Small Co-Ed National Championship. Rules.

**H. C. R. No. 53:** Dr. Sam Polles; recognize upon occasion of his retirement as Executive Director of MDWFP. Rules.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ronald Wayne Jones, Jerry Alton King, Steve Chaney, William "Bill" Barrett, David Ray Brownlee, Michael Thompson, Sr., Pamela Shepherd Keesler and Dave Gray.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, FEBRUARY 22, 2022

**S. B. No. 3165:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SEBASTOPOL, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A TURN LANE AT 15292 MISSISSIPPI HIGHWAY 21 TO ALLEVIATE AND SHIFT TRAFFIC INTO PECO FARMS; TO ASSIST THE TOWN OF HICKORY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVEMENT OVERLAY; TO ASSIST THE TOWN OF DECATUR, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE UPGRADE OF RESCUE EXTRICATION EQUIPMENT; TO ASSIST THE CITY OF FOREST, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE FOREST WELL RESTORATION PROJECT; TO ASSIST THE CITY OF UNION, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH STREET OVERLAY; TO ASSIST THE BOARD OF SUPERVISORS OF SCOTT COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH INFRASTRUCTURE IMPROVEMENTS, INCLUDING THE REPLACEMENT OF A BOX CULVERT ON COAL BLUFF ROAD; TO ASSIST THE BOARD OF SUPERVISORS OF NEWTON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH OVERLAY AND IMPROVEMENTS ON TANGLEWOOD ROAD; TO ASSIST THE BOARD OF SUPERVISORS OF NEWTON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF A BRIDGE ON LAWRENCE HAZEL ROAD; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 3166:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN PAYING THE COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE MISSISSIPPI WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022, WHICH PROVIDES DRINKING WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE REIMBURSABLE GRANTS TO MUNICIPALITIES, COUNTIES, RURAL WATER ASSOCIATIONS, AND UTILITY AUTHORITIES, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; TO AMEND SECTION 27-103-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT INTEREST EARNED ON SUMS INVESTED IN THE WORKING CASH-STABILIZATION RESERVE FUND SHALL BE DEPOSITED IN THE WORKING CASH-STABILIZATION RESERVE FUND UNTIL THE BALANCE OF PRINCIPAL AND INTEREST IN THE FUND REACHES \$1,000,000,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 3167:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CAPITAL EXPENSE FUNDS TO MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FUNDS TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND FOR FISCAL YEAR 2023.

By Senator(s) Hopson, Branning, Sparks, Younger, Whaley, Fillingane, Williams, Polk, DeBar, Boyd

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FIFTY-FIRST DAY, WEDNESDAY, FEBRUARY 23, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Anthony McIntosh, Pastor, Mt. Bell Baptist Church, Louisville, MS.

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

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

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 426:** Sales tax; exempt sales of coins, currency and bullion. Appropriations.

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act. Appropriations.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs. Appropriations.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities. Appropriations.

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program. Appropriations.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs. Appropriations.

**H. B. No. 1581:** Appropriation; Athletic Commission. Appropriations.

**H. B. No. 1582:** Appropriation; Auctioneers Commission. Appropriations.

**H. B. No. 1583:** Appropriation; Barber Examiners, Board of. Appropriations.

**H. B. No. 1584:** Appropriation; Cosmetology, Board of. Appropriations.

**H. B. No. 1585:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Appropriations.

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of. Appropriations.

**H. B. No. 1587:** Appropriation; Nursing, Board of. Appropriations.

**H. B. No. 1588:** Appropriation; Nursing Home Administrators, Board of. Appropriations.

**H. B. No. 1589:** Appropriation; Optometry, Board of. Appropriations.

**H. B. No. 1590:** Appropriation; Physical Therapy Board. Appropriations.

**H. B. No. 1591:** Appropriation; Psychology, Board of. Appropriations.

**H. B. No. 1592:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Appropriations.

**H. B. No. 1593:** Appropriation; Insurance, Department of. Appropriations.

**H. B. No. 1594:** Appropriation; Fire Academy. Appropriations.

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System. Appropriations.

**H. B. No. 1596:** Appropriation; Real Estate Commission and Appraiser Licensing and Certification Board. Appropriations.

**H. B. No. 1597:** Appropriation; Legislative expenses. Appropriations.

**H. B. No. 1598:** Appropriation; Arts Commission. Appropriations.

**H. B. No. 1599:** Appropriation; Archives and History, Department of. Appropriations.

**H. B. No. 1631:** Appropriation; additional for various state agencies for FY22 & FY23. Appropriations.

**H. B. No. 1662:** Bonds; authorize issuance for construction of a new Mississippi Armed Forces Museum. Finance.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes. Finance.

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

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program. Appropriations.

**H. B. No. 1550:** Appropriation; add'l to DFA for phased construction of new DPS headquarters; add'l to DOH for Office Against Interpersonal Violence. Appropriations.

**H. B. No. 1600:** Appropriation; Education, Department of. Appropriations.

**H. B. No. 1601:** Appropriation; Educational Television, Authority for. Appropriations.

**H. B. No. 1602:** Appropriation; Library Commission. Appropriations.

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22. Appropriations.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of. Appropriations.

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of. Appropriations.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission. Appropriations.

**H. B. No. 1607:** Appropriation; Mississippi Broadband Commission. Appropriations.

**H. B. No. 1608:** Appropriation; Oil and Gas Board. Appropriations.

**H. B. No. 1609:** Appropriation; Public Service Commission. Appropriations.

**H. B. No. 1610:** Appropriation; Public Utilities Staff. Appropriations.

**H. B. No. 1611:** Appropriation; Human Services, Department of. Appropriations.

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of. Appropriations.

**H. B. No. 1613:** Appropriation; Medicaid, Division of. Appropriations.

**H. B. No. 1614:** Appropriation; Health, Department of. Appropriations.

**H. B. No. 1616:** Appropriation; Forestry Commission. Appropriations.

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission. Appropriations.

**H. B. No. 1618:** Appropriation; Pat Harrison Waterway District. Appropriations.

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District. Appropriations.

**H. B. No. 1620:** Appropriation; Port Authority, State. Appropriations.

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management District. Appropriations.

**H. B. No. 1622:** Appropriation; Yellow Creek State Inland Port Authority. Appropriations.

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board. Appropriations.

**H. B. No. 1624:** Appropriation; Marine Resources, Department of. Appropriations.

**H. B. No. 1625:** Appropriation; District attorneys and staff. Appropriations.

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of Appropriations.

**H. B. No. 1627:** Appropriation; State Public Defender, Office of Appropriations.

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services. Appropriations.

**H. B. No. 1629:** Appropriation; Attorney General. Appropriations.

**H. B. No. 1630:** Appropriation; Transportation, Department of. Appropriations.

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#### REPORT OF COMMITTEE ON TOURISM

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

**H. B. No. 1093:** PEER Committee; require to review effectiveness of the Mississippi Development Authority Tourism Advertising Fund. Title Sufficient. Do Pass.

CHASSANIOL, Chairman

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Senator Hopson called up the following entitled bill:

**S. B. No. 3167:** Capital Expense Funds; FY2023 appropriation to MDOT for the Emergency Road and Bridge Repair Fund.

YEAS AND NAYS On S. B. No. 3167. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Simmons D. T. (12th), Blount, Jordan, Jackson (11th), Butler A. (36th) and Norwood as co-authors of **S. B. No. 3167**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3163:** Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure.

YEAS AND NAYS On S. B. No. 3163. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators McMahan, Barrett, Blackwell, Blount, Branning, Butler A. (36th), Butler K. (38th), Frazier, Jackson (11th), Jordan, McCaughn, McLendon, Moran, Norwood, Parker, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Williams and Younger as co-authors of **S. B. No. 3163**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2983:** Bonds; authorize issuance for various Mississippi Development Authority programs.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2983. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3153:** Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3153. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Seymour, Sojourner. Total--3.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3150:** Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements.

YEAS AND NAYS On S. B. No. 3150. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 256 and renumbering subsequent sections accordingly:

SECTION \*. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half

percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14,

2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through August 15, 2022, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2022, and each succeeding month thereafter, six and twenty-two one-hundredths percent (6-22/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and seventeen one-hundredths percent (3.17%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this

chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33, and twelve and seventy one-hundredths percent (12.70%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created

under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism

Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION \*. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this \* \* \* article shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess

of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and three and seventeen one-hundredths percent (3.17%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twelve and seventy one-hundredths percent (12.70%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created

in Section 27-67-35(1). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, \* \* \* One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before September 15, 2022, and each succeeding month thereafter, five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and seven percent (7%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13; however, if in any month the total amount of the diversion calculated from the percentages in the preceding clause is less than One Million Six Hundred Sixty-six Thousand Six Hundred

Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67), then the amount deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (g) for that month shall be One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67).

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

FURTHER, AMEND the title to conform by inserting the following on line 9 after the semicolon:

TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE USE TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM USE TAX IF PURCHASED WITH FOOD STAMPS;

Amendment No. 1 to S. B. No. 3164 was adopted.

YEAS AND NAYS On S. B. No. 3164. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--11.

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

Unanimous consent was granted to add Senators Blackwell, Williams, Whaley, Suber, England, McMahan, Fillingane, Moran, Parker, Sparks, McLendon, Seymour, DeBar and McCaughn as co-authors of **S. B. No. 3164**.

Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 3164** passed the Senate.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Tommye Sue Carter of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Calvin Reese "Junior" Smith of Meadville, MS.

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

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Della Wade Wages of Aberdeen, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Johnny Goodson of Forest, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 24, 2022.

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

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REPORT OF COMMITTEE ON AGRICULTURE

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

**H. B. No. 1389:** "Mississippi Grain Indemnity Act"; enact. Title Sufficient. Do Pass As Amended.

YOUNGER, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1530:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,490,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO PROVIDE THAT NOT MORE THAN \$2,870,000.00 OF SUCH BONDS MAY BE ISSUED TO MATCH THE ANNUAL CLEAN WATER STATE REVOLVING FUND APPROPRIATIONS AND THAT NOT MORE THAN \$1,620,000.00 OF SUCH BONDS MAY BE ISSUED TO MATCH THE SUPPLEMENTAL INFRASTRUCTURE AND INVESTMENT JOBS ACT APPROPRIATIONS; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND

INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1564:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND/OR THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO GRANT A PARTIAL AD VALOREM TAX EXEMPTION FOR NONRESIDENTIAL USE PROPERTY THAT IS BEING CONVERTED TO A RESIDENTIAL USE IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE ASSESSED VALUE OF THE PROPERTY FOR RESIDENTIAL USE AND THE ASSESSED VALUE OF THE PROPERTY FOR NONRESIDENTIAL USE; TO PROVIDE THAT THE EXEMPTION SHALL END WHEN THE PROPERTY IS OCCUPIED BY A HOMEOWNER; TO PROVIDE THE MANNER IN WHICH A REQUEST FOR SUCH EXEMPTION MUST BE MADE; AND FOR RELATED PURPOSES.

**H. B. No. 1639:** AN ACT TO IMPOSE A TAX ON MOTOR VEHICLES CHARGED AT ALTERNATIVE-FUEL FUELING STATIONS IN THIS STATE; TO DEFINE THE TERM "ALTERNATIVE-FUEL FUELING STATION"; TO PROVIDE FOR THE AMOUNT OF THE TAX; TO PROVIDE THAT THE REVENUE DERIVED FROM THE TAX IMPOSED BY THIS ACT WILL BE APPORTIONED AMONG THE VARIOUS PURPOSES SPECIFIED FOR GASOLINE AND DIESEL FUEL TAXES IN THE SAME PROPORTION THAT THOSE TAXES WERE APPORTIONED FOR THOSE PURPOSES DURING THE PREVIOUS STATE FISCAL YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1664:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF ADMINISTERING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR THE FISCAL YEAR 2023.

**H. B. No. 1675:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE AGENCIES; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS BY TAXPAYERS THAT ARE BUSINESS ENTERPRISES TO ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1685:** AN ACT TO CREATE THE PREGNANCY RESOURCE ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THAT CONTRIBUTIONS FOR WHICH TAX CREDITS ARE CLAIMED UNDER THIS ACT MAY NOT BE USED AS DEDUCTIONS FOR STATE TAX PURPOSES; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR THE TAX CREDIT AUTHORIZED BY THIS ACT; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE

CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1686:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE PURPOSE OF DEFEASING MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS ISSUED FOR THE PURPOSE OF ACCELERATING CERTAIN HIGHWAY CONSTRUCTION PROJECTS FOR THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION UNDER SECTION 65-1-8; TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO PROHIBIT NEW AGREEMENTS MADE BY THE MISSISSIPPI TRANSPORTATION COMMISSION UNDER THIS SECTION FOR THE PURPOSE OF ACCELERATING CERTAIN HIGHWAY CONSTRUCTION PROJECTS; TO BRING FORWARD SECTION 3, CHAPTER 520, LAWS OF 2010, AS AMENDED BY SECTION 39, CHAPTER 569, LAWS OF 2013, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR VARIOUS ROAD AND BRIDGE PURPOSES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1687:** AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION DURING A CALENDAR YEAR; TO DELETE PROVISIONS THAT REQUIRE A CERTAIN PORTION OF TAX CREDITS THAT MAY BE ALLOCATED UNDER THIS SECTION TO BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO REVISE THE PERCENTAGE OF TAX CREDITS THAT MAY BE ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON COUNTY AFFAIRS

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

**H. B. No. 843:** County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation. Title Sufficient. Do Pass As Amended.

**H. B. No. 1017:** Justice court clerk; authorize two or more counties to enter into an agreement for the appointment of a. Title Sufficient. Do Pass.

HILL, Chairman

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#### REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**H. B. No. 158:** Off-road vehicles; revise definitions of. Title Sufficient. Do Pass.

**H. B. No. 567:** Radar; revise population threshold for municipal law enforcement to use on public streets of municipality. Title Sufficient. Do Pass.

**H. B. No. 1073:** Bridges and culverts; revise laws regarding. Title Sufficient. Do Pass.

**H. B. No. 1485:** Harvest permits; extend repealer on provisions establishing maximum weight and approved routes of vehicles. Title Sufficient. Do Pass.

**H. B. No. 1486:** CDLs; require Commissioner of DPS to provide for waivers of certain tests. Title Sufficient. Do Pass.

BRANNING, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 80:** Bradley R. (Brad) White, Madison, Mississippi, Executive Director of the Mississippi Department of Transportation, term effective July 1, 2021 and set to expire April 1, 2026. Do Advise and Consent.

BRANNING, Chairman

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REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

**H. B. No. 942:** Hunting and fishing; allow online applicants for a license to elect to be an organ donor. Title Sufficient. Do Pass As Amended.

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

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REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

**H. B. No. 972:** Bottom land leasing for oyster production; create a pilot program for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1057:** Department of Marine Resources; revise acreage of bottom authorized to be leased by. Title Sufficient. Do Pass.

**H. B. No. 1076:** Derelict vessels; provide certain requirements for the removal of. Title Sufficient. Do Pass.

**H. B. No. 1077:** Molluscan shellfish aquaculture operations; revise licensing of vessels used for. Title Sufficient. Do Pass.

**H. B. No. 1130:** Department of Marine Resources; revise license issued for seafood dealers and seafood processors. Title Sufficient. Do Pass.

MORAN, Chairman

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**H. B. No. 20:** Anatomical gifts; prohibit discrimination against recipient based on disability. Title Sufficient. Do Pass.

**H. B. No. 232:** Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Tommye Sue Carter, Jerry Lee, Della Wade Wages, Calvin Reese "Junior" Smith and Johnny Goodson.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 23, 2022

**S. B. No. 3168:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE OLIVET WATER ASSOCIATION TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE ASSOCIATION'S WATER INFRASTRUCTURE FOR FISCAL YEAR 2023.

By Senator(s) Chassaniol

**S. B. No. 3169:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF MAGNOLIA TO DEFRAY EXPENSES FOR THE CITY OF MAGNOLIA STREET OVERLAY PROJECT FOR FISCAL YEAR 2023.

By Senator(s) Butler (38th)

**S. B. No. 3170:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF MAGNOLIA TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S SEWER AND STORMWATER INFRASTRUCTURE FOR FISCAL YEAR 2023.

By Senator(s) Butler (38th)

**S. B. No. 3171:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT AND CONSTRUCTION OF BALL FIELDS, BASKETBALL COURTS, OTHER PLAYGROUND

EQUIPMENT AND A MULTI-PURPOSE COMMUNITY CENTER FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3172:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR REPAIRS AND IMPROVEMENTS TO HISTORICAL STRUCTURES IN THE COUNTY FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3173:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR RENOVATIONS TO THE CLAIBORNE COUNTY LIBRARY FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3174:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE TOWN OF SUMMIT TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER INFRASTRUCTURE FOR FISCAL YEAR 2023.

By Senator(s) Butler (38th)

**S. B. No. 3175:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE REPLACEMENT OF AN AIR CONDITIONING/HEATING SYSTEM IN THE COUNTY JAIL FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3176:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE COMPLETION OF CRITICAL ROAD IMPROVEMENTS FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3177:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE IMPLEMENTATION OF THE CLAIBORNE COUNTY WATERSHED-BASED STORMWATER MANAGEMENT PROGRAM FOR FISCAL YEAR 2023.

By Senator(s) Butler (36th)

**S. B. No. 3182:** Finance

AN ACT TO AMEND SECTION 27-104-301, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$1,000,000.00 TO \$3,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE TOUGALOO COLLEGE RESEARCH DEVELOPMENT FOUNDATION, INC., IN PAYING THE COSTS ASSOCIATED WITH COMPLETION OF RESTORATION, REPAIR, RENOVATION AND UPGRADES TO THE INTERIOR OF THE HISTORIC TOUGALOO COLLEGE SITE WHERE THE FREEDOM RIDERS TOOK REFUGE, FOR WHICH FUNDS ARE TO BE DISBURSED FROM THE 2018 TRANSPORTATION AND INFRASTRUCTURE IMPROVEMENTS FUND; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3183:** Finance

AN ACT TO AMEND SECTION 74, CHAPTER 511, LAWS OF 2016, TO INCREASE FROM \$400,000.00 TO \$6,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE PURPOSE OF

FURNISHING, EQUIPPING, REPAIRING AND RENOVATING THE NATCHEZ SEMINARY PROPERTY OF THE GENERAL MISSIONARY BAPTIST CONVENTION OF MISSISSIPPI, INC.; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3184:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO RANKIN COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE COUNTY'S STORMWATER INFRASTRUCTURE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3185:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR REPAIR, RENOVATION AND UPGRADING OF CAMPUS BUILDINGS, FACILITIES AND INFRASTRUCTURE AT ALCORN STATE UNIVERSITY, JACKSON STATE UNIVERSITY AND MISSISSIPPI VALLEY STATE UNIVERSITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3186:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF DURANT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3187:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3188:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3189:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3190:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE GENERAL MISSIONARY BAPTIST CONVENTION OF MISSISSIPPI, INC., TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF RENOVATIONS TO THE NATCHEZ SEMINARY PROPERTY FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3191:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO TOUGALOO COLLEGE TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF RESTORATION, REPAIR, RENOVATION AND UPGRADES TO THE INTERIOR OF THE HISTORIC TOUGALOO COLLEGE SITE WHERE THE FREEDOM RIDERS TOOK REFUGE FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3192:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3193:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS COLISEUM FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3194:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES FOR THE REPAIR, RENOVATION, UPGRADES AND IMPROVEMENTS TO THE CITY'S PARKS AND RELATED FACILITIES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3195:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES FOR THE CONSTRUCTION OF THE CITY OF CANTON MUNICIPAL COMPLEX FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3196:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF TCHULA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3197:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3198:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF A FIRE TRUCK FOR THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 3199:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF

HOLMES COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF A FIRE TRUCK FOR THE COMMUNITY OF EBENEZER; TO ASSIST THE TOWN OF TCHULA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO TOWN ROADS; TO ASSIST THE CITY OF DURANT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO CITY ROADS; TO ASSIST THE CITY OF CARTHAGE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO CITY STREETS; TO ASSIST THE CITY OF CANTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH WATER AND SEWER IMPROVEMENTS, STREET REPAIRS, PARK IMPROVEMENTS, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GOVERNMENT COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. R. No. 36: Rules**

A RESOLUTION COMMEMORATING THE CELEBRATION OF SEVEN DECADES OF COMMUNITY SERVICE AND SCHOLARSHIP IN THE MISSISSIPPI DELTA BY ALPHA PHI ALPHA FRATERNITY, INC., EPSILON XI LAMBDA CHAPTER AND RECOGNIZING BROTHER SAMUEL BLACKBURN'S DEDICATION TO EPSILON XI LAMBDA CHAPTER AS THE CHAPTER'S PRESENT TREASURER AT THE AGE OF 101 YEARS OLD.

By Senator(s) Jackson (11th), Barnett, Horhn, Norwood, Thomas, Butler (36th), Butler (38th), Frazier, Hickman, Jordan, Simmons (13th), Turner-Ford, Simmons (12th)

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FIFTY-SECOND DAY, THURSDAY, FEBRUARY 24, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Absent--McDaniel, Sojourner. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Rich Mayfield, Pastor, Harrisville Baptist Church, Harrisville, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 1530:** Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Finance.

**H. B. No. 1564:** Ad valorem tax; authorize partial exemption for nonresidential use land that is converted to residential use. Finance.

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan. Appropriations.

**H. B. No. 1675:** Bonds; authorize issuance for capital improvements for state agencies. Finance.

**H. B. No. 1685:** Pregnancy Resource Act; create. Finance.

**H. B. No. 1686:** Bonds; authorize issuance for defeasing bonds issued for the purpose of accelerating certain highway projects. Finance.

**H. B. No. 1687:** Children's Promise Act; revise certain provisions. Finance.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1537:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE ARPA WASTEWATER INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1425, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1542:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS AS PREMIUM PAY FOR THEIR HEIGHTENED RISK DURING THE ONGOING FEDERAL COVID-19 PUBLIC HEALTH EMERGENCY, AS PROVIDED IN HOUSE BILL NO. 1427, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2022.

**H. B. No. 1615:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2023.

**H. B. No. 1665:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT FOR THE PURPOSE OF FUNDING CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT STATE AGENCIES, STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY COLLEGES FOR THE FISCAL YEAR 2023.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 907:** "Reentry Court Act of 2022"; establish. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman  
FILLINGANE, Chairman

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REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

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

**H. B. No. 720:** Mississippi Department of Employment Security; provide requirements related to fraud prevention, detection and recovery. Title Sufficient. Do Pass.

**H. B. No. 1323:** Tallahatchie River Authority; create. Title Sufficient. Do Pass.

PARKER, Chairman

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Senator McMahan called up the following entitled bill:

**S. B. No. 2513:** City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2513. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--McDaniel, Sojourner. Total--2.

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2513**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

YEAS AND NAYS On S. B. No. 2981. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--McDaniel, Sojourner. Total--2.

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Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 2981**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

YEAS AND NAYS On S. B. No. 3065. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McDaniel, Sojourner. Total--2.

Voting Present--Seymour. Total--1.

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Unanimous consent was granted to add Senator England as co-author of **S. B. No. 3065**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

YEAS AND NAYS On S. B. No. 3066. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McDaniel, Sojourner. Total--2.

Voting Present--Seymour. Total--1.

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Unanimous consent was granted to add Senator England as co-author of **S. B. No. 3066**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year.

YEAS AND NAYS On S. B. No. 3067. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

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Unanimous consent was granted to add Senator Hickman as co-author of  
**S. B. No. 3067.**

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Senator McMahan called up the following entitled bill:

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Auxiliary Boys State Program.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3068. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.

YEAS AND NAYS On S. B. No. 3069. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

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Senator Harkins called up the motion to reconsider the vote whereby  
**S. B. No. 3164** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate.

The foregoing motion prevailed.

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Senator Branning called up the following entitled bill:

**H. B. No. 567:** Radar; revise population threshold for municipal law enforcement to use on public streets of municipality.

YEAS AND NAYS On H. B. No. 567. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

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On motion of Senator Sparks, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 567.

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Senator Branning called up the following entitled bill:

**H. B. No. 1485:** Harvest permits; extend repealer on provisions establishing maximum weight and approved routes of vehicles.

YEAS AND NAYS On H. B. No. 1485. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

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On motion of Senator Branning, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1485.

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Senator Bryan called up the following entitled bill:

**H. B. No. 20:** Anatomical gifts; prohibit discrimination against recipient based on disability.

YEAS AND NAYS On H. B. No. 20. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--McDaniel, Sojourner. Total--2.

Senator Bryan called up the following entitled bill:

**H. B. No. 232:** Uniform Controlled Substances Act; revise schedules.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-113, Mississippi Code of 1972, is amended as follows:

41-29-113.

#### SCHEDULE I

(a) Schedule I consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, that is listed in this section.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl  
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

( \*\* \*3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide), also known as acryloylfentanyl;

( \*\* \*5) AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide);

\* \* \*

( \*\* \*6) Allylprodine;

( \*\* \*7) Alphacetylmethadol, except levo-alphacetylmethadol  
(levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

( \*\* \*8) Alphameprodine;

( \*\* \*9) Alphamethadol;

( \*\* \*10) Alpha-Methylfentanyl  
(N-[1-alpha-methyl-beta-phenyl]ethyl-4-piperidyl]propionanilide;  
1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine);

( \*\* \*11) Alpha-Methylthiofentanyl  
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide);

( \*\* \*12) Benzethidine;

( \*\* \*13) Betacetylmethadol;

( \*\* \*14) Beta-Hydroxyfentanyl  
(N-[1-(2-hydroxy-2-phenethyl)-4-piperidyl]-N-phenylpropanamide);

( \*\* \*15) Beta-Hydroxy-3-methylfentanyl  
(N-[1-(2-hydroxy-2-phenylethyl)-3-methyl-4-piperidyl]-N-phenylpropanamide);

(16) Beta-Hydroxythiofentanyl  
(N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide);

( \*\* \*17) Betameprodine;

( \*\* \*18) Betamethadol;

(19) Beta-Methyl fentanyl  
(N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide), also known as  $\beta$ -methyl  
fentanyl;

(20) Beta'-Phenyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide), also known as  $\beta'$ -phenyl  
fentanyl or 3-phenylpropanoyl fentanyl;

( \*\* \*21) Betaprodine;

( \*\* \*22) Butyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);

( \*\* \*23) Clonitazene;

(24) Crotonyl fentanyl  
((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide);

(25) Cyclopentyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);

(26) Cyclopropyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);

( \*\* \*27) Dextromoramide;

( \*\* \*28) Diampromide;

( \*\* \*29) Diethylthiambutene;

( \*\* \*30) Difenoxin;

( \*\* \*31) Dimenoxadol;

( \*\* \*32) Dimepheptanol;

( \*\* \*33) Dimethylthiambutene;

( \*\* \*34) Dioxaphetyl butyrate;

( \*\* \*35) Dipipanone;

( \*\* \*36) Ethylmethylthiambutene;

( \*\* \*37) Etonitazene;

( \*\* \*38) Etoxidine;

(39) Fentanyl carbamate  
(ethyl(1-phenethylpiperidin-4-yl)(phenyl)carbamate);

( \*\* \*40) Fentanyl-related substances, meaning any substance not otherwise listed under another schedule and for which no exemption or approval is in effect under Section 505 of the Federal Food, Drug, and Cosmetic Act [21 USC 355] that is structurally related to fentanyl by one or more of the following modifications:

(A) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(B) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;

(C) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(D) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(E) Replacement of the N-propionyl group by another acyl group.

\* \* \*

(41) 4-Fluoroisobutyryl fentanyl  
(N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide), also known as  
para-fluoroisobutyryl fentanyl);

(42) 2'-Fluoro ortho-fluorofentanyl  
(N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)  
propionamide), also known as 2'-fluoro 2-fluorofentanyl);

(43) Furanyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide);

( \*\* \*44) Furethidine;

( \*\* \*45) Hydroxypethidine;

- (46) Isobutyryl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide);
- ( \*\* \*47) Isotonitazene (N,N-diethyl-2-(2-(4  
isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);
- ( \*\* \*48) Ketobemidone (including the optical and geometric isomers);
- ( \*\* \*49) Levomoramide;
- ( \*\* \*50) Levophenacymorphan;
- (51) Methoxyacetyl fentanyl  
(2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);
- (52) 4'-Methyl acetyl fentanyl  
(N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide);
- ( \*\* \*53) 3-Methylfentanyl  
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
- ( \*\* \*54) 3-Methylthiofentanyl (N-[3-methyl-1-  
(2-thienylethyl)-4-piperidiny]-N-phenylpropanamide);
- ( \*\* \*55) Morpheridine;
- ( \*\* \*56) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- ( \*\* \*57) \*\*\* MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- ( \*\* \*58) Noracymethadol;
- ( \*\* \*59) Norlevorphanol;
- ( \*\* \*60) Normethadone;
- ( \*\* \*61) Norpipanone;
- (62) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-  
(1-phenethylpiperidin-4-yl)acetamide);
- (63) Ortho-Fluoroacryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)acrylamide);
- (64) Ortho-Fluorobutyryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide), also known as  
2-fluorobutyryl fentanyl;
- (65) Ortho-Fluorofentanyl also known as  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide),
- (66) Ortho-Fluoroisobutyryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

(67) Ortho-Methyl acetylfentanyl  
(N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide), also known as 2-methyl  
acetylfentanyl;

(68) Ortho-Methyl methoxyacetyl fentanyl  
(2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)  
acetamide), also known as 2-methyl methoxyacetyl fentanyl;

(69) Para-Chloroisobutyryl fentanyl  
(N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

(70) Para-Fluorobutyryl fentanyl  
(N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

( \*\* \*71) Para-Fluorofentanyl (N-(4-fluorophenyl)  
-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide);

(72) Para-Fluoro furanyl fentanyl N-(4-fluorophenyl)-N-  
(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

(73) Para-Methoxybutyryl fentanyl  
(N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

(74) Para-Methylfentanyl  
(N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide), also known as  
4-methylfentanyl);

( \*\* \*75) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);

( \*\* \*76) Phenadoxone;

( \*\* \*77) Phenampromide;

( \*\* \*78) Phenomorphan;

( \*\* \*79) Phenoperidine;

(80) Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide),  
also known as benzoyl fentanyl;

( \*\* \*81) Piritramide;

( \*\* \*82) Proheptazine;

( \*\* \*83) Properidine;

( \*\* \*84) Propiram;

( \*\* \*85) Racemoramide;

(86) Tetrahydrofuranyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-  
carboxamide);

( \*\* \*87) Thiofentanyl  
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]propanamide);

(88) Thiofuranyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide), also known as  
2-thiofuranyl fentanyl or thiophene fentanyl;

( \*\* \*89) Tilidine;

( \*\* \*90) Trimeperidine;

( \*\* \*91) U-47700, (3,4-dichloro-N-  
[2-(dimethylamino)cyclohexyl]-N-methylbenzamide) \* \* \*;

(92) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphinol;
- (13) Methyldesorphine;
- (14) Methyldihydromorphine;
- (15) Monoacetylmorphine;
- (16) Morphine methylbromide;
- (17) Morphine methylsulfonate;
- (18) Morphine-N-Oxide;
- (19) Myrophine;

- (20) Nicocodeine;
- (21) Nicomorphine;
- (22) Normorphine;
- (23) Pholcodine;
- (24) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric) and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine;
- (2) 4-bromo-2,5-dimethoxy-amphetamine;
- (3) 4-bromo-2,5-dimethoxyphenethylamine;
- (4) 2,5-dimethoxyamphetamine;
- (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);
- (7) 4-methoxyamphetamine;
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (9) 4-methyl-2,5-dimethoxy-amphetamine;
- (10) 3,4-methylenedioxy amphetamine;
- (11) 3,4-methylenedioxymethamphetamine (MDMA);
- (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy MDA, N-OHMDA, and N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine);
- (14) 3,4,5-trimethoxy amphetamine;
- (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- (16) Alpha-methyltryptamine (also known as AMT);
- (17) Bufotenine;
- (18) Diethyltryptamine;
- (19) Dimethyltryptamine;
- (20) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

(21) Ibogaine;

(22) Lysergic acid diethylamide (LSD);

(23) (A) Marijuana (Hemp as defined and regulated under Sections 69-25-201 through 69-25-221 and Cannabidiol contained in a legend drug product approved by the Federal Food and Drug Administration or obtained under Section 41-29-136 are exempt under Schedule I);

(B) Hashish;

(24) Mescaline;

(25) Parahexyl;

(26) Peyote;

(27) N-ethyl-3-piperidyl benzilate;

(28) N-methyl-3-piperidyl benzilate;

(29) Psilocybin;

(30) Psilocyn;

(31) Tetrahydrocannabinols, meaning tetrahydrocannabinols contained in a plant of the genus Cannabis (cannabis plant), as well as the synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant such as the following:

(A) 1 cis or trans tetrahydrocannabinol;

(B) 6 cis or trans tetrahydrocannabinol;

(C) 3,4 cis or trans tetrahydrocannabinol.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of atomic positions, are covered.)

("Tetrahydrocannabinols" excludes dronabinol and nabilone.) For purposes of this paragraph, tetrahydrocannabinols do not include hemp or hemp products regulated under Sections 69-25-201 through 69-25-221.

However, the following products are exempted from control:

(i) THC-containing industrial products made from cannabis stalks (e.g., paper, rope and clothing);

(ii) Processed cannabis plant materials used for industrial purposes, such as fiber retted from cannabis stalks for use in manufacturing textiles or rope;

(iii) Animal feed mixtures that contain sterilized cannabis seeds and other ingredients (not derived from the cannabis plant) in a formula designed, marketed and distributed for nonhuman consumption;

(iv) Personal care products that contain oil from sterilized cannabis seeds, such as shampoos, soaps, and body lotions (if the products do not cause THC to enter the human body);

(v) Hemp as regulated under Sections 69-25-201 through 69-25-221; and

(vi) Any product derived from the hemp plant designed for human ingestion and/or consumption that is approved by the United States Food and Drug Administration;

(32) Phencyclidine;

(33) Ethylamine analog of phencyclidine (PCE);

(34) Pyrrolidine analog of phencyclidine (PHP, PCPy);

(35) Thiophene analog of phencyclidine;

(36) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (TCPy);

(37) 4-methylmethcathinone (mephedrone);

(38) 3,4-methylenedioxypropylvalerone (MDPV);

(39) 2-(2,5-dimethoxy-4-ethylphenyl)ethanamine (2C-E);

(40) 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);

(41) 2-(4-chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

(42) 2-(4-iodo-2,5-dimethoxyphenyl)ethanamine (2C-I); or  
2,5-dimethoxy-4-iodophenethylamine;

(43) 2-[4-(ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);

(44) 2-[4-(isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);

(45) 2-(2,5-dimethoxyphenyl)ethanamine (2C-H);

(46) 2-(2,5-dimethoxy-4-nitro-phenyl)ethanamine (2C-N);

(47) 2-(2,5-dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);

(48) 3,4-methylenedioxy-N-methylcathinone(methylone);

(49) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
(25B-NBOMe; 2C-B-NBOMe; 25B; Cimi-36);

(50) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
(25C-NBOMe; 2C-C-NBOMe; 25C; Cimi-82);

(51) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine or  
N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe; 2C-I-NBOMe; 25I; Cimi-5);

(52) 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1, 4-benzodiazepin-2-one  
(also known as Phenazepam);

(53) 7-(2-chlorophenyl)-4-ethyl-13-methyl-3-thia-1,8,11,12-tetraazatricyclo[8.3.0.0]trideca-2(6),4,7,10,12-pentaene (also known as Etizolam);

(54) *Salvia divinorum*;

(55) Synthetic cannabinoids. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of a synthetic cannabinoid found in any of the following chemical groups, whether or not substituted to any extent, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

(A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[*c*] chromen-1-ol (also known as HU-210 or 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol);

(B) Naphthoylindoles and naphthylmethylindoles, being any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane, whether or not substituted in the indole ring to any extent, or in the naphthyl ring to any extent;

(C) Naphthoylpyrroles, being any compound structurally derived from 3-(1-naphthoyl)pyrrole, whether or not substituted in the pyrrole ring to any extent, or in the naphthyl ring to any extent;

(D) Naphthylmethylindenes, being any compound structurally derived from 1-(1-naphthylmethyl)indene, whether or not substituted in the indene ring to any extent or in the naphthyl ring to any extent;

(E) Phenylacetylindoles, being any compound structurally derived from 3-phenylacetylindole, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(F) Cyclohexylphenols, being any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol, whether or not substituted in the cyclohexyl ring to any extent or in the phenolic ring to any extent;

(G) Benzoylindoles, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(H) Adamantoylindoles, whether or not substituted in the indole ring to any extent or in the adamantoyl ring system to any extent;

(I) Tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives, except where contained in cannabis or cannabis resin;

(J) 3-Cyclopropylmethanone indole or 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent;

(K) Quinoliny ester indoles, being any compound structurally derived from 1H-indole-3-carboxylic acid-8-quinoliny ester, whether or not substituted in the indole ring to any extent or the quinolone ring to any extent;

(L) 3-carboxamide-1H-indazoles, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxamide nitrogen

and 3-carboxamide-1H-indoles, whether or not substituted in the indole ring to any extent and substituted to any degree on the carboxamide nitrogen;

(M) Cycloalkanemethanone Indoles, whether or not substituted at the nitrogen atom on the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cycloalkane ring to any extent \* \* \*;

(56) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, also known as NM2201 or CBL2201;

(57) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide, also known as 5F-CUMYL-P7AICA;

(58) 1-(4-methoxyphenyl)-N-methylpropan-2-amine, also known as para-methoxymethamphetamine or PMMA.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Clonazepam,

6-(2-chlorophenyl)-1-methyl-8-nitro-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine;

(2) Flualprazolam,

8-chloro-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine;

(3) Flubromazepam,

7-bromo-5-(2-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one;

(4) Flubromazolam,

8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepin;

(5) Gamma-hydroxybutyric acid (other names include: GHB, gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(6) Mecloqualone;

(7) Methaqualone.

(f) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following central nervous system stimulants including optical salts, isomers and salts of isomers unless specifically excepted or unless listed in another schedule:

(1) Amphetamine;

(2) N-benzylpiperazine (also known as BZP and 1-benzylpiperazine);

(3) Cathinone;

(4) Fenethylamine;

(5) Methcathinone;

(6) 4-methylaminorex (also known as 2-amino-4-methyl-5-phenyl-2-oxazoline);

(7) N-ethylamphetamine;

(8) Any material, compound, mixture or preparation which contains any quantity of N,N-dimethylamphetamine. (Other names include: N,N,-alpha-trimethyl-benzeneethanamine and N,N-alpha-trimethylphenethylamine);

(9) Synthetic cathinones. (A) Unless listed in another schedule, any compound other than bupropion that is structurally derived from 2-Amino-1-phenyl-1-propanone by modification in any of the following ways:

(i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) By substitution at the 3-position with an alkyl substituent;

(iii) By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

(B) The compounds covered in this paragraph (9) include, but are not limited to, any material, compound, mixture or preparation which contains any quantity of a synthetic cathinone found in any of the following compounds, whether or not substituted to any extent, or any of these compounds which contain any synthetic cathinone, or salts, isomers, or salts of isomers, whenever the existence of such salts, isomers or salts of isomers is possible, unless specifically excepted or listed in another schedule:

(i) 4-methyl-N-ethylcathinone ("4-MEC");

(ii) 4-methyl-alpha-pyrrolidinopropiophenone ("4-MePPP");

(iii) Alpha-pyrrolidinopentiophenone ("α-PVP");

(iv) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one ("butylone");

(v) 2-(methylamino)-1-phenylpentan-1-one ("pentedrone");

(vi) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one ("pentylone");

(vii) 4-fluoro-N-methylcathinone ("4-FMC");

(viii) 3-fluoro-N-methylcathinone ("3-FMC");

(ix) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one ("naphyrone");

(x) Alpha-pyrrolidinobutiophenone ("α-PBP"); and

(xi) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one (N-ethylpentylone, ephylone).

SECTION 2. Section 41-29-115, Mississippi Code of 1972, is amended as follows:

41-29-115. (a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule II.

SCHEDULE II

(b) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in other schedules, any of the following substances, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone and naltrexone, but including the following:

- (i) Codeine;
- (ii) Dihydroetorphine;
- (iii) Ethylmorphine;
- (iv) Etorphine hydrochloride;
- (v) Granulated opium;
- (vi) Hydrocodone, whether alone or in combination with any material, compound, mixture or preparation;
- (vii) Hydromorphone;
- (viii) Metopon;
- (ix) Morphine;
- (x) Opium extracts;
- (xi) Opium fluid extracts;
- (xii) Oripavine;
- (xiii) Oxycodone;
- (xiv) Oxymorphone;
- (xv) Powdered opium;
- (xvi) Raw opium;
- (xvii) Thebaine;
- (xviii) Tincture of opium;

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative, or preparation of cocaine or coca leaves, including cocaine and ecgonine and any salt, compound, derivative, isomer, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including:

(i) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or

(ii) loflupane;

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy).

(c) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specified chemical designation, dextrorphan and levopropoxyphene excepted:

(1) Alfentanil;

(2) Alphaprodine;

(3) Anileridine;

(4) Bezitramide;

(5) Bulk dextropropoxyphene (nondosage forms);

(6) Carfentanil;

(7) Dihydrocodeine;

(8) Diphenoxylate;

(9) Fentanyl;

(10) Isomethadone;

(11) Levo-alpha-acetylmethadol (levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);

(12) Levomethorphan;

(13) Levorphanol;

(14) Metazocine;

(15) Methadone;

(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;

(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;

(18) Oliceridine  
(N-[(3-methoxythiophen-2-yl)methyl]({2-[(9R)-9-(pyridin-2-yl)-6-oxaspiro[4.5]decan-9-yl]ethyl})amine);

( \*\* \*19) Pethidine (meperidine);

( \*\* \*20) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

( \*\* \*21) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

( \*\* \*22) Pethidine-Intermediate-C,  
1-methyl-4-phenylpiperidine-4-carboxylic acid;

( \*\* \*23) Phenazocine;

( \*\* \*24) Piminodine;

( \*\* \*25) Racemethorphan;

( \*\* \*26) Racemorphan;

( \*\* \*27) Remifentanil;

( \*\* \*28) Sufentanil;

( \*\* \*29) Tapentadol;

( \*\* \*30) Thiafentanil, methyl  
4-(2-methoxy-N-phenylacetamido)-1-(2-(thiophen-2-yl)ethyl)  
piperidine-4-carboxylate).

(d) Stimulants. Any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (2) Phenmetrazine and its salts;
- (3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;
- (4) Methylphenidate and its salts;
- (5) Lisdexamfetamine, its salts, isomers and salts of isomers.

(e) Depressants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

- (1) Amobarbital;
- (2) Secobarbital;
- (3) Pentobarbital;
- (4) Glutethimide.

## (f) Hallucinogenic substances.

(1) Dronabinol oral solution [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)];

(2) Nabilone [other names include: (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one].

(g) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Amphetamine and methamphetamine immediate precursor: Phenylacetone (other names include: phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone);

(2) Phencyclidine immediate precursors:

(i) 1-phenylcyclohexylamine;

(ii) 1-piperidinocyclohexanecarbonitrile (PCC);

(3) Fentanyl immediate precursor: 4-anilino-N-phenethyl-4-piperidine (ANPP).

(h) Any material, compound, mixture or preparation which contains any quantity of a Schedule II controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.24 or 1308.32, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 3. Section 41-29-119, Mississippi Code of 1972, is amended as follows:

41-29-119. (A) The controlled substances listed in this section are included in Schedule IV.

## SCHEDULE IV

(a) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains limited quantities of the following narcotic drugs, or any salts thereof:

(1) Not more than one (1) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene, including its salts (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N, etc.);

(3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).

(b) Depressants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) Alfaxalone;

(2) Alprazolam;

(3) Barbitol;

- (4) Brexanolone;
- (5) Bromazepam;
- (6) Camazepam;
- (7) Carisoprodol;
- (8) Chloral betaine;
- (9) Chloral hydrate;

(10) Chlordiazepoxide and its salts, but does not include chlordiazepoxide hydrochloride and clidinium bromide or chlordiazepoxide and esterified estrogens;

- (11) Clobazam;
- (12) Clonazepam;
- (13) Clorazepate;
- (14) Clotiazepam;
- (15) Cloxazolam;
- (16) Delorazepam;
- (17) Diazepam;
- (18) Dichloralphenazone;
- (19) Estazolam;
- (20) Ethchlorvynol;
- (21) Ethinamate;
- (22) Ethyl loflazepate;
- (23) Fludiazepam;
- (24) Flunitrazepam;
- (25) Flurazepam;
- (26) Fospropofol;
- (27) Halazepam;
- (28) Haloxazolam;
- (29) Ketazolam;
- (30) Lemborexant;
- ( \*\* \*31) Loprazolam;

- ( \*\* \*32) Lorazepam;
- ( \*\* \*33) Lormetazepam;
- ( \*\* \*34) Mebutamate;
- ( \*\* \*35) Medazepam;
- ( \*\* \*36) Meprobamate;
- ( \*\* \*37) Methohexital;
- ( \*\* \*38) Methylphenobarbital;
- ( \*\* \*39) Midazolam;
- ( \*\* \*40) Nimetazepam;
- ( \*\* \*41) Nitrazepam;
- ( \*\* \*42) Nordiazepam;
- ( \*\* \*43) Oxazepam;
- ( \*\* \*44) Oxazolam;
- ( \*\* \*45) Paraldehyde;
- ( \*\* \*46) Petrichloral;
- ( \*\* \*47) Phenobarbital;
- ( \*\* \*48) Pinazepam;
- ( \*\* \*49) Prazepam;
- ( \*\* \*50) Quazepam;
- (51) Remimazolam;
- ( \*\* \*52) Suvorexant;
- ( \*\* \*53) Temazepam;
- ( \*\* \*54) Tetrazepam;
- ( \*\* \*55) Triazolam;
- ( \*\* \*56) Zaleplon;
- ( \*\* \*57) Zolpidem;
- ( \*\* \*58) Zopiclone.

(c) Fenfluramine.

(d) Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of Lorcaserin, including its salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible.

(e) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

- (1) Cathine ((+/-) Norpseudoephedrine);
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- (6) Mefenorex;
- (7) Modafinil;
- (8) Pemoline (including any organometallic complexes and chelates thereof);
- (9) Phentermine;
- (10) Pipradrol;
- (11) Sibutramine;
- (12) Solriamfetol;
- (13) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(f) Other substances.

- (1) Pentazocine;
- (2) Butorphanol (including its optical isomers);
- (3) Eluxadoline  
(5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid); (including its optical isomers) and its salts, isomers, and salts of isomers.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule IV controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 4. Section 41-29-121, Mississippi Code of 1972, is amended as follows:

41-29-121.

#### SCHEDULE V

(a) Schedule V consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. [Reserved]

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than two hundred (200) milligrams of codeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(2) Not more than one hundred (100) milligrams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(3) Not more than one hundred (100) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;

(4) Not more than two and five-tenths (2.5) milligrams of diphenoxylate and not less than twenty-five (25) micrograms of atropine sulphate per dosage unit;

(5) Not more than one hundred (100) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams;

(6) Not more than five-tenths (0.5) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit.

(d) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substance, including its salts, isomers and salts of isomers: Pyrovalerone.

(e) Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers:

(1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact);

(2) Cenobamate ([[(1R)-1-(2-chlorophenyl)-2-tetrazol-2-yl]ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)

-2-(2H-tetrazol-2-yl)ethyl ester);

( \*\* \*3) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester];

( \*\* \*4) Lacosamide  
[(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];

(5) Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide];

( \*\* \*6) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

(f) Any material, compound, mixture or preparation which contains any quantity of a Schedule V controlled substance and is listed as an exempt substance in 21 CFR,

Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 5. Section 41-29-137, Mississippi Code of 1972, is amended as follows:

41-29-137. (a) (1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II, as set out in Section 41-29-115, may be dispensed without the written valid prescription of a practitioner. A practitioner shall keep a record of all controlled substances in Schedule I, II and III administered, dispensed or professionally used by him otherwise than by prescription.

(2) In emergency situations, as defined by rule of the State Board of Pharmacy, Schedule II drugs may be dispensed upon the oral valid prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of Section 41-29-133. No prescription for a Schedule II substance may be refilled unless renewed by prescription issued by a licensed medical doctor.

(b) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or IV, as set out in Sections 41-29-117 and 41-29-119, shall not be dispensed without a written or oral valid prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(c) A controlled substance included in Schedule V, as set out in Section 41-29-121, shall not be distributed or dispensed other than for a medical purpose.

(d) An optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 shall \* \* \* have the prescriptive authority granted in Section 73-19-157.

(e) Administration by injection of any pharmaceutical product authorized in this section is expressly prohibited except when dispensed directly by a practitioner other than a pharmacy.

(f) (1) For the purposes of this article, Title 73, Chapter 21, and Title 73, Chapter 25, Mississippi Code of 1972, as it pertains to prescriptions for controlled substances, a "valid prescription" means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by:

(A) A practitioner who has conducted at least one (1) in-person medical evaluation of the patient, except as otherwise authorized by Section 41-29-137.1; or

(B) A covering practitioner.

(2) (A) "In-person medical evaluation" means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

(B) "Covering practitioner" means a practitioner who conducts a medical evaluation other than an in-person medical evaluation at the request of a practitioner who has conducted at least one (1) in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within the previous twenty-four (24) months and who is temporarily unavailable to conduct the evaluation of the patient.

(3) A prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire is not a valid prescription.

(4) Nothing in this subsection (f) shall apply to:

(A) A prescription issued by a practitioner engaged in the practice of telemedicine as authorized under state or federal law; or

(B) The dispensing or selling of a controlled substance pursuant to practices as determined by the United States Attorney General by regulation.

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE 20 FENTANYL-RELATED SUBSTANCES, MT-45, NM2201, 5F-CUMYL-P7AICA AND PMMA AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO ALPHABETIZE CERTAIN SUBSTANCES TO CONFORM THE LIST OF SCHEDULE I OPIATES TO THE CODE OF FEDERAL REGULATIONS; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE OLICERIDINE AS A SCHEDULE II CONTROLLED SUBSTANCE BECAUSE OLICERIDINE HAS A CURRENTLY ACCEPTED MEDICAL USE BUT HAS A HIGH POTENTIAL FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL DEPENDENCE; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE LEMBOREXANT AND REMIMAZOLAM AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE CENOBAAMATE AND LASMIDITAN AS SCHEDULE V CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE IV; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, TO CONFORM TO EXISTING LAW REGARDING THE PRESCRIPTIVE AUTHORITY OF OPTOMETRISTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 232 was adopted.

YEAS AND NAYS On H. B. No. 232. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--McDaniel, Sojourner. Total--2.

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On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 20 and H. B. No. 232.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Chris Cuevas of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Bill Peterson of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Glen Parker of Lizana, MS.

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Senators Frazier, Simmons D. T. (12th) and Norwood moved that when the Senate adjourns, it adjourn in memory of Mrs. Mozella B. Joiner of Raymond, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Earline Hines of Jackson, MS.

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Senators England and DeBar moved that when the Senate adjourns, it adjourn in memory of Jerry Hiestand of Moss Point, MS.

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Senators England and DeBar moved that when the Senate adjourns, it adjourn in memory of Clara "Suzanne" Kelley of Lucedale, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Rachel Katzer of Columbus, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Betty Jean Stevens of Decatur, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Johnny Lee Robinson of Shuqualak, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 28, 2022.

The motion prevailed, and at 11:01 AM, the Senate stood in recess.

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**H. B. No. 502:** School board purchasing agent; increase amount of required surety bond. Title Sufficient. Do Pass.

**H. B. No. 683:** State Parole Board; extend repealer on. Title Sufficient. Do Pass.

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to. Title Sufficient. Do Pass As Amended.

**H. B. No. 1160:** Public Procurement Review Board; revise the qualifications of members on. Title Sufficient. Do Pass.

**H. B. No. 1328:** Mississippi Industries for the Blind; revise authority to enter into certain agreements and contracts. Title Sufficient. Do Pass.

POLK, Chairman

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

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing. Rules.

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REPORT OF COMMITTEE ON CORRECTIONS

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

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

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REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 175:** Bonds; revise purposes for which bonds authorized for City of Hazlehurst may be used. Title Sufficient. Do Pass.

**H. B. No. 192:** License plate; revise disability requirement for disabled veterans tag. Title Sufficient. Do Pass.

**H. B. No. 252:** PERS; increase maximum percentage of investments of system that are in certain types of investments. Title Sufficient. Do Pass.

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes. Title Sufficient. Do Pass As Amended.

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County. Title Sufficient. Do Pass.

**H. B. No. 472:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to Mississippi. Title Sufficient. Do Pass As Amended.

**H. B. No. 473:** State Bond Commission; extend reverter on statute prescribing powers and duties of. Title Sufficient. Do Pass As Amended.

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives. Title Sufficient. Do Pass As Amended.

**H. B. No. 512:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Title Sufficient. Do Pass As Amended.

**H. B. No. 516:** Mississippi Business Finance Corporation; extend repealer on authority to issue bonds to finance economic development projects. Title Sufficient. Do Pass As Amended.

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1548:** AN ACT TO AMEND SECTION 27-19-18, MISSISSIPPI CODE OF 1972, TO REVISE THE ALTERNATIVE HIGHWAY PRIVILEGE TAX FOR TRAILERS AND SEMITRAILERS FOR ELIGIBILITY OF ALL TRAILERS AND SEMITRAILERS, EXCEPT FOR RENTAL TRAILERS WITH A GROSS VEHICLE WEIGHT RATING OF LESS THAN 10,001 POUNDS; AND FOR RELATED PURPOSES.

**H. B. No. 1691:** AN ACT TO ALLOW PARTNERSHIPS, S CORPORATIONS OR SIMILAR PASS-THROUGH ENTITIES TO ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITIES FOR STATE INCOME TAX PURPOSES AND PAY INCOME TAX AT THE ENTITY LEVEL; TO PROVIDE THE MANNER BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL REPORT HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF THE INCOME OF THE ELECTING PASS-THROUGH ENTITY BUT SHALL NOT BE LIABLE FOR INCOME TAX IMPOSED ON SUCH PRO RATA OR DISTRIBUTIVE SHARE; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL BE ALLOWED A CREDIT AGAINST INCOME TAXES IN AN AMOUNT EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF INCOME TAX PAID BY THE

ELECTING PASS-THROUGH ENTITY WITH RESPECT TO THE CORRESPONDING TAXABLE YEAR; TO AMEND SECTION 27-7-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-7-5, 27-7-15, 27-7-27, 27-7-29, 27-7-33 AND 27-7-41, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE INCOME TAX LAW OF 1952, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-8-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-8-3, 27-8-11, 27-8-15, 27-8-19 AND 27-8-21, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI S CORPORATION INCOME TAX ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 79-29-127, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE REVISED MISSISSIPPI LIMITED LIABILITY COMPANY ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-11-109, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO RECEIVE NOT MORE THAN FIVE YEARS OF CREDITABLE SERVICE FOR SERVICE RENDERED AS AN EMPLOYEE OF ANY PUBLIC OR PRIVATE EMPLOYER THAT DOES NOT PARTICIPATE IN THE RETIREMENT SYSTEM; TO PROVIDE THAT IN ORDER TO BE ABLE TO RECEIVE THAT SERVICE, THE MEMBER CANNOT BE RECEIVING AND WILL NOT BE ENTITLED TO RECEIVE A RETIREMENT ALLOWANCE THAT INCLUDES THAT SERVICE FROM ANY PUBLIC OR PRIVATE RETIREMENT SYSTEM OR PLAN SPONSORED BY THE EMPLOYER, AND THE MEMBER MUST PAY TO THE RETIREMENT SYSTEM BEFORE THE DATE OF RETIREMENT THE ACTUARIAL COST AS DETERMINED BY THE ACTUARY FOR EACH YEAR, OR PORTION THEREOF, OF CREDITABLE SERVICE; TO PROVIDE THAT IF THE MEMBER MAKES PAYMENT TO THE RETIREMENT SYSTEM FOR ANY PORTION OF THAT SERVICE WITHIN ONE MONTH AFTER THE SERVICE IS RENDERED, THE AMOUNT OF THE PAYMENT BY THE MEMBER SHALL BE THE SUM OF THE CONTRIBUTION RATES FOR THE EMPLOYER AND THE EMPLOYEE TIMES THE MEMBER'S EARNED COMPENSATION FOR THE LAST FISCAL YEAR THAT THE MEMBER WAS AN ACTIVE MEMBER OF THE RETIREMENT SYSTEM, AND NOT THE ACTUARIAL COST FOR THAT SERVICE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1408:** Sheriffs' salaries; increase. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman

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REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

**H. B. No. 475:** IHL Board; extend repealer on authority to oversee certain construction projects funded by state general obligation bonds. Title Sufficient. Do Pass.

**H. B. No. 1068:** Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward. Title Sufficient. Do Pass As Amended.

PARKS, Chairman

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MESSAGE FROM THE GOVERNOR  
February 24, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2966:** Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act. (February 24, 2022, 1:35 PM)

**S. B. No. 2967:** Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act. (February 24, 2022, 1:36 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1108:** AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; AND FOR RELATED PURPOSES.

**H. B. No. 1684:** AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS THAT OWN QUALIFIED WOOD ENERGY PRODUCTS AND FOREST MAINTENANCE PROJECTS AND SATISFY CERTAIN MINIMUM INVESTMENT AND NEW JOB CREATION REQUIREMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT AUTHORIZED BY THIS ACT; TO PROVIDE CRITERIA THAT MUST BE SATISFIED IN ORDER TO BE ELIGIBLE FOR A TAX CREDIT UNDER THIS ACT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Chris Cuevas, Bill Peterson, Glen Parker, Mrs. Mozella B. Joiner,

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Mrs. Earline Hines, Jerry Hiestand, Clara "Suzanne" Kelley, Rachel Katzer, Betty Jean Stevens and Johnny Lee Robinson.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 24, 2022

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FIFTY-SIXTH DAY, MONDAY, FEBRUARY 28, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Philip Brock, Pastor, Hurricane Baptist Church, Pontotoc, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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MESSAGE FROM THE GOVERNOR  
February 24, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Samuel Kevin (Sam) Blakeney, Sr., Bay Springs, Mississippi, Mississippi Board of Animal Health representing the Mississippi Livestock Auction Association, four year term beginning August 1, 2021 and ending July 31, 2025.

Jeremy Dwayne Graham, Thaxton, Mississippi, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, four year term beginning September 1, 2021 and ending August 31, 2025.

Tyler Norman, Meridian, Mississippi, State Board of Contractors as the Roofing Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, remainder of a four year term effective February 4, 2022 and ending June 30, 2024.

Kimberly Leigh (Kim) LaRosa, Pass Christian, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective February 15, 2022 and ending December 31, 2026.

Guy Brad Feltenstein, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, term effective January 1, 2022 and ending December 31, 2025.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Samuel Kevin (Sam) Blakeney, Sr., Mississippi Board of Animal Health, four year term beginning August 1, 2021 and ending July 31, 2025, Agriculture.

Jeremy Dwayne Graham, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, four year term beginning September 1, 2021 and ending August 31, 2025, Agriculture.

Tyler Norman, State Board of Contractors as the Roofing Contractor, five year term beginning July 1, 2022 and ending June 30, 2027, Business and Financial Institutions.

Kristopher Daniel (Kris) Sanders, MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, remainder of a four year term effective February 4, 2022 and ending June 30, 2024, Finance.

Kimberly Leigh (Kim) LaRosa, Mississippi Lottery Corporation Board of Directors, five year term effective February 15, 2022 and ending December 31, 2026, Finance.

Guy Brad Feltenstein, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, term effective January 1, 2022 and ending December 31, 2025, Business and Financial Institutions.

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 20:** AN ACT TO ENACT COLE'S LAW TO PROHIBIT DISCRIMINATION AGAINST RECIPIENTS OF AN ANATOMICAL GIFT OR ORGAN TRANSPLANT BASED ON DISABILITY; TO DEFINE CERTAIN TERMS FOR THE ACT; TO PROVIDE REQUIREMENTS FOR COVERED ENTITIES; TO PROVIDE FOR THE RELIEF PROVIDED BY THE ACT; TO PROVIDE CERTAIN REQUIREMENTS OF INSURERS; AND FOR RELATED PURPOSES.

**H. B. No. 567:** AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO REVISE THE POPULATION THRESHOLD FOR MUNICIPAL LAW ENFORCEMENT OFFICERS TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS OF THE MUNICIPALITY; AND FOR RELATED PURPOSES.

**H. B. No. 1485:** AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISIONS OF LAW THAT PROVIDE FOR THE MAXIMUM WEIGHT OF HARVEST PERMIT VEHICLES AND REQUIRE CERTAIN HARVEST PERMIT HOLDERS TO GET PRIOR APPROVAL FOR THEIR ROUTES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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

**H. B. No. 733:** Pharmacy Benefit Prompt Pay Act; revise various provisions of Public Health and Welfare.

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. Finance.

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program. Appropriations.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters. Appropriations.

**H. B. No. 1548:** Trailers and semitrailers; revise alternative highway privilege tax for. Finance.

**H. B. No. 1615:** Appropriation; Foresters, Board of Registration for. Appropriations.

**H. B. No. 1639:** Alternative-fuel fueling station; impose tax on motor vehicles charged at. Appropriations.

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges. Appropriations.

**H. B. No. 1684:** Income tax; authorize a tax credit for qualified wood energy products and forest maintenance projects. Finance.

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities. Finance.

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REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 558:** Commend Dia Chawla of Pillow Academy in Greenwood for winning National High School Heisman Trophy. Title Sufficient. Do Be Adopted.

**S. C. R. No. 545:** Recognize public service of longtime Hinds County Circuit Court Judge and former State Representative Tomie T. Green. Title Sufficient. Do Be Adopted.

**S. C. R. No. 547:** Recognize service of WWII Hero and POW Olin Pickens of Nesbit, Mississippi, and extend best wishes on his 100th Birthday. Title Sufficient. Do Be Adopted.

**S. C. R. No. 549:** Commemorate the 150th Anniversary of the founding of The Carthaginian Newspaper (1872-2022) and recognize its contributions. Title Sufficient. Do Be Adopted.

**S. C. R. No. 550:** Recognize the 100th Anniversary of the Mississippi Farm Bureau Federation. Title Sufficient. Do Be Adopted.

**S. C. R. No. 552:** Recognize United States District Judge Debra Brown as Mississippi's first African American female Chief Federal Judge. Title Sufficient. Do Be Adopted.

**S. C. R. No. 553:** Congratulate the "Pride of DeSoto Central High School Marching Band" for winning the 2021 Class 6A Marching Band Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 554:** Commend Millicent Gunter for receiving Mississippi's Presidential Award for Excellence in Math and Science. Title Sufficient. Do Be Adopted.

**S. C. R. No. 555:** Commend Stone County High School "Lady Cats" Girls Soccer Team for first State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 556:** Recognize February 2022 as "Self Care Month in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 557:** Commend Laura Bivins for receiving Mississippi's Presidential Award for Excellence in Math and Science Teaching. Title Sufficient. Do Be Adopted.

**S. C. R. No. 559:** Recognize outstanding public service of former U.S. Marshal and State Parole Board Member Nehemiah Flowers, Jr. Title Sufficient. Do Be Adopted.

**S. C. R. No. 560:** Commend Bay Springs High School "Bulldogs" Football Team for first State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 24:** Commemorate the celebration of St. Patrick's Day in Mississippi and the American-Irish State Legislators Caucus. Title Sufficient. Do Be Adopted.

**S. R. No. 25:** Congratulate Lake High School "Lady Hornets" Fast-Pitch Softball Team for winning the 2021 2A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 26:** Commend Richland High School "Rangers" Boys Soccer Team for second State Championship in four years. Title Sufficient. Do Be Adopted.

**S. R. No. 27:** Commend Florence High School Girls Soccer Team for Class 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 28:** Recognize Pat Thomasson of Philadelphia as the first female Chair of the Board of Directors of the MMA. Title Sufficient. Do Be Adopted.

**S. R. No. 29:** Extend condolences of the Mississippi Senate to family of Veteran Canton Law Enforcement Officer Carl Larry Saxton, Sr. Title Sufficient. Do Be Adopted.

**S. R. No. 30:** Commend Pearl River Community College "Wildcats" Cheer Squad for first National Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 31:** Recognize Hinds County Chancellor Denise Owens on the occasion of her retirement. Title Sufficient. Do Be Adopted.

**S. R. No. 32:** Commend students of East Central High School in Jackson County for receiving MIT Technology Invention Grant. Title Sufficient. Do Be Adopted.

**S. R. No. 33:** Commend Picayune High School "Maroon Tide" Football Team for MHSAA 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 34:** Commend Cleveland High School "Wolves" Boys Bowling Team for first State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 35:** Commend Holly Brand of Meridian, Mississippi, as Miss Mississippi 2021. Title Sufficient. Do Be Adopted.

**S. R. No. 36:** Commemorate service of Alpha Phi Alpha Fraternity in the Mississippi Delta. Title Sufficient. Do Be Adopted.

**H. C. R. No. 37:** Tardive Dyskinesia Awareness Week; recognize May 1-7, 2022, as week of observance in Mississippi. Title Sufficient. Do Be Adopted.

**H. C. R. No. 47:** Retired Brigadier General Martha Jo Leslie; commend her life upon her passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 48:** Chief M.E. "Gene" Waldrop; commend upon his 50 years of police service in the State of Mississippi. Title Sufficient. Do Be Adopted.

**H. C. R. No. 49:** Northwest Mississippi Community College Football Team; commend on winning MACCC State Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 50:** Brittney Reese; commend and congratulate successes as an Olympic medalist. Title Sufficient. Do Be Adopted.

**H. C. R. No. 51:** Northwest Mississippi Community College Cheer Team; commend upon winning the 2022 Open Small Co-Ed National Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 53:** Dr. Sam Polles; recognize upon occasion of his retirement as Executive Director of MDWFP. Title Sufficient. Do Be Adopted.

**S. C. R. No. 548:** Mourn the passing of former Senator George Smith of Wiggins, Mississippi, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

**S. C. R. No. 551:** Mourn the passing of former Representative and Senator Delma Furniss of Rena Lara, MS, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing. Title Sufficient. Do Pass As Amended.

KIRBY, Chairman

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REPORT OF COMMITTEE ON RULES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 72:** Michael Barrie Nelson, Madison, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, four year term beginning November 29, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 79:** Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, remainder of a four year term beginning November 29, 2021 and ending June 30, 2023. Do Advise and Consent.

KIRBY, Chairman

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REPORT OF COMMITTEE ON ELECTIONS

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

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for. Title Sufficient. Do Pass As Amended.

TATE, Chairman

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REPORT OF COMMITTEE ON ENERGY

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

**H. B. No. 1135:** Advanced plastic recycling; define terms relating to. Title Sufficient. Do Pass.

**H. B. No. 1214:** Carbon dioxide geologic sequestration; revise laws regarding. Title Sufficient. Do Pass As Amended.

CARTER, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1408:** Sheriffs' salaries; increase.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (9), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of \* \* \* One Hundred Five Thousand Dollars (\$105,000.00).

(b) For counties with a total population of more than \* \* \* forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of \* \* \* Ninety-six Thousand Dollars (\$96,000.00).

(c) For counties with a total population of more than \* \* \* thirty thousand (30,000) and not more than \* \* \* forty-four thousand (44,000), a salary of \* \* \* Ninety-one Thousand Dollars (\$91,000.00).

(d) For counties with a total population of more than \* \* \* twelve thousand five hundred (12,500) and not more than \* \* \* thirty thousand (30,000), a salary of \* \* \* Eighty-six Thousand Dollars (\$86,000.00).

(e) For counties with a total population of not more than \* \* \* twelve thousand five hundred (12,500), a salary of \* \* \* Eighty-one Thousand Dollars (\$81,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Ten Thousand Dollars (\$10,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

( \*\* \*12) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

( \*\* \*13) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officers Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officers Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 2. This act shall take effect and be in force from and after October 1, 2022.

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

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; TO AUTHORIZE THE BOARD OF SUPERVISORS TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF ANY COUNTY IN WHICH A JUVENILE DETENTION CENTER IS LOCATED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1408 was adopted.

YEAS AND NAYS On H. B. No. 1408. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 232** passed the Senate as amended.

**H. B. No. 232:** Uniform Controlled Substances Act; revise schedules.

Senator Bryan moved that the rules be suspended for the immediate consideration of **H. B. No. 232**, and the motion prevailed.

Senator Bryan moved to reconsider the vote whereby **H. B. No. 232** passed the Senate as amended.

The foregoing motion prevailed.

Senator Bryan moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 232** was adopted by the Senate.

The foregoing motion prevailed.

Senator Bryan offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 847 after "1972," the following language:

as amended by Senate Bill No. 2095, 2022 Regular Session,

AMEND by inserting on line 912 as paragraph (g) the following language:

(g) This section does not apply to any of the actions that are lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

FURTHER, AMEND on line 23 after "1972," the following language:

AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION,

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 232 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 232 was adopted.

YEAS AND NAYS On H. B. No. 232. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill, Tate. Total--3.

Senators England, Thompson, DeLano, Carter, Moran and Wiggins moved that when the Senate adjourns, it adjourn in memory of Zoe "Charlene" Story Creel of Biloxi, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Mark Calvin Loeffle of Memphis, TN.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Sherrill Don Wilhite of Hernando, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Bobby Harrison and Billy Bates of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kendall Crowell of Pulaski, MS.

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Senator Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Destini A'mya Jemerson of Marks, MS.

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Senators Jackson (11th), Simmons D. T. (12th) and Thomas moved that when the Senate adjourns, it adjourn in memory of Helen Bush of Greenville, MS.

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Senators Frazier, Simmons D. T. (12th), Norwood, Horhn, Blackmon, Turner-Ford, Blount, Simmons S. (13th), Butler A. (36th), Jordan, Thomas, Barnett, Butler K. (38th), Jackson (11th), Bryan and Hickman moved that when the Senate adjourns, it adjourn in memory of Mrs. Veniti Annette Williams of Jackson, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Eugene Burton Gifford, Jr. of Rienzi, MS.

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Senators Johnson, Fillingane and Polk moved that when the Senate adjourns, it adjourn in memory of Camden Dedeaux of Sumrall, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Michelle Wilson of Jackson, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Ruth Bailey of Bailey, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Justin Ray Thornton and Theresa "Terry" Beach of Natchez, MS.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 1, 2022.

The motion prevailed, and at 4:24 PM, the Senate stood in recess.

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REPORT OF COMMITTEES ON  
CORRECTIONS AND ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman  
PARKER, Chairman

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REPORT OF COMMITTEE ON INSURANCE

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

**H. B. No. 160:** Travel Insurance Act of 2022; create. Title Sufficient. Do Pass.

**H. B. No. 974:** Airport authorities; authorize to provide dependent health insurance coverage as employment benefit. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman

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REPORT OF COMMITTEES ON  
HIGHWAYS AND TRANSPORTATION AND COUNTY AFFAIRS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Title Sufficient. Do Pass.

BRANNING, Chairman  
HILL, Chairman

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2806:** Public purchases; prohibit reverse auctions for repair and remodeling of public facilities.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON MUNICIPALITIES

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

**H. B. No. 616:** Menaced property; authorize municipalities to secure abandoned or dilapidated buildings on such property. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND MUNICIPALITIES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1097:** Counties and municipalities; authorize to lease facilities that are to be utilized as fire stations. Title Sufficient. Do Pass.

HILL, Chairman  
SIMMONS (12TH), Chairman

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REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

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

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification. Title Sufficient. Do Pass As Amended.

SEYMOUR, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:25 PM in memory of Zoe "Charlene" Story Creel, Mark Calvin Loeffle, Camden Dedeaux, Michelle Wilson, Ruth Bailey, Justin Ray Thornton, Theresa "Terry" Beach, Sherrill Don Wilhite, Bobby Harrison, Billy Bates, Kendall Crowell, Destini A'mya Jemerson, Helen Bush, Mrs. Veniti Annette Williams and Eugene Burton Gifford, Jr.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, FEBRUARY 28, 2022

**S. B. No. 3178:** Local and Private

AN ACT TO AMEND CHAPTER 909, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE PROVISIONS OF LAW THAT CREATE THE JACKSON CONVENTION AND VISITORS BUREAU AND IMPOSE A TAX ON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, HOTELS AND MOTELS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUREAU; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Michel, Norwood, Frazier, Blount

**S. B. No. 3179:** Local and Private; Finance

AN ACT TO AMEND CHAPTER 909, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE PROVISIONS OF LAW THAT CREATE AND RECONSTITUTE THE JACKSON CONVENTION AND VISITORS BUREAU AND IMPOSES A TAX ON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, HOTELS AND MOTELS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUREAU; TO RAISE THE TAX ON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS FROM 1% TO 2%; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Frazier, Blount

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FIFTY-SEVENTH DAY, TUESDAY, MARCH 1, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Bishop LaBaron Hedgemon, Pastor, Freedom Rock Cathedral, Meridian, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**H. B. No. 503:** Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection." Title Sufficient. Do Pass.

**H. B. No. 504:** Memorial highway; designate segment of I-22 in Lee County as the "Korean War Veterans Highway." Title Sufficient. Do Pass.

**H. B. No. 505:** Memorial highway; designate segment of I-22 in Lee County as the "Vietnam Veterans Way." Title Sufficient. Do Pass.

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi. Title Sufficient. Do Pass.

**H. B. No. 990:** Memorial highway and bridge; designate in Warren County for Margaret Gilmer. Title Sufficient. Do Pass.

**H. B. No. 1002:** Memorial Highway; designate segment in Covich County as the "Carroll V. Hood Memorial Highway". Title Sufficient. Do Pass.

**H. B. No. 1113:** Memorial intersection; designate intersection in Clarke County as the "PFC Damian Laquasha Heidelberg Memorial Intersection." Title Sufficient. Do Pass.

**H. B. No. 1378:** Memorial highways; designate in Prentiss County. Title Sufficient. Do Pass.

BRANNING, Chairman

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 558:** Commend Dia Chawla of Pillow Academy in Greenwood for winning National High School Heisman Trophy.

YEAS AND NAYS On S. C. R. No. 558. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Kirby, McCaughn and Simmons S. (13th) as co-authors of **S. C. R. No. 558**.

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 547:** Recognize service of WWII Hero and POW Olin Pickens of Nesbit, Mississippi, and extend best wishes on his 100th Birthday.

YEAS AND NAYS On S. C. R. No. 547. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Barrett, Branning, Butler K. (38th), Caughman, England, Frazier, Kirby, McCaughn, Moran, Parks, Polk, Simmons S. (13th), Sparks, Thomas, Whaley and Younger as co-authors of **S. C. R. No. 547**.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Jeffrey Adair Page of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Lois King Ferguson and Wanda J. Lizana of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John Edwin McLendon, Sr. and Shelby Jean Tolbert Sanders of Wiggins, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Donnie Lee Grimes of Leakesville, MS.

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Senator Carter moved that when the Senate adjourns, it adjourn in memory of Daphne Bernich of Biloxi, MS.

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Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 10:23 AM, the Senate stood in recess.

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The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

**H. B. No. 688:** Public lands; extend repealer on statute prohibiting corporations and nonresident aliens from purchasing. Title Sufficient. Do Pass.

**H. B. No. 1132:** Private food service; authorize Department of Finance and Administration to solicit proposals for certain state properties. Title Sufficient. Do Pass.

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. Title Sufficient. Do Pass As Amended.

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District. Title Sufficient. Do Pass As Amended.

TURNER-FORD, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**H. B. No. 1021:** Bail; revise procedures to determine for indigent defendants. Title Sufficient. Do Pass As Amended.

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death". Title Sufficient. Do Pass As Amended.

**H. B. No. 980:** Controlled substances; provide automatic defense to prosecution for charge that is brought within two years of a federal declassification of. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 672:** Sexual assault kit; regulate processing of. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman  
FILLINGANE, Chairman

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REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

**H. B. No. 1131:** Secretary of State; authorize to enter into agreements with online providers to conduct online auctions of state-forfeited tax land. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

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REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 256:** Manufactured and mobile homes; require certain notice to tax collector when relocated to another county. Title Sufficient. Do Pass As Amended.

**H. B. No. 684:** Small Business and Grocer Investment Act; extend repealer on. Title Sufficient. Do Pass.

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided. Title Sufficient. Do Pass As Amended.

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit. Title Sufficient. Do Pass As Amended.

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. Title Sufficient. Do Pass As Amended.

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. Title Sufficient. Do Pass As Amended.

**H. B. No. 1164:** Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1098:** Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for. Title Sufficient. Do Pass As Amended.

HILL, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1523:** City of Saltillo; authorize tourism tax on hotels, motels and restaurants. Title Sufficient. Do Pass.

MCMAHAN, Chairman  
HARKINS, Chairman

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## REPORT OF COMMITTEE ON EDUCATION

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

**H. B. No. 818:** MS Computer Science and Cyber Education Equality Act; authorize certified or classified staff to provide instruction under. Title Sufficient. Do Pass As Amended.

**H. B. No. 1240:** MCOPS programs; authorize training for to provide at any approved training academy in the state. Title Sufficient. Do Pass.

**H. B. No. 1416:** "Student Protected Equal Access Rights Act"; establish to provide students to organize partisan political groups in public schools. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman

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REPORT OF COMMITTEES ON  
ECONOMIC AND WORKFORCE DEVELOPMENT AND EDUCATION

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1388:** Comprehensive Career and Technical Reform Act; create. Title Sufficient. Do Pass As Amended.

PARKER, Chairman  
DEBAR, Chairman

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**H. B. No. 483:** Local Governments Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. Title Sufficient. Do Pass.

**H. B. No. 492:** Health Care Expendable Fund; extend repealer on. Title Sufficient. Do Pass.

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities. Title Sufficient. Do Pass As Amended.

**H. B. No. 840:** State budget; revise provisions of several FY22 appropriation bills. Title Sufficient. Do Pass As Amended.

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities. Title Sufficient. Do Pass As Amended.

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from. Title Sufficient. Do Pass As Amended.

**H. B. No. 1222:** Line-Item Appropriation Transparency Act; make certain technical amendments to. Title Sufficient. Do Pass As Amended.

**H. B. No. 1353:** Budget process; bring forward various sections relating to. Title Sufficient. Do Pass As Amended.

**H. B. No. 1422:** Highway Patrol officers and Narcotics Bureau officers; revise the salaries of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials. Title Sufficient. Do Pass As Amended.

**H. B. No. 779:** Law Enforcement Death Benefits Trust Fund; include cause of death covered under First Responders Act of 2020. Title Sufficient. Do Pass.

**H. B. No. 1425:** ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health. Title Sufficient. Do Pass As Amended.

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health. Title Sufficient. Do Pass As Amended.

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects. Title Sufficient. Do Pass As Amended.

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 920:** Inmate Welfare Fund; authorize portion of fund to be used to fund Inmate Incentive to Work Program. Title Sufficient. Do Pass.

BARNETT, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
ECONOMIC AND WORKFORCE DEVELOPMENT AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish. Title Sufficient. Do Pass As Amended.

PARKER, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 879:** Education Enhancement Fund; revise date of issuance of classroom supply procurement cards. Title Sufficient. Do Pass As Amended.

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions. Title Sufficient. Do Pass As Amended.

**H. B. No. 1246:** "Early Learning Collaborative Act of 2013"; revise funding for. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION B AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 400:** Riding bailiffs; revise salary of. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 365:** MS Rural Hospital Loan Program; establish in State Department of Health. Title Sufficient. Do Pass.

BRYAN, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children. Title Sufficient. Do Pass As Amended.

**H. B. No. 1005:** Nursing Education Incentive Program; create. Title Sufficient. Do Pass As Amended.

PARKS, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON INSURANCE

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

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create. Title Sufficient. Do Pass As Amended.

CHASSANIOL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON ENERGY

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

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create. Title Sufficient. Do Pass As Amended.

CARTER, Chairman

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## REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**H. B. No. 1137:** Regional mental health commissions; increase number of commissioners appointed by board of supervisors for certain counties. Title Sufficient. Do Pass As Amended.

**H. B. No. 1056:** Professional Counseling Compact; create. Title Sufficient. Do Pass.

**H. B. No. 927:** Newborn screening program; include those conditions listed on the Recommended Uniform Screening Panel within three years after listing. Title Sufficient. Do Pass.

**H. B. No. 732:** State Commission on the 9-8-8 Comprehensive Behavioral Health Crisis Response System; create. Title Sufficient. Do Pass.

**H. B. No. 424:** Audiology and speech-language pathology interstate compact; create. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

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 REPORT OF COMMITTEE ON MEDICAID

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

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division. Title Sufficient. Do Pass As Amended.

**H. B. No. 658:** Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes. Title Sufficient. Do Pass As Amended.

BLACKWELL, Chairman

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 REPORT OF COMMITTEES ON  
CORRECTIONS AND MEDICAID

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman  
BLACKWELL, Chairman

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

The motion prevailed, and at 4:01 PM, the Senate stood in recess.

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The Senate resumed business at 4:34 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**H. B. No. 1173:** Public purchasing law; revise to provide that reverse auction shall be used by certain schools and districts. Title Sufficient. Do Pass As Amended.

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes. Title Sufficient. Do Be Adopted As Amended.

**H. B. No. 1179:** Civil Air Patrol members; authorize granting of leave of absence to for certain emergency services. Title Sufficient. Do Pass As Amended.

POLK, Chairman

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REPORT OF COMMITTEES ON  
CORRECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment. Title Sufficient. Do Pass As Amended.

**H. B. No. 906:** Corrections omnibus bill; enact. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
ELECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 1331:** Election commissioners; require skills assessment for every four years instead of every year. Title Sufficient. Do Pass.

**H. B. No. 1341:** Municipal candidates; clarify residency requirements of certain. Title Sufficient. Do Pass.

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance. Title Sufficient. Do Pass As Amended.

TATE, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
VETERANS AND MILITARY AFFAIRS AND ACCOUNTABILITY, EFFICIENCY,  
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department. Title Sufficient. Do Pass As Amended.

SEYMOUR, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
WILDLIFE, FISHERIES AND PARKS AND ACCOUNTABILITY, EFFICIENCY,  
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman  
POLK, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**H. B. No. 590:** Charitable solicitations; revise provisions relating to notice, demand and service of process. Title Sufficient. Do Pass.

**H. B. No. 961:** Personal delivery devices; provide for the regulation of the use of in pedestrian areas. Title Sufficient. Do Pass.

**H. B. No. 1367:** Real property; establish process to remove discriminatory language from recorded instruments of conveyance. Title Sufficient. Do Pass As Amended.

**H. B. No. 172:** Mississippi Architects and Engineers Good Samaritan Act; create. Title Sufficient. Do Pass.

**H. B. No. 1105:** Notaries; revise residency requirements of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1469:** Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. Title Sufficient. Do Pass As Amended.

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1061:** Residential Landlord Tenant Act; revise evictions procedures of the. Title Sufficient. Do Pass As Amended.

**H. B. No. 1067:** Child support; provide for imputation guidelines. Title Sufficient. Do Pass.

**H. B. No. 1069:** Liens for delinquent county garbage fees; require chancery to keep certain record of. Title Sufficient. Do Pass As Amended.

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts. Title Sufficient. Do Pass As Amended.

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1099:** Incarcerated offenders; prohibit from petitioning to change name and/or gender. Title Sufficient. Do Pass As Amended.

**H. B. No. 592:** Child support; suspend for incarcerated persons under certain conditions. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
HIGHWAYS AND TRANSPORTATION AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination. Title Sufficient. Do Pass As Amended.

BRANNING, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 78:** Charles Phillip (Phil) Buffington, Jr., Canton, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, vice Mr. Stephen Edds. Do Advise and Consent.

WIGGINS, Chairman

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Senator Polk moved that the Senate stand in recess until the last committee report is filed or 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 2, 2022.

The motion prevailed, and at 4:36 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

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

**H. B. No. 1487:** State song; designate "One Mississippi" as official. Title Sufficient. Do Pass As Amended.

KIRBY, Chairman

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#### REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2806:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY UNDER THE PUBLIC PURCHASING LAW THAT REVERSE AUCTION SHALL NOT BE USED FOR THE IMPROVEMENT, REPAIR OR REMODELING OF ANY PUBLIC FACILITIES, INCLUDING THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS FOR SAME; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 543:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE ON THE PASSING OF RESPECTED THIRD DISTRICT CIRCUIT COURT JUDGE ROBERT KENNETH "KEN" COLEMAN OF NEW ALBANY, MISSISSIPPI, AND CONDOLENCES TO HIS SURVIVING FAMILY.

Joseph Thomas, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1168:** Gifted education; require school districts to provide for students in Grades 7 and 8. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty. Title Sufficient. Do Pass As Amended.

**H. B. No. 799:** Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting. Title Sufficient. Do Pass As Amended.

**H. B. No. 626:** Scrap metal; revise various provisions that regulate. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

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REPORT OF COMMITTEES ON  
HIGHWAYS AND TRANSPORTATION AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 127:** CDL; prohibit for persons convicted of certain trafficking crimes. Title Sufficient. Do Pass As Amended.

BRANNING, Chairman  
FILLINGANE, Chairman

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SENATE JOURNAL  
TUESDAY, MARCH 1, 2022

REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION B AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 620:** Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman  
HOPSON, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:41 PM in memory of Jeffrey Adair Page, Lois King Ferguson, Wanda J. Lizana, John Edwin McLendon, Sr., Shelby Jean Tolbert Sanders, Donnie Lee Grimes and Daphne Bernich.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, MARCH 1, 2022

FIFTY-EIGHTH DAY, WEDNESDAY, MARCH 2, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Kenneth Handy, Pastor, Union Baptist Church, Magnolia, MS.

Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator McMahan called up the following entitled bill:

**H. B. No. 1523:** City of Saltillo; authorize tourism tax on hotels, motels and restaurants.

YEAS AND NAYS On H. B. No. 1523. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.

Absent and those not voting---None.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Michel called up the following entitled bill:

**H. B. No. 823:** Mississippi Electronic Protection Licensing Act; revise regarding battery-charged security fences.

YEAS AND NAYS On H. B. No. 823. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Branning, Chism, McDaniel, Sojourner. Total--4.

Absent and those not voting---None.

Not Voting--Tate. Total--1

Voting Present--Hill. Total--1.

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Senator Michel called up the following entitled bill:

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-7, Mississippi Code of 1972, is amended as follows:

25-15-7. Such health insurance shall not include expense incurred by or on account of an individual prior to July 1, 1972, as to him; dental care and treatment, except dental surgery and appliances to the extent necessary for the correction of damage caused by accidental injury while covered by the plan, or as a direct result of disease covered by the plan; eyeglasses, hearing aids for individuals over the age of twenty-one (21) years, and examinations for the prescription or fitting thereof; cosmetic surgery or treatment, except to the extent necessary for correction of damage by accidental injury while covered by the plan or as a direct result of disease covered by the plan; services received in a hospital owned or operated by the United States government for which no charge is made; services received for injury or sickness due to war or any act of war, whether declared or undeclared, which war or act of war shall have occurred after July 1, 1972; expense for which the individual is not required to make payment; expenses to the extent of benefits provided under any employer group plan other than this plan, in which the state participates in the cost thereof; and such other expenses as may be excluded by regulations of the board.

SECTION 2. Section 25-15-15, Mississippi Code of 1972, is amended as follows:

25-15-15. (1) The board is authorized to determine the manner in which premiums and contributions by the state agencies, local school districts, colleges, universities, community/junior colleges and public libraries shall be collected to provide the self-insured health insurance program for employees as provided under this article. The state shall provide fifty percent (50%) of the cost of the above life insurance plan for all active full-time employees. The state shall provide one hundred percent (100%) of the cost of the health insurance plan for active full-time employees initially employed before January 1, 2006, except as otherwise provided in this section. For active full-time employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance, except as otherwise provided in this section, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The board, if determined to be necessary, may assess active full-time employees a portion of the active employee premium in an amount not to exceed Twenty Dollars (\$20.00) per month, notwithstanding any language in this section to the contrary. All active full-time employees shall be given the opportunity to purchase coverage for their eligible dependents with the premiums for such dependent coverage, as well as the employee's fifty percent (50%) share for his life insurance coverage, to be deductible from the employee's salary by the agency, department or institution head, which deductions, together with the fifty percent (50%) share of such life insurance premiums of such employing agency, department or institution head from funds appropriated to or authorized to be expended by the employing agency, department or institution head, shall be deposited directly into a depository bank or special fund in the State Treasury, as determined by the board. These funds and interest earned on these funds may be used for the disbursement of claims and shall be exempt from the appropriation process.

(2) The state shall provide annually, by line item in the Mississippi Library Commission appropriation bill, such funds to pay one hundred percent (100%) of the cost of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for full-time library staff members in each public library in Mississippi initially employed before January 1, 2006. For full-time library staff members initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the

employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The commission shall allot to each public library a sufficient amount of those funds appropriated to pay the costs of insurance for eligible employees. Any funds so appropriated by line item which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year. If any premiums for the health insurance and/or late charges and interest penalties are not paid by a public library in a timely manner, as defined by the board, the Mississippi Library Commission, upon notice by the board, shall immediately withhold all subsequent disbursements of funds to that public library.

(3) The state shall annually provide one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for public school district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers, if such employees and school bus drivers were initially employed before January 1, 2006. For such employees and school bus drivers initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. Where federal funding is allowable to defray, in full or in part, the cost of participation in the program by district employees who work no less than twenty (20) hours during the week and regular nonstudent bus drivers, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of such federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that school districts contribute the cost of participation for such employees from local funds, except that parent fees for child nutrition programs shall not be increased to cover such cost.

(4) The state shall provide annually, by line item in the community/junior college appropriation bill, such funds to pay one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for community/junior college district employees initially employed before January 1, 2006, who work no less than twenty (20) hours during each week. For such employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan.

(5) When the use of federal funding is allowable to defray, in full or in part, the cost of participation in the insurance plan by community/junior college district employees who work no less than twenty (20) hours during each week, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of the federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that community/junior college districts contribute the cost of participation for such employees from local funds.

(6) Any community/junior college district may contribute to the cost of coverage for any district employee from local community/junior college district funds, and any public school district may contribute to the cost of coverage for any district employee from nonminimum program funds. Any part of the cost of such coverage for participating employees of public school districts and public community/junior college districts that is not paid by the state shall be paid by the participating employees, which shall be deducted from the salaries of the employees in a manner determined by the board.

(7) Any funds appropriated for the cost of insurance by line item in the community/junior colleges appropriation bill which are not expended during the fiscal year

for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year.

(8) The board may establish and enforce late charges and interest penalties or other penalties for the purpose of requiring the prompt payment of all premiums for life and health insurance permitted under this chapter. All funds in excess of the amount needed for disbursement of claims shall be deposited in a special fund in the State Treasury to be known as the State and School Employees Insurance Fund. The State Treasurer shall invest all funds in the State and School Employees Insurance Fund and all interest earned shall be credited to the State and School Employees Insurance Fund. Such funds shall be placed with one or more depositories of the state and invested on the first day such funds are available for investment in certificates of deposit, repurchase agreements or in United States Treasury bills or as otherwise authorized by law for the investment of Public Employees' Retirement System funds, as long as such investment is made from competitive offering and at the highest and best market rate obtainable consistent with any available investment alternatives; however, such investments shall not be made in shares of stock, common or preferred, or in any other investments which would mature more than one (1) year from the date of investment. The board shall have the authority to draw from this fund periodically such funds as are necessary to operate the self-insurance plan or to pay to the insurance carrier the cost of operation of this plan, it being the purpose to limit the amount of participation by the state to fifty percent (50%) of the cost of the life insurance program and not to limit the contracting for additional benefits where the cost will be paid in full by the employee. The state shall not share in the cost of coverage for retired employees.

(9) The board shall also provide for the creation of an Insurance Reserve Fund and funds therein shall be invested by the State Treasurer with all interest earned credited to the State and School Employees Insurance Fund.

(10) Any retired employee electing to purchase retired life and health insurance will have the full cost of such insurance deducted monthly from his State of Mississippi retirement plan check or direct billed for the cost of the premium if the retirement check is insufficient to pay for the premium. If the board determines actuarially that the premium paid by the participating retirees adversely affects the overall cost of the plan to the state, then the board may impose a premium surcharge, not to exceed fifteen percent (15%), upon such participating retired employees who are under the age for Medicare eligibility and who were initially employed before January 1, 2006. For participating retired employees who are under the age for Medicare eligibility and who were initially employed on or after January 1, 2006, the board may impose a premium surcharge in an amount the board determines actuarially to cover the full cost of insurance.

\* \* \*

(\* \* \*11) This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT COVERAGE UNDER THE STATE HEALTH INSURANCE PLAN OF HEARING AIDS FOR INDIVIDUALS OVER THE AGE OF 21 YEARS; TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE

BOARD TO COLLECT PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN;  
AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 155 was adopted.

YEAS AND NAYS On H. B. No. 155. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**H. B. No. 687:** Mississippi Debt Management Services Act; extend repealer on.

YEAS AND NAYS On H. B. No. 687. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**H. B. No. 1360:** Banks and savings associations; align merger approval with the Mississippi Business Corporation Act.

YEAS AND NAYS On H. B. No. 1360. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 514:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 57 by deleting "1, 2025" and restoring the deleted text and changing "2022" to "2026"

Committee Amendment No. 1 to H. B. No. 514 failed.

YEAS AND NAYS On H. B. No. 514. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 515:** Prison Overcrowding Emergency Powers Act; extend repealer on.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 263 and change "2025" to "2026"

Committee Amendment No. 1 to H. B. No. 515 failed.

YEAS AND NAYS On H. B. No. 515. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 534:** Corrections; extend repealer on intensive supervision program and electronic home detention.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 261 by striking "2025" and inserting "2026" in lieu thereof.

Committee Amendment No. 1 to H. B. No. 534 was adopted.

Senator Barnett moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 534** was adopted by the Senate.

The foregoing motion prevailed.

The vote now recurring, Committee Amendment No. 1 to H. B. No. 534 failed.

YEAS AND NAYS On H. B. No. 534. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 429, Laws of 2021, is amended as follows:

Section 1. (1) The Sheriff of Rankin County is authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this act. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

- (a) Total number of participants at the beginning of each month by race, gender, and offenses charged;
- (b) Total number of participants at the end of each month by race, gender, and offenses charged;
- (c) Total number of participants who began the program in each month by race, gender, and offenses charged;
- (d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;
- (e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;
- (f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;
- (g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;
- (h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;
- (i) Total amount earned by participants and how the earnings were distributed in each month;
- (j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and
- (k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this act. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he has more than one (1) year remaining on their sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his or her account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this act and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, \*\*\* 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall be repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO EXTEND THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE SHERIFF OF RANKIN COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM FOR NONVIOLENT OFFENDERS CONFINED IN JAIL; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 586 was adopted.

YEAS AND NAYS On H. B. No. 586. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 689:** Community Service Revolving Fund; extend repealer on authority to collect fees from paroled offenders for deposit into.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 63 by striking "2025" and inserting "2026" in lieu thereof.

Committee Amendment No. 1 to H. B. No. 689 failed.

YEAS AND NAYS On H. B. No. 689. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Younger called up the following entitled bill:

**H. B. No. 1389:** "Mississippi Grain Indemnity Act"; enact.

Senator Younger offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Grain Producer Indemnity Act."

SECTION 2. It is the purpose of this act to provide protection and the existence of adequate funds for compensation for losses by grain producers in Mississippi caused by the financial failure of grain dealers and warehouses in order to promote the state's welfare by improving the economic stability of agriculture.

SECTION 3. As used in this act:

(a) "Person" means individuals, corporations, partnerships and all associations of two (2) or more persons having a joint or common interest.

(b) "Commissioner" shall mean the Commissioner of the Mississippi Department of Insurance, or his designated representative.

(c) "Grain" shall mean corn, wheat, soybeans, oats, rice and all grains for which standards have been established under the United States Grain Standards Act and the Agriculture Marketing Act, as amended.

(d) "Board" shall mean the Mississippi Grain Indemnity Fund Board established under this act.

(e) "Stored grain" shall mean any grain received in any grain warehouse located in this state, if same is not purchased and beneficially owned by the grain warehouseman.

(f) "Grain warehouse" shall mean any structure or combination of structures operated together, including the machinery and equipment used in connection therewith,

in or by means or which grain is unloaded, elevated, stored, loaded for shipment, dried, leaned, weighed, treated, conditioned or otherwise handled from producers of grain.

(g) "Grain warehouseman" shall mean any person who operates a grain warehouse licensed under the provisions of Section 75-44-1 et seq., Mississippi Code of 1972.

(h) "Grain dealer" shall mean any person engaged in the business of buying grain from producers of grain for resale or for milling or processing, licensed under the provisions of Section 75-45-301 et seq., Mississippi Code of 1972.

(i) "Grain producer" shall mean the owner, tenant or operator of land in this state who has an interest in and receives all or any part of the proceeds from the sale of the grain produced thereon.

(j) "Department" shall mean the Mississippi Department of Insurance.

(k) "Warehouse receipt" shall mean a negotiable grain storage receipt or nonnegotiable scale ticket given by a grain warehouse.

(l) "Failure" means an inability to financially satisfy a claimant in accordance with applicable statute or regulation or contract and the time limits provided therein.

(m) "Obligation" means an order placed, contract awarded, service received, or similar transaction during a given period that will require payments during the same or a future period.

SECTION 4. (1) There is hereby created the Mississippi Grain Indemnity Fund Board (board) to administer the provisions of the Mississippi Grain Indemnity Fund Act.

(2) The board shall consist of eight (8) members as follows:

(a) The Mississippi Commissioner of Insurance, or his designee, who shall serve in an ex officio nonvoting capacity.

(b) The Commissioner of Agriculture and Commerce, or his designee, who shall serve in an ex officio nonvoting capacity.

(c) The State Treasurer, or his designee, who shall serve in an ex officio nonvoting capacity.

(d) Three (3) grain producers who are residents of the State of Mississippi and are participating in the program, appointed by the Governor, one (1) from each Mississippi Supreme Court District.

(e) Two (2) grain producers who are residents of the State of Mississippi and are participating in the grain indemnity program, appointed by the Lieutenant Governor from the state at large.

(3) The Commissioner of Insurance shall determine the place and time of the board's meetings and shall spread the same on its minutes. A majority of the voting members shall constitute a quorum, and final action of the board shall require the affirmative vote of a majority of those present and voting. The board shall elect a chairman and a vice chairman and such other officers as it deems necessary, and shall establish rules of order for conducting its meetings. The members of the board appointed by the Governor and the Lieutenant Governor shall receive reimbursement for travel expenses as provided in Section 25-3-41 for expenses incurred in carrying out duties as a member of the Mississippi Grain Indemnity Fund Board.

(4) The board shall have the following powers and duties:

- (a) To provide oversight over the Mississippi Grain Indemnity Fund;
- (b) To approve any award of a claim made from the Mississippi Grain Indemnity Fund;
- (c) To pay all necessary expenses attributable to the operation of the Mississippi Grain Indemnity Fund;
- (d) To approve all claimants' attorney fees in claims against the fund;
- (e) To employ on a full-time or part-time basis a qualified staff attorney and such other staff as it may deem necessary to carry out the purposes of this act and to contract with one or more reputable insurance consulting firms as may be necessary;
- (f) To assess premiums prescribed in this act to be paid by grain producers participating in the Mississippi Grain Indemnity Fund and to collect and deposit such assessments;
- (g) To make investments of the available funds in the Mississippi Grain Indemnity Fund as authorized by law;
- (h) To submit the board's budget request for the initial year of operation and for the appropriation of such State General Funds as may be required for the commencement of its activities and to make compensation payments to claimants for financial loss up to a maximum amount of Five Million Dollars (\$5,000,000.00) in the aggregate as more specifically provided in this act;
- (i) To subrogate all rights of the claimant, who shall assign all rights, title and interest in any judgment to the board. The board shall have subrogation rights against a third party for amounts paid out of the fund or out of any plan of reinsurance;
- (j) To initiate any action it may deem necessary to compel the grain dealer or warehouseman against whom an awarded claim arose to repay the Mississippi Grain Indemnity Fund;
- (k) To initiate any action it may deem necessary to compel the claimant whose claim arose due to a failure to participate in any legal proceeding in relation to that claim; and
- (l) To do all things necessary to carry out the intent and purpose of this act.

(5) The board may contract with the Mississippi Department of Insurance to administer and enforce the provisions of this act and the department may be reimbursed for necessary expense from the three percent (3%) monies set aside under Section 5(5) of this act.

SECTION 5. (1) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Grain Indemnity Fund." All assessments that the Mississippi Grain Indemnity Board receives and collects under the provisions of subsection (2), all funds received from the proceeds of surety bonds executed by grain warehousemen and grain dealers pursuant to law and any funds appropriated by the Legislature for the operation of this act shall be deposited in the fund. All monies in the fund may be expended by the board for any and all purposes for which the board is authorized to expend funds under the provisions of this act. All interest earned from the investment of monies in the fund shall be credited to the fund. Monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund.

(2) There shall be levied upon every grain producer in the State of Mississippi who does not opt out of participation in writing as provided in subsection (3) of this section an assessment of two tenths of one percent (.02%) of market price per bushel on all grain to be collected at the site of first purchase. The board shall provide for the collection of the assessment for the purpose of financing or contributing to the financing of the Mississippi Grain Indemnity Fund. The monies in the Mississippi Grain Indemnity Fund shall not be available for any purpose other than for the payment of claims and for the administration of this act. These funds may be invested and reinvested at the discretion of the State Treasurer in any investment of public funds authorized by law, and the interest from these investments shall be deposited to the credit of the fund and shall be available for the same purposes as all other money deposited in the fund. In order to avoid or lessen the possibility and amount of assessments reinstated or increased as authorized by this act, the Mississippi Commissioner of Insurance shall approve rates for policies of reinsurance issued by the board at least adequate to fund annual reinsurance above a self-insured retention of Twenty Million Dollars (\$20,000,000) that combined with any readily available reserves of the board, is sufficient to cover at least the probable maximum losses from a grain warehouseman or grain dealer failure expected to occur as predicted by a model or method approved by the Commissioner of Insurance for the properties covered by the board at the time the reinsurance was negotiated. The commissioner may approve rates in excess of the minimums required by this section as consistent with his duties and the insurance laws of the State of Mississippi.

(3) Any qualified grain producer or grain producer organization may make application to the board requesting nonparticipation in the Mississippi Grain Indemnity program and an exemption from the assessment of the amount specified in subsection (2) of this section. Said application for exemption shall be executed by all applicants on a voluntary basis on or before March 1 of each year on forms prescribed by the board.

(4) Until such time as the balance in the Mississippi Grain Indemnity Fund is equal to or exceeds Twenty Million Dollars (\$20,000,000.00), the board shall reimburse grain producers for financial loss from the State General Fund in an amount not to exceed Five Million Dollars (\$5,000,000.00) in the aggregate subject to appropriation therefor by the Legislature, as specifically provided in Section 6 of this act. When the balance in the fund is equal to or exceeds Twenty Million Dollars (\$20,000,000.00), there shall be no guarantee for reimbursement for such financial loss from the State General Fund.

(5) The assessment authorized under this section shall continue on grain producers until the Mississippi Grain Indemnity Fund is more than Twenty Million Dollars (\$20,000,000.00). If and when the fund is more than Twenty Million Dollars (\$20,000,000.00), the board shall temporarily suspend the assessment and may in its discretion refund assessments paid in excess of that amount. In the event the amount in the fund shall subsequently drop below the Twenty Million Dollar (\$20,000,000.00) threshold, the board may reinstitute the assessment, however the assessment shall not exceed the assessment rate established by subsection (2) of this section. The assessments by the board pursuant to this section are in addition to any other fees or assessments required by law. When the fund is equal to or exceeds Twenty Million Dollars (\$20,000,000.00), the board shall reimburse the State General Fund from the Mississippi Grain Indemnity Fund for any appropriations made by the Legislature to the board for the commencement of operation of the program and reimbursement for financial loss.

(6) The board is authorized to set aside an amount not to exceed three percent (3%) of the year-end balance of the fund for necessary expenses relating to the administration of the fund.

(7) In the event of the bankruptcy of a grain warehouseman or grain dealer subject to a claim under this act, the fund shall be subrogated to the rights of any grain producer or the person possessing the warehouse receipt who has received payment from the Mississippi Grain Indemnity Fund, to the extent of such payment.

SECTION 6. Any grain producer or person possessing warehouse receipts covering grain owned or stored by the warehouseman or grain dealer may make a claim to the Mississippi Grain Indemnity Board for compensation for any financial loss due to a failure of such grain warehouseman or grain dealer. For purposes of this section, "failure" means an inability to financially satisfy a claimant in accordance with applicable statute or regulation or contract within the time limits provided therein. Market losses shall not be deemed to be a failure of such grain warehouseman or grain dealer. The grain producer or person possessing warehouse receipts shall have ninety (90) days from the failure to make the claim to the board. Within thirty (30) days of the board's approval of a valid claim, the board shall, in accordance with this section, compensate from the Mississippi Grain Indemnity Fund any claimant who has incurred a financial loss due to a failure of a grain warehouseman or grain dealer. Any claimant who has incurred a financial loss due to the failure of a grain warehouseman and who has surrendered a warehouse receipt for payment or holds a warehouse receipt and cannot receive value shall be compensated for one hundred percent (100%) of the claim. To the extent that there is an insufficient balance in the Mississippi Grain Indemnity Fund to compensate all claims at any date during the fiscal year, the board is authorized to adjust the maximum amount per claimant proportionately in order for each claimant to receive an equal pro rata share at the time of a failure of a grain warehouseman or grain dealer. Until such time as the Mississippi Grain Indemnity Fund has a balance equal to or in excess of Twenty Million Dollars (\$20,000,000.00), the board shall make compensation to claimants under this section from the State General Fund up to a maximum amount of Five Million Dollars (\$5,000,000.00) in the aggregate, pursuant to specific appropriation therefor by the Legislature.

SECTION 7. The Mississippi Grain Indemnity Fund Board is authorized to promulgate rules and regulations in accordance with the Mississippi Administrative Procedures Act as may be necessary to effectively and efficiently administer and enforce this act.

SECTION 8. Section 75-44-1, Mississippi Code of 1972, is amended as follows:

75-44-1. This chapter shall be known as the "Mississippi Grain \* \* \* Handler Law of 2022."

SECTION 9. Section 75-44-3, Mississippi Code of 1972, is amended as follows:

75-44-3. (1) The provisions of this \* \* \* act shall apply to all grain warehouses and to the operations of such grain warehouses whether or not any of the grain therein is owned by the \* \* \* grain handler.

(2) The provisions and definitions of the Uniform Commercial Code relating to warehouse receipts to the extent not inconsistent with this \* \* \* act shall govern warehouse receipts issued by grain \* \* \* handlers.

SECTION 10. Section 75-44-5, Mississippi Code of 1972, is amended as follows:

75-44-5. When used in this chapter:

(a) "Person" includes individuals, corporations, partnerships and all associations of two (2) or more persons having a joint or common interest.

(b) The term "commissioner" shall mean the Commissioner of the Mississippi Department of Agriculture and Commerce, or his designated representative.

(c) "Grain" shall mean all grains for which standards have been established pursuant to the United States Grain Standards Act, as amended, and rice as defined by the Agriculture Marketing Act of 1946, as amended.

(d) "Stored grain" shall mean any grain received in any grain warehouse, located in this state, if same is not purchased and beneficially owned by the grain \*\*\* handler.

(e) "Grain handler" or "handler" means any person engaged in the business of buying grain from producers thereof for resale or for milling or processing or a person who operates a warehouse or other facility or group of facilities in which grain is or may be stored for compensation. A producer of grain buying grain for his own use as seed or feed shall not be considered as being engaged in business as a grain handler.

( \*\* f) "Grain warehouse" shall mean any structure or combination of structures operated together, including the machinery and equipment used in connection therewith, in or by means or which grain is unloaded, elevated, stored, loaded for shipment, dried, cleaned, weighed, treated, conditioned or otherwise handled from producers of grain.

\*\*\*

(g) "Inspector" shall mean a person authorized by the \*\*\* grain handler to weigh, inspect, grade and/or certificate the weight and grade of grain stored or to be stored in a grain warehouse.

(h) "Warehouse receipt" shall mean a negotiable grain storage receipt and/or a nonnegotiable scale ticket given by a grain warehouse.

(i) "Surety bond" shall mean a guarantee issued by a surety agency on behalf of a client, requiring the agency to pay a sum of money to a third party in the event the client fails to fulfill obligations required under this chapter.

SECTION 11. Section 75-44-7, Mississippi Code of 1972, is amended as follows:

75-44-7. The commissioner shall carry out and enforce the provisions of this \*\*\* act and is hereby empowered to promulgate rules and regulations to carry out necessary inspections and to appoint and fix the duties of his personnel and provide such equipment as may be necessary to assist him in enforcing the provisions thereof.

SECTION 12. Section 75-44-9, Mississippi Code of 1972, is amended as follows:

75-44-9. (1) No person shall (a) operate a grain warehouse with over five hundred thousand (500,000) bushels of licensed capacity; or (b) issue a warehouse receipt for such grain warehouse; or (c) operate as a grain handler selling, transferring or storing over five hundred thousand (500,000) bushels or more annually, without first having obtained a license \*\*\* under the provisions of the United States Warehouse Act, as amended.

(2) No person shall (a) operate a grain warehouse with over fifty thousand (50,000) and less than five hundred thousand (500,000) bushels of licensed capacity; or (b) issue a warehouse receipt for such grain warehouse; or (c) operate as a grain handler selling, transferring or storing over fifty thousand (50,000) and less than five hundred thousand (500,000) bushels annually, without first having obtained either a license under the provisions of the United States Warehouse Act, as amended, or a grain handler license from the Mississippi Department of Agriculture and Commerce under the provisions of this act.

(3) Any person who (a) operates a grain warehouse with less than fifty thousand (50,000) bushels of licensed capacity; or (b) issues a warehouse receipt for such grain warehouse; or (c) operates as a grain handler selling, transferring or storing less than fifty thousand (50,000) bushels annually, shall not be required to have a license issued by the

United States Warehouse Act or by the Mississippi Department of Agriculture and Commerce under this act.

SECTION 13. Section 75-44-11, Mississippi Code of 1972, is amended as follows:

75-44-11. (1) Applications for combined grain handler licenses under this \* \* \* act are to be made on forms prescribed by the commissioner for each separate warehouse and grain handler's place of business, or, if an applicant owns more than one (1) warehouse or grain handler's place of business at any one (1) location, which does not exceed eight (8) miles in distance, then all the warehouses and grain handler offices at that location may be included in one (1) application. Every application is to be accompanied by an application fee of \* \* \* Five Hundred Dollars (\$500.00) and a certified financial statement in a form prescribed by the commissioner and such further information as the commissioner may by regulation require.

(2) Grain handler licenses shall be nontransferable.

SECTION 14. Section 75-44-13, Mississippi Code of 1972, is amended as follows:

75-44-13. Prior to the issuance of a license, every applicant shall pay an annual license fee based upon the capacity of the warehouse, such fee to be determined by the commissioner, but not to exceed \* \* \* Two Hundred Fifty Dollars (\$250.00).

SECTION 15. Section 75-44-15, Mississippi Code of 1972, is amended as follows:

75-44-15. If a grain \* \* \* handler desires to renew his license for an additional year, application for such renewal shall be made on a form prescribed by the commissioner. At least sixty (60) days prior to the expiration of each license, the commissioner shall notify each grain \* \* \* handler of the date of such expiration and furnish such grain \* \* \* handler with the renewal form.

SECTION 16. Section 75-44-17, Mississippi Code of 1972, is amended as follows:

75-44-17. Before a license to \* \* \* operate as a grain handler is granted under Section 75-44-23, the grain \* \* \* handler shall file with the commissioner a copy of his schedule of charges for storage and other services. If the grain \* \* \* handler desires to make any change in the schedule of charges during the license period, he shall file with the commissioner a statement in writing showing the change at least thirty (30) days prior to its effective date. Each grain \* \* \* handler shall keep conspicuously posted the schedule of charges for storage and other services as so filed, and shall strictly adhere to these charges.

SECTION 17. Section 75-44-19, Mississippi Code of 1972, is amended as follows:

75-44-19. Immediately upon receipt of his license or of any modification or extension thereof, the grain \* \* \* handler shall post same and thereafter keep it posted until suspended or terminated in a conspicuous place in the office of the grain warehouse or place of business to which such license applies where receipts issued by such grain \* \* \* handler are delivered to depositors.

SECTION 18. Section 75-44-21, Mississippi Code of 1972, is amended as follows:

75-44-21. (1) Each grain \* \* \* handler shall have and maintain above all exemptions and liabilities, total net assets available for the payment of any indebtedness arising from the conduct of the grain warehouse or grain handler's place of business in an amount equal to at least Twenty Cents (20¢) multiplied by the maximum number of bushels of grain for which the grain \* \* \* handler is licensed, provided that no person may be licensed as a grain \* \* \* handler under the regulations \* \* \* under this act unless he has available net assets of at least Twenty Thousand Dollars (\$20,000.00); and provided

further, that any deficiency in net assets required above the minimum of Twenty Thousand Dollars (\$20,000.00) may, at the discretion of the commissioner, be supplied by a commensurate increase in the amount of the grain \*\*\* handler's bond furnished pursuant to Sections 75-44-29, 75-44-31, 75-44-33 and 75-44-35. In determining total available net assets, credit may be given for insurable assets such as buildings, machinery, equipment and merchandise inventory only to the extent of the current market value of such assets and only to the extent that such assets are protected by insurance against loss or damage. Such insurance shall be in the form of lawful policies issued by one or more insurance companies authorized to do business and subject to service of process in suits brought in this state, and which provide that no cancellation shall be effective unless thirty (30) days' advance notice of such cancellation is given to the commissioner.

(2) If a grain \*\*\* handler is licensed or is applying for license to operate two (2) or more grain warehouses or grain handler's places of business, the maximum total number of bushels which all such facilities will accommodate when stored in the manner customary to the warehouses, or sold/transferred at the grain handler's place of business, as determined by the commissioner, shall be considered in determining whether the grain \*\*\* handler meets the available net assets requirement of subsection (1) of this section.

(3) For the purposes of subsections (1) and (2) of this section only, capital stock as such shall not be considered a liability.

SECTION 19. Section 75-44-23, Mississippi Code of 1972, is amended as follows:

75-44-23. (1) Upon satisfaction of Sections 75-44-9 through 75-44-21, and 75-44-29 through 75-44-33, and any applicable regulations by an applicant, the commissioner shall issue a license to operate a grain warehouse.

(2) If after proper application, the commissioner denies any person, partnership, association or corporation a license to operate a grain warehouse, the commissioner shall transmit immediately to said applicant by certified mail an order so providing which shall state the reasons for said denial. In the event the applicant is dissatisfied at the decision of the commissioner, the applicant may request a hearing within ninety (90) days with the commissioner to appear and defend its compliance with all appropriate regulations and/or give evidence that all deficiencies have been corrected. If after said hearing, the commissioner denies applicant a license, the commissioner shall transmit immediately to applicant by certified mail an order so providing which shall state the reasons for said denial. In the event the applicant is dissatisfied at the decision of the commissioner after the hearing, the applicant may appeal to the chancery court of the county where the grain warehouse or grain handler's place of business is located within thirty (30) days of the date of said order in accordance with the provisions of subsection (2) of Section 75-44-25.

SECTION 20. Section 75-44-25, Mississippi Code of 1972, is amended as follows:

75-44-25. (1) If a grain \*\*\* handler is convicted of any crime involving fraud or deceit or if the commissioner determines that any grain \*\*\* handler has violated any of the provisions of this chapter, or any of the rules and regulations adopted by the commissioner pursuant to this chapter, the commissioner may, at his discretion, suspend, cancel or revoke the license of such grain \*\*\* handler.

(2) All proceedings for the suspension, cancellation or revocation of licenses shall be before the commissioner, and the proceedings shall be in accordance with rules and regulations which shall be adopted by the commissioner. No license shall be cancelled or revoked except after a hearing before the commissioner upon reasonable notice to the licensee and an opportunity to appear and defend. The commissioner may temporarily suspend the license of a licensee for good and reasonable cause before notice or hearing and the licensee shall be entitled to a hearing on such temporary suspension without undue delay. Whenever the commissioner shall suspend, cancel or revoke any license

he shall prepare an order so providing which shall state the reason or reasons for such suspension, cancellation or revocation. Said order shall be sent, by certified mail, by the commissioner to the licensee at the address of the grain warehouse licensed. Within thirty (30) days after the mailing of said order, the licensee, if dissatisfied with the order of the commissioner, may appeal to the chancery court of the county where the grain warehouse is located by filing a written notice of appeal alleging the pertinent facts upon which such appeal is grounded. At the time of the filing of the appeal, the appellant shall give a bond for costs conditioned upon his prosecution of the appeal without delay and payment of all costs assessed against him. Appeal may be with supersedeas and shall be subject to the provisions of Section 11-51-31.

(3) In case a license issued to a grain \* \* \* handler expires or is suspended, revoked or cancelled by the commissioner or his designated representative, such license shall be immediately returned to the commissioner and the grain \* \* \* handler shall forthwith comply with the provisions of Section 75-44-67.

SECTION 21. Section 75-44-27, Mississippi Code of 1972, is amended as follows:

75-44-27. Upon satisfactory proof of the loss or destruction of a license issued to a grain \* \* \* handler, a duplicate thereof, or a new license, may be issued under the same number.

SECTION 22. Section 75-44-29, Mississippi Code of 1972, is amended as follows:

75-44-29. (1) Before any person is granted a license pursuant to Section 75-44-23 such person shall give a bond to the commissioner executed by the grain \* \* \* handler as principal and by a corporate surety licensed to do business in this state as a surety in the amount prescribed in Section 75-44-31. The bond shall be in favor of the \* \* \* Mississippi Grain Indemnity Board established in this act for the benefit of all persons interested, their legal representatives, attorneys or assigns, conditioned upon the faithful compliance by the grain \* \* \* handler with the provisions of this chapter and the rules and regulations of the State Department of Agriculture and Commerce applicable thereto. The aggregate liability of the surety to all depositors or storers or purchasers of grain shall not exceed the sum of such bond. The bond may be cancelled at any time by the surety by giving written notice to the Commissioner of Agriculture and Commerce of its intention to cancel the bond and all liability thereunder shall terminate thirty-five (35) days after the mailing of such notice except that such notice shall not affect any claims arising under the bond, whether presented or not, before the effective date of the cancellation notice.

(2) In lieu of the bond required in subsection (1) of this section an applicant for a license may be a self-insurer by posting with the commissioner any of the following:

- (a) Cash;
- (b) Certificates of deposit from any bank or banking corporation insured by the Federal Deposit Insurance Corporation;
- (c) Irrevocable letters of credit from any bank or banking corporation insured by the Federal Deposit Insurance Corporation;
- (d) Federal Treasury Bills; or
- (e) Notes, securities or bonds secured by the federal government or the State of Mississippi.

Self-insurers shall post an amount equivalent to the amount of the bond required in Section 75-44-31.

SECTION 23. Section 75-44-31, Mississippi Code of 1972, is amended as follows:

75-44-31. (1) The amount of surety bond to be furnished for each grain warehouse shall be fixed at a rate of Twenty-five Cents (25¢) per bushel for the first \*\*\* five hundred thousand (500,000) bushels of licensed capacity; \*\*\* provided that in no case shall the amount of the bond be less than \*\*\* Twenty-five Thousand Dollars (\$25,000.00) or more than \*\*\* One Hundred Twenty-five Thousand Dollars (\$125,000.00), except as prescribed in subsection (3) or (4) of this section. The licensed capacity shall be equal to the maximum number of bushels of grain that the grain warehouse can accommodate for storage or the amount sold or transferred by the licensee acting as a grain handler. In no event shall the liability of the surety accumulate for each successive license period during which this bond is in force, but shall be limited in the aggregate to the bond amount or changed by appropriate rider or endorsement.

(2) A grain \*\*\* handler who is licensed or is applying for licenses to operate two (2) or more grain warehouses or places of grain-handling business may give a single surety bond meeting the requirements of this chapter to cover all such grain warehouses or businesses within the state. In such cases all grain warehouses or grain-handling businesses to be covered by the surety bond shall be deemed to be one (1) warehouse or place of business for purposes of determining the amount of bond required under subsection (1) of this section.

(3) In case of a deficiency in the net assets required by Section 75-44-21, there shall be added to the amount of the surety bond, determined in accordance with subsection (1) of this section, an amount equal to such deficiency. In any other case in which the commissioner finds that conditions exist which warrant requiring additional bond, there shall be added to the amount of bond such further amount as is determined to be reasonable by the commissioner.

(4) The commissioner may, when he questions a grain handler's ability to pay producers for grain purchased, require a grain handler to post an additional surety bond in a dollar amount deemed appropriate by the commissioner. Failure to post such additional surety bond or certificate of deposit or irrevocable letter of credit, constitutes grounds for suspension or revocation of a license issued under this act.

SECTION 24. Section 75-44-33, Mississippi Code of 1972, is amended as follows:

75-44-33. If an application is made for an amendment to a license and no bond previously filed by the grain \*\*\* handler under Sections 75-44-29 and 75-44-31 covers obligations arising during the period covered by such amendment, the grain \*\*\* handler shall file with the commissioner an additional bond in such amount as may be determined by the commissioner.

SECTION 25. Section 75-44-35, Mississippi Code of 1972, is amended as follows:

75-44-35. (1) It shall be the duty of the grain \*\*\* handler to deliver grain to the holder of a warehouse receipt within ten (10) days of the demand for the redemption of such receipt. In the event the grain \*\*\* handler fails to deliver grain to the holder of a warehouse receipt within ten (10) days of the demand, the holder of the warehouse receipt may make demand of the surety for payment under the bond. The surety has the responsibility to pay within fifteen (15) days following receipt by the surety of the notice of the demand for redemption. Any holder of a warehouse receipt issued by a grain \*\*\* handler who has made demand for redemption of such receipt, which demand was, without lawful excuse, not satisfied within ten (10) days, shall notify the commissioner in writing and shall have the right to bring action against the grain \*\*\* handler and the surety on the grain \*\*\* handler's bond for payment of the market value of the grain represented by such warehouse receipt, such market value to be determined as of the date of the demand, plus legal interest accrued from the date of the demand. In the event the grain \*\*\* handler is a self-insurer as provided in Section 75-44-29 the holder of a warehouse receipt shall have the right to bring action against the grain \*\*\* handler to the

extent of the amount posted in lieu of the bond. The commissioner shall pay to the holder of the warehouse receipt, to the extent of the bond posted, any judgment obtained by the holder of a warehouse receipt against a self-insurer. The commissioner may also pay to the holder of a warehouse receipt the amount of the market value of the grain provided that the grain \*\*\* handler agrees to such payment; provided, however, the license of the grain \*\*\* handler shall be suspended upon such payment until such time as the \*\*\* handler posts a bond as provided in this chapter or posts with the commissioner a sum equivalent to that paid by the commissioner on behalf of such \*\*\* grain handler.

(2) In all actions in which judgment is rendered against any surety company under the provisions of this section, if it appears from evidence that the surety company has \*\*\* willfully and without just cause refused to pay the loss upon demand, the court in rendering judgment shall allow the plaintiff the amount of the plaintiff's expenses, including court costs and attorney's fees, to be recovered and collected as part of the costs. The amount of any payment of costs and attorney's fees under this subsection will not reduce the surety's remaining liability on its bond.

(3) If a grain handler should fail or refuse to make payment to a producer for grain purchased when such payment is requested by the producer and the request is made within thirty (30) days of the date of sale or the date of delivery of such grain to the handler, whichever is later, or other period of time specified by contractual arrangement, the producer shall notify the commissioner in writing of such failure or refusal within the period of thirty (30) days thereafter. The commissioner upon receiving such notice shall take whatever action is necessary to investigate the claim and report the findings to the producer within ten (10) days. Grain handler liability under priced-later contracts, open-priced contracts, deferred price contracts, or similar agreements shall accrue under the bond in effect at the date of default as determined by the commissioner.

SECTION 26. Section 75-44-37, Mississippi Code of 1972, is amended as follows:

75-44-37. (1) Every grain \*\*\* handler shall at all times keep the grain stored in the grain warehouse insured by an insurance company authorized to do business in this state. The grain is to be insured for its full-market value against loss by fire, inherent explosion, lightning and windstorm, and failure to do so shall make the grain \*\*\* handler liable for the same. All such policies shall provide that no cancellations shall be effective unless thirty (30) days' prior notice is given the commissioner.

(2) If fire, inherent explosion, lightning or windstorm shall destroy or damage all or part of the grain stored in any grain warehouse, the grain \*\*\* handler shall, upon demand by the holder of any warehouse receipt for such grain, and upon being presented with the warehouse receipt, make settlement for the fair-market value after deducting the warehouse charges.

SECTION 27. Section 75-44-39, Mississippi Code of 1972, is amended as follows:

75-44-39. Every grain \*\*\* handler shall receive for storage or shipment, so far as the available capacity for storage of the grain warehouse shall permit, all grain tendered to him in the usual course of business; provided, however, a grain warehouse owned and operated as a cooperative may decline to accept grain tendered by a nonmember if such cooperative reasonably believes that its available capacity will be required to serve the members of the cooperative. All such grain is to be inspected, weighed and graded by an inspector except that:

(a) The depositor and the grain \*\*\* handler may agree upon a sample taken from the lot of grain to be offered for storage as being a true and representative sample.

(b) The depositor and the grain \*\*\* handler may agree upon the grade of the grain offered for storage and a warehouse receipt may be issued on the agreed grade.

SECTION 28. Section 75-44-41, Mississippi Code of 1972, is amended as follows:

75-44-41. Every grain \*\*\* handler shall keep in a place of safety complete, separate and correct records and accounts pertaining to the grain warehouse including, but not limited to, records and accounts of \*\*\* the number of bushels of grain received therein and withdrawn therefrom, all unissued receipts and tickets in its possession, copies of all receipts and tickets issued by it, and the receipts and tickets returned to and cancelled by it. Such records shall be retained by the grain \*\*\* handler for a period of five (5) years.

SECTION 29. Section 75-44-43, Mississippi Code of 1972, is amended as follows:

75-44-43. (1) Every grain warehouse shall be examined by the commissioner each year. The cost of such examination shall be included in the annual license fee. The commissioner, at his discretion, may make additional examinations of any grain warehouse at any time. If any discrepancy is found as a result of additional examination, the cost of such examination is to be paid by the grain \*\*\* handler.

(2) Every grain warehouse shall at least annually send to the commissioner a copy of its financial statement prepared by an accountant licensed by the State of Mississippi and sworn to by the accountant and grain \*\*\* handler.

(3) The commissioner \*\*\* shall also require an unqualified audit by an accountant licensed by the State of Mississippi as a requirement for licensing \*\*\* to be submitted annually directly to the commissioner. The commissioner shall inspect the grain \*\*\* handler's place of business, mode of conducting the same, facilities, equipment, inventories, property, books, records, accounts, papers and minutes of proceedings held at such grain \*\*\* handler's place of business, and any other records deemed relevant to the operation of the grain \*\*\* handler's place of business by the commissioner.

(4) All scales used for the weighing of property in grain warehouses shall be subject to tests by any scale inspector duly appointed or authorized by the commissioner during regular business hours.

SECTION 30. Section 75-44-45, Mississippi Code of 1972, is amended as follows:

75-44-45. Each grain warehouse shall employ, during all regular business hours, a grain inspector (who may be the grain \*\*\* handler himself if such grain \*\*\* handler is a natural person) who shall be responsible for the accuracy of weights and grades noted on all warehouse receipts.

SECTION 31. Section 75-44-47, Mississippi Code of 1972, is amended as follows:

75-44-47. (1) If the condition of any grain offered for storage is such that it probably will affect the condition of grain in the grain warehouse, the grain \*\*\* handler shall not receive such grain for storage or store such grain, provided, however, that if the grain warehouse has separate bins or is equipped with proper conditioning apparatus, the grain warehouse may receive such grain for storage in such separate bins or may condition it and then store it in such a manner as will not lower the grade of other grain.

(2) It shall be the grain \*\*\* handler's duty and obligation to condition and maintain the quantity and quality of all grain as receipted.

SECTION 32. Section 75-44-49, Mississippi Code of 1972, is amended as follows:

75-44-49. (1) Every receipt issued for grain stored in a grain warehouse shall conform to the requirements of Section 75-7-202 and in addition shall embody within its written or printed terms:

(a) A statement that the holder of the receipt or the depositor of the grain shall demand the delivery of the grain on or before a date not later than one (1) year from the date specified thereon by the grain \*\*\* handler;

(b) The net weight, number of bushels, percentage of dockage and the grading factors and the grade.

(2) A grain \*\*\* handler shall not insert any language in any warehouse receipt or make any contract with respect to any warehouse receipt which purports to limit the liabilities or responsibilities imposed on him by law.

(3) The possession of an indorsed warehouse receipt shall be prima facie evidence of grain in storage and the rightful ownership of such document and grain.

SECTION 33. Section 75-44-51, Mississippi Code of 1972, is amended as follows:

75-44-51. The commissioner shall require that at least one (1) actual or skeleton copy of all receipts shall be made and all copies shall have clearly and conspicuously printed or stamped thereon the words "Copy-Not Negotiable."

SECTION 34. Section 75-44-53, Mississippi Code of 1972, is amended as follows:

75-44-53. The form of all receipts shall be approved by the commissioner. The commissioner shall be authorized to have printed by the state printer all warehouse receipts issued by grain \*\*\* handlers.

SECTION 35. Section 75-44-55, Mississippi Code of 1972, is amended as follows:

75-44-55. If a grain \*\*\* handler delivers only a part of a lot of grain for which he has issued a negotiable receipt under this chapter, he shall take up and cancel such receipt and issue a new receipt in accordance with the provisions of Sections 75-44-49 through 75-44-65 for the undelivered portion of grain.

SECTION 36. Section 75-44-57, Mississippi Code of 1972, is amended as follows:

75-44-57. A grain \*\*\* handler shall not deliver grain for which he has issued a negotiable receipt until the receipt has been returned to him and cancelled, and shall not deliver grain for which he has issued a nonnegotiable receipt until he has received authority from the person lawfully entitled to such delivery, or his authorized agent.

SECTION 37. Section 75-44-59, Mississippi Code of 1972, is amended as follows:

75-44-59. The commissioner shall require that all warehouse receipts issued by a grain warehouse shall be numbered consecutively, and no two (2) receipts bearing the same number shall be issued from the same warehouse during any one (1) year, except in the case of a lost or destroyed receipt.

SECTION 38. Section 75-44-61, Mississippi Code of 1972, is amended as follows:

75-44-61. The commissioner shall require that no warehouse receipt shall be issued except upon actual delivery of grain into storage in the warehouse from which it purports to be issued, nor shall any receipt be issued for a greater quantity of grain than was contained in the lot or parcel \*\*\* or received for storage, nor shall more than one (1) receipt be issued for the same lot of grain, except in cases where a receipt for a part of a lot is desired, and then the aggregate receipts for a particular lot shall cover that lot and no more.

SECTION 39. Section 75-44-63, Mississippi Code of 1972, is amended as follows:

75-44-63. A grain \*\*\* handler may make a valid sale or pledge of any warehouse receipts issued for grain of which the \*\*\* handler is the owner, either solely or jointly or in common with others, and the recital of ownership in the receipt shall constitute notice of the right to sell or pledge the same and of the title or specific lien of the transferee or pledgee upon the \*\*\* grain handler's grain represented by the receipts.

SECTION 40. Section 75-44-65, Mississippi Code of 1972, is amended as follows:

75-44-65. (1) If grain is offered for storage in any licensed grain warehouse and the grain \*\*\* handler does not have storage space to handle the same, the grain \*\*\* handler, with the written consent of the owner, may accept grain for shipment to another grain warehouse where storage is available.

(2) The receipt to cover grain to be transported to and stored in another grain warehouse shall embody within its written or printed terms, in addition to the requirements of Section 75-44-49, the name and location of the grain warehouse to which the grain will be shipped for storage.

SECTION 41. Section 75-44-67, Mississippi Code of 1972, is amended as follows:

75-44-67. Any \*\*\* grain handler operating a grain warehouse who desires to discontinue such operation at the expiration of his license or whose license is suspended, revoked or cancelled by the commissioner or his designated representative shall notify the commissioner and all holders of warehouse receipts and all parties storing grain in the grain warehouse, if known, or if not known, by advertising in the newspaper or newspapers of largest general circulation in the community in which the grain warehouse is located once per week for three (3) consecutive weeks, at least thirty (30) days prior to the date of expiration of his license, of his intention to discontinue the grain warehouse business, and the owners of the grain shall remove, or cause to be removed, their grain from such grain warehouse before the expiration of the license.

SECTION 42. Section 75-44-69, Mississippi Code of 1972, is amended as follows:

75-44-69. No inspector or employee of the commissioner's office shall disclose any information obtained by him in the course of his employment related to the affairs or transactions of any grain warehouse without first having obtained the express permission in writing of such grain \*\*\* handler.

SECTION 43. Section 75-44-71, Mississippi Code of 1972, is amended as follows:

75-44-71. (1) Any person who issues a warehouse receipt for grain without holding a valid grain \*\*\* handler license or who commits any willful violation of any provision of this chapter, shall be guilty of a felony, and upon conviction thereof, punishable by a fine of not more than \*\*\* Fifty Thousand Dollars (\$50,000.00) and/or imprisonment for not more than five (5) years.

(2) Any unintentional or negligent violation of this chapter shall be a misdemeanor, and upon conviction thereof, punishable by a fine of not more than \*\*\* One Thousand Dollars (\$1,000.00) and/or imprisonment for not more than one (1) year.

SECTION 44. Sections 75-45-301, 75-45-303, 75-45-304, 75-45-305, 75-45-307, 75-45-309, 75-45-311, 75-45-313 and 75-45-315, Mississippi Code of 1972, which are the "Mississippi Grain Dealers Law of 1978," are hereby repealed.

SECTION 45. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT ENTITLED THE "MISSISSIPPI GRAIN PRODUCER INDEMNITY ACT"; TO PROVIDE INDEMNIFICATION FOR GRAIN PRODUCERS IN MISSISSIPPI AGAINST THE FINANCIAL FAILURE OF GRAIN DEALERS AND WAREHOUSES IN ORDER TO IMPROVE THE ECONOMIC STABILITY OF AGRICULTURE; TO PROVIDE DEFINITIONS; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY FUND BOARD TO ADMINISTER THE MISSISSIPPI GRAIN INDEMNITY FUND AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS AND DUTIES; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY FUND IN THE STATE TREASURE AND TO AUTHORIZE ASSESSMENTS AGAINST GRAIN PRODUCERS TO FUND THE PROGRAM; TO PROVIDE FOR A MINIMUM BALANCE IN THE FUND AND FOR THE SUSPENSION OF ASSESSMENTS UNDER CERTAIN CONDITIONS; TO PROVIDE FOR REINSURANCE FOR THE PAYMENT OF CLAIMS; TO PRESCRIBE THE DUTIES OF THE MISSISSIPPI GRAIN INDEMNITY FUND BOARD AND THE MISSISSIPPI DEPARTMENT OF INSURANCE TO ADMINISTER THE PROVISIONS OF THIS ACT; TO PROVIDE FOR THE COMPENSATION OF CLAIMANTS WHO HAVE INCURRED A FINANCIAL LOSS DUE TO A FAILURE OF A GRAIN DEALER OR WAREHOUSEMAN; TO PROVIDE APPLICATION AND PAYMENT PROCEDURES; TO PROVIDE FOR SUBROGATION OF CLAIMS ON BEHALF OF THE FUND; TO REVISE THE REQUIREMENTS OF THE "MISSISSIPPI GRAIN WAREHOUSE LAW" AND THE "MISSISSIPPI GRAIN DEALERS LAW" BY PROVIDING FOR A COMBINED GRAIN HANDLER LICENSE ISSUED AND REGULATED BY THE MISSISSIPPI COMMISSIONER OF AGRICULTURE AND COMMERCE; TO AMEND SECTIONS 75-44-1 THROUGH 75-44-71, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS, PRESCRIBE REQUIREMENTS FOR THE NECESSITY OF OBTAINING A GRAIN HANDLER LICENSE, TO PRESCRIBE CERTAIN APPLICATION AND RENEWAL FEES FOR SUCH LICENSES, TO PRESCRIBE CERTAIN STATUTORY SURETY BOND AMOUNTS REQUIRED FOR LICENSED GRAIN HANDLERS, TO REQUIRE GRAIN HANDLER LICENSEES TO SUBMIT ANNUAL INDEPENDENT AUDITS WITH THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE AS LICENSING AGENCY; TO REPEAL SECTIONS 75-45-301 THROUGH 75-45-315, MISSISSIPPI CODE OF 1972, WHICH IS THE "MISSISSIPPI GRAIN DEALERS LAW OF 1978"; AND FOR RELATED PURPOSES.

Senator Blackwell offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following after line 892 and renumbering subsequent sections accordingly:

SECTION \*. Section 69-1-1, Mississippi Code of 1972, is amended as follows:

69-1-1. (1) A Department of Agriculture and Commerce is created and established under the management and control of a public officer to be known as the Commissioner of Agriculture and Commerce, who shall have competent knowledge of agriculture, mining, manufacturing, statistics and general industries, must be an experienced and practical agriculturist; must be a resident of the state for five (5) years immediately preceding the day of election. Beginning January 1, 2024, the Commissioner of Agriculture and Commerce shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four (4) years.

(2) The residency requirements specified under this section shall apply to elections held from and after January 1, 2020.

SECTION \*. Section 23-15-193, Mississippi Code of 1972, is amended as follows:

23-15-193. At the election in 1995, and every four (4) years thereafter, there shall be elected a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, three (3) public service commissioners, three (3) Mississippi Transportation Commissioners, Commissioner of Insurance, \* \* \* Senators and members of the House of Representatives in the Legislature, district attorneys for the several districts, clerks of the circuit and chancery courts of the several counties, as well as sheriffs, coroners, assessors, surveyors and members of the boards of supervisors, justice court judges and constables, and all other officers to be elected by the people at the general state election. All such officers shall hold their offices for a term of four (4) years, and until their successors are elected and qualified. The state officers shall be elected in the manner prescribed in Section 140 of the Constitution.

FURTHER, AMEND the title by inserting the following after the semicolon on line 32:

TO AMEND SECTIONS 69-1-1 AND 23-15-193, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING JANUARY 1, 2024, THE COMMISSIONER OF AGRICULTURE AND COMMERCE SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE;

#### POINT OF ORDER

A point of order was raised by Senator Seymour that Amendment No. 1 to Committee Amendment No. 1 is not germane.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1389 failed.

Committee Amendment No. 1 to H. B. No. 1389 was adopted.

YEAS AND NAYS On H. B. No. 1389. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator DeBar moved that the rules be suspended to move to calendar item 195, **H. B. No. 530**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each \*\*\* public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

\*\*\*2022-2023 MINIMUM SALARY SCHEDULE

Years *** Exp.	AAAA	AAA	AA	A
0	46,750.00	44,250.00	41,500.00	39,000.00
1	47,250.00	44,750.00	42,000.00	39,500.00
2	47,750.00	45,250.00	42,500.00	40,000.00
3	48,250.00	45,750.00	43,000.00	40,500.00
4	48,750.00	46,250.00	43,500.00	41,000.00
5	50,375.00	47,775.00	44,925.00	42,325.00
6	50,875.00	48,275.00	45,425.00	42,825.00
7	51,375.00	48,775.00	45,925.00	43,325.00
8	51,875.00	49,275.00	46,425.00	43,825.00
9	52,375.00	49,775.00	46,925.00	44,325.00
10	54,000.00	51,300.00	48,350.00	45,650.00

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11	54,500.00	51,800.00	48,850.00	46,150.00
12	55,000.00	52,300.00	49,350.00	46,650.00
13	55,500.00	52,800.00	49,850.00	47,150.00
14	56,000.00	53,300.00	50,350.00	47,650.00
15	57,625.00	54,825.00	51,775.00	48,975.00
16	58,125.00	55,325.00	52,275.00	49,475.00
17	58,625.00	55,825.00	52,775.00	49,975.00
18	59,125.00	56,325.00	53,275.00	50,475.00
19	59,625.00	56,825.00	53,775.00	50,975.00
20	61,250.00	58,350.00	55,200.00	52,300.00
21	61,750.00	58,850.00	55,700.00	52,800.00
22	62,250.00	59,350.00	56,200.00	53,300.00
23	62,750.00	59,850.00	56,700.00	53,800.00
24	63,250.00	60,350.00	57,200.00	54,300.00
25	65,750.00	62,850.00	59,700.00	56,800.00
26	66,250.00	63,350.00	60,200.00	57,300.00
27	66,750.00	63,850.00	60,700.00	57,800.00

SENATE JOURNAL  
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28	67,250.00	64,350.00	61,200.00	58,300.00
29	67,750.00	64,850.00	61,700.00	58,800.00
30	68,250.00	65,350.00	62,200.00	59,300.00
31	68,750.00	65,850.00	62,700.00	59,800.00
32	69,250.00	66,350.00	63,200.00	60,300.00
33	69,750.00	66,850.00	63,700.00	60,800.00
34	70,250.00	67,350.00	64,200.00	61,300.00
35 & above	70,750.00	67,850.00	64,700.00	61,800.00

2023-2024 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	47,750.00	45,250.00	42,500.00	40,000.00
1	48,250.00	45,750.00	43,000.00	40,500.00
2	48,750.00	46,250.00	43,500.00	41,000.00
3	49,250.00	46,750.00	44,000.00	41,500.00
4	49,750.00	47,250.00	44,500.00	42,000.00
5	51,375.00	48,775.00	45,925.00	43,325.00
6	51,875.00	49,275.00	46,425.00	43,825.00

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7	52,375.00	49,775.00	46,925.00	44,325.00
8	52,875.00	50,275.00	47,425.00	44,825.00
9	53,375.00	50,775.00	47,925.00	45,325.00
10	55,000.00	52,300.00	49,350.00	46,650.00
11	55,500.00	52,800.00	49,850.00	47,150.00
12	56,000.00	53,300.00	50,350.00	47,650.00
13	56,500.00	53,800.00	50,850.00	48,150.00
14	57,000.00	54,300.00	51,350.00	48,650.00
15	58,625.00	55,825.00	52,775.00	49,975.00
16	59,125.00	56,325.00	53,275.00	50,475.00
17	59,625.00	56,825.00	53,775.00	50,975.00
18	60,125.00	57,325.00	54,275.00	51,475.00
19	60,625.00	57,825.00	54,775.00	51,975.00
20	62,250.00	59,350.00	56,200.00	53,300.00
21	62,750.00	59,850.00	56,700.00	53,800.00
22	63,250.00	60,350.00	57,200.00	54,300.00
23	63,750.00	60,850.00	57,700.00	54,800.00

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SENATE JOURNAL  
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24	64,250.00	61,350.00	58,200.00	55,300.00
25	66,750.00	63,850.00	60,700.00	57,800.00
26	67,250.00	64,350.00	61,200.00	58,300.00
27	67,750.00	64,850.00	61,700.00	58,800.00
28	68,250.00	65,350.00	62,200.00	59,300.00
29	68,750.00	65,850.00	62,700.00	59,800.00
30	69,250.00	66,350.00	63,200.00	60,300.00
31	69,750.00	66,850.00	63,700.00	60,800.00
32	70,250.00	67,350.00	64,200.00	61,300.00
33	70,750.00	67,850.00	64,700.00	61,800.00
34	71,250.00	68,350.00	65,200.00	62,300.00
35 & above	71,750.00	68,850.00	65,700.00	62,800.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. \* \* \* However, \* \* \* school districts are authorized, in their discretion, to negotiate the salary levels applicable to \* \* \* licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board or is employed by a state agency under the State Personnel Board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. The total number of licensed athletic trainers eligible for a salary supplement under this subparagraph (v) may not exceed twenty (20).

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its \* \* \* adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding \*\*\* licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be

limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria. \* \* \*

(5) (a) \* \* \* If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION \*. Section 37-21-7, Mississippi Code of 1972, is amended as follows:

37-21-7. (1) This section shall be referred to as the "Mississippi Elementary Schools Assistant Teacher Program," the purpose of which shall be to provide an early childhood education program that assists in the instruction of basic skills. The State Board of Education is authorized, empowered and directed to implement a statewide system of assistant teachers in kindergarten classes and in the first, second and third grades. The assistant teacher shall assist pupils in actual instruction under the strict supervision of a licensed teacher.

(2) (a) Except as otherwise authorized under subsection (7), each school district shall employ the total number of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction of skills such as verbal and linguistic skills, logical and mathematical skills, and social skills.

(b) If a licensed teacher to whom an assistant teacher has been assigned is required to be absent from the classroom, the assistant teacher may assume responsibility for the classroom in lieu of a substitute teacher. However, no assistant

teacher shall assume sole responsibility of the classroom for more than three (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant teacher has been assigned.

(3) Assistant teachers shall have, at a minimum, a high school diploma or a High School Equivalency Diploma equivalent, and shall show demonstrable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the state.

(4) (a) In order to receive funding, each school district shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; and

(ii) Develop a plan of educational accountability and assessment of performance, including pretests and posttests, for reading in Grades 1 through 6.

(b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the role of assistant teachers, with emphasis on program goals;

(ii) Hold periodic workshops for administrators and teachers on the effective use and supervision of assistant teachers;

(iii) Provide training annually on specific instructional skills for assistant teachers;

(iv) Annually evaluate their program in accordance with their educational accountability and assessment of performance plan; and

(v) Designate the necessary personnel to supervise and report on their program.

(5) The State Department of Education shall:

(a) Develop and assist in the implementation of a statewide uniform training module, subject to the availability of funds specifically appropriated therefor by the

Legislature, which shall be used in all school districts for training administrators, teachers and assistant teachers. The module shall provide for the consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a team, and shall require further periodic training for administrators, teachers and assistant teachers regarding the role of assistant teachers;

(b) Annually evaluate the program on the district and state level. Subject to the availability of funds specifically appropriated therefor by the Legislature, the department shall develop: (i) uniform evaluation reports, to be performed by the principal or assistant principal, to collect data for the annual overall program evaluation conducted by the department; or (ii) a program evaluation model that, at a minimum, addresses process evaluation; and

(c) Promulgate rules, regulations and such other standards deemed necessary to effectuate the purposes of this section. Noncompliance with the provisions of this section and any rules, regulations or standards adopted by the department may result in a violation of compulsory accreditation standards as established by the State Board of Education and the Commission on School Accreditation.

(6) In addition to other funds allotted under the Minimum Education or Adequate Education Program, each school district shall be allotted sufficient funding for the purpose of employing assistant teachers. No assistant teacher shall be paid less than the amount he or she received in the prior school year. No school district shall receive any funds under this section for any school year during which the aggregate amount of the local contribution to the salaries of assistant teachers by the district shall have been reduced below such amount for the previous year.

For assistant teachers, the minimum annual salary shall be as follows:

***2022-2023 Minimum Salary .....	\$ *** 16,000.00
2023-2024 Minimum Salary .....	\$17,000.00

In addition, for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds five percent (5%) in fiscal year 2006, as certified by the Legislative Budget Office to the State Board of Education and subject to the specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale in the appropriate year to provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). The assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

(7) (a) As an alternative to employing assistant teachers, any school district may use the allotment provided under subsection (6) of this section for the purpose of employing licensed teachers for kindergarten, first-, second- and third-grade classes; however, no school district shall be authorized to use the allotment for assistant teachers for the purpose of employing licensed teachers unless the district has established that the employment of licensed teachers using such funds will reduce the teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for assistant teachers shall be applied to reducing teacher:student ratio in Grades K-3.

It is the intent of the Legislature that no school district shall dismiss any assistant teacher for the purpose of using the assistant teacher allotment to employ licensed teachers. School districts may rely only upon normal attrition to reduce the number of assistant teachers employed in that district.

(b) Districts meeting the highest levels of accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (4) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY FOR THE 2022-2023 SCHOOL YEAR; TO SET THE MINIMUM TEACHER SALARY FOR THE 2023-2024 SCHOOL YEAR AND SUBSEQUENT SCHOOL YEARS; TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOLS DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE TO THE MINIMUM SALARY OF TEACHER ASSISTANTS FOR THE 2022-2023 SCHOOL YEAR AND THE 2023-2024 SCHOOL YEAR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 530 was adopted.

YEAS AND NAYS On H. B. No. 530. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On motion of Senator DeBar, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 530.

Senator Carter moved that the rules be suspended to move to calendar item 156, **H. B. No. 1029**, and the motion prevailed.

Senator Carter called up the following entitled bill:

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Broadband Expansion Act."

SECTION 2. As used in this act:

(a) "Applicant" means an eligible broadband service provider that has authorization to do business in this state and has demonstrated that it has the technical, financial and managerial resources and experience to provide broadband services in the state to retail end users.

(b) "Broadband service" means a mass-market retail service by wire, cable, fiber, or radio provided to customers in the State of Mississippi that provides the capability to transmit data to, and receive data from, all or substantially all Internet endpoints, at speeds of at least one hundred (100) megabits per second downstream and twenty (20) megabits per second upstream, and including but not limited to, any capabilities that are incidental to and enable the operation of communications service, but excluding dial-up Internet access service.

(c) "Commission" means the Mississippi Broadband Expansion Commission created in Section 3 of this act.

(d) "Deployed" means, with respect to availability of broadband service at a location, when the person or entity has access regardless of whether a person or entity subscribes to the broadband service at the location.

(e) "Eligible broadband service provider" means any company, firm, corporation, limited liability company, partnership or association (i) that has been providing broadband service to at least one hundred (100) residences and businesses in Mississippi for at least three (3) consecutive years; (ii) is an electric power association's broadband affiliate operating pursuant to Section 77-17-1 et seq.;, or (iii) that has demonstrated financial, technical, and operational capability in building and operating a broadband network.

(f) "Eligible project" means a discrete and specific project located in an unserved or underserved area of the state seeking to provide broadband services to residences, businesses, and community institutions not currently available for service in accordance with the applicable federal guidelines.

(g) "Shapefile" means a digital storage format containing geospatial or location-based data and attribute information regarding the availability of broadband Internet access service, and that can be viewed, edited, and mapped in geographic information system software.

SECTION 3. (1) There is created a Mississippi Broadband Expansion Commission for the purpose of making final determinations and awards from applications for projects to provide broadband service in unserved or underserved areas using the Mississippi Broadband Expansion Fund created pursuant to this act. The commission shall be composed of the following seven (7) members:

(a) Three (3) members to be appointed by the Governor, with the advice and consent of the Senate; and

(b) Four (4) members to be appointed by the Lieutenant Governor, with the advice and consent of the Senate.

The Governor shall appoint one (1) member who is a resident from each of the three (3) Supreme Court districts. The Lieutenant Governor shall appoint one (1) member who is a resident from each of the four (4) congressional districts. Two (2) of the members to be appointed by the Lieutenant Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Lieutenant Governor.

Of the initial appointees, the members' terms shall be staggered as follows: one (1) term appointed by the Governor to expire on December 31, 2023; one (1) term appointed by the Governor to expire on December 31, 2024; one (1) term to be appointed by the Governor to expire on December 31, 2025; two (2) terms to be appointed by the Lieutenant Governor to expire on December 31, 2024; and two (2) terms to be appointed by the Lieutenant Governor to expire on December 31, 2025. After the expiration of the initial terms, members of the board shall serve terms of five (5) years. No member shall serve more than two (2) consecutive terms. Members may be removed by the appointing public official. Upon the initial appointment of a majority of the commissioners, the Lieutenant Governor shall call the first meeting of the commission within thirty (30) calendar days, at which time the commission shall elect a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records. The commission shall meet at such times as the chairman shall determine, and shall also meet upon call of three (3) or more of the commissioners. The commission shall annually elect a chairman from among its members. The commission shall keep accurate and complete records of all its meetings.

Members of the commission shall be reimbursed for expenses in the manner and amount specified in Section 25-3-41, and shall be entitled to receive additional per diem compensation of Seven Hundred Fifty Dollars (\$750.00) per meeting.

Members of the commission shall not have any direct or indirect interest in an undertaking that puts their personal interest in conflict with that of the commission and shall be governed by the provisions of Section 109 of the Mississippi Constitution and Section 25-4-105. In addition, members of the commission shall not receive anything of value from, or on behalf of, any person holding or applying for broadband expansion funds under this act.

(2) Appointments to the commission shall be made within fifteen (15) days of the effective date of this act.

(3) A majority of the members of the commission shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

SECTION 4. (1) The Public Utilities Staff shall serve as the state broadband office to review applications and make recommendations to the commission for projects to provide broadband access in unserved or underserved areas using the Mississippi Broadband Expansion Fund created pursuant to this act. The commission shall approve final determinations and awards after consideration by the commission.

(2) It shall be the duty and responsibility of the Public Utilities Staff, in conjunction with the commission, to:

(a) Coordinate all broadband expansion efforts on behalf of the state to ensure an effective and efficient use of broadband grant funds;

(b) Develop the plan and application for federal grant programs and for sub-grantees to receive funds from said federal grants;

(c) Develop rules and procedures, if necessary and in accordance with the Administrative Procedures Act, to implement a competitive statewide broadband grant program;

(d) Coordinate all information provided by broadband service providers, including all broadband mapping efforts for the state. All information provided by a broadband service provider pursuant to this act shall be presumed to be confidential, proprietary, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service providers is not disclosed. Such provider-specific information shall not be released to any person without written permission of the submitting broadband service provider. In no instance shall a broadband service provider be required to provide any data beyond that which it is required to provide to the Federal Communications Commission pursuant to 47 USC Section 641 et seq.; and

(e) Apply for and receive federal grants or funds, working in conjunction with the Governor when necessary, including, but not limited to, Coronavirus Capital Projects Fund established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and the Broadband Equity, Access and Deployment Program established by the Infrastructure Investment and Jobs Act.

(3) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the Executive Director of the Public Utilities Staff, provide the assistance, information and data needed to enable the commission to carry out its duties.

(4) There is created within the State Treasury the "Mississippi Broadband Expansion Fund" for the purposes of the expansion of broadband in unserved and underserved areas. The fund shall consist of all monies designated, accepted or appropriated by the State of Mississippi for broadband deployment; all monies received from the federal government awarded to or allocated by the state for broadband deployment; and donations, gifts and monies received from any other source, including transfers from other funds or accounts. Disbursements from the fund shall be made by the Public Utilities Staff in accordance with the provisions of this act with approval of the commission. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the State Treasurer in the same manner as monies in the State General Fund and interest earned on the investment of these monies shall be credited to the fund.

SECTION 5. In making recommendations, determinations and awards, the Public Utilities Staff and commission shall consider the following:

(a) Funds for the grant program shall only be used by applicants for projects that exclusively extend broadband service into unserved or underserved areas in this state; and

(b) Funds from federal broadband grant programs shall be spent in accordance with federal laws, rules, regulations and guidance, and federal laws, rules, regulations and guidance shall supersede in any instance where this act conflicts.

SECTION 6. The criteria for determining the awarding of funds shall include the following:

(a) The applicant's experience and financial wherewithal to deploy, operate and manage the proposed project and broadband service offerings, including evidence of the applicant's successful operations of broadband services to retail end users;

(b) The readiness to build, operate and maintain the project;

(c) Projects that will deploy broadband service to the most unserved or underserved areas;

(d) The scalability of the proposed project network to support the deployment of higher broadband speeds over time;

(e) The likelihood that the unserved or underserved area will not be served with broadband service without such state or federal grant funding;

(f) The applicant's ability to demonstrate the community's support for the project and a collaborated plan to leverage broadband services for community needs and economic development, such as rural development, education, tourism, new investment, or business attraction or retention;

(g) A preference for those applications seeking to deploy and provide broadband services to areas in which there is currently no fixed terrestrial Internet access service available;

(h) No discrimination or preference to applications on the basis of the type of technology proposed by any applicant to be used to provide broadband services so long as the technology proposed meets the federal guidelines;

(i) The size and scope of the unserved or underserved area to be deployed;  
and

(j) The broadband service speed thresholds proposed in the application and the scalability of the broadband service network infrastructure proposed to be deployed to provide broadband service to households and businesses.

SECTION 7. In accordance with federal laws, rules, regulations and guidance, the Public Utilities Staff shall establish and publish on its website its criteria for competitively scoring applications.

SECTION 8. (1) An applicant for funding under this act shall provide the following information at a minimum on the application:

(a) The location of the project by use of a shapefile;

(b) The type and amount of broadband infrastructure to be deployed for the project, including the amount the applicant intends to invest in the project from private funds;

(c) Evidence regarding the unserved or underserved nature of the community in which the project is to be located;

(d) The number of households that will have access to broadband service as a result of the project, or whose Internet access service will be upgraded to broadband service as a result of the project;

(e) The significant community institutions that will benefit from the proposed project;

(f) Evidence of community support for the project with a narrative on the impact that the investment will have on community and economic development efforts in the area;

(g) The total cost of the project and a detailed budget and schedule for the project, including the submission of a business plan that provides for the use of funds provided under this act. Funds shall not be used to support the operational expenses of the network or to subsidize any other service provided by the applicant; and

(h) The broadband service provider's experience and financial capabilities.

(2) After scoring and considering all applications, the commission shall make its preliminary determinations. Within thirty (30) days after the preliminary determinations have been made, the Public Utilities Staff shall publish on its website the applications, the proposed geographic broadband service area illustrated by a shapefile, and the proposed broadband service speeds for each application that receives a preliminary determination.

(3) Within thirty (30) days from the date the preliminary determinations are published on the Public Utility Staff's website, the staff shall accept comments or objections concerning each application and investigate each of them as appropriate. The commission shall consider all comments and objections received and the investigative findings in determining whether an applicant is eligible for a final determination and award.

(4) The commission shall not make a final determination and award to an applicant if verifiable information is made available that shows the proposed project includes an area where broadband services currently are deployed, or where construction of a network to deploy broadband service is underway, and the construction is scheduled to be completed within one (1) year after the date of the application.

(5) An applicant's or challenging party's trade secrets, financial information and proprietary information submitted under this act as part of an application or challenge are exempt from disclosure under the Mississippi Public Records Act, Section 25-61-1 et seq.

SECTION 9. (1) The Public Utilities Staff may expend funds from the Mississippi Broadband Expansion Fund in accordance with this act and shall notify the Lieutenant Governor, the Speaker of the House of Representatives, and the Legislative Budget Office of such expenditures prior to their distribution.

(2) The Public Utilities Staff may employ the services of such persons as the executive director considers necessary for the purposes of consultation or investigation and fix the salaries of or contract for the services of such legal, professional, technical and operational personnel and consultants, subject to applicable provisions of the State Personnel Board. Additional legal assistance may be retained in accordance with this subsection (2) only with the approval of the Attorney General.

(3) The staff shall provide to the Legislature an annual detailed report on the status and details of all projects considered and approved under this act no later than December 15 of each year.

SECTION 10. Section 31-3-1, Mississippi Code of 1972, is amended as follows:

31-3-1. The following words, as used in this chapter, shall have the meanings specified below:

"Board": The State Board of Contractors created under this chapter.

"Contractor": Any person contracting or undertaking as prime contractor, subcontractor or sub-subcontractor of any tier to do any erection, building, construction, reconstruction, demolition, repair, maintenance or related work on any public or private

project; however, "contractor" shall not include any owner of a dwelling or other structure to be constructed, altered, repaired or improved and not for sale, lease, public use or assembly, or any person duly permitted by the Mississippi State Oil and Gas Board, pursuant to Section 53-3-11, Mississippi Code of 1972, to conduct operations within the state, and acting pursuant to said permit. It is further provided that nothing herein shall apply to:

(a) Any contract or undertaking on a public or private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving erection, building, construction, reconstruction, repair, maintenance or related work where such contract, subcontract or undertaking is less than Fifty Thousand Dollars (\$50,000.00);

(b) Highway construction, highway bridges, overpasses and any other project incidental to the construction of highways which are designated as federal aid projects and in which federal funds are involved;

(c) A residential project to be occupied by fifty (50) or fewer families and not more than three (3) stories in height;

(d) A residential subdivision where the contractor is developing either single-family or multifamily lots;

(e) A new commercial construction project not exceeding seventy-five hundred (7500) square feet and not more than two (2) stories in height undertaken by an individual or entity licensed under the provisions of Section 73-59-1 et seq.;

(f) Erection of a microwave tower built for the purpose of telecommunication transmissions;

(g) Any contract or undertaking on a public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than Five Thousand Dollars (\$5,000.00);

(h) Any contract or undertaking on a private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than Ten Thousand Dollars (\$10,000.00);

(i) Any contract or undertaking on a private or public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of technically specialized installations if performed by a Mississippi contractor who has been in the business of installing fire protection sprinkler systems on or before July 1, 2000; \* \* \*

(j) Any contractor undertaking to build, construct, reconstruct, repair, demolish, perform maintenance on, or other related work, whether on the surface or subsurface, on oil or gas wells, pipelines, processing plants, or treatment facilities or other structures of facilities. Nothing herein shall be construed to limit the application or effect of Section 31-5-41 \* \* \*; or

(k) Any contract or undertaking by a subcontractor or sub-subcontractor of any tier involving the construction and other related work required by a licensed prime contractor in the buildout and expansion of broadband infrastructure.

"Certificate of responsibility": A certificate numbered and held by a contractor issued by the board under the provisions of this chapter after payment of the special privilege license tax therefor levied under this chapter.

"Person": Any person, firm, corporation, joint venture or partnership, association or other type of business entity.

"Private project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is not funded in whole or in part with public funds.

"Public agency": Any board, commission, council or agency of the State of Mississippi or any district, county or municipality thereof, including school, hospital, airport and all other types of governing agencies created by or operating under the laws of this state.

"Public funds": Monies of public agencies, whether obtained from taxation, donation or otherwise; or monies being expended by public agencies for the purposes for which such public agencies exist.

"Public project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is funded in whole or in part with public funds.

SECTION 11. This act shall take effect and be in force from and after its passage.

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

AN ACT TO CREATE THE MISSISSIPPI BROADBAND EXPANSION ACT; TO DEFINE TERMS USED IN THE ACT; TO CREATE THE MISSISSIPPI BROADBAND EXPANSION COMMISSION; TO DESIGNATE THE PUBLIC UTILITIES STAFF AS THE STATE BROADBAND OFFICE TO REVIEW APPLICATIONS FOR FUNDING BROADBAND INFRASTRUCTURE PROJECTS USING FEDERAL AND STATE FUNDS; TO PROVIDE THAT THE PUBLIC UTILITIES STAFF SHALL CONSIDER CERTAIN FACTORS IN MAKING ITS PRELIMINARY RECOMMENDATIONS; TO REQUIRE THE PUBLIC UTILITIES STAFF TO ESTABLISH AND PUBLISH ON ITS WEBSITE ITS CRITERIA FOR COMPETITIVELY SCORING APPLICATIONS; TO REQUIRE AN APPLICANT TO PROVIDE CERTAIN INFORMATION AT A MINIMUM ON THE APPLICATION; TO REQUIRE THE COMMISSION TO MAKE PRELIMINARY DETERMINATIONS, FINAL DETERMINATIONS AND AWARDS AFTER RECOMMENDATIONS AND INVESTIGATIONS BY THE PUBLIC UTILITIES STAFF; TO REQUIRE THE PUBLIC UTILITIES STAFF TO ACCEPT COMMENTS AND OBJECTIONS CONCERNING EACH PRELIMINARY DETERMINATION AND INVESTIGATE THEM AS APPROPRIATE; TO AMEND SECTION 31-3-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM LICENSING REQUIREMENTS UNDER THE STATE BOARD OF CONTRACTORS CERTAIN UNDERTAKINGS BY A SUBCONTRACTOR OR SUB-SUBCONTRACTOR INVOLVING THE CONSTRUCTION IN THE BUILDOUT AND EXPANSION OF BROADBAND INFRASTRUCTURE; AND FOR RELATED PURPOSES.

Senator Carter offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 279 by inserting the following after the word "underway":

by a provider other than the applicant

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1029 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1029 was adopted.

YEAS AND NAYS On H. B. No. 1029. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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On motion of Senator Carter, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1029.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Marie Perkins of Natchez, MS.

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Senators Caughman, Kirby and Harkins moved that when the Senate adjourns, it adjourn in memory of Marvin Robbins Carter of Puckett, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Al "Big Al" Saunders of Bahamas.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jewell "Judy" Farris Rowell, Rickey R. Hamblin and Dianne Little of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Danny Wilson of Hickory Flat, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Freida Floyce Browning of Pontotoc, MS.

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 54:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE RALEIGH HIGH SCHOOL LIONS FOOTBALL TEAM UPON

WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA)  
CLASS 3A SOUTH STATE CHAMPIONSHIP.Andrew Ketchings, Clerk of the House of Representatives  
\_\_\_\_\_

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 3, 2022.

The motion prevailed, and at 11:33 AM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Marie Perkins, Marvin Robbins Carter, Al "Big Al" Saunders, Jewell "Judy" Farris Rowell, Rickey R. Hamblin, Dianne Little, Danny Wilson and Freida Floyce Browning.

Eugene S. Clarke, Secretary of the Senate  
\_\_\_\_\_

## INTRODUCTIONS FOR WEDNESDAY, MARCH 2, 2022

**S. C. R. No. 561:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SIMPSON ACADEMY "COUGARS" BOYS BASKETBALL TEAM AND HEAD COACH CAREY CRAIN FOR WINNING THE MAIS CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Caughman

**S. C. R. No. 562:** Rules

A CONCURRENT RESOLUTION DESIGNATING APRIL 2022 AS THE "MONTH OF THE MILITARY CHILD" IN MISSISSIPPI AND DESIGNATING APRIL 20, 2022, AS "PURPLE UP FOR MILITARY KIDS DAY" IN MISSISSIPPI.

By Senator(s) Younger

**S. C. R. No. 563:** Rules

A CONCURRENT RESOLUTION TO CONDEMN THE INVASION OF UKRAINE AND TO SEVER ALL ECONOMIC, FINANCIAL, AND OTHER CONNECTIONS WITH THE RUSSIAN FEDERATION, ITS LEADERS, AND ITS BUSINESSES.

By Senator(s) Kirby, Williams, Blount  
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## FIFTY-NINTH DAY, THURSDAY, MARCH 3, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Vernon Graves, Senior Pastor, Calvary Baptist Church, Laurel, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE TREASURER  
March 2, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Merle Glenn Flowers, Southaven, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027.

David McRae  
TREASURER

The executive nomination in the foregoing message was referred to committee as follows:

Merle Glenn Flowers, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027, Finance.

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

**H. C. R. No. 54:** Raleigh High School Lions Football Team; commend upon winning South State MHSAA Class 3A Championship. Rules.

REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2154:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels. Title Sufficient. Do Pass.

**S. B. No. 2155:** City of Laurel; authorize tax on hotels and motels to promote tourism. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 3001:** City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman  
HARKINS, Chairman

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Senator Hopson called up the following entitled bill:

**H. B. No. 779:** Law Enforcement Death Benefits Trust Fund; include cause of death covered under First Responders Act of 2020.

YEAS AND NAYS On H. B. No. 779. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1425, H. B. No. 1421, H. B. No. 1031 and H. B. No. 1427 and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1425:** ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure

(MCWI) Grant Program under which municipalities and counties may apply for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded to them under ARPA on a one-to-one matching basis. Any Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality will also be matched on a one-to-one matching basis. Municipalities that received less than One Million Dollars (\$1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds shall be provided a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded to them under ARPA. The total funds provided for all two-to-one matches shall not exceed Fifty Million Dollars (\$50,000,000.00) of the funds provided to the MCWI Grant Program. None of the grants provided to municipalities and counties by the MCWI Grant Program shall be used for the reimbursement of professional fees.

(3) There is hereby established within the Mississippi Department of Environmental Quality, the Mississippi Rural Water Infrastructure (RWI) Grant Program under which rural water associations and utility authorities with two hundred fifty (250) residential meters or more may apply for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to rural water associations and utility authorities to be matched on a one-to-one matching basis from any funds available. Any Coronavirus Local Recovery Funds that a county transfers to a rural water association or utility authority shall also be matched on a one-to-one matching basis. The maximum allowable amount of funds awarded to any rural water association or utility authority shall be Two Million Five Hundred Thousand Dollars (\$2,500,000.00). None of the grants provided to a rural water association or utility authority shall be used for the reimbursement of professional fees.

(4) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" shall mean the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "RWI Grant Program" shall mean the Mississippi Rural Water Infrastructure Grant Program.

(c) "ARPA" shall mean the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(d) "State Recovery Funds" shall mean Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Local Recovery Funds" shall mean Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(f) "Department" shall mean the Department of Environmental Quality.

(g) "Professional fees" shall mean fees for the services of attorneys, engineering, surveying, and environmental studies.

(5) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI and the RWI Grant Program prescribed under this act, including application procedures and deadlines. The

Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(6) Funding under the MCWI and the RWI Grant Programs shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding including, but not be limited to, the following:

- (a) Construction of publicly owned treatment works;
- (b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);
- (c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;
- (d) Management and treatment of stormwater or subsurface drainage water;
- (e) Water conservation, efficiency, or reuse measures;
- (f) Development and implementation of a conservation and management plan under the CWA;
- (g) Watershed projects meeting the criteria set forth in the CWA;
- (h) Energy consumption reduction for publicly owned treatment works;
  - (i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;
  - (j) Facilities to improve drinking water quality;
  - (k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;
  - (l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;
  - (m) Storage of drinking water, such as to prevent contaminants or equalize water demands;
  - (n) Purchase of water systems and interconnection of systems;
  - (o) New community water systems;
  - (p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;
  - (q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;
  - (r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and
  - (s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(7) The governing authorities of a municipality, county, rural water association or utility authority may submit an application for grant funds under this act. Applicants shall certify to the department that each expenditure of the funds awarded to them under this act is in compliance with ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(8) An application for a grant under this act shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: applicant contact information; project description and type of project; project map; estimate of population served by the projects; disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); estimated project cost; list of available match funds and documentation of commitment; estimated project schedule and readiness to proceed; engineering services agreement; engineering reports; and information about status of obtaining any required permits.

(9) The department shall develop a system for use in ranking the grant applications received. When developing the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans, permits and the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: the environmental impact of the proposed project; the proposed project's ability to address noncompliance with state/federal requirements; the extent to which the project promotes economic development; the number of people served by the project (both new and existing users); impacts of the proposed project on disadvantaged/overburdened communities; the grant applicant's prior efforts to secure funding to address the proposed project's objectives; the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; and any other factors as determined by the department.

(10) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(11) Applications shall be reviewed and scored as they are received. The Mississippi Department of Environmental Quality shall certify that each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water, wastewater, or stormwater infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be

awarded by the department, and the remaining funds may be awarded in the second or subsequent rounds which shall occur no later than six (6) months from the previous round.

(12) Grant requirements shall be used prospectively and grants shall not be available to cover the costs of debt incurred before the enactment of this program. The applicant shall agree to obtain all necessary state and federal permits, follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(13) (a) There is hereby created in the State Treasury two (2) special funds to be known as (a) the "Mississippi Municipal-County Water Infrastructure (MCWI) Grant Program Fund," and (b) the "Mississippi Rural Water Infrastructure (RWI) Grant Program Fund," which shall consist of funds appropriated by the Legislature from federal American Rescue Plan (ARPA) monies or other available federal grant funds for the purposes of awarding grants under this act to be disbursed by the Mississippi Department of Environmental Quality.

(b) All monies disbursed from the funds created in this act shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021. Unexpended amounts remaining in the funds at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any investment earnings or interest earned on amounts in the funds shall remain in the respective grant program funds.

(c) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the funds created in this act, on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Sixty Million Dollars (\$60,000,000.00) or the amount of allowable ARPA expenditures, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government.

(d) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this act shall return to the state all or a portion of the funds received.

(14) It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, forty percent (40%) of the funds appropriated to the (MCWI) Grant Program Fund and the (RWI) Grant Program Fund be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(15) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount

of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project.

(16) Grant funds shall be available under this act through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project that a grant is awarded that in the event the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA Funds, then the grant recipient will complete the project through any other funds available.

(17) The Mississippi Department of Environmental Quality may retain an amount not to exceed two percent (2%) of the total funds allocated to the program to defray administrative costs.

(18) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this act.

(19) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 2. Section 49-2-9, Mississippi Code of 1972, is amended as follows:

49-2-9. (1) Effective July 1, 1979, the commission shall have the following powers and duties:

(a) To formulate the policy of the department regarding natural resources within the jurisdiction of the department;

(b) To adopt, modify, repeal, and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the commission under any and all statutes within the commission's jurisdiction, and as the commission may deem necessary to prevent, control and abate existing or potential pollution;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) To commission or conduct studies designed to determine alternative methods of managing or using the natural resources of this state, in a manner to insure efficiency and maximum productivity;

(e) To enter into, and to authorize the executive director to execute with the approval of the commission, contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter; but this authority under this chapter and under any and all statutes within the commission's jurisdiction, except those statutes relating to the Bureau of Recreation and Parks, shall not include contracts, grants or cooperative agreements which do not develop data or information usable by the commission, or which provide goods, services or facilities to the commission or any of its bureaus, and shall exclude any monies for special interest groups for purposes of lobbying or otherwise promoting their special interests; and

(f) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(2) The Mississippi Department of Environmental Quality, Office of Geology and Energy Resources shall be responsible for program management, procurement, development and maintenance of the Mississippi Digital Earth Model, which should include the following seven (7) core data layers of a digital land base computer model of the State of Mississippi:

- (a) Geodetic control;
- (b) Elevation and bathymetry;
- (c) Orthoimagery;
- (d) Hydrography;
- (e) Transportation;
- (f) Government boundaries; and

(g) Cadastral. With respect to the cadastral layer, the authority and responsibility of the Mississippi Department of Environmental Quality, Office of Geology and Energy Resources shall be limited to compiling information submitted by counties.

For all seven (7) framework layers, the Mississippi Department of Environmental Quality, Office of Geology and Energy Resources shall be the integrator of data from all sources and the guarantor of data completeness and consistency and shall administer the council's policies and standards for the procurement of remote sensing and geographic information system data by state and local governmental entities.

(3) The Mississippi Department of Environmental Quality shall have as additional responsibilities, the administration of the Mississippi Water Infrastructure Grant Program Act of 2022 and shall promulgate necessary rules and regulations relating to the application of eligible municipalities, counties, rural water associations and utility authorities for grant funds and the awarding of such grants.

SECTION 3. Section 41-3-15, Mississippi Code of 1972, is amended as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

- (a) To collect and evaluate data on rural health conditions and needs;
- (b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;
- (c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;
- (d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and
- (e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

- (a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.
- (b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.
- (c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.
- (d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.
- (e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.
- (f)
  - (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and
  - (ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation. However, the department is not authorized to

impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars (\$5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

- (i) Maternal and child health;
- (ii) Family planning;
- (iii) Pediatric services;
- (iv) Services to crippled and disabled children;
- (v) Control of communicable and noncommunicable disease;
- (vi) Chronic disease;
- (vii) Accidental deaths and injuries;
- (viii) Child care licensure;
- (ix) Radiological health;
- (x) Dental health;
- (xi) Milk sanitation;
- (xii) Occupational safety and health;
- (xiii) Food, vector control and general sanitation;
- (xiv) Protection of drinking water;

(xv) Sanitation in food handling establishments open to the public;

(xvi) Registration of births and deaths and other vital events;

(xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and

(xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars (\$67,000.00) and a monthly fee of Sixty-seven Thousand Dollars (\$67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars (\$250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars (\$50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers.

All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

(13) The State Board of Health shall have as additional responsibilities the formulation of technical advice and recommendations to the Mississippi Department of Environmental Quality relative to the administration of the Mississippi Water Infrastructure Act of 2022 and recommendations for the approval of grant applications under said program.

SECTION 4. This act shall take effect and be in force from and after its passage.

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

AN ACT TO ESTABLISH THE "MISSISSIPPI WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY UTILIZING CORONAVIRUS STATE FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO MUNICIPALITIES, COUNTIES, RURAL WATER ASSOCIATIONS AND UTILITY AUTHORITIES ON A ONE-TO-ONE MATCHING BASIS AND TO PROVIDE AN ADDITIONAL GRANT TO SMALLER MUNICIPALITIES BASED ON CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE MULTIPLE ROUNDS OF WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE GRANT PROJECTS; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER THE MCWI AND RWI GRANT PROGRAMS AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY SPECIAL FUNDS DESIGNATED AS THE "MISSISSIPPI MUNICIPAL-COUNTY WATER INFRASTRUCTURE (MCWI) GRANT PROGRAM FUND" AND THE "MISSISSIPPI RURAL WATER INFRASTRUCTURE (RWI) GRANT PROGRAM FUND"; TO AMEND SECTIONS 49-2-9 AND 41-3-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1425 was adopted.

YEAS AND NAYS On H. B. No. 1425. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program to assist rural water associations in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by ARPA.

(2) There is created in the State Treasury a special fund to be known as the American Rescue Plan Act (ARPA) Rural Water Associations Infrastructure Fund (the "ARPA Rural Water Associations Infrastructure Fund"), which will consist of funds made available by the Legislature from federal ARPA funds. Monies in the fund shall be used by the department, upon appropriation of the Legislature, to make grants under the ARPA Rural Water Associations Infrastructure Grant Program for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, twenty percent (20%) of the funds appropriated to the ARPA Rural Water Associations Infrastructure Fund be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through the American Rescue Plan Act.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(7) The department shall have all powers necessary to implement and administer the ARPA Rural Water Associations Infrastructure Grant Program established under this section. Of the funds appropriated to the ARPA Rural Water Associations Infrastructure Fund, up to ten percent (10%) shall be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or

pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the ARPA Rural Water Associations Infrastructure Grant Program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 2. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this

paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

- (i) Black: having origins in any of the black racial groups of Africa;
- (ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;
- (iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
- (iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or
- (v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, \* \* \* any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, \* \* \* any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, and any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (c) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that

submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust

funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM TO ASSIST RURAL WATER ASSOCIATIONS IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1421 was adopted.

YEAS AND NAYS On H. B. No. 1421. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) It is hereby determined and declared to be the policy of the state, that, for the health and welfare of citizens throughout the state, it is essential for local governments and other nonprofit entities to provide efficient, safe, and reliable water and sewer systems which are compliant with all relevant state and federal laws, including the Safe Drinking Water Act.

(2) There is hereby created the Mississippi Water Quality Commission for the purpose of providing oversight where state resources are provided to local governments and nonprofit entities in order to create and maintain efficient, safe, and reliable water and sewer systems for citizens.

SECTION 2. (1) The commission shall be composed of the following seven (7) members:

(a) Three (3) members appointed by the Governor, with the advice and consent of the Senate;

(b) Two (2) members appointed by the Lieutenant Governor, with the advice and consent of the Senate;

(c) The Executive Director of the Mississippi Department of Health, or his designee, who shall serve in a nonvoting, ex officio capacity; and

(d) The Executive Director of the Mississippi Department of Environmental Quality, or his designee, who shall serve in a nonvoting ex-officio capacity.

(2) To be eligible for appointment, all members must be residents of the State of Mississippi. At least one (1) appointment by the Governor and one (1) appointment by the Lieutenant Governor shall have experience in a management role with an investor-owned utility possessing a Certificate of Public Convenience and Necessity from the Mississippi Public Service Commission. During the appointment process, the Governor and Lieutenant Governor shall attempt to see that all portions of society and its diversity are represented in members of the commission.

(3) All appointments shall be made within thirty (30) days of the effective date of this act. At the first meeting, the commission shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary and shall adopt rules for keeping records.

(4) The commission shall meet at least monthly and may meet in a virtual setting, provided such meeting is available for public viewing. A majority of the members of the commission shall constitute a quorum. In the adoption of rules, resolutions, and reports,

and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(5) The initial terms of the members of the commission shall be as follows:

(a) The Governor shall appoint one (1) member for a term of four (4) years, one (1) for a term of two (2) years and one (1) member for a term of one (1) year.

(b) The Lieutenant Governor shall appoint one (1) member for a term of four (4) years and one (1) member for a term of three (3) years.

(6) Except as provided in subsection (5) of this section, appointments shall be for a term of four (4) years. Each member shall hold office until his successor has been appointed and qualified. Vacancies shall be filled by appointment by the appropriate appointing authority, subject to the advice and consent of the Senate, for the length of the unexpired term only. Any member of the commission shall be eligible for reappointment.

(7) Members of the commission shall receive per diem authorized by Section 25-3-69, plus actual and necessary expenses and mileage as authorized by Section 25-3-41, for each day actually spent in attending the meetings of the commission. The expenses of the commission shall be paid out of any funds available for the operation of the Mississippi Department of Environmental Quality.

(8) The Executive Director of the Mississippi Department of Environmental Quality shall provide the staff and other support necessary for the commission to perform its duties.

SECTION 3. (1) Any local government or nonprofit entity responsible for the administration of a water or sewer system, or both, in the state shall immediately notify the commission upon receiving a violation notice of any related state or federal law, including the Safe Drinking Water Act.

(2) The commission shall provide public notice of any such violation of a relevant state or federal law, including the Safe Drinking Water Act, provided to the commission by a local government or nonprofit entity.

(3) Any local government or nonprofit entity which violates the Maximum Contaminant Level allowed under the Safe Drinking Water Act shall provide a copy of all documents and information provided to the Environmental Protection Agency or other state or federal agency related to the violation to the commission, including any voluntary or required remediation plan.

(4) The commission shall be responsible for providing oversight over any state funds, excluding funds provided by the state from the federal American Rescue Plan Act of 2021, Public Law 117-2, provided to a local government or nonprofit entity that has been charged with a Maximum Contaminant Level violation. Oversight shall include requiring a plan from the local government or nonprofit entity for expenditure of any state funds and authorizing all expenditures through official action before state funds are obligated or spent. State funds overseen by the commission and granted to the local government or nonprofit entity may not be used for administrative purposes or consulting fees. The commission may authorize a reimbursement process if necessary to maintain oversight over state funds.

(5) The commission may accept and expend such monies as may be appropriated by the Legislature or such monies as may be received from any source, for effectuating its purposes.

(6) The commission shall promulgate rules, regulations and procedures to effectuate the purposes of this act.

SECTION 4. The members of the commission, nor any person or persons acting on their behalf, while acting within the scope of their authority, shall not be subject to personal liability resulting from carrying out any of the powers granted herein in accordance with his or her good-faith belief that he or she is acting in the best interests of the commission.

SECTION 5. This act being necessary for the welfare of the state and its inhabitants shall be liberally construed to effect the purposes thereof. If any section, provision, paragraph, sentence, phrase or word of this act shall be held invalid by any court of competent jurisdiction, the remainder of this act shall not be affected thereby.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE THE MISSISSIPPI WATER QUALITY COMMISSION FOR THE PURPOSE OF PROVIDING OVERSIGHT TO LOCAL GOVERNMENTS AND NONPROFIT ENTITIES IN ORDER TO CREATE OR MAINTAIN EFFICIENT, SAFE, AND RELIABLE WATER AND SEWER SYSTEMS FOR CITIZENS; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION; TO REQUIRE ANY LOCAL GOVERNMENT OR NONPROFIT ENTITY WHICH VIOLATES THE MAXIMUM CONTAMINANT LEVEL UNDER THE SAFE DRINKING WATER ACT TO PROVIDE THE COMMISSION A COPY OF ALL DOCUMENTS RELATING TO SUCH VIOLATIONS; TO AUTHORIZE THE COMMISSION TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1031 was adopted.

YEAS AND NAYS On H. B. No. 1031. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--McDaniel, Sojourner. Total--2.  
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The federal COVID-19 public health emergency continues to create significant exposure and risk to law enforcement officers and firefighters in the State of Mississippi. American Rescue Plan Act funds are specifically targeted toward assisting with premium pay for such public safety workers. The funds provided in this act are necessary expenditures related to COVID-19, the purpose of which is to provide law enforcement officers and firefighters premium pay for their heightened risk during the ongoing federal COVID-19 public health emergency.

SECTION 2. (1) There is created in the State Treasury a special fund to be designated as the "Mississippi Law Enforcement and Firefighters Premium Pay Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Public Safety, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Monies in the fund shall be disbursed by the Department of Public Safety to provide premium pay to certain law enforcement officers and firefighters in the State of Mississippi.

(2) The Department of Public Safety shall distribute the monies in the special fund in accordance with the following:

(a) One Thousand Dollars (\$1,000.00) of premium pay shall be paid to each eligible individual.

(b) Eligible individuals are all certified, full-time and part-time law enforcement officers and certified, full-time and part-time firefighters who are serving in the State of Mississippi on the effective date of this act, except those excluded under paragraph (c) of this subsection, and all volunteer firefighters registered with the State of Mississippi or a political subdivision thereof on a volunteer firefighting status who have served as a firefighter in the State of Mississippi from January 1, 2020, through the effective date of this act. The Commissioner of Insurance shall prescribe the criteria for volunteer firefighters to be an eligible individual under this paragraph. If a person is an eligible individual in more than one (1) position covered under this paragraph, that person will only be eligible for one (1) payment of premium pay under paragraph (a) of this subsection.

(c) Any law enforcement officer who received hazard pay from the Governor's discretionary funds authorized by the Legislature from the federal Coronavirus Aid, Relief and Economic Security Act is not eligible to receive monies under this act.

(d) The department also shall distribute monies in the special fund to counties, municipalities and other governmental entities that, before the effective date of this act, paid premium pay to law enforcement officers and firefighters employed by them from funds received under the federal American Rescue Plan Act, to reimburse those governmental entities for not more than One Thousand Dollars (\$1,000.00) of the amount of premium pay that the governmental entity paid to each recipient.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State and Local Fiscal Recovery Funds

established by the American Rescue Plan Act (a) determines that the Department of Public Safety or recipient has expended or otherwise used any of the funds appropriated to the Department of Public Safety under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Public Safety or recipient, then the Department of Safety or recipient, as the case may be, that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

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

AN ACT TO CREATE THE "MISSISSIPPI LAW ENFORCEMENT AND FIREFIGHTERS PREMIUM PAY FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS AS PREMIUM PAY FOR THEIR EFFORTS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1427 was adopted.

YEAS AND NAYS On H. B. No. 1427. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1006, H. B. No. 453 and H. B. No. 1005 and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "American Rescue Plan Act (ARPA) Nurse/Health Science Workforce Development and Retention Act." Under this act, the Legislature shall create the Mississippi Healthcare Workforce Development Program, the Mississippi Nursing Preceptor Grant Program, and the Mississippi Health Science Training Infrastructure Grant Program.

SECTION 2. (1) The Mississippi Legislature finds the following:

(a) The public health crisis related to COVID-19 resulted in a general disruption in the Mississippi economy and workforce, particularly in healthcare facilities across the state;

(b) Workforce shortages exist in a number of high-wage, high-demand Mississippi industries, particularly in the nursing field; and

(c) The availability of unprecedented federal funding to mitigate the impact of COVID-19 on the workforce and economy has created a unique opportunity for the Office of Workforce Development, working with community colleges, institutions of higher learning and employers, to provide education and training to help Mississippians find employment in the nursing field.

(2) Therefore, the intent of the Mississippi Legislature is:

(a) To provide funding for outreach efforts to connect citizens seeking employment in nursing with the education and training required to obtain necessary skills for relevant employment in the state;

(b) To provide funding for new and increased capacity in existing relevant workforce development and training programs, to include any required equipment or supplies, at community and junior colleges and institutions of higher learning across the state; and

(c) To gauge the effectiveness of these programs by gathering data related to participation and wage and employment outcomes in order to replicate successful efforts in future workforce development programs.

SECTION 3. (1) There is established the Mississippi Healthcare Workforce Development Program, which shall be directed by the office for the purpose of providing education and training to citizens seeking employment in the nursing field, which was severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Grant program" means the healthcare workforce development and training programs at community and junior colleges or institutions of higher learning administered under this act using federal COVID-19 relief funds.

(b) "Office" means the Office of Workforce Development as established in Section 37-153-7.

(c) "Recipient" means a community or junior college or institution of higher learning, or other qualified entity as determined by Accelerate Mississippi.

(d) "Trainee" means an individual receiving training or other services through the grant programs under this act with the goal of becoming employed in the nursing field.

(e) "COVID-19" means the Coronavirus Disease 2019.

(f) "Federal COVID-19 Relief Funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(g) "High-wage, high-demand industry" means those nursing jobs paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(h) "Eligible expenses" means a cost incurred by a recipient, pursuant to this act, to include:

(i) Necessary equipment or other supplies;

(ii) Curricula or other academic or training materials;

(iii) Remote learning or other classroom technology;

(iv) Stipends for teaching staff or faculty for workforce development programs;

(v) Trainee support, including tuition expenses and childcare or transportation assistance;

(vi) Coaching or mentoring services;

(vii) Job placement services; and

(viii) Recruitment programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the nursing workforce shortage the program is intended to address;

(ii) The number of trainees who will be served by the program; and

(iii) The average wage rate for trainees receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private

funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize high-wage, high-skill jobs within the nursing field; and

(d) Coordinate with the Department of Employment Security to share information to identify individuals who were furloughed, unemployed, underemployed or otherwise displaced due to COVID-19 who may be eligible for the program.

(7) The office may use a maximum of two and one-half percent (2-1/2%) of funds allocated under this act for the administration of the grant program, to the extent permissible under federal law.

(8) The office shall provide a comprehensive report on the use and effectiveness of funds distributed under the grant program, to include wage data and employment outcomes for trainees, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Chairs of the Senate and House Appropriations Committees, Chair of the Senate Economic and Workforce Development Committee, and Chair of the House Workforce Development Committee by October 1 each year of the existence of the program.

(9) There is created a special fund in the State Treasury to be known as the "Mississippi Healthcare Workforce Development Program Fund," from which the grants authorized by this act shall be disbursed by the office. All monies shall be disbursed from the fund in compliance with the guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Unexpended amounts of any monies remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund.

SECTION 4. (1) There is created the Mississippi Nursing Preceptor Grant Program, the purpose of which is to provide Mississippi licensed hospitals and Mississippi licensed long-term care facilities with grants to pay nursing preceptors up to an additional Two Dollars (\$2.00) per hour in premium pay for the time spent training Associates Degree of Nursing (ADN) students enrolled at any two-year nursing program operated by the Mississippi Community College Board. This act shall be subject to the availability of funds appropriated by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA) or any other funds appropriated by the Legislature.

(2) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed:

(a) "ARPA" shall mean the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(b) "State Recovery Funds" shall mean Coronavirus State Fiscal Recovery Funds awarded through Section 602, Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(c) "Office" shall mean the Office of Workforce Development as established in Section 37-153-7.

(d) "Student" shall mean an Associate Degree of Nursing (ADN) student enrolled at any two-year nursing program operated by the Mississippi Community College Board.

(e) "Preceptor" shall mean a nurse who supervises a nursing student during clinical practice and facilitates the application of theory to practice for the nursing student. A preceptor works with the student to assist the student in acquiring new competencies required for safe, ethical and quality practice. They assist the student by setting expectations, providing effective feedback about their performance, and providing appropriate opportunities to meet the student and course objectives.

(f) "Hospital" shall mean any Mississippi licensed general acute care hospital and Mississippi licensed long-term care facility that provides a nursing preceptor program to nursing students enrolled at any two-year nursing program operated by the Mississippi Community College Board.

(3) On or before July 1, 2022, the office shall promulgate interim rules and regulations necessary to administer the Nursing Preceptor Grant Program prescribed under this act, including application procedures and deadlines. The office shall allow for a fifteen-day comment period before finalizing the rules and regulations. In addition, the office shall determine the duration of the grant awards and the issuance of additional rounds of grants.

(4) For the first round of the grant awards, or for future rounds of grant awards for hospitals who did not receive a grant award, the office shall receive applications from any hospital, which shall include, but not be limited to, the following:

- (a) The number of preceptors the hospital intends to provide the premium payment;
- (b) The estimated hours the preceptors will train students;
- (c) The number of students trained at their hospital;
- (d) A certification that the premium payments will only be applied to the time spent with students and meets the guidelines of ARPA; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the department; and
- (e) Any additional requirements as set by the office.

(5) For any future rounds of grant awards, the office shall receive applications from any hospital, which shall include, but not be limited to, the following:

- (a) The number of preceptors the hospital intends to provide the premium payment;
- (b) The retention rate of preceptors who received premium payment at the hospital;
- (c) The estimated hours the preceptors will train students;
- (d) The actual number of hours preceptors trained students;
- (e) The number of students trained at their hospital;

(f) A certification that the premium payments will only be applied to the time spent with students and meets the guidelines of ARPA; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the department; and

(g) Any additional requirements as set by the office.

(6) Applications shall be reviewed and scored by the office. The office shall certify that each application submitted is an allowable expense as defined in ARPA and all applicable guidance issued by the department. The office shall award grants to hospitals based on what the office determines is the most significant impact on retaining and recruiting additional nursing preceptors in order to train the increasing number of students. Grant agreements shall be executed between the hospital and the office. All final awards will be determined at the discretion of the executive director of the office. Funds shall be made available to a hospital upon the execution of a grant agreement between the office and the approved hospital. All grant awards received by the hospital shall be paid to preceptors as premium payment for the hours working with students.

(7) The hospital may be required to repay the office for any premium payment not consistent with the guidelines of ARPA; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the office. Any repayment of funds under this act shall be transferred or deposited into the Mississippi Nursing Preceptor Grant Program Fund.

(8) For purposes of the Public Employees' Retirement System of Mississippi, the premium pay provided under this section shall not be considered earned compensation, as defined in Section 25-11-103(k).

(9) The office shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The report shall contain, at a minimum, the hospitals that submitted applications, the score of the applications, the amount of grant funds awarded to each hospital, the amount of grant funds expended by each hospital, the number of preceptors paid, the retention of these preceptors by the hospitals, the number of nursing students trained.

(10) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Nursing Preceptor Grant Program Fund" which shall consist of funds appropriated by the Legislature from State Recovery Funds or other funds as determined by the Legislature. Unexpended amounts remaining of any monies in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund. The expenditure of monies in the Mississippi Nursing Preceptor Grant Program Fund shall be under the direction of the Office of Workforce Development for the purposes prescribed to them in this section.

SECTION 5. (1) There is created the Mississippi Health Science Training Infrastructure Grant Program, the purpose of which is to provide a reimbursable grant for health science training infrastructure at any Mississippi Community College, institution of higher learning, or any member of the Mississippi Association of Independent Colleges and Universities. This act shall be subject to the availability of funds appropriated by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA) or any other funds appropriated by the Legislature.

(2) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed:

(a) "Applicant" shall mean any Mississippi Community College, institution of higher learning, or any member of the Mississippi Association of Independent Colleges and Universities that has a nursing school.

(b) "Health science training infrastructure" shall mean any infrastructure that is eligible under ARPA that assists with the training of all of the following students: nurses, doctors, paramedics, pharmacists and public health students.

(c) "ARPA" shall mean the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(d) "State Recovery Funds" shall mean Coronavirus State Fiscal Recovery Funds awarded through Section 602, Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Office" shall mean the Office of Workforce Development as established in Section 37-153-7.

(3) On or before July 1, 2022, the office shall promulgate rules and regulations necessary to administer the Mississippi Health Science Training Infrastructure Grant Program prescribed under this act, including application procedures and deadlines. The Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management is authorized and directed to advise the office regarding all such rules and regulations.

(4) The office shall receive applications submitted by the applicants, which shall include, but not be limited to, the following:

(a) A detailed description and the cost of the health sciences training infrastructure requested;

(b) The number and type of health science students currently trained at the applicant's school;

(c) The estimated increase in the number of health science students to be trained at the applicant's school after the completion of the health science training infrastructure;

(d) A certification that the health science training infrastructure meets the guidelines of ARPA; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the department; and

(e) Any additional requirements as set by the office.

(5) Applications shall be reviewed and scored by the office. The office shall certify that each application submitted is an allowable expense as defined in ARPA and all applicable guidance issued by the department. The Department of Finance and Administration Bureau of Building, Grounds and Real Property Management is authorized and directed to advise the office as to the estimated cost and eligibility of the health science training infrastructure projects. The office shall award the grant(s) to the applicant(s) based on what health science training infrastructure project the office determines has the most significant impact on increasing the number of health science students trained in Mississippi. In reviewing the applications, the office shall give preference to any applicant proposing to train Doctors of Osteopathic Medicine (DO). Grant agreement(s) shall be executed between the applicant(s) and the office. All final awards will be determined at the discretion of the executive director of the office. Funds shall be made available to the applicant(s) upon the execution of a grant agreement

between the office and the approved applicant(s). The office shall provide these funds to the applicant(s) on a reimbursable basis after receiving support for expenses and determining that they meet the grant award criteria.

(6) The applicant(s) may be required to repay the State of Mississippi for any grant funds awarded not consistent with the guidelines of ARPA; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the office.

(7) The office shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The report shall contain, at a minimum, the submitted applications, the score of the applications, the amount of grant funds awarded to each applicant(s), the amount of grant funds expended by each applicant(s), the status of the health science training infrastructure, the number of students currently trained at the applicant(s) nursing school, the estimated increase in the number of students to be trained at the applicant(s) nursing school.

(8) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Health Science Training Infrastructure Grant Program Fund" which shall consist of funds appropriated by the Legislature from State Recovery Funds or other funds as determined by the Legislature. Unexpended amounts of any monies remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund. The expenditure of monies in the Mississippi Health Science Training Infrastructure Grant Program Fund shall be under the direction of the Office of Workforce Development of the Mississippi Department of Employment Security for the purposes prescribed to them in this section.

SECTION 6. The Office of Workforce Development shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-1).

SECTION 7. (1) (a) All monies disbursed from the Mississippi Healthcare Workforce Development Program Fund, the Mississippi Nursing Preceptor Grant Program Fund and the Mississippi Health Science Training Infrastructure Grant Program Fund shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the Mississippi Healthcare Workforce Development Program Fund, the Mississippi Nursing Preceptor Grant Program Fund or the Mississippi Health Science Training Infrastructure Grant Program Fund on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Sixty Million Dollars (\$60,000,000.00) or the amount of allowable ARPA expenditures, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State

Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. (2) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this act shall return to the state all or a portion of the funds received.

SECTION 8. If any section, paragraph, sentence, clause, phrase or part of this act is declared to be in conflict with federal law, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no matter affected thereby but shall remain in full force and effect.

SECTION 9. This act shall take effect and be in force from and after its passage and shall stand repealed on July 1, 2026.

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

AN ACT TO BE KNOWN AS THE "AMERICAN RESCUE PLAN ACT (ARPA) NURSE/HEALTH SCIENCE WORKFORCE DEVELOPMENT AND RETENTION ACT"; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH IN THE OFFICE OF WORKFORCE DEVELOPMENT THE MISSISSIPPI HEALTHCARE WORKFORCE DEVELOPMENT PROGRAM; TO CREATE IN THE STATE TREASURY A SPECIAL FUND KNOWN AS THE "MISSISSIPPI HEALTHCARE WORKFORCE DEVELOPMENT PROGRAM FUND"; TO ESTABLISH IN THE OFFICE OF WORKFORCE DEVELOPMENT THE MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM; TO CREATE IN THE STATE TREASURY A SPECIAL FUND KNOWN AS THE "MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM FUND"; TO ESTABLISH IN THE OFFICE OF WORKFORCE DEVELOPMENT THE MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM; TO CREATE IN THE STATE TREASURY A SPECIAL FUND KNOWN AS THE "MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM FUND"; TO PROVIDE THAT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, GRANTS TO RECIPIENTS SHALL BE AWARDED BY THE OFFICE THROUGH AN APPLICATION PROCESS; TO SPECIFY REQUIREMENTS FOR APPLICANTS; TO SPECIFY THE RESPONSIBILITIES OF THE OFFICE OF WORKFORCE DEVELOPMENT IN ADMINISTERING THE PROGRAMS; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO SUBMIT AN ANNUAL REPORT FOR EACH PROGRAM BY OCTOBER 1; TO DIRECT THE OFFICE OF WORKFORCE DEVELOPMENT TO PROMULGATE RULES AND REGULATIONS NECESSARY TO ADMINISTER THE PROGRAMS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1006 was adopted.

YEAS AND NAYS On H. B. No. 1006. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry. American Rescue Plan Act funds are specifically targeted toward assisting in the recovery of the tourism and hospitality sectors. The funds provided in this section are necessary expenditures related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to support the travel and hospitality economy of Mississippi.

(2) The Mississippi Department of Finance and Administration shall establish and administer the COVID-19 Destination Marketing Organization Grant Program for the purpose of promoting tourism by awarding grants to destination marketing organizations from funds provided by the American Rescue Plan Act (ARPA) of 2021 (Public Law No. 117-2). The department shall award grants to eligible destination marketing organizations in the amount of Ten Million Dollars (\$10,000,000.00) each year for three (3) years, subject to the availability of funds appropriated by the Legislature.

(3) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in subsection (1) of this section.

(4) (a) There is created a special fund in the State Treasury to be known as the "COVID-19 Destination Marketing Organization Grant Program Fund," from which awards authorized under this section shall be disbursed by the Mississippi Department of Finance and Administration.

(b) All monies disbursed from the COVID-19 Destination Marketing Organization Grant Program Fund shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies received by or on behalf

of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (Public Law No. 117-2). Unexpended amounts of any monies remaining in the funds at the end of a fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any investment earnings or interest earned on amounts in the program fund shall be deposited to the credit of COVID-19 Destination Marketing Organization Grant Program Fund.

(c) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the fund, on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Sixty Million Dollars (\$60,000,000.00) or the amount of allowable ARPA expenditures, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government.

(5) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under this program found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.

(6) (a) The Mississippi Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocations of monies provided each year for three (3) years as follows:

(i) Not more than Seven Million Two Hundred Eighteen Thousand Three Hundred Sixty-one Dollars (\$7,218,361.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the prior fiscal year before funding; and

(ii) Not more than Two Million Seven Hundred Eighty-one Thousand Six Hundred Thirty-nine Dollars (\$2,781,639.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the prior Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the prior Fiscal Year Visit Mississippi Visitors Profile Report.

(b) Within fifteen (15) days after the effective date of this act, the Mississippi Department of Finance and Administration shall distribute the funds allocated under this section to eligible destination marketing organizations. Before receiving funds under this section, a destination marketing organization must certify to the Mississippi Department of Finance and Administration that:

(i) The funds will only be used for marketing activities;

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds; and

(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026, unless otherwise authorized by federal law or guidance.

(c) Destination marketing organizations receiving funds under this section shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this section shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semiannual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(7) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

(8) None of the funds provided in this section shall be used for administrative expenses to create and administer the program.

(9) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act, determines that (a) the Department of Finance and Administration or recipient has expended or otherwise used any of the funds appropriated to the Department of Finance and Administration under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Finance and Administration or recipient, then the Department of Finance and Administration or recipient, as the case may be, that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

(10) This section shall stand repealed on July 1, 2026.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO ESTABLISH THE COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM FOR THE PURPOSE OF PROMOTING TOURISM BY AWARDING GRANTS TO DESTINATION MARKETING ORGANIZATIONS FROM FUNDS PROVIDED BY THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ADMINISTER THE GRANT PROGRAM; TO CREATE A SPECIAL FUND IN THE STATE TREASURY FOR PROGRAM FUNDS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 453 was adopted.

YEAS AND NAYS On H. B. No. 453. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1005:** Nursing Education Incentive Program; create.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the "Hospital Nurses and Respiratory Therapist Retention Loan Repayment Program" for new nursing and respiratory therapist graduates to be administered by the State Financial Aid Board.

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Legal residency in the State of Mississippi;

(b) Gained employment within the last year for the first time as a licensed practical nurse, licensed registered nurse or respiratory therapist at a general acute care hospital in the State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

(d) Outstanding qualifying educational loans, received while pursuing a nursing or relevant respiratory therapist degree, which may include the principal, interest, and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for educational expense.

(3) Persons who have received funds from state forgivable loan programs established under Mississippi law, or who are in default or delinquent on any federal, state, local or commercial qualifying educational loan, are not eligible for this program.

(4) Recipients in the initial year of the program will be selected on a first-come, first-served basis from all eligible applicants. In the second and subsequent years of an applicant's continued eligibility, priority shall be given to renewal applicants. In any given year no more than one hundred fifty (150) new registered nurse applicants, fifty (50) new

licensed practical nurse applicants and twenty-five (25) new respiratory therapist applicants may receive funds under the program.

(5) Recipients in the program will be selected on a first-come, first-served basis from all eligible applicants. In the first year and subsequent years, no more than one hundred fifty (150) new registered nurse applicants and, fifty (50) new licensed practical nurse applicants and twenty-five (25) new respiratory therapist applicants may receive funds. In addition to the number of new applicants each year, the State Financial Aid Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this act and the renewal applicant has not received full funding provided by this subsection (5).

(6) Awards for recipients who are employed at a licensed general acute care hospital in the state may be a maximum of Three Thousand Dollars (\$3,000.00) for each year of employment up to three (3) years.

(7) A recipient shall not be penalized for ending employment at a licensed general acute care hospital in the State of Mississippi if the recipient begins working for another licensed general acute care hospital in the State of Mississippi during the year on which the award is based.

(8) Awards will be granted on a year-to-year basis, and recipients have no obligation to seek a subsequent award.

(9) Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance. Monies paid by the recipient or on the recipient's behalf toward qualifying educational loans before payment of the award are not eligible for reimbursement through the program.

(10) During the employment year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current, correct, and complete employment information and status.

(11) Recipients who fail to maintain a relevant Mississippi professional license or fail to fulfill the year of employment on which the award was based forfeit any right to the award.

(12) The State Financial Aid Board, in collaboration with the Licensing Board of the nurse or other health care professional eligible to receive funds under this program, must track award recipients under this program through their third employment year, unless the recipient leaves employment at a licensed general acute care hospital in the state at an earlier date. Data collected must include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses and respiratory therapists in licensed general acute care hospitals in the State of Mississippi. The board must submit a report of the information collected under this subsection (12) to the Joint Legislative Budget Committee by October 1 of each year, and include information concerning the number of submitted applications and the amount of grant funds awarded to each applicant.

(13) The State Financial Aid Board must promulgate regulations necessary for the proper administration of this section, including setting a fiscal year policy for the program and application dates and deadlines.

(14) There is established in the State Treasury a special fund to be designated the "Hospital Nursing and Respiratory Therapist Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the

General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

(15) This section shall stand repealed on July 1, 2026.

SECTION 2. Section 37-106-59, Mississippi Code of 1972, which establishes a forgivable loan program for baccalaureate and graduate studies in nursing, is repealed from and after July 1, 2022.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO CREATE THE HOSPITAL NURSES AND RESPIRATORY THERAPIST RETENTION LOAN REPAYMENT PROGRAM; TO PROVIDE AWARDS TO CERTAIN NURSES AND RESPIRATORY THERAPIST WHO APPLY, SUBJECT TO AVAILABILITY OF FUNDS; TO SET ELIGIBILITY REQUIREMENTS; TO EXCLUDE CERTAIN CATEGORIES OF PERSONS FROM ELIGIBILITY; TO REQUIRE THAT RECIPIENTS MAINTAIN CURRENT EMPLOYMENT INFORMATION AT ALL TIMES WITH THE STATE FINANCIAL AID BOARD; TO PROVIDE THAT AMOUNTS AWARDED BE PAID TO THE RECIPIENT'S LENDER OR LOAN SERVICE PROVIDER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1005 was adopted.

YEAS AND NAYS On H. B. No. 1005. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--McDaniel, Sojourner. Total--2.  
Absent and those not voting----None.

On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately all items passed on today's calendar.

Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Elena Marie Lorenza Lucore of Bay St. Louis, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 7, 2022.

The motion prevailed, and at 10:59 AM, the Senate stood in recess.

MESSAGE FROM THE TREASURER

SENATE JOURNAL  
THURSDAY, MARCH 3, 2022

March 2, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Jennie Simmons, Lake, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027.

David McRae  
TREASURER

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The executive nomination in the foregoing message was referred to committee as follows:

Jennie Simmons, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027, Finance.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Elena Marie Lorenza Lucore.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 3, 2022

**S. B. No. 3180:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OXFORD, MISSISSIPPI, TO EXPAND ITS WATER SYSTEM WITHIN A CERTAIN DISTANCE OUTSIDE THE CORPORATE LIMITS OF THE CITY OF OXFORD TO PROVIDE SERVICES SOLELY TO THE PUNKIN WATER ASSOCIATION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 3181:** Local and Private

AN ACT TO AMEND CHAPTER 879, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 921, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW THAT ESTABLISHES THE GRENADA TOURISM COMMISSION AND AUTHORIZES THE IMPOSITION OF A TOURIST AND CONVENTION TAX, TOGETHER WITH AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO CONSTRUCT, FINANCE AND OPERATE A SPORTS PARK; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. C. R. No. 564:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE 30TH ANNIVERSARY OF PARENTS FOR PUBLIC SCHOOLS (PPS) AND COMMENDING THE MISSION AND ACCOMPLISHMENTS OF THIS RESPECTED ORGANIZATION ON THE OCCASION OF THEIR GALA CELEBRATION ON MARCH 5, 2022.

By Senator(s) Blount

**S. R. No. 37:** Rules

A RESOLUTION RECOGNIZING THE OUTSTANDING LAW ENFORCEMENT SERVICE OF CHIEF WAYNE H. PAYNE, THE FIRST CHIEF OF POLICE FOR THE CITY OF D'IBERVILLE, MISSISSIPPI, ON THE OCCASION OF HIS RETIREMENT.  
By Senator(s) DeLano, Seymour, Carter

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SIXTY-THIRD DAY, MONDAY, MARCH 7, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Tommy Temple, Pastor, First Baptist Church, Maben, MS.

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

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

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

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

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**MESSAGE FROM THE HOUSE**

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has **CONCURRED IN THE SENATE AMENDMENT** to the following:

**H. B. No. 232:** Uniform Controlled Substances Act; revise schedules.

Andrew Ketchings, Clerk of the House of Representatives

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**MESSAGE FROM THE HOUSE**

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

Representatives Bennett, McCarty, Felsher

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Felsher as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

Representatives Bennett and McCarty remain as conferees and the Speaker has named Representative Read to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Read as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

Representatives Bennett and McCarty remain as conferees and the Speaker has named Representative Felsher to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 514:** AN ACT TO AMEND SECTION 47-5-940, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE BOLIVAR COUNTY REGIONAL FACILITY FOR A DRUG AND ALCOHOL TREATMENT PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 515:** AN ACT TO REENACT SECTIONS 47-5-701 THROUGH 47-5-729, MISSISSIPPI CODE OF 1972, WHICH ARE THE PRISON OVERCROWDING EMERGENCY POWERS ACT; TO AMEND SECTION 47-5-731, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRISON OVERCROWDING EMERGENCY POWERS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 534:** AN ACT TO REENACT SECTIONS 47-5-1001 THROUGH 47-5-1014, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR AN INTENSIVE SUPERVISION PROGRAM AND ELECTRONIC HOME DETENTION UNDER THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-1015, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE INTENSIVE SUPERVISION PROGRAM AND ELECTRONIC HOME DETENTION; AND FOR RELATED PURPOSES.

**H. B. No. 687:** AN ACT TO REENACT SECTIONS 81-22-1 THROUGH 81-22-28, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI DEBT MANAGEMENT SERVICES ACT; TO AMEND SECTION 81-22-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI DEBT MANAGEMENT SERVICES ACT; AND FOR RELATED PURPOSES.

**H. B. No. 689:** AN ACT TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; AND FOR RELATED PURPOSES.

**H. B. No. 779:** AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEFINITION OF CAUSE OF DEATH FOR THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND INCLUDES ANY CAUSE OF DEATH THAT WOULD BE COVERED UNDER THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT OF 2020; TO PROVIDE FOR THE TRANSFER OF FUNDS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; AND FOR RELATED PURPOSES.

**H. B. No. 823:** AN ACT TO AMEND SECTION 73-69-5, MISSISSIPPI CODE OF 1972, TO DEFINE A BATTERY-CHARGED SECURITY FENCE; TO AMEND SECTION 73-69-27, MISSISSIPPI CODE OF 1972, TO PROHIBIT MUNICIPALITIES OR COUNTIES FROM REGULATING BATTERY-CHARGED SECURITY FENCES AND BATTERY-CHARGED SECURITY FENCE CONTRACTING; AND FOR RELATED PURPOSES.

**H. B. No. 1360:** AN ACT TO AMEND SECTION 81-5-85, MISSISSIPPI CODE OF 1972, TO ALIGN BANK AND SAVINGS ASSOCIATION MERGER APPROVAL WITH PROVISIONS OF THE MISSISSIPPI BUSINESS CORPORATION ACT; TO AMEND SECTION 81-5-97, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN THE COMMISSIONER OF BANKING MAY APPROVE BANK OR BANK BRANCH CLOSURES; AND FOR RELATED PURPOSES.

**H. B. No. 1523:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF SALTILLO, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM AND PARKS AND RECREATION; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.  
Senators DeBar, Bryan, Hopson.

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Senator Chassaniol called up the following entitled bill:

**H. B. No. 1093:** PEER Committee; require to review effectiveness of the Mississippi Development Authority Tourism Advertising Fund.

YEAS AND NAYS On H. B. No. 1093. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hill called up the following entitled bill:

**H. B. No. 843:** County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-103, Mississippi Code of 1972, is amended as follows:

25-15-103. (1) The maximum amount of group insurance or other coverage used in determining employer's limitation of one hundred percent (100%) of such costs shall be determined by regulations promulgated by the governing board or head of any political subdivision, school district, junior college district, institution, department or agency named in Section 25-15-101 and this section, but the life insurance for each employee shall not exceed Fifty Thousand Dollars (\$50,000.00), or the amount of deduction allowed by the United States Internal Revenue Service in filing a federal tax return, whichever is greater. A like amount may be for accidental death, accident, health and salary protection insurance, providing benefits not exceeding sixty percent (60%) of the employee's income, or the amount allowed by the United States Internal Revenue Service in filing a federal tax return, whichever is greater. Hospitalization benefits for room and board may not exceed the average semiprivate cost per day; and the other coverages authorized hereinabove. The limitations in this subsection on the amount of group insurance and other coverage which employers may obtain for their employees shall not be applicable to municipalities.

(2) Any employee who retires due to one hundred percent (100%) medical disability, or due to reaching the statutory age of retirement under the provisions of the Public Employees' Retirement Law of 1952, being Sections 25-11-101 through 25-11-139,

may, if he elects, remain a member of the group plan for such life insurance and other benefits as may be agreed to by the governing board or institution, department, or agency head and the companies writing such insurance and other coverage, by paying the entire costs thereof.

(3) When any of the political subdivisions, school districts, junior college districts, institutions, departments, or agencies named in Section 25-15-101 and this section have adopted the group coverage plan authorized by said sections, any of the employees thereof participating in the plan who desire to secure additional benefits for their dependents with the company or companies providing such group coverage may do so by authorizing in writing the deduction from his or her salary or wages of the necessary amounts for the full payment of such additional coverage, and the same may be deducted and paid for such purposes, but the entire cost of such additional coverage for dependents shall be paid by the employee.

(4) (a) A municipality may provide group life insurance coverage for all or specified groups of its public employees and group hospitalization benefits for such public employees and their dependents, and the municipality may pay the total of the cost of all benefits under this section.

(b) A county may provide group life insurance coverage for all or specified groups of its public employees and group hospitalization benefits for such public employees and their dependents, and the county may pay the total of the cost of all benefits under this section. A county may make such provision, as specified under this paragraph, retroactively for any existing group coverage plan previously adopted by the county.

(5) \* \* \* The board of supervisors of any county or the governing authorities of any municipality may offer supplemental compensation to its employees, or other persons otherwise eligible for the county's or municipality's group insurance, in an amount to be determined from time to time by the county or municipality if such person declines coverage under the group insurance; however, in no event shall the supplemental compensation exceed the county's or municipality's cost for such person to participate in the group insurance. Before such supplemental compensation may be provided in any year, the person shall, on an annual basis, provide verifiable proof of coverage under another permissible plan.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OFFER SUPPLEMENTAL COMPENSATION TO EMPLOYEES WHO DECLINE COVERAGE UNDER THEIR GROUP INSURANCE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 843 was adopted.

YEAS AND NAYS On H. B. No. 843. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

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

Nays--None.

Absent and those not voting----None.

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Senator Hill called up the following entitled bill:

**H. B. No. 1017:** Justice court clerk; authorize two or more counties to enter into an agreement for the appointment of a.

YEAS AND NAYS On H. B. No. 1017. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled nomination:

**S. N. No. 80:** Bradley R. (Brad) White, Madison, Mississippi, Executive Director of the Mississippi Department of Transportation, term effective July 1, 2021 and set to expire April 1, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 80 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 158:** Off-road vehicles; revise definitions of.

YEAS AND NAYS On H. B. No. 158. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

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

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 1073:** Bridges and culverts; revise laws regarding.

YEAS AND NAYS On H. B. No. 1073. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 1486:** CDLs; require Commissioner of DPS to provide for waivers of certain tests.

YEAS AND NAYS On H. B. No. 1486. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Moran called up the following entitled bill:

**H. B. No. 972:** Bottom land leasing for oyster production; create a pilot program for.

Senator Thompson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Department of Marine Resources shall conduct a pilot program for bottom land leasing for oyster production. The Department of Marine Resources shall lease to oyster and/or seafood processors who only operate in the waters adjacent to Hancock County the following areas of bottom lands for oyster production:

(a) Area 1: The tonging area in Hancock County from the Bay St. Louis Railroad Bridge to Long Point, which is five hundred (500) feet offshore to one (1) mile offshore.

(b) Area 2: Telegraph Reef.

(2) (a) Before approving any leases for the two (2) areas, which shall include any natural reefs within the areas, the Department of Marine Resources must make an affirmative finding that the lessee is an oyster and/or seafood processor who only operates in the waters adjacent to Hancock County.

(b) The lease shall be for a term of five (5) years, and the lessee shall have the first right to renew the lease for an additional five (5) years. Before such renewal, the Department of Marine Resources may adjust the acreage and price of the lease to reflect the total number of acres of oyster production.

(c) Each lease shall set a price at Two Dollars (\$2.00) per acre for at least the first five (5) years of the lease.

(d) All funds derived from leasing shall be paid to the Department of Marine Resources for deposit into the Seafood Fund under Section 49-15-17, for use by the Department of Marine Resources to further oyster production in this state, which includes plantings of oysters and cultch materials.

SECTION 2. Section 49-15-36, Mississippi Code of 1972, is amended as follows:

49-15-36. (1) The \* \* \* Department of Marine Resources shall have full jurisdiction and control of all public and natural oyster reefs and oyster bottoms of the State of Mississippi. \* \* \*

(2) Public reefs may be opened for harvest of oysters during the season on a rotating basis. If the \* \* \* department determines that a particular reef has been overharvested or that a high percentage of sublegal size oysters exist on a particular reef and that harvest could damage future oyster crops, the \* \* \* department may close designated reef areas and keep them closed during the season.

(3) The \* \* \* department shall promulgate regulations regarding the closing of oyster reefs to protect the public health. When that testing indicates the oysters on the closed reef are suitable for consumption, the reef shall be opened for the taking of oysters as soon as notice of that opening may be made to interested parties. The authority to open or close oyster reefs under this chapter shall be solely within the discretion of the \* \* \* department. The Gulf Coast Research Laboratory or other certified laboratory shall cooperate with the department and shall conduct necessary tests to determine the condition of oyster reefs at the request of the department. The department may limit the sale of oysters for human consumption \* \* \*.

(4) (a) The \* \* \* department may issue special permits for the purpose of catching oysters outside the open season or in areas not normally open to harvest to those nonprofit organizations that are tax exempt under Section 501(c) of the United States Internal Revenue Code and which have on file with the Department of Revenue a tax exemption letter issued by the United States Internal Revenue Service.

(b) The \*\*\* department shall promulgate rules and regulations governing the taking of oysters by the nonprofit organization and shall issue such regulations to all organizations upon request and at the issuance of the special permit.

(5) The \*\*\* department shall establish a reasonable period of time for depuration of oysters replanted from restricted waters. That period of time shall be consistent with the maintenance of the public health and may vary from time to time and from one reef to another in accordance with environmental conditions.

(6) The department is authorized to conduct a pilot program for bottom land leasing for oyster production as provided in House Bill No. 972 (2022 Regular Session).

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO CREATE A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO LEASE CERTAIN AREAS OF BOTTOM LAND FOR OYSTER PRODUCTION TO OYSTER AND/OR SEAFOOD PROCESSORS WHO ONLY OPERATE IN THE WATERS ADJACENT TO HANCOCK COUNTY; TO PROVIDE THE PRICE AND LENGTH OF THE LEASE; TO PROVIDE THAT FUNDS DERIVED FROM THE LEASE SHALL BE DEPOSITED INTO THE SEAFOOD FUND TO FURTHER OYSTER PRODUCTION IN THIS STATE, WHICH INCLUDES PLANTINGS OF OYSTERS AND CULTCH MATERIALS; TO AMEND SECTION 49-15-36, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 972 was adopted.

YEAS AND NAYS On H. B. No. 972. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting---None.

Voting Present--Hickman, Hill, McDaniel, Simmons D. T. (12th), Sojourner. Total--5.

Senator Moran called up the following entitled bill:

**H. B. No. 1057:** Department of Marine Resources; revise acreage of bottom authorized to be leased by.

YEAS AND NAYS On H. B. No. 1057. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Moran called up the following entitled bill:

**H. B. No. 1130:** Department of Marine Resources; revise license issued for seafood dealers and seafood processors.

YEAS AND NAYS On H. B. No. 1130. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Barrett, Branning, Chism, Hill, McDaniel, Sojourner, Suber, Tate. Total--8.

Absent and those not voting----None.

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Senator Parker called up the following entitled bill:

**H. B. No. 720:** Mississippi Department of Employment Security; provide requirements related to fraud prevention, detection and recovery.

YEAS AND NAYS On H. B. No. 720. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parker called up the following entitled bill:

**H. B. No. 1323:** Tallahatchie River Authority; create.

YEAS AND NAYS On H. B. No. 1323. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McDaniel, Sojourner, Turner-Ford. Total--4.

Senator Fillingane called up the following entitled bill:

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Possession, transfer or manufacture of a pill press; penalty; registration. (1) This section shall be known and referred to as the "Mississippi Pill Press Law of 2022."

(2) (a) Unless authorized by the State Board of Pharmacy or other lawful authority, it is unlawful for any person knowingly or intentionally to possess, create, sell, barter, transfer, manufacture, or distribute a pill press, a punch, die, plate, tableting machine, encapsulating machine, or any similar pharmaceutical producing equipment, knowing, intending, or having reasonable cause to believe, that it will be used to manufacture a controlled substance or counterfeit controlled substance.

(b) Any person who violates this subsection shall be, if convicted, imprisoned by not more than five (5) years or fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) All pill presses, punches, dies, plates, tableting machines, encapsulating machines or any similar pharmaceutical producing equipment shall be registered with the Mississippi Bureau of Narcotics, unless the pill press is authorized by the Board of Pharmacy or other lawful authority. The Mississippi Department of Public Safety shall promulgate rules regarding the registration, transfer and destruction of such equipment and the renewal of registrations, to include inspection of all of equipment registered and any product that the equipment is being used to manufacture.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI PILL PRESS LAW OF 2022; TO CRIMINALIZE THE UNAUTHORIZED POSSESSION AND TRANSFER OF A PILL PRESS; TO INCLUDE SIMILAR DEVICES WITHIN THE OFFENSE; TO PROVIDE A PENALTY FOR VIOLATION; TO REQUIRE REGISTRATION WITH THE MISSISSIPPI BUREAU OF NARCOTICS, UNLESS THE PILL PRESS IS AUTHORIZED BY THE BOARD OF PHARMACY OR OTHER LAWFUL ENTITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 679 was adopted.

YEAS AND NAYS On H. B. No. 679. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Simmons D. T. (12th), Sojourner. Total--3.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-11-23, Mississippi Code of 1972, is amended as follows:

63-11-23. (1) Administrative license suspension for test refusal. The Commissioner of Public Safety, or his authorized agent, shall review the sworn report by a law enforcement officer as provided in Section 63-11-21.

(a) If upon review the Commissioner of Public Safety, or his authorized agent, finds (i) that the law enforcement officer had reasonable grounds and probable cause to believe the person had been operating a motor vehicle upon the public highways, public roads \* \* \* or streets of this state while under the influence of intoxicating liquor or any other substance that may impair a person's mental or physical ability; (ii) that the person refused to submit to the chemical test of the person's breath, blood or urine upon request of the officer; and (iii) that the person was informed that his license and driving privileges would be suspended or denied if he refused to submit to the chemical test of his breath, blood or urine, then the Commissioner of Public Safety, or his authorized agent, shall give notice to the licensee that his license or permit to drive, or any nonresident operating privilege, shall be suspended thirty (30) days after the date of the notice for a period of ninety (90) days if the person has not previously been convicted of or nonadjudicated for a violation of Section 63-11-30, or, for a period of one (1) year if the person was previously convicted or nonadjudicated under Section 63-11-30. If the commissioner or his authorized agent determines that the license or permit should not be suspended, he shall return the license or permit to the licensee.

(b) The notice of suspension shall be in writing and conform to Section 63-1-52.

(c) A person may continue to drive on either an interlock-restricted license or under a drug-testing program if so ordered by a court in the course of a criminal proceeding for a violation of Section 63-11-30.

(2) Extension or suspension of privilege to drive; request for trial. (a) If the chemical testing of a person's breath indicates the blood alcohol concentration was eight one-hundredths percent (.08%) or more for persons who are above the legal age to purchase alcoholic beverages under state law, or two one-hundredths percent (.02%) or more for persons who are below the legal age to purchase alcoholic beverages under state law, based upon grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath as shown by a chemical analysis of the person's blood, breath, or urine, the arresting officer shall seize the license and give the driver a receipt for his license on forms prescribed by the Commissioner of Public Safety and shall promptly forward the license together with a sworn report to the Commissioner of Public Safety. The receipt given a person shall be valid as a permit to operate a motor vehicle for thirty (30) days in order that the defendant may be processed through the court having original jurisdiction and a final disposition had.

(b) If the defendant requests a trial within thirty (30) days and trial is not commenced within thirty (30) days, then the court shall determine if the delay in the trial is the fault of the defendant or his counsel. If the court finds that it is not the fault of the defendant or his counsel, then the court shall order the defendant's privileges to operate a motor vehicle to be extended until the defendant is convicted upon final order of the court.

(c) If a receipt or permit to drive issued under this subsection expires without a trial having been requested as provided in this subsection, then the Commissioner of Public Safety, or his authorized agent, shall suspend the license or permit to drive or any nonresident operating privilege for the applicable period of time as provided in subsection (1) of this section.

(3) Offenders driving without a license. If the person is a resident without a license or permit to operate a motor vehicle in this state, the Commissioner of Public Safety, or his authorized agent, shall deny to the person the issuance of a license or permit for a period of one (1) year beginning thirty (30) days after the date of notice of the suspension.

(4) Appeal. It shall be the duty of the municipal prosecuting attorney, county prosecuting attorney, an attorney employed under the provisions of Section 19-3-49, or if there is not a prosecuting attorney for the municipality or county, the duty of the district attorney to represent the state in any hearing on a de novo appeal held under the provisions of Section 63-11-25, Section 63-11-37 or Section 63-11-30.

(5) Suspension subsequent to conviction. Unless the person obtains an interlock-restricted license or the court orders the person to exercise the privilege to operate a motor vehicle only under an interlock-restricted license or while participating in a court-ordered drug-testing program, thirty (30) days after receipt of the court abstract documenting a person's conviction under Section 63-11-30, the Department of Public Safety shall suspend the driver's license and privileges of the person to operate a motor vehicle as follows:

(a) When sentenced under Section 63-11-30(2):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for three (3) years;

(iv) For a fourth or subsequent offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for ten (10) years and will further be subject to court-ordered

drug testing if the original offense involved operating a motor vehicle under the influence of a drug other than alcohol.

(b) When sentenced under Section 63-11-30(3) (Zero Tolerance for Minors):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense occurring within five (5) years, suspend or deny the driving privilege for two (2) years or until the person reaches the age of twenty-one (21), whichever is longer.

(6) Suspensions. (a) Notices of suspension given under this section shall be in writing and conform to Section 63-1-52.

(b) Suspensions under this and any other chapter shall run consecutively and not concurrently.

(c) The first day of any one-hundred-twenty-day period shall begin to run on the date the judge signs an order for suspension.

(7) License reinstatement. A person is eligible for an unrestricted license when the person has completed an alcohol safety education program as provided in Section 63-11-32, has satisfied all other conditions of law and of the person's sentence or nonadjudication, and is not otherwise barred from obtaining an unrestricted license.

SECTION 2. Section 63-11-30, Mississippi Code of 1972, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), shall be imprisoned not less than five (5) days nor more than six (6) months and sentenced to community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero Tolerance for Minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars (\$250.00); the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars (\$500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars (\$1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) Every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one- \* \* \*hundredths percent (.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of

fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars (\$10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

(ii) Who did not refuse to submit to a test of his blood or breath;

(iii) Whose blood alcohol concentration tested below sixteen one-hundredths percent (.16%) if test results are available;

(iv) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(v) Who has provided the court with justification as to why the conviction should be expunged; and

(vi) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle. For purposes of this item 4, the first day of the one-hundred-twenty-day period shall begin the date the judge signs an order to maintain such license or suspend such license.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; AND FOR RELATED PURPOSES.

Senator Sparks offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-11-23, Mississippi Code of 1972, is amended as follows:

63-11-23. (1) Administrative license suspension for test refusal. The Commissioner of Public Safety, or his authorized agent, shall review the sworn report by a law enforcement officer as provided in Section 63-11-21.

(a) If upon review the Commissioner of Public Safety, or his authorized agent, finds (i) that the law enforcement officer had reasonable grounds and probable cause to believe the person had been operating a motor vehicle upon the public highways, public roads \* \* \* or streets of this state while under the influence of intoxicating liquor or any other substance that may impair a person's mental or physical ability; (ii) that the person refused to submit to the chemical test of the person's breath, blood or urine upon request of the officer; and (iii) that the person was informed that his license and driving privileges would be suspended or denied if he refused to submit to the chemical test of his breath, blood or urine, then the Commissioner of Public Safety, or his authorized agent, shall give notice to the licensee that his license or permit to drive, or any nonresident operating privilege, shall be suspended thirty (30) days after the date of the notice for a period of ninety (90) days if the person has not previously been convicted of or nonadjudicated for a violation of Section 63-11-30, or, for a period of one (1) year if the person was previously convicted or nonadjudicated under Section 63-11-30. If the commissioner or his authorized agent determines that the license or permit should not be suspended, he shall return the license or permit to the licensee.

(b) The notice of suspension shall be in writing and conform to Section 63-1-52.

(c) A person may continue to drive on either an interlock-restricted license or under a drug-testing program if so ordered by a court in the course of a criminal proceeding for a violation of Section 63-11-30.

(2) Extension or suspension of privilege to drive; request for trial. (a) If the chemical testing of a person's breath indicates the blood alcohol concentration was eight one-hundredths percent (.08%) or more for persons who are above the legal age to purchase alcoholic beverages under state law, or two one-hundredths percent (.02%) or more for persons who are below the legal age to purchase alcoholic beverages under state law, based upon grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath as shown by a chemical analysis of the person's blood, breath, or urine, the arresting officer shall seize the license and give the driver a receipt for his license on forms prescribed by the Commissioner of Public Safety and shall promptly forward the license together with a sworn report to the Commissioner of Public Safety. The receipt given a person shall be valid as a permit to operate a motor vehicle for thirty (30) days in order that the defendant may be processed through the court having original jurisdiction and a final disposition had.

(b) If the defendant requests a trial within thirty (30) days and trial is not commenced within thirty (30) days, then the court shall determine if the delay in the trial is the fault of the defendant or his counsel. If the court finds that it is not the fault of the defendant or his counsel, then the court shall order the defendant's privileges to operate a motor vehicle to be extended until the defendant is convicted upon final order of the court.

(c) If a receipt or permit to drive issued under this subsection expires without a trial having been requested as provided in this subsection, then the Commissioner of Public Safety, or his authorized agent, shall suspend the license or permit to drive or any nonresident operating privilege for the applicable period of time as provided in subsection (1) of this section.

(3) Offenders driving without a license. If the person is a resident without a license or permit to operate a motor vehicle in this state, the Commissioner of Public Safety, or his authorized agent, shall deny to the person the issuance of a license or permit for a period of one (1) year beginning thirty (30) days after the date of notice of the suspension.

(4) Appeal. It shall be the duty of the municipal prosecuting attorney, county prosecuting attorney, an attorney employed under the provisions of Section 19-3-49, or if there is not a prosecuting attorney for the municipality or county, the duty of the district attorney to represent the state in any hearing on a de novo appeal held under the provisions of Section 63-11-25, Section 63-11-37 or Section 63-11-30.

(5) Suspension subsequent to conviction. Unless the person obtains an interlock-restricted license or the court orders the person to exercise the privilege to operate a motor vehicle only under an interlock-restricted license or while participating in a court-ordered drug-testing program, thirty (30) days after receipt of the court abstract documenting a person's conviction under Section 63-11-30, the Department of Public Safety shall suspend the driver's license and privileges of the person to operate a motor vehicle as follows:

(a) When sentenced under Section 63-11-30(2):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for three (3) years;

(iv) For a fourth or subsequent offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for ten (10) years and will further be subject to court-ordered drug testing if the original offense involved operating a motor vehicle under the influence of a drug other than alcohol.

(b) When sentenced under Section 63-11-30(3) (Zero Tolerance for Minors):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense occurring within five (5) years, suspend or deny the driving privilege for two (2) years or until the person reaches the age of twenty-one (21), whichever is longer.

(6) Suspensions. (a) Notices of suspension given under this section shall be in writing and conform to Section 63-1-52.

(b) Suspensions under this and any other chapter shall run consecutively and not concurrently.

(c) The first day of any one-hundred-twenty-day suspension shall begin to run:

(i) On the date ordered by the judge, and such date shall not be less than thirty (30) days from the judge's execution of the court order; or

(ii) On the date determined by the Department of Public Safety where the court order is silent as to a beginning date.

(7) License reinstatement. A person is eligible for an unrestricted license when the person has completed an alcohol safety education program as provided in Section 63-11-32, has satisfied all other conditions of law and of the person's sentence or nonadjudication, and is not otherwise barred from obtaining an unrestricted license.

SECTION 2. Section 63-11-30, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), shall be imprisoned not less than five (5) days nor more than six (6) months and sentenced to community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero Tolerance for Minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars (\$250.00); the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars (\$500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars (\$1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) Every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one-\*\*\*hundredths percent (.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native

American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand

Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars (\$10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

(ii) Who did not refuse to submit to a test of his blood or breath;

(iii) Whose blood alcohol concentration tested below sixteen one-hundredths percent (.16%) if test results are available;

(iv) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(v) Who has provided the court with justification as to why the conviction should be expunged; and

(vi) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle. For purposes of this item 4, the first day of the one-hundred-twenty-day suspension shall begin to run:

A. On the date ordered by the judge, and such date shall not be less than thirty (30) days from the judge's execution of the court order; or

B. On the date determined by the Department of Public Safety where the court order is silent as to a beginning date.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension

of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

(15) The provisions of this section are fully applicable to any person who is under the influence of medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder which has impaired the person's ability to operate a motor vehicle.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 63-11-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE ORDERED BY THE JUDGE; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE ORDERED BY THE JUDGE; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 604 was adopted.

YEAS AND NAYS On H. B. No. 604. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-357, Mississippi Code of 1972, is amended as follows:

47-5-357. (1) (a) Due to the unique and time-sensitive requirements of growing and harvesting products produced by the prison agricultural enterprises, the Department of Finance and Administration and the department shall establish a prudent purchasing policy which may exempt from bid requirements those commodities, items or services which are needed for the efficient and effective management of the prison agricultural enterprises.

(b) Due to the unique and time-sensitive requirements of growing and harvesting products produced by the prison agricultural enterprises, the Department of Finance and Administration and the department shall establish a prudent leasing policy for agricultural equipment which is needed for the efficient and effective management of the prison agricultural enterprises.

(2) The Department of Finance and Administration shall, by order entered on its minutes, list those commodities, items and services exempted from bid requirements as provided in Section 31-7-12 \* \* \*.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 47-5-357, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A LEASING POLICY FOR THE DEPARTMENT OF CORRECTIONS FOR AGRICULTURAL EQUIPMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 919 was adopted.

YEAS AND NAYS On H. B. No. 919. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Barrett. Total--1.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for.

Senator Tate offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. No agency or state or local official responsible for conducting elections may solicit, accept, use or dispose of any donation in the form of money, grants, property or personal services from an individual or a nongovernmental entity for the purpose of funding election-related expenses or voter education, voter outreach or voter registration programs. This section does not prohibit the donation and acceptance of space to be used for a polling place. This section shall not prohibit an individual from contributing his or her personal time to assist with voter education, voter outreach, voter registration programs or other election-related programs as long as such individual receives no compensation or in-kind donation for contributing his or her time.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO PROHIBIT ANY AGENCY OR STATE OR LOCAL OFFICIAL FROM SOLICITING, ACCEPTING OR OTHERWISE USING PRIVATE FUNDS FOR ANY ELECTION-RELATED EXPENSES OR VOTER EDUCATION, VOTER OUTREACH OR VOTER REGISTRATION PROGRAMS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1365 was adopted.

YEAS AND NAYS On H. B. No. 1365. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Barnett, Butler A. (36th), Butler K. (38th), Frazier, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--9.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and

criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education \* \* \* and Reentry, \* \* \* who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* shall focus on reentry programs aimed at reducing recidivism \* \* \*. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(e) A Deputy Commissioner for Workforce Development who shall serve as the Chief Executive Officer of Prison Industries and Director of Prison Agricultural Enterprises. The Deputy Commissioner for Workforce Development shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7. Such deputy commissioner shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The Deputy Commissioner for Workforce Development shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce development. The Deputy Commissioner for Workforce Development, with the assistance from the Office of Workforce Development, shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short- and long-term goals for the state related to workforce development and reentry offender employment within the corrections system, and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

Out of the deputy commissioners employed under this subsection (1), as set out in paragraphs (a) through (\*\*e), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the Commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(d) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall be repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE DEPUTY COMMISSIONER FOR PROGRAMS, EDUCATION AND REENTRY TO ADEQUATELY PREPARE ATTENDEES FOR EMPLOYMENT UPON THEIR RELEASE; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO PROVIDE ELIGIBILITY QUALIFICATION FOR THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO REQUIRE THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT TO PERFORM CERTAIN DUTIES; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF WORKFORCE DEVELOPMENT WITHIN THE DEPARTMENT OF CORRECTIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1052 was adopted.

YEAS AND NAYS On H. B. No. 1052. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Bryan called up the following entitled bill:

**H. B. No. 672:** Sexual assault kit; regulate processing of.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Commissioner of the Department of Public Safety is directed to establish a task force to study the laws and practices concerning sexual assault evidence and to report its recommendation to the Legislature on or before October 1, 2022.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A TASK FORCE TO STUDY THE LAWS AND PRACTICES CONCERNING SEXUAL ASSAULT EVIDENCE AND TO REPORT ITS RECOMMENDATION TO THE LEGISLATURE ON OR BEFORE OCTOBER 1, 2022; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 672 was adopted.

YEAS AND NAYS On H. B. No. 672. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following entitled bill:

**H. B. No. 1098:** Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-177, Mississippi Code of 1972, is amended as follows:

19-5-177. (1) Any district created under Sections 19-5-151 through 19-5-207, acting by and through the board of commissioners of such district as its governing authority, shall have the following, among other, powers:

(a) To sue and be sued;

(b) To acquire by purchase, gift, devise and lease or any other mode of acquisition, other than by eminent domain, hold and dispose of real and personal property of every kind within or without the district;

(c) To make and enter into contracts, conveyances, mortgages, deeds of trust, bonds, leases or contracts for financial advisory services;

(d) To incur debts, to borrow money, to issue negotiable bonds, and to provide for the rights of the holders thereof;

(e) To fix, maintain, collect and revise rates and charges for services rendered by or through the facilities of such district, which rates and charges shall not be subject to review or regulation by the Mississippi Public Service Commission except in those instances where a city operating similar services would be subject to regulation and review; however, the district may furnish services, including connection to the facilities of the district, free of charge to the county or any agency or department of the county and to

volunteer fire departments located within the service area of the district. The district shall obtain a certificate of convenience and necessity from the Mississippi Public Service Commission for operating of water and/or sewer systems. Notwithstanding the provisions of this paragraph, if the board of supervisors of a county has levied a special tax for a fire protection district as authorized under Section 19-5-189(2) and such district has volunteer firefighters, then the fire protection district shall not fix, maintain or collect rates and charges for services rendered;

(f) To pledge all or any part of its revenues to the payment of its obligations;

(g) To make such covenants in connection with the issuance of bonds or to secure the payment of bonds that a private business corporation can make under the general laws of the state;

(h) To use any right-of-way, public right-of-way, easement, or other similar property or property rights necessary or convenient in connection with the acquisition, improvement, operation or maintenance of the facilities of such district held by the state or any political subdivision thereof; however, the governing body of such political subdivision shall consent to such use;

(i) To enter into agreements with state and federal agencies for loans, grants, grants-in-aid, and other forms of assistance including, but not limited to, participation in the sale and purchase of bonds;

(j) To acquire by purchase any existing works and facilities providing services for which it was created, and any lands, rights, easements, franchises and other property, real and personal necessary to the completion and operation of such system upon such terms and conditions as may be agreed upon, and if necessary as part of the purchase price to assume the payment of outstanding notes, bonds or other obligations upon such system;

(k) To extend its services to areas beyond but within one (1) mile of the boundaries of such district; however, no such extension shall be made to areas already occupied by another corporate agency rendering the same service so long as such corporate agency desires to continue to serve such areas. Areas outside of the district desiring to be served which are beyond the one (1) mile limit must be brought into the district by annexation proceedings;

(l) To be deemed to have the same status as counties and municipalities with respect to payment of sales taxes on purchases made by such districts;

(m) To borrow funds for interim financing subject to receipt of funds as outlined in Section 19-5-181;

(n) To provide group life insurance coverage for all or specified groups of employees of the district and group hospitalization benefits for those employees and their dependents, and to pay the total cost of these benefits. For purposes of this paragraph, the term "employees" does not include any person who is a commissioner of a district created under Sections 19-5-151 through 19-5-207, and such commissioners are not eligible to receive any insurance coverage or benefits made available to district employees under this paragraph.

(2) Any district which is incorporated under Sections 19-5-151 through 19-5-207 to provide sewer services may install or provide for the installation of sewage holding tanks at residential properties within the district, if funding for municipal or community sewers has been awarded to the district. The district shall maintain or provide for the maintenance of the sewage holding tank systems. The district may assess and collect from each resident using a sewage holding tank a fee covering the costs of providing the services authorized under this section. When municipal or community sewers are

available and ready for use, residences with sewage holding tanks shall be connected to the sewer system.

SECTION 2. Section 19-5-195, Mississippi Code of 1972, is amended as follows:

19-5-195. Except as provided in Section 19-5-177(1)(e), the board of commissioners of the district issuing bonds pursuant to Sections 19-5-151 through 19-5-207 shall prescribe and collect reasonable rates, fees, tolls or charges for the services, facilities and commodities of its system or systems; shall prescribe penalties for the nonpayment thereof; and shall revise such rates, fees, tolls or charges from time to time whenever necessary to insure the economic operation of such system or systems. The rates, fees, tolls or charges prescribed shall be, as nearly as possible, such as will always produce revenue at least sufficient to: (a) provide for all expenses of operation and maintenance of the system or systems, including reserves therefor, (b) pay when due all bonds and interest thereon for the payment of which such revenues are or shall have been pledged, charged or otherwise encumbered, including reserves therefor, and (c) provide funds for reasonable expansions, extensions and improvements of service.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 19-5-177, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE BOARD OF COMMISSIONERS OF CERTAIN FIRE PROTECTION DISTRICTS FROM IMPOSING FEES IF THE BOARD OF SUPERVISORS OF A COUNTY HAS LEVIED A SPECIAL TAX FOR A FIRE PROTECTION DISTRICT; TO AMEND SECTION 19-5-195, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1098 was adopted.

YEAS AND NAYS On H. B. No. 1098. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--McMahan. Total--1.

Senator Parker called up the following entitled bill:

**H. B. No. 1388:** Comprehensive Career and Technical Reform Act; create.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The provisions of this act shall be known and may be cited as the "Comprehensive Career and Technical Education Reform Act."

SECTION 2. (1) Subject to appropriation by the Legislature, the Office of Workforce Development shall pilot a career coaching program to support middle schools and high schools as students are exposed, prepared and connected to career avenues within and beyond the classroom setting. Through strong partnerships with economic and business leaders, paired with viable relationships with school districts, the career coaches shall target the alignment of students' strengths with intentional academic and work-based learning in pursuit of meaningful professional employment.

(2) Subject to appropriation by the Legislature, the Office of Workforce Development, working through the Department of Employment Security as fiscal agent, shall establish rules and regulations to operate the career coaching program, which may include granting funds to eligible recipients such as state agencies, regional workforce entities and other nonprofits, to hire coaches. The Office of Workforce Development shall establish criteria for coaches and shall work with partner organizations to identify candidates and measure outcomes.

SECTION 3. The Mississippi Department of Education shall work in conjunction with the Mississippi Community College Board to ensure alignment of career technical education courses across the public school system and community college system. If a community college chooses not to participate in the dual credit program or does not have certain courses available for participating students, eligible high school students may enroll in dual credit courses and attend such courses at the campus of another participating community college within the state.

SECTION 4. The State Workforce Investment Board, by and through the Office of Workforce Development, shall create, in consultation with the Mississippi Department of Education, the Mississippi Community College Board, the Mississippi State University Research and Curriculum Unit and other appropriate business and industry stakeholders, a single list of nationally recognized industry certifications for use in the Mississippi statewide accountability system, in diploma endorsement requirements and for reimbursement under Section 37-153-15.

SECTION 5. Section 37-153-15, Mississippi Code of 1972, is amended as follows:

37-153-15. (1) As used in this chapter:

(a) The words "industry certification" mean a \* \* \* process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies, resulting in the award of a credential that is nationally recognized and must be at least one (1) of the following:

(i) Within an industry that addresses a critical local, regional or statewide economic need;

(ii) Linked to an occupation that is included in the State Department of Employment Security's occupations in high-demand list; or

(iii) Linked to an occupation that is identified as emerging.

(b) The words "qualifying industry certification" mean an industry certification that is linked to an occupation with wages of at least seventy percent (70%) of the \* \* \* median state income unless the industry certification is stackable to another postsecondary or professional credential which is linked to an occupation which meets the wage criterion.

(2) The State Workforce Investment Board shall provide the State Board of Education annually with a list of qualifying industry certifications. If the occupations identified in the list are not substantially the same as those occupations identified in the prior year, the State Board of Education shall provide reasonable notice of the changes to school districts.

(3) Beginning in fiscal year 2019-2020 and subject to available funding, the Department of Education shall pay a career and technical education incentive grant to the public school for each student enrolled in the public school who earns a qualifying industry certification. The amount per student for the career and technical education incentive grant shall be Six Hundred Dollars (\$600.00). If the statewide sum of the career and technical education incentive grants awarded pursuant to this section exceeds the amount of available funds appropriated for the grants, the grants per student shall be reduced proportionately to cover all eligible grants under this section. Any costs accrued during one (1) fiscal year may be claimed and reimbursed in the following fiscal year.

(4) The grants may be used for qualifying industry certification examination fees, professional development for teachers in career and technical education programs under this section, student instructional support for programs that lead to qualifying industry certifications, or to increase access to qualifying industry certifications. Any grants awarded under this section may not be used to supplant funds provided for the basic operation of the career and technical education programs.

(5) On or before \* \* \* October 1 of each year, the Department of Education, working in collaboration with the Office of Workforce Development and any other entities as necessary, shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairmen of the House and Senate Education Committees, the Chairman of the House Workforce Development Committee and the Chairman of the Senate \* \* \* Economic and Workforce Development Committee on the following:

(a) The number of students who enrolled in a career and technical education course or program that leads to a qualifying industry certification.

(b) The number of students who earned a qualifying industry certification by certification.

(c) The amount of career and technical education incentive grants awarded by the school.

(d) The amount of career and technical education incentive grants awarded per student.

(e) Aggregated demographic data on the students who earned a qualifying industry certification, including the qualifying industry certifications earned by rural and urban students.

SECTION 6. (1) The Office of Workforce Development shall work in partnership with the Mississippi Department of Education and the Mississippi Community College Board to complete a program inventory and return on investment analysis of workforce programs and career technical education programs in both the K-12 and community college system, with the expectation that results will be used in conjunction with labor market analysis information and other relevant data to adjust program offerings to best meet the future needs of Mississippi business and industry and to provide high-demand, high-skill and high-wage pathways.

(2) The Office of Workforce Development, in collaboration with the Mississippi Community College Board, the Mississippi Department of Education and the Mississippi

State University Research and Curriculum Unit, shall develop cross-sector partnerships among K-12 education, employers and industry, and postsecondary education to meet at least quarterly or more often as the industry needs require to complete the following objectives:

(a) The state's K-12 and community college career technical education programs emphasize high-demand, high-skill and high-wage pathways, as determined by state and regional labor market data, and aligned with the current and projected state economic priorities.

(b) Employers and industry are consulted and help lead the development of K-12 and community college career technical education program standards, curricula, instructional strategies and industry-valued credentials.

(c) K-12 and community college career technical education programs feature experiential learning opportunities such as internships, externships, apprenticeships or other work-based learning opportunities.

(d) K-12 career technical education programs are linked to postsecondary courses and credential programs and provide a seamless transition to a postsecondary credential.

(e) The state shall annually publish and promote a list of K-12 and community college industry-recognized certifications relevant to specific career technical education pathways and linked to high-demand, high-skill and high-wage pathways.

(f) K-12 and community college career technical education programs shall be annually reviewed to ensure that offerings do not lead to dead-end pathways and to develop new offerings to meet industry needs and strengthen existing offerings.

(g) K-12 and community college career technical education programs shall be reviewed annually to ensure student participation and success rates, including career technical education concentrators and students earning industry-recognized credentials. This review shall also include an examination of student participation and success by demographics to ensure equitable access and completion by all students.

(h) Best practices in cross-sector partnerships are developed and shared across the state.

SECTION 7. Section 37-17-6, Mississippi Code of 1972, is amended as follows:

37-17-6. (1) The State Board of Education, acting through the Commission on School Accreditation, shall establish and implement a permanent performance-based accreditation system, and all noncharter public elementary and secondary schools shall be accredited under this system.

(2) No later than June 30, 1995, the State Board of Education, acting through the Commission on School Accreditation, shall require school districts to provide school classroom space that is air-conditioned as a minimum requirement for accreditation.

(3) (a) Beginning with the 1994-1995 school year, the State Board of Education, acting through the Commission on School Accreditation, shall require that school districts employ certified school librarians according to the following formula:

Number of Students	Number of Certified
Per School Library	School Librarians
0 - 499 Students	1/2 Full-time Equivalent

## Certified Librarian

500 or More Students

1 Full-time Certified

## Librarian

(b) The State Board of Education, however, may increase the number of positions beyond the above requirements.

(c) The assignment of certified school librarians to the particular schools shall be at the discretion of the local school district. No individual shall be employed as a certified school librarian without appropriate training and certification as a school librarian by the State Department of Education.

(d) School librarians in the district shall spend at least fifty percent (50%) of direct work time in a school library and shall devote no more than one-fourth (1/4) of the workday to administrative activities that are library related.

(e) Nothing in this subsection shall prohibit any school district from employing more certified school librarians than are provided for in this section.

(f) Any additional millage levied to fund school librarians required for accreditation under this subsection shall be included in the tax increase limitation set forth in Sections 37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) On or before December 31, 2002, the State Board of Education shall implement the performance-based accreditation system for school districts and for individual noncharter public schools which shall include the following:

(a) High expectations for students and high standards for all schools, with a focus on the basic curriculum;

(b) Strong accountability for results with appropriate local flexibility for local implementation;

(c) A process to implement accountability at both the school district level and the school level;

(d) Individual schools shall be held accountable for student growth and performance;

(e) Set annual performance standards for each of the schools of the state and measure the performance of each school against itself through the standard that has been set for it;

(f) A determination of which schools exceed their standards and a plan for providing recognition and rewards to those schools;

(g) A determination of which schools are failing to meet their standards and a determination of the appropriate role of the State Board of Education and the State Department of Education in providing assistance and initiating possible intervention. A failing district is a district that fails to meet both the absolute student achievement standards and the rate of annual growth expectation standards as set by the State Board of Education for two (2) consecutive years. The State Board of Education shall establish the level of benchmarks by which absolute student achievement and growth expectations shall be assessed. In setting the benchmarks for school districts, the State Board of Education may also take into account such factors as graduation rates, dropout rates,

completion rates, the extent to which the school or district employs qualified teachers in every classroom, and any other factors deemed appropriate by the State Board of Education. The State Board of Education, acting through the State Department of Education, shall apply a simple "A," "B," "C," "D" and "F" designation to the current school and school district statewide accountability performance classification labels beginning with the State Accountability Results for the 2011-2012 school year and following, and in the school, district and state report cards required under state and federal law. Under the new designations, a school or school district that has earned a "Star" rating shall be designated an "A" school or school district; a school or school district that has earned a "High-Performing" rating shall be designated a "B" school or school district; a school or school district that has earned a "Successful" rating shall be designated a "C" school or school district; a school or school district that has earned an "Academic Watch" rating shall be designated a "D" school or school district; a school or school district that has earned a "Low-Performing," "At-Risk of Failing" or "Failing" rating shall be designated an "F" school or school district. Effective with the implementation of any new curriculum and assessment standards, the State Board of Education, acting through the State Department of Education, is further authorized and directed to change the school and school district accreditation rating system to a simple "A," "B," "C," "D," and "F" designation based on a combination of student achievement scores and student growth as measured by the statewide testing programs developed by the State Board of Education pursuant to Chapter 16, Title 37, Mississippi Code of 1972. In any statute or regulation containing the former accreditation designations, the new designations shall be applicable;

(h) Development of a comprehensive student assessment system to implement these requirements; and

(i) The State Board of Education may, based on a written request that contains specific reasons for requesting a waiver from the school districts affected by Hurricane Katrina of 2005, hold harmless school districts from assignment of district and school level accountability ratings for the 2005-2006 school year. The State Board of Education upon finding an extreme hardship in the school district may grant the request. It is the intent of the Legislature that all school districts maintain the highest possible academic standards and instructional programs in all schools as required by law and the State Board of Education.

(5) (a) Effective with the 2013-2014 school year, the State Department of Education, acting through the Mississippi Commission on School Accreditation, shall revise and implement a single "A" through "F" school and school district accountability system complying with applicable federal and state requirements in order to reach the following educational goals:

(i) To mobilize resources and supplies to ensure that all students exit third grade reading on grade level by 2015;

(ii) To reduce the student dropout rate to thirteen percent (13%) by 2015; and

(iii) To have sixty percent (60%) of students scoring proficient and advanced on the assessments of the Common Core State Standards by 2016 with incremental increases of three percent (3%) each year thereafter.

(b) The State Department of Education shall combine the state school and school district accountability system with the federal system in order to have a single system.

(c) The State Department of Education shall establish five (5) performance categories ("A," "B," "C," "D" and "F") for the accountability system based on the following criteria:

(i) Student Achievement: the percent of students proficient and advanced on the current state assessments;

(ii) Individual student growth: the percent of students making one (1) year's progress in one (1) year's time on the state assessment, with an emphasis on the progress of the lowest twenty-five percent (25%) of students in the school or district;

(iii) Four-year graduation rate: the percent of students graduating with a standard high school diploma in four (4) years, as defined by federal regulations;

(iv) Categories shall identify schools as Reward ("A" schools), Focus ("D" schools) and Priority ("F" schools). If at least five percent (5%) of schools in the state are not graded as "F" schools, the lowest five percent (5%) of school grade point designees will be identified as Priority schools. If at least ten percent (10%) of schools in the state are not graded as "D" schools, the lowest ten percent (10%) of school grade point designees will be identified as Focus schools;

(v) The State Department of Education shall discontinue the use of Star School, High-Performing, Successful, Academic Watch, Low-Performing, At-Risk of Failing and Failing school accountability designations;

(vi) The system shall include the federally compliant four-year graduation rate in school and school district accountability system calculations. Graduation rate will apply to high school and school district accountability ratings as a compensatory component. The system shall discontinue the use of the High School Completer Index (HSCI);

(vii) The school and school district accountability system shall incorporate a standards-based growth model, in order to support improvement of individual student learning;

(viii) The State Department of Education shall discontinue the use of the Quality Distribution Index (QDI);

(ix) The State Department of Education shall determine feeder patterns of schools that do not earn a school grade because the grades and subjects taught at the school do not have statewide standardized assessments needed to calculate a school grade. Upon determination of the feeder pattern, the department shall notify schools and school districts prior to the release of the school grades beginning in 2013. Feeder schools will be assigned the accountability designation of the school to which they provide students;

(x) Standards for student, school and school district performance will be increased when student proficiency is at a seventy-five percent (75%) and/or when sixty-five percent (65%) of the schools and/or school districts are earning a grade of "B" or higher, in order to raise the standard on performance after targets are met \* \* \*;

(xi) The system shall include student performance on the administration of a career-readiness assessment, such as, but not limited to, the ACT WorkKeys Assessment, deemed appropriate by the Mississippi Department of Education working in coordination with the Office of Workforce Development.

(6) Nothing in this section shall be deemed to require a nonpublic school that receives no local, state or federal funds for support to become accredited by the State Board of Education.

(7) The State Board of Education shall create an accreditation audit unit under the Commission on School Accreditation to determine whether schools are complying with accreditation standards.

(8) The State Board of Education shall be specifically authorized and empowered to withhold adequate education program fund allocations, whichever is applicable, to any public school district for failure to timely report student, school personnel and fiscal data necessary to meet state and/or federal requirements.

(9) [Deleted]

(10) The State Board of Education shall establish, for those school districts failing to meet accreditation standards, a program of development to be complied with in order to receive state funds, except as otherwise provided in subsection (15) of this section when the Governor has declared a state of emergency in a school district or as otherwise provided in Section 206, Mississippi Constitution of 1890. The state board, in establishing these standards, shall provide for notice to schools and sufficient time and aid to enable schools to attempt to meet these standards, unless procedures under subsection (15) of this section have been invoked.

(11) Beginning July 1, 1998, the State Board of Education shall be charged with the implementation of the program of development in each applicable school district as follows:

(a) Develop an impairment report for each district failing to meet accreditation standards in conjunction with school district officials;

(b) Notify any applicable school district failing to meet accreditation standards that it is on probation until corrective actions are taken or until the deficiencies have been removed. The local school district shall develop a corrective action plan to improve its deficiencies. For district academic deficiencies, the corrective action plan for each such school district shall be based upon a complete analysis of the following: student test data, student grades, student attendance reports, student dropout data, existence and other relevant data. The corrective action plan shall describe the specific measures to be taken by the particular school district and school to improve: (i) instruction; (ii) curriculum; (iii) professional development; (iv) personnel and classroom organization; (v) student incentives for performance; (vi) process deficiencies; and (vii) reporting to the local school board, parents and the community. The corrective action plan shall describe the specific individuals responsible for implementing each component of the recommendation and how each will be evaluated. All corrective action plans shall be provided to the State Board of Education as may be required. The decision of the State Board of Education establishing the probationary period of time shall be final;

(c) Offer, during the probationary period, technical assistance to the school district in making corrective actions. Beginning July 1, 1998, subject to the availability of funds, the State Department of Education shall provide technical and/or financial assistance to all such school districts in order to implement each measure identified in that district's corrective action plan through professional development and on-site assistance. Each such school district shall apply for and utilize all available federal funding in order to support its corrective action plan in addition to state funds made available under this paragraph;

(d) Assign department personnel or contract, in its discretion, with the institutions of higher learning or other appropriate private entities with experience in the academic, finance and other operational functions of schools to assist school districts;

(e) Provide for publication of public notice at least one time during the probationary period, in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The publication shall include the following: declaration of school system's status as being on probation; all details relating to the impairment report; and other information as the State Board of Education deems

appropriate. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

(12) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have been determined by the policies and procedures of the State Board of Education to be a basis for withdrawal of school district's accreditation without a probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. After its consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, or when a school district meets the State Board of Education's definition of a failing school district for two (2) consecutive full school years, or if more than fifty percent (50%) of the schools within the school district are designated as Schools At-Risk in any one (1) year, the State Board of Education may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, the declarations of a state of emergency shall not be limited to those instances when a school district's impairments are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor student performance.

(c) Whenever the Governor declares a state of emergency in a school district in response to a request made under paragraph (a) or (b) of this subsection, the State Board of Education may take one or more of the following actions:

(i) Declare a state of emergency, under which some or all of state funds can be escrowed except as otherwise provided in Section 206, Constitution of 1890, until the board determines corrective actions are being taken or the deficiencies have been removed, or that the needs of students warrant the release of funds. The funds may be released from escrow for any program which the board determines to have been restored to standard even though the state of emergency may not as yet be terminated for the district as a whole;

(ii) Override any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district;

(iii) Assign an interim superintendent, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school districts, who will have those powers and duties prescribed in subsection (15) of this section;

(iv) Grant transfers to students who attend this school district so that they may attend other accredited schools or districts in a manner that is not in violation of state or federal law;

(v) For states of emergency declared under paragraph (a) only, if the accreditation deficiencies are related to the fact that the school district is too small, with

too few resources, to meet the required standards and if another school district is willing to accept those students, abolish that district and assign that territory to another school district or districts. If the school district has proposed a voluntary consolidation with another school district or districts, then if the State Board of Education finds that it is in the best interest of the pupils of the district for the consolidation to proceed, the voluntary consolidation shall have priority over any such assignment of territory by the State Board of Education;

(vi) For states of emergency declared under paragraph (b) only, reduce local supplements paid to school district employees, including, but not limited to, instructional personnel, assistant teachers and extracurricular activities personnel, if the district's impairment is related to a lack of financial resources, but only to an extent that will result in the salaries being comparable to districts similarly situated, as determined by the State Board of Education;

(vii) For states of emergency declared under paragraph (b) only, the State Board of Education may take any action as prescribed in Section 37-17-13.

(d) At the time that satisfactory corrective action has been taken in a school district in which a state of emergency has been declared, the State Board of Education may request the Governor to declare that the state of emergency no longer exists in the district.

(e) The parent or legal guardian of a school-age child who is enrolled in a school district whose accreditation has been withdrawn by the Commission on School Accreditation and without approval of that school district may file a petition in writing to a school district accredited by the Commission on School Accreditation for a legal transfer. The school district accredited by the Commission on School Accreditation may grant the transfer according to the procedures of Section 37-15-31(1)(b). In the event the accreditation of the student's home district is restored after a transfer has been approved, the student may continue to attend the transferee school district. The per-pupil amount of the adequate education program allotment, including the collective "add-on program" costs for the student's home school district shall be transferred monthly to the school district accredited by the Commission on School Accreditation that has granted the transfer of the school-age child.

(f) Upon the declaration of a state of emergency for any school district in which the Governor has previously declared a state of emergency, the State Board of Education may either:

(i) Place the school district into district transformation, in which the school district shall remain until it has fulfilled all conditions related to district transformation. If the district was assigned an accreditation rating of "D" or "F" when placed into district transformation, the district shall be eligible to return to local control when the school district has attained a "C" rating or higher for five (5) consecutive years, unless the State Board of Education determines that the district is eligible to return to local control in less than the five-year period;

(ii) Abolish the school district and administratively consolidate the school district with one or more existing school districts;

(iii) Reduce the size of the district and administratively consolidate parts of the district, as determined by the State Board of Education. However, no school district which is not in district transformation shall be required to accept additional territory over the objection of the district; or

(iv) Require the school district to develop and implement a district improvement plan with prescriptive guidance and support from the State Department of Education, with the goal of helping the district improve student achievement. Failure of

the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for district transformation.

(g) There is established a Mississippi Recovery School District within the State Department of Education under the supervision of a deputy superintendent appointed by the State Superintendent of Public Education, who is subject to the approval by the State Board of Education. The Mississippi Recovery School District shall provide leadership and oversight of all school districts that are subject to district transformation status, as defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972, and shall have all the authority granted under these two (2) chapters. The Mississippi Department of Education, with the approval of the State Board of Education, shall develop policies for the operation and management of the Mississippi Recovery School District. The deputy state superintendent is responsible for the Mississippi Recovery School District and shall be authorized to oversee the administration of the Mississippi Recovery School District, oversee the interim superintendent assigned by the State Board of Education to a local school district, hear appeals that would normally be filed by students, parents or employees and heard by a local school board, which hearings on appeal shall be conducted in a prompt and timely manner in the school district from which the appeal originated in order to ensure the ability of appellants, other parties and witnesses to appeal without undue burden of travel costs or loss of time from work, and perform other related duties as assigned by the State Superintendent of Public Education. The deputy state superintendent is responsible for the Mississippi Recovery School District and shall determine, based on rigorous professional qualifications set by the State Board of Education, the appropriate individuals to be engaged to be interim superintendents and financial advisors, if applicable, of all school districts subject to district transformation status. After State Board of Education approval, these individuals shall be deemed independent contractors.

(13) Upon the declaration of a state of emergency in a school district under subsection (12) of this section, the Commission on School Accreditation shall be responsible for public notice at least once a week for at least three (3) consecutive weeks in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The size of the notice shall be no smaller than one-fourth (1/4) of a standard newspaper page and shall be printed in bold print. If an interim superintendent has been appointed for the school district, the notice shall begin as follows: "By authority of Section 37-17-6, Mississippi Code of 1972, as amended, adopted by the Mississippi Legislature during the 1991 Regular Session, this school district (name of school district) is hereby placed under the jurisdiction of the State Department of Education acting through its appointed interim superintendent (name of interim superintendent)."

The notice also shall include, in the discretion of the State Board of Education, any or all details relating to the school district's emergency status, including the declaration of a state of emergency in the school district and a description of the district's impairment deficiencies, conditions of any district transformation status and corrective actions recommended and being taken. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

Upon termination of the state of emergency in a school district, the Commission on School Accreditation shall cause notice to be published in the school district in the same manner provided in this section, to include any or all details relating to the corrective action taken in the school district that resulted in the termination of the state of emergency.

(14) The State Board of Education or the Commission on School Accreditation shall have the authority to require school districts to produce the necessary reports, correspondence, financial statements, and any other documents and information necessary to fulfill the requirements of this section.

Nothing in this section shall be construed to grant any individual, corporation, board or interim superintendent the authority to levy taxes except in accordance with presently existing statutory provisions.

(15) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (12) of this section, the State Board of Education, in its discretion, may assign an interim superintendent to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

(ii) Supervising the day-to-day activities of the district's staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the interim superintendent, will best suit the needs of the district;

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff;

(iv) Attending all meetings of the district's school board and administrative staff;

(v) Approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities;

(vi) Maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations;

(vii) Reporting periodically to the State Board of Education on the progress or lack of progress being made in the district to improve the district's impairments during the state of emergency; and

(viii) Appointing a parent advisory committee, comprised of parents of students in the school district that may make recommendations to the interim superintendent concerning the administration, management and operation of the school district.

The cost of the salary of the interim superintendent and any other actual and necessary costs related to district transformation status paid by the State Department of Education shall be reimbursed by the local school district from funds other than adequate education program funds. The department shall submit an itemized statement to the superintendent of the local school district for reimbursement purposes, and any unpaid balance may be withheld from the district's adequate education program funds.

At the time that the Governor, in accordance with the request of the State Board of Education, declares that the state of emergency no longer exists in a school district, the powers and responsibilities of the interim superintendent assigned to the district shall cease.

(b) In order to provide loans to school districts under a state of emergency or in district transformation status that have impairments related to a lack of financial resources, the School District Emergency Assistance Fund is created as a special fund in the State Treasury into which monies may be transferred or appropriated by the Legislature from any available public education funds. Funds in the School District Emergency Assistance Fund up to a maximum balance of Three Million Dollars (\$3,000,000.00) annually shall not lapse but shall be available for expenditure in subsequent years subject to approval of the State Board of Education. Any amount in the fund in excess of Three Million Dollars (\$3,000,000.00) at the end of the fiscal year shall lapse into the State General Fund or the Education Enhancement Fund, depending on the source of the fund.

The State Board of Education may loan monies from the School District Emergency Assistance Fund to a school district that is under a state of emergency or in district transformation status, in those amounts, as determined by the board, that are necessary to correct the district's impairments related to a lack of financial resources. The loans shall be evidenced by an agreement between the school district and the State Board of Education and shall be repayable in principal, without necessity of interest, to the School District Emergency Assistance Fund by the school district from any allowable funds that are available. The total amount loaned to the district shall be due and payable within five (5) years after the impairments related to a lack of financial resources are corrected. If a school district fails to make payments on the loan in accordance with the terms of the agreement between the district and the State Board of Education, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may withhold that district's adequate education program funds in an amount and manner that will effectuate repayment consistent with the terms of the agreement; the funds withheld by the department shall be deposited into the School District Emergency Assistance Fund.

The State Board of Education shall develop a protocol that will outline the performance standards and requisite timeline deemed necessary for extreme emergency measures. If the State Board of Education determines that an extreme emergency exists, simultaneous with the powers exercised in this subsection, it shall take immediate action against all parties responsible for the affected school districts having been determined to be in an extreme emergency. The action shall include, but not be limited to, initiating civil actions to recover funds and criminal actions to account for criminal activity. Any funds recovered by the State Auditor or the State Board of Education from the surety bonds of school officials or from any civil action brought under this subsection shall be applied toward the repayment of any loan made to a school district hereunder.

(16) If a majority of the membership of the school board of any school district resigns from office, the State Board of Education shall be authorized to assign an interim superintendent, who shall be responsible for the administration, management and operation of the school district until the time as new board members are selected or the Governor declares a state of emergency in that school district under subsection (12), whichever occurs first. In that case, the State Board of Education, acting through the interim superintendent, shall have all powers which were held by the previously existing school board, and may take any action as prescribed in Section 37-17-13 and/or one or more of the actions authorized in this section.

(17) (a) If the Governor declares a state of emergency in a school district, the State Board of Education may take all such action pertaining to that school district as is authorized under subsection (12) or (15) of this section, including the appointment of an interim superintendent. The State Board of Education shall also have the authority to issue a written request with documentation to the Governor asking that the office of the superintendent of the school district be subject to recall. If the Governor declares that the office of the superintendent of the school district is subject to recall, the local school board or the county election commission, as the case may be, shall take the following action:

(i) If the office of superintendent is an elected office, in those years in which there is no general election, the name shall be submitted by the State Board of Education to the county election commission, and the county election commission shall submit the question at a special election to the voters eligible to vote for the office of superintendent within the county, and the special election shall be held within sixty (60) days from notification by the State Board of Education. The ballot shall read substantially as follows:

"Shall County Superintendent of Education \_\_\_\_\_ (here the name of the superintendent shall be inserted) of the \_\_\_\_\_ (here the title of the school district shall be inserted) be retained in office? Yes \_\_\_\_\_ No \_\_\_\_\_"

If a majority of those voting on the question votes against retaining the superintendent in office, a vacancy shall exist which shall be filled in the manner provided by law; otherwise, the superintendent shall remain in office for the term of that office, and at the expiration of the term shall be eligible for qualification and election to another term or terms.

(ii) If the office of superintendent is an appointive office, the name of the superintendent shall be submitted by the president of the local school board at the next regular meeting of the school board for retention in office or dismissal from office. If a majority of the school board voting on the question vote against retaining the superintendent in office, a vacancy shall exist which shall be filled as provided by law, otherwise the superintendent shall remain in office for the duration of his employment contract.

(b) The State Board of Education may issue a written request with documentation to the Governor asking that the membership of the school board of the school district shall be subject to recall. Whenever the Governor declares that the membership of the school board is subject to recall, the county election commission or the local governing authorities, as the case may be, shall take the following action:

(i) If the members of the local school board are elected to office, in those years in which the specific member's office is not up for election, the name of the school board member shall be submitted by the State Board of Education to the county election commission, and the county election commission at a special election shall submit the question to the voters eligible to vote for the particular member's office within the county or school district, as the case may be, and the special election shall be held within sixty (60) days from notification by the State Board of Education. The ballot shall read substantially as follows:

"Members of the \_\_\_\_\_ (here the title of the school district shall be inserted) School Board who are not up for election this year are subject to recall because of the school district's failure to meet critical accountability standards as defined in the letter of notification to the Governor from the State Board of Education. Shall the member of the school board representing this area, \_\_\_\_\_ (here the name of the school board member holding the office shall be inserted), be retained in office? Yes \_\_\_\_\_ No \_\_\_\_\_"

If a majority of those voting on the question vote against retaining the member of the school board in office, a vacancy in that board member's office shall exist, which shall be filled in the manner provided by law; otherwise, the school board member shall remain in office for the term of that office, and at the expiration of the term of office, the member shall be eligible for qualification and election to another term or terms of office. However, if a majority of the school board members are recalled in the special election, the Governor shall authorize the board of supervisors of the county in which the school district is situated to appoint members to fill the offices of the members recalled. The board of supervisors

shall make those appointments in the manner provided by law for filling vacancies on the school board, and the appointed members shall serve until the office is filled at the next regular special election or general election.

(ii) If the local school board is an appointed school board, the name of all school board members shall be submitted as a collective board by the president of the municipal or county governing authority, as the case may be, at the next regular meeting of the governing authority for retention in office or dismissal from office. If a majority of the governing authority voting on the question vote against retaining the board in office, a vacancy shall exist in each school board member's office, which shall be filled as provided by law; otherwise, the members of the appointed school board shall remain in office for the duration of their term of appointment, and those members may be reappointed.

(iii) If the local school board is comprised of both elected and appointed members, the elected members shall be subject to recall in the manner provided in subparagraph (i) of this paragraph (b), and the appointed members shall be subject to recall in the manner provided in subparagraph (ii).

(18) Beginning with the school district audits conducted for the 1997-1998 fiscal year, the State Board of Education, acting through the Commission on School Accreditation, shall require each school district to comply with standards established by the State Department of Audit for the verification of fixed assets and the auditing of fixed assets records as a minimum requirement for accreditation.

(19) Before December 1, 1999, the State Board of Education shall recommend a program to the Education Committees of the House of Representatives and the Senate for identifying and rewarding public schools that improve or are high performing. The program shall be described by the board in a written report, which shall include criteria and a process through which improving schools and high-performing schools will be identified and rewarded.

The State Superintendent of Public Education and the State Board of Education also shall develop a comprehensive accountability plan to ensure that local school boards, superintendents, principals and teachers are held accountable for student achievement. A written report on the accountability plan shall be submitted to the Education Committees of both houses of the Legislature before December 1, 1999, with any necessary legislative recommendations.

(20) Before January 1, 2008, the State Board of Education shall evaluate and submit a recommendation to the Education Committees of the House of Representatives and the Senate on inclusion of graduation rate and dropout rate in the school level accountability system.

(21) If a local school district is determined as failing and placed into district transformation status for reasons authorized by the provisions of this section, the interim superintendent appointed to the district shall, within forty-five (45) days after being appointed, present a detailed and structured corrective action plan to move the local school district out of district transformation status to the deputy superintendent. A copy of the interim superintendent's corrective action plan shall also be filed with the State Board of Education.

SECTION 8. Section 37-3-2, Mississippi Code of 1972, is amended as follows:

37-3-2. (1) There is established within the State Department of Education the Commission on Teacher and Administrator Education, Certification and Licensure and Development. It shall be the purpose and duty of the commission to make recommendations to the State Board of Education regarding standards for the certification

and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) (a) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each of the four (4) congressional districts, as such districts existed on January 1, 2011, in accordance with the population calculations determined by the 2010 federal decennial census, including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

(b) All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.

(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:

(a) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

(b) Recommend to the State Board of Education each year approval or disapproval of each educator preparation program in the state, subject to a process and schedule determined by the State Board of Education;

(c) Establish, subject to the approval of the State Board of Education, standards for initial teacher certification and licensure in all fields;

(d) Establish, subject to the approval of the State Board of Education, standards for the renewal of teacher licenses in all fields;

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;

(f) Review all existing requirements for certification and licensure;

(g) Consult with groups whose work may be affected by the commission's decisions;

(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;

(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;

(j) Hire expert consultants with approval of the State Board of Education;

(k) Set up ad hoc committees to advise on specific areas; \* \* \*

(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education \* \* \*; and

(m) Establish standards, subject to the approval of the State Board of Education, for supplemental endorsements, provided that the standards allow teachers as many options as possible to receive a supplemental endorsement, including, but not limited to, the option of taking additional coursework or earning at least the minimum qualifying score or higher on the required licensure subject assessment relevant to the endorsement area for which the licensure is sought. The subject assessment option shall not apply to certain subject areas, including, but not limited to, Early/Primary Education PreK-3, Elementary Education, or Special Education, except by special approval by the State Board of Education.

(6) (a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a

major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;

(iv) Any other document required by the State Board of Education;  
and

(v) From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program:

1. An ACT Score of twenty-one (21) (or SAT equivalent); or

2. Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

3. A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

(b) (i) Standard License - Nontraditional Teaching Route. From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria:

\* \* \*1. An ACT Score of twenty-one (21) (or SAT equivalent);

or

\* \* \*2. Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

\* \* \*3. A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

(ii) Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

\* \* \*1. The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not

be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

\* \* \*2. The school sponsoring the teacher intern shall enter into a written agreement with the institution providing the Teach Mississippi Institute (TMI) program, under terms and conditions as agreed upon by the contracting parties, providing that the school district shall provide teacher interns seeking a nontraditional provisional teaching license with a one-year classroom teaching experience. The teacher intern shall successfully complete the one (1) semester three-hour intensive internship in the school district during the semester immediately following successful completion of the TMI and prior to the end of the one-year classroom teaching experience.

\* \* \*3. Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

\* \* \*4. During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

\* \* \*5. An individual issued a provisional teaching license under this nontraditional route shall successfully complete, at a minimum, a one-year beginning teacher mentoring and induction program administered by the employing school district with the assistance of the State Department of Education.

\* \* \*6. Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

\* \* \*7. At the discretion of the teacher preparation institution, the individual shall be allowed to credit the twelve (12) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

\* \* \*8. The local school district in which the nontraditional teacher intern or provisional licensee is employed shall compensate such teacher interns at Step 1 of the required salary level during the period of time such individual is completing teacher internship requirements and shall compensate such Standard

License - Nontraditional Route teachers at Step 3 of the required salary level when they complete license requirements.

(iii) Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

(iv) A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a \* \* \* five-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person shall be required to have a high school diploma, an industry-recognized certification related to the subject area in which they are teaching and a minimum of five (5) years of relevant experience but shall not be required to hold an associate or bachelor's degree, provided that he or she possesses the minimum qualifications required for his or her profession, and may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. If a school board hires a career technical education pathway instructor who does not have an industry certification in his or her area of expertise but does have the required experience, the school board shall spread their decision on the minutes at their next meeting and provide a detailed explanation for why they hired the instructor. Such instructor shall present the minutes of the school board to the State Department of Education when he or she applies for an expert citizen license. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of

transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

(g) In the event any school district meets the highest accreditation standards as defined by the State Board of Education in the accountability system, the State Board of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

(h) Highly Qualified Teachers. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five-year license by the State Department of Education.

(7) Administrator License. The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License - Nonpracticing. Those educators holding administrative endorsement but having no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License - Entry Level. Those educators holding administrative endorsement and having met the department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

(c) Standard Administrator License - Career Level. An administrator who has met all the requirements of the department for standard administrator licensure.

(d) Administrator License - Nontraditional Route. The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. The department shall grant a standard five-year license to any individual who possesses a valid standard license from another state, or another country or political subdivision thereof, within a period of twenty-one (21) days from the date of a completed application. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(9) Renewal and Reinstatement of Licenses. The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. For all license types with a current valid expiration date of June 30, 2021, the State Department of Education shall grant a one-year extension to June 30, 2022. Beginning July 1, 2022, and thereafter, applicants for licensure renewal shall meet all requirements in effect on the date that the complete application is received by the State Department of Education.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

(11) (a) The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license for one or more of the following:

(i) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;

(ii) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

(iii) The applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effect, at the time of application for a license;

(iv) Fraud or deceit committed by the applicant in securing or attempting to secure such certification and license;

(v) Failing or refusing to furnish reasonable evidence of identification;

(vi) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this subparagraph (vi) of this paragraph (a), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(vii) The applicant or licensee is on probation or post-release supervision for a felony or conviction, as defined by federal or state law. However, this disqualification expires upon the end of the probationary or post-release supervision period.

(b) The State Board of Education, acting through the commission, shall deny an application for any teacher or administrator license, or immediately revoke the current teacher or administrator license, for one or more of the following:

(i) If the applicant or licensee has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this subparagraph (i) of this paragraph (b), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(ii) The applicant or licensee is on probation or post-release supervision for a sex offense conviction, as defined by federal or state law;

(iii) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95; or

(iv) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

(a) Breach of contract or abandonment of employment may result in the suspension of the license for one (1) school year as provided in Section 37-9-57;

(b) Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;

(c) Suspension or revocation of a certificate or license by another state shall result in immediate suspension or revocation and shall continue until records in the prior state have been cleared;

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(e) The license holder knowingly and willfully committing any of the acts affecting validity of mandatory uniform test results as provided in Section 37-16-4(1);

(f) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules;

(g) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(h) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(i) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as prescribed by the commission, its subcommittee or hearing officer. Failure to complete the requirements in the time specified shall result in immediate suspension of the license for one (1) year.

(13) (a) Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense.

(b) Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a majority vote of all members of the commission present at the meeting called for such purpose.

(14) (a) A person whose license has been suspended or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the suspended or surrendered time has lapsed, whichever is greater. A person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

(b) A person whose license expires while under investigation by the Office of Educator Misconduct for an alleged violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at

the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars (\$200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

(18) The granting of a license shall not be deemed a property right nor a guarantee of employment in any public school district. A license is a privilege indicating minimal eligibility for teaching in the public school districts of Mississippi. This section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of performance as a prerequisite of initial or continued employment in such districts.

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(20) The Department of Education shall grant and renew all licenses and certifications of teachers and administrators within twenty-one (21) days from the date of a completed application if the applicant has otherwise met all established requirements for the license or certification.

SECTION 9. Section 37-16-3, Mississippi Code of 1972, is amended as follows:

37-16-3. (1) The State Department of Education is directed to implement a program of statewide assessment testing which shall provide for the improvement of the operation and management of the public schools. The statewide program shall be timed,

as far as possible, so as not to conflict with ongoing district assessment programs. As part of the program, the department shall:

(a) Establish, with the approval of the State Board of Education, minimum performance standards related to the goals for education contained in the state's plan including, but not limited to, basic skills in reading, writing and mathematics. The minimum performance standards shall be approved by April 1 in each year they are established.

(b) Conduct a uniform statewide testing program in grades deemed appropriate in the public schools, including charter schools, which shall include the administration of a career-readiness assessment, such as, but not limited to, the ACT WorkKeys Assessment, deemed appropriate by the Mississippi Department of Education working in coordination with the Office of Workforce Development, to any students electing to take the assessment. Each individual school district shall determine whether the assessment is administered in the tenth, eleventh or twelfth grade. The program may test skill areas, basic skills and high school course content.

(c) Monitor the results of the assessment program and, at any time the composite student performance of a school or basic program is found to be below the established minimum standards, notify the district superintendent or the governing board of the charter school, as the case may be, the school principal and the school advisory committee or other existing parent group of the situation within thirty (30) days of its determination. The department shall further provide technical assistance to a school district in the identification of the causes of this deficiency and shall recommend courses of action for its correction.

(d) Provide technical assistance to the school districts, when requested, in the development of student performance standards in addition to the established minimum statewide standards.

(e) Issue security procedure regulations providing for the security and integrity of the tests that are administered under the basic skills assessment program.

(f) In case of an allegation of a testing irregularity that prompts a need for an investigation by the Department of Education, the department may, in its discretion, take complete control of the statewide test administration in a school district or any part thereof, including, but not limited to, obtaining control of the test booklets and answer documents. In the case of any verified testing irregularity that jeopardized the security and integrity of the test(s), validity or the accuracy of the test results, the cost of the investigation and any other actual and necessary costs related to the investigation paid by the Department of Education shall be reimbursed by the local school district from funds other than federal funds, Mississippi Adequate Education Program funds, or any other state funds within six (6) months from the date of notice by the department to the school district to make reimbursement to the department.

(2) Uniform basic skills tests shall be completed by each student in the appropriate grade. These tests shall be administered in such a manner as to preserve the integrity and validity of the assessment. In the event of excused or unexcused student absences, make-up tests shall be given. The school superintendent of every school district in the state and the principal of each charter school shall annually certify to the State Department of Education that each student enrolled in the appropriate grade has completed the required basic skills assessment test for his or her grade in a valid test administration.

(3) Within five (5) days of completing the administration of a statewide test, the principal of the school where the test was administered shall certify under oath to the State Department of Education that the statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The principal's sworn certification shall be set forth on a form developed and approved by the Department of Education. If, following the

administration of a statewide test, the principal has reason to believe that the test was not administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education, the principal shall submit a sworn certification to the Department of Education setting forth all information known or believed by the principal about all potential violations of the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The submission of false information or false certification to the Department of Education by any licensed educator may result in licensure disciplinary action pursuant to Section 37-3-2 and criminal prosecution pursuant to Section 37-16-4.

SECTION 10. Section 37-16-17, Mississippi Code of 1972, is amended as follows:

37-16-17. (1) Purpose. (a) The purpose of this section is to create a quality option in Mississippi's high schools for students not wishing to pursue a baccalaureate degree, which shall consist of challenging academic courses and modern career-technical studies. The goal for students pursuing the career \*\*\* technical education pathways is to graduate from high school with a standard diploma and credit toward a community college certification in a career-technical field. These students also shall be encouraged to take the national assessment in the career-technical field in which they become certified.

(b) The State Board of Education shall develop and adopt course and curriculum requirements for career \*\*\* technical education pathways offered by local public school boards in accordance with this section. The Mississippi Community College Board and the State Board of Education jointly shall determine course and curriculum requirements for the career \*\*\* technical education pathways. The State Board of Education shall require school districts to provide notice to all incoming middle school students and junior high students of the career technical education pathways offered by local school boards. Such notice shall include the career technical education pathways available, the course requirements of each pathway, how to enroll in the pathway and any other necessary information as determined by the State Board of Education.

(2) \*\*\* Career technical education pathway; description; curriculum. (a) A career \*\*\* technical education pathway shall provide a student with greater technical skill and a strong academic core and shall be offered to each high school student enrolled in a public school district. The career \*\*\* technical education pathway shall be linked to postsecondary options and shall prepare students to pursue either a degree or certification from a postsecondary institution, an industry-based training or certification, an apprenticeship, the military, or immediate entrance into a career field. The career \*\*\* technical education pathway shall \*\*\* provide \*\*\* students with alternatives to entrance into a four-year university or college after high school graduation.

(b) Students pursuing a career \*\*\* technical education pathway shall be afforded the opportunity to dually enroll in a community or technical college or to participate in a business internship or work-study program, when such opportunities are available and appropriate.

(c) Each public school district shall offer a career \*\*\* technical education pathway approved by the State Board of Education.

(d) Students in a career \*\*\* technical education pathway shall complete an academic core of courses and a career and technical sequence of courses.

(e) Students pursuing a career technical education pathway must complete the \*\*\* twenty-four (24) course unit requirements for \*\*\* a regular high school diploma, which may include, but not be limited to the following course content:

(i) \*\*\* English I;

(ii) \*\*\* English II;

- (iii) \* \* \* Technical writing;
- (iv) \* \* \* Computer programming;
- (v) \* \* \* Algebra I;
- (vi) \* \* \* Personal Finance;
- (vii) \* \* \* Advanced technical mathematics;
- (viii) \* \* \* Computer Science;
- (ix) \* \* \* Biology;
- (x) Earth and Space Science;
- (xi) U.S. History;
- (xii) Mississippi Studies/U.S. Government;
- (xiii) Health;
- (xiv) Physical Education;
- (xv) Soft skills, which include, but are not limited to, communication ability, language skills, time management, teamwork and leadership traits;
- (xvi) Career technical education pathway courses; and
- (xvii) Integrated technology.

Academic courses within the career \* \* \* technical education pathway of the standard diploma shall provide the knowledge and skill necessary for proficiency on the state subject area tests.

(f) The courses provided in paragraph (e) of this subsection may be tailored to the individual needs of the school district as long as the amendments align with the basic course requirements of paragraph (e).

(3) Nothing in this section shall disallow the development of a dual enrollment program with a technical college so long as an individual school district, with approval from the State Department of Education, agrees to implement such a program in connection with a technical college and the agreement is also approved by the proprietary school's commission.

\* \* \*

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM ACT"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, TO PILOT A CAREER COACHING PROGRAM TO SUPPORT MIDDLE SCHOOLS AND HIGH SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND CONNECTED TO

CAREER AVENUES WITHIN AND BEYOND THE CLASSROOM SETTING; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ENSURE ALIGNMENT OF CAREER AND TECHNICAL EDUCATION COURSES ACROSS THE PUBLIC SCHOOL SYSTEM AND COMMUNITY COLLEGE SYSTEM; TO REQUIRE THE STATE WORKFORCE INVESTMENT BOARD TO CREATE A SINGLE LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR CERTAIN REIMBURSEMENTS; TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFYING INDUSTRY CERTIFICATION"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO WORK IN PARTNERSHIP WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM INVENTORY AND RETURN ON INVESTMENT ANALYSIS OF WORKFORCE DEVELOPMENT PROGRAMS IN THE STATE; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG K-12 EDUCATION, EMPLOYERS AND INDUSTRY AND POSTSECONDARY EDUCATION TO COMPLETE CERTAIN OBJECTIVES; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF A CAREER-READINESS ASSESSMENT, SUCH AS, BUT NOT LIMITED TO, THE ACT WORKKEYS ASSESSMENT, DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT WITHIN THE DEPARTMENT OF EDUCATION SHALL HAVE THE DUTY OF ESTABLISHING CERTAIN STANDARDS, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF EDUCATION, FOR SUPPLEMENTAL ENDORSEMENTS TO THE LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS; TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND RENEW ALL LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS WITHIN 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION IF THE APPLICANT HAS OTHERWISE MET ALL ESTABLISHED REQUIREMENTS FOR THE LICENSE OR CERTIFICATION; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIFORM STATEWIDE TESTING PROGRAM SHALL PROVIDE FOR THE ADMINISTRATION OF A CAREER-READINESS ASSESSMENT, SUCH AS, BUT NOT LIMITED TO, THE ACT WORKKEYS ASSESSMENT, DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMINOLOGY USED FOR CAREER EDUCATION FROM "TRACK" TO "CAREER TECHNICAL EDUCATION PATHWAYS"; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO PROVIDE THAT THE CAREER TECHNICAL EDUCATION PATHWAYS COURSES MAY BE TAILORED TO THE INDIVIDUAL NEEDS OF EACH SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1388 was adopted.

YEAS AND NAYS On H. B. No. 1388. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 400:** Riding bailiffs; revise salary of.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-25-31, Mississippi Code of 1972, is amended as follows:

19-25-31. Each judge of a circuit, chancery or county court, or a court of eminent domain may, in the judge's discretion, by order entered on the minutes of the court, allow the sheriff riding bailiffs to serve in the respective court of such judge, not to exceed four (4) bailiffs. Any such person so employed shall be paid by the county on allowances of the court on issuance of a warrant therefor in an amount \* \* \* between Fifty-five Dollars (\$55.00) and One Hundred Dollars (\$100.00) for each day, or part thereof, for which he or she serves as bailiff when the court is in session. No full-time deputy sheriff shall be paid as a riding bailiff of any court. County court judges shall be limited to one (1) bailiff per each court day.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE INCREASE OF THE SALARY OF RIDING BAILIFFS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 400 was adopted.

YEAS AND NAYS On H. B. No. 400. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 920:** Inmate Welfare Fund; authorize portion of fund to be used to fund Inmate Incentive to Work Program.

YEAS AND NAYS On H. B. No. 920. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins. Total--36.

Nays--Barrett, Blackwell, Branning, Caughman, Chism, DeBar, Johnson, McDaniel, McLendon, Parker, Seymour, Sojourner, Tate, Whaley, Williams, Younger. Total--16.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**H. B. No. 365:** MS Rural Hospital Loan Program; establish in State Department of Health.

YEAS AND NAYS On H. B. No. 365. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner, Williams. Total--5.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-34-4, Mississippi Code of 1972, is amended as follows:

83-34-4. (1) Nonadmitted insurers shall not be assessable insurers of the association. All surplus lines insurance producers placing insurance through nonadmitted

insurers shall collect from the insured and remit to the association a nonadmitted policy fee on all premiums for all insurance written by such surplus lines insurance producer for a policy from a nonadmitted insurer for any and all risks in this state, except that policies or portions thereof that cover residential earthquake risks or residential flood risks that are not written through the National Flood Insurance Program shall be exempt from the nonadmitted policy fee. By procuring or selling insurance on property in this state from a nonadmitted insurer, each surplus lines insurance producer placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy fee provided for herein.

(2) The nonadmitted policy fee shall be a percentage of the total policy premium but the nonadmitted policy fee shall not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy fee shall be treated the same as failure to pay premium. "Total policy premium" includes taxes and commissions.

(3) The nonadmitted policy fee percentage shall be three percent (3%).

(4) Within twenty (20) days of the end of the quarter, surplus lines insurance producers placing insurance through nonadmitted insurers shall remit directly to the association all nonadmitted policy fees collected in the preceding quarter. In addition to the nonadmitted policy fee provided for herein, surplus lines insurance producers placing insurance through nonadmitted insurers shall collect and remit excess deficit surcharges as provided by this chapter. Surplus lines insurance producers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy fees.

(5) Each insured in this state who directly procures or renews insurance with a nonadmitted insurer on properties, risks or exposures located or to be performed, in whole or in part, in this state, other than insurance procured through a surplus lines licensee, shall be subject to the nonadmitted policy fee which shall be paid by the insured according to the procedures provided for premium taxes in Section 83-21-17(5).

(6) Monies derived from the nonadmitted policy fee collected under this section may be used by the association, in addition to any uses provided for in Section 83-34-3(4), for education, public outreach, training of building officials and other programs targeted to reduce the number of policies within the association; however, beginning on July 1, \* \* \* 2022, and annually thereafter, the monies shall be distributed in the following manner:

(a) Eight Million Dollars (\$8,000,000.00) shall be remitted to the association and shall not be considered public funds; and

(b) The remainder shall be remitted to the State General Fund.

(7) The association is authorized to use excess funds to purchase reinsurance in an amount that may exceed the total premiums collected from policyholders.

(\* \* \*8) This section shall stand repealed from and after July 1, \* \* \* 2026.

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

AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ANNUAL DIVERSION OF THE NONADMITTED POLICY FEE TO THE MISSISSIPPI WINDSTORM UNDERWRITING ASSOCIATION AND TO THE STATE GENERAL FUND; TO AUTHORIZE THE ASSOCIATION TO USE EXCESS FUNDS TO PURCHASE REINSURANCE IN AN AMOUNT THAT MAY EXCEED THE

## TOTAL PREMIUMS COLLECTED FROM POLICYHOLDERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 451 was adopted.

YEAS AND NAYS On H. B. No. 451. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**H. B. No. 1056:** Professional Counseling Compact; create.

YEAS AND NAYS On H. B. No. 1056. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**H. B. No. 927:** Newborn screening program; include those conditions listed on the Recommended Uniform Screening Panel within three years after listing.

YEAS AND NAYS On H. B. No. 927. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Not Voting--Hill. Total--1.

Senator Barnett called up the following entitled bill:

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Department of Corrections is authorized to provide for hospice care services for inmates who are confined in facilities under the jurisdiction of the department and who are terminally ill as defined in Section 41-85-3. The department may have those hospice care services provided by properly qualified employees of the department or may contract for the providing of the hospice care services. If the department provides the hospice care services with department employees, the department is not required to have a license under the Mississippi Hospice Law.

SECTION 2. Section 41-85-5, Mississippi Code of 1972, is amended as follows:

41-85-5. (1) It is unlawful for a person to operate or maintain a hospice, use the title "hospice," or represent that the person provides a hospice program of care, without first obtaining a license therefor from the department.

(2) The license shall be displayed in a conspicuous place inside the hospice program office; shall be valid only in the possession of the person to which it is issued; shall not be subject to sale, assignment or other transfer, voluntary or involuntary; and shall not be valid for any hospice other than the hospice for which originally issued.

(3) Services provided by a hospital, nursing home or other health care facility or health care provider shall not be considered to constitute a hospice program of care unless such facility, provider or care giver establishes a freestanding or distinct hospice unit, staff, facility and services to provide hospice home care, homelike inpatient hospice care, or outpatient hospice care under the separate and distinct administrative authority of a hospice program.

(4) A license for a hospice program shall not be issued if the hospice is to be located in an area in violation of any local zoning ordinances or regulations.

(5) The Department of Corrections may provide hospice care services to inmates confined in facilities under the jurisdiction of the department as authorized under Section 1 of this act without a license issued under this chapter.

SECTION 3. Section 43-11-1, Mississippi Code of 1972, is amended as follows:

43-11-1. When used in this chapter, the following words shall have the following meaning:

(a) "Institutions for the aged or infirm" means a place either governmental or private that provides group living arrangements for four (4) or more persons who are unrelated to the operator and who are being provided food, shelter and personal care, whether any such place is organized or operated for profit or not. The term "institution for the aged or infirm" includes nursing homes, pediatric skilled nursing facilities, psychiatric residential treatment facilities, convalescent homes, homes for the aged \* \* \*, adult foster

care facilities \* \* \* and special care facilities for paroled inmates, provided that these institutions fall within the scope of the definitions set forth above. The term "institution for the aged or infirm" does not include hospitals, clinics or mental institutions devoted primarily to providing medical service, and does not include any private residence in which the owner of the residence is providing personal care services to disabled or homeless veterans under an agreement with, and in compliance with the standards prescribed by, the United States Department of Veterans Affairs, if the owner of the residence also provided personal care services to disabled or homeless veterans at any time during calendar year 2008.

(b) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, or any licensee herein or the legal successor thereof.

(c) "Personal care" means assistance rendered by personnel of the home to aged or infirm residents in performing one or more of the activities of daily living, which includes, but is not limited to, the bathing, walking, excretory functions, feeding, personal grooming and dressing of such residents.

(d) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this paragraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;
2. An inability to build or maintain satisfactory relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(e) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(f) "Licensing agency" means the State Department of Health.

(g) "Medical records" mean, without restriction, those medical histories, records, reports, summaries, diagnoses and prognoses, records of treatment and medication ordered and given, notes, entries, x-rays and other written or graphic data prepared, kept, made or maintained in institutions for the aged or infirm that pertain to residency in, or services rendered to residents of, an institution for the aged or infirm.

(h) "Adult foster care facility" means a home setting for vulnerable adults in the community who are unable to live independently due to physical, emotional, developmental or mental impairments, or in need of emergency and continuing protective social services for purposes of preventing further abuse or neglect and for safeguarding and enhancing the welfare of the abused or neglected vulnerable adult. Adult foster care programs shall be designed to meet the needs of vulnerable adults with impairments through individual plans of care, which provide a variety of health, social and related support services in a protective setting, enabling participants to live in the community. Adult foster care programs may be (i) traditional, where the foster care provider lives in the residence and is the primary caregiver to clients in the home; (ii) corporate, where the foster care home is operated by a corporation with shift staff delivering services to clients; or (iii) shelter, where the foster care home accepts clients on an emergency short-term basis for up to thirty (30) days.

(i) "Special care facilities for paroled inmates" means long-term care and skilled nursing facilities licensed as special care facilities for medically frail paroled inmates, formed to ease the burden of prison overcrowding and provide compassionate release and medical parole initiatives while impacting economic outcomes for the Mississippi Prison System. The facilities shall meet all Mississippi Department of Health and federal Center for Medicaid Services (CMS) requirements and shall be regulated by both agencies; provided, however, such regulations shall not be as restrictive as those required for personal care homes and other institutions devoted primarily to providing medical services. The facilities will offer physical, occupational and speech therapy, nursing services, wound care, a dedicated COVID services unit, individualized patient centered plans of care, social services, spiritual services, physical activities, transportation, medication, durable medical equipment, personalized meal plans by a licensed dietician and security services. There may be up to three (3) facilities located in each Supreme Court district, to be designated by the Chairman of the State Parole Board or his designee.

SECTION 4. Section 43-11-13, Mississippi Code of 1972, is amended as follows:

43-11-13. (1) The licensing agency shall adopt, amend, promulgate and enforce such rules, regulations and standards, including classifications, with respect to all institutions for the aged or infirm to be licensed under this chapter as may be designed to further the accomplishment of the purpose of this chapter in promoting adequate care of individuals in those institutions in the interest of public health, safety and welfare. Those rules, regulations and standards shall be adopted and promulgated by the licensing agency and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules, Regulations and Minimum Standards for Institutions for the Aged or Infirm" and the book shall be open and available to all institutions for the aged or infirm and the public generally at all reasonable times. Upon the adoption of those rules, regulations and standards, the licensing agency shall mail copies thereof to all those institutions in the state that have filed with the agency their names and addresses for this purpose, but the failure to mail the same or the failure of the institutions to receive the same shall in no way affect the validity thereof. The rules, regulations and standards may be amended by the licensing agency, from time to time, as necessary to promote the health, safety and welfare of persons living in those institutions.

(2) The licensee shall keep posted in a conspicuous place on the licensed premises all current rules, regulations and minimum standards applicable to fire protection measures as adopted by the licensing agency. The licensee shall furnish to the licensing agency at least once each six (6) months a certificate of approval and inspection by state or local fire authorities. Failure to comply with state laws and/or municipal ordinances and current rules, regulations and minimum standards as adopted by the licensing agency, relative to fire prevention measures, shall be prima facie evidence for revocation of license.

(3) The State Board of Health shall promulgate rules and regulations restricting the storage, quantity and classes of drugs allowed in personal care homes and adult foster care facilities. Residents requiring administration of Schedule II Narcotics as defined in the Uniform Controlled Substances Law may be admitted to a personal care home. Schedule drugs may only be allowed in a personal care home if they are administered or stored utilizing proper procedures under the direct supervision of a licensed physician or nurse.

(4) (a) Notwithstanding any determination by the licensing agency that skilled nursing services would be appropriate for a resident of a personal care home, that resident, the resident's guardian or the legally recognized responsible party for the resident may consent in writing for the resident to continue to reside in the personal care home, if approved in writing by a licensed physician. However, no personal care home shall allow more than two (2) residents, or ten percent (10%) of the total number of residents in the facility, whichever is greater, to remain in the personal care home under the provisions of this subsection (4). This consent shall be deemed to be appropriately informed consent as described in the regulations promulgated by the licensing agency. After that written consent has been obtained, the resident shall have the right to continue to reside in the personal care home for as long as the resident meets the other conditions for residing in the personal care home. A copy of the written consent and the physician's approval shall be forwarded by the personal care home to the licensing agency.

(b) The State Board of Health shall promulgate rules and regulations restricting the handling of a resident's personal deposits by the director of a personal care home. Any funds given or provided for the purpose of supplying extra comforts, conveniences or services to any resident in any personal care home, and any funds otherwise received and held from, for or on behalf of any such resident, shall be deposited by the director or other proper officer of the personal care home to the credit of that resident in an account that shall be known as the Resident's Personal Deposit Fund. No more than one (1) month's charge for the care, support, maintenance and medical attention of the resident shall be applied from the account at any one time. After the death, discharge or transfer of any resident for whose benefit any such fund has been provided, any unexpended balance remaining in his personal deposit fund shall be applied for the payment of care, cost of support, maintenance and medical attention that is accrued. If any unexpended balance remains in that resident's personal deposit fund after complete reimbursement has been made for payment of care, support, maintenance and medical attention, and the director or other proper officer of the personal care home has been or shall be unable to locate the person or persons entitled to the unexpended balance, the director or other proper officer may, after the lapse of one (1) year from the date of that death, discharge or transfer, deposit the unexpended balance to the credit of the personal care home's operating fund.

(c) The State Board of Health shall promulgate rules and regulations requiring personal care homes to maintain records relating to health condition, medicine dispensed and administered, and any reaction to that medicine. The director of the personal care home shall be responsible for explaining the availability of those records to the family of the resident at any time upon reasonable request.

(5) The State Board of Health and the Mississippi Department of Corrections shall jointly issue rules and regulations for the operation of the special care facilities for paroled inmates.

( \*\* \*6) (a) For the purposes of this subsection ( \*\* \*6):

(i) "Licensed entity" means a hospital, nursing home, personal care home, home health agency, hospice or adult foster care facility;

(ii) "Covered entity" means a licensed entity or a health care professional staffing agency;

(iii) "Employee" means any individual employed by a covered entity, and also includes any individual who by contract provides to the patients, residents or clients being served by the covered entity direct, hands-on, medical patient care in a patient's, resident's or client's room or in treatment or recovery rooms. The term "employee" does not include health care professional/vocational technical students performing clinical training in a licensed entity under contracts between their schools and the licensed entity, and does not include students at high schools located in Mississippi who observe the treatment and care of patients in a licensed entity as part of the requirements of an allied-health course taught in the high school, if:

1. The student is under the supervision of a licensed health care provider; and

2. The student has signed an affidavit that is on file at the student's school stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony listed in paragraph (d) of this subsection ( \* \* \*6), or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. Before any student may sign such an affidavit, the student's school shall provide information to the student explaining what a felony is and the nature of the felonies listed in paragraph (d) of this subsection ( \* \* \*6).

However, the health care professional/vocational technical academic program in which the student is enrolled may require the student to obtain criminal history record checks. In such incidences, paragraph (a)(iii)1 and 2 of this subsection ( \* \* \*6) does not preclude the licensing entity from processing submitted fingerprints of students from healthcare-related professional/vocational technical programs who, as part of their program of study, conduct observations and provide clinical care and services in a covered entity.

(b) Under regulations promulgated by the State Board of Health, the licensing agency shall require to be performed a criminal history record check on (i) every new employee of a covered entity who provides direct patient care or services and who is employed on or after July 1, 2003, and (ii) every employee of a covered entity employed before July 1, 2003, who has a documented disciplinary action by his or her present employer. In addition, the licensing agency shall require the covered entity to perform a disciplinary check with the professional licensing agency of each employee, if any, to determine if any disciplinary action has been taken against the employee by that agency.

Except as otherwise provided in paragraph (c) of this subsection ( \* \* \*6), no such employee hired on or after July 1, 2003, shall be permitted to provide direct patient care until the results of the criminal history record check have revealed no disqualifying record or the employee has been granted a waiver. In order to determine the employee applicant's suitability for employment, the applicant shall be fingerprinted. Fingerprints shall be submitted to the licensing agency from scanning, with the results processed through the Department of Public Safety's Criminal Information Center. The fingerprints shall then be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The licensing agency shall notify the covered entity of the results of an employee applicant's criminal history record check. If the criminal history record check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the employee applicant shall not be eligible to be employed by the covered entity.

(c) Any such new employee applicant may, however, be employed on a temporary basis pending the results of the criminal history record check, but any employment contract with the new employee shall be voidable if the new employee receives a disqualifying criminal history record check and no waiver is granted as provided in this subsection ( \*\* \*6).

(d) Under regulations promulgated by the State Board of Health, the licensing agency shall require every employee of a covered entity employed before July 1, 2003, to sign an affidavit stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, any sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust, aggravated assault, or felonious abuse and/or battery of a vulnerable adult, or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. No such employee of a covered entity hired before July 1, 2003, shall be permitted to provide direct patient care until the employee has signed the affidavit required by this paragraph (d). All such existing employees of covered entities must sign the affidavit required by this paragraph (d) within six (6) months of the final adoption of the regulations promulgated by the State Board of Health. If a person signs the affidavit required by this paragraph (d), and it is later determined that the person actually had been convicted of or pleaded guilty or nolo contendere to any of the offenses listed in this paragraph (d) and the conviction or plea has not been reversed on appeal or a pardon has not been granted for the conviction or plea, the person is guilty of perjury. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a violent offense, the person, upon a conviction of perjury under this paragraph, shall be punished as provided in Section 97-9-61. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a nonviolent offense, the person, upon a conviction of perjury under this paragraph, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

(e) The covered entity may, in its discretion, allow any employee who is unable to sign the affidavit required by paragraph (d) of this subsection ( \*\* \*6) or any employee applicant aggrieved by an employment decision under this subsection ( \*\* \*6) to appear before the covered entity's hiring officer, or his or her designee, to show mitigating circumstances that may exist and allow the employee or employee applicant to be employed by the covered entity. The covered entity, upon report and recommendation of the hiring officer, may grant waivers for those mitigating circumstances, which shall include, but not be limited to: (i) age at which the crime was committed; (ii) circumstances surrounding the crime; (iii) length of time since the conviction and criminal history since the conviction; (iv) work history; (v) current employment and character references; and (vi) other evidence demonstrating the ability of the individual to perform the employment responsibilities competently and that the individual does not pose a threat to the health or safety of the patients of the covered entity.

(f) The licensing agency may charge the covered entity submitting the fingerprints a fee not to exceed Fifty Dollars (\$50.00), which covered entity may, in its discretion, charge the same fee, or a portion thereof, to the employee applicant. Any increase in the fee charged by the licensing agency under this paragraph shall be in accordance with the provisions of Section 41-3-65. Any costs incurred by a covered entity implementing this subsection ( \*\* \*6) shall be reimbursed as an allowable cost under Section 43-13-116.

(g) If the results of an employee applicant's criminal history record check reveals no disqualifying event, then the covered entity shall, within two (2) weeks of the notification of no disqualifying event, provide the employee applicant with a notarized letter signed by the chief executive officer of the covered entity, or his or her authorized designee, confirming the employee applicant's suitability for employment based on his or her criminal history record check. An employee applicant may use that letter for a period

of two (2) years from the date of the letter to seek employment with any covered entity without the necessity of an additional criminal history record check. Any covered entity presented with the letter may rely on the letter with respect to an employee applicant's criminal background and is not required for a period of two (2) years from the date of the letter to conduct or have conducted a criminal history record check as required in this subsection ( \* \* \*6).

(h) The licensing agency, the covered entity, and their agents, officers, employees, attorneys and representatives, shall be presumed to be acting in good faith for any employment decision or action taken under this subsection ( \* \* \*6). The presumption of good faith may be overcome by a preponderance of the evidence in any civil action. No licensing agency, covered entity, nor their agents, officers, employees, attorneys and representatives shall be held liable in any employment decision or action based in whole or in part on compliance with or attempts to comply with the requirements of this subsection ( \* \* \*6).

(i) The licensing agency shall promulgate regulations to implement this subsection ( \* \* \*6).

(j) The provisions of this subsection ( \* \* \*6) shall not apply to:

(i) Applicants and employees of the University of Mississippi Medical Center for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-115-41; or

(ii) Health care professional/vocational technical students for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-29-232.

( \* \* \*7) The State Board of Health shall promulgate rules, regulations and standards regarding the operation of adult foster care facilities.

SECTION 5. Section 47-5-28, Mississippi Code of 1972, is amended as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to \* \* \* conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry

center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender \* \* \*;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; \* \* \*

(j) To contract with licensed special care facilities for paroled inmates to provide authorized medical services and support services for medically frail inmates who have been paroled and committed to the custody of such facility; and

(\* \* \*k) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 6. Section 47-7-4, Mississippi Code of 1972, is amended as follows:

47-7-4. (1) The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by

the Division of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

(2) (a) The State Parole Board may grant a medical parole and referral to licensed special care facilities for paroled inmates for an inmate determined to be "medically frail" as defined in this subsection.

(b) For purposes of this subsection (2), the term "medically frail" means an individual who is a minimal threat to society as a result of his or her medical condition, whose ability to perform activities of daily living is significantly impaired, and who may have limited mobility as the result of one or more of the following conditions from which the individual is not expected to recover:

(i) A disabling mental disorder, including dementia, Alzheimer's or a similar degenerative brain disorder;

(ii) A serious and complex medical condition; or

(iii) A physical disability.

(2) (c) The following conditions apply to a parole granted under this subsection (2):

(i) An inmate who has been sentenced to capital punishment is not eligible;

(ii) An inmate who has been convicted as a criminal sex offender is not eligible;

(iii) An inmate does not pose a public safety risk as determined by the State Parole Board;

(iv) If the prisoner is incapacitated, an individual legally entitled to agree to the inmate's placement agrees to the inmate's placement in a licensed special care facility for paroled inmates or in a medical facility where medical care and treatment are determined to be appropriate for the parolee by the State Parole Board;

(v) An inmate shall agree to the release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail to the prosecutor of the county from which the inmate was committed before the State Parole Board determines whether or not to grant parole under this subsection;

(vi) If the inmate is granted parole under this subsection (2), the inmate shall agree to the quarterly release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail at the request of the prosecutor of the county from which the inmate was committed;

(vii) The parolee shall adhere to the terms of his or her parole for the length of his or her parole term, and the parole shall be for a term not less than the time necessary to reach the prisoner's earliest release date;

(viii) A parolee who violates the terms of his or her parole or is determined not to be eligible for parole under this subsection (2) may be transferred to a setting more appropriate for the medical needs of the parolee;

(ix) The Department of Corrections or the State Parole Board shall not retain authority over the medical treatment plan for the inmate granted parole under this subsection (2);

(x) The department and the State Parole Board shall ensure that the placement and terms and conditions of parole granted under this subsection (2) do not violate any other state or federal regulations;

(xi) A medical facility utilized by the department to facilitate parole under this subsection (2) shall be operated in a manner that ensures the safety of the residents of the facility.

(d) The Mississippi Department of Corrections may enter into contracts to facilitate the placement of paroled inmates under this subsection (2). The Mississippi Department of Corrections shall appoint a specialist in the appropriate field of medicine, who is not employed by the department, to evaluate the condition of the inmate considered for parole under this subsection (2) and to report on that condition to the department and the State Parole Board. The State Parole Board shall determine whether the inmate is medically frail in consultation with the Mississippi Department of Health.

SECTION 7. The following shall be codified as Section 43-13-117.6, Mississippi Code of 1972:

43-13-117.6. (1) The Division of Medicaid may apply to the federal Center for Medicaid Services (CMS) for necessary waivers to provide federal funding under the Medicaid program for providing reimbursement for authorized services to medically frail inmates who qualify for nursing home-level care and who the state deems are not public safety risks, provided through a Special Care Facility for Paroled Inmates licensed by the State Department of Health under contract with the Mississippi Department of Corrections, as specifically authorized under this act.

(2) The program for paroled inmates shall be funded from monies that are appropriated or otherwise made available to the division specifically to cover the cost of the paroled inmate program and shall not be a part of the division's regular appropriation for the operation of the federal-state Medicaid program. This program shall be a separate program within the Division of Medicaid as the administering agent.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVISION OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITIES FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO

AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITIES FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITIES FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 936 was adopted.

Senator Seymour moved that the Senate adjourn until 10:00 AM, Tuesday, March 8, 2022, and the motion prevailed.

The Senate left pending H. B. No. 936.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Teddy Eugene Waltman of Gulfport, MS.

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Senators England and DeBar moved that when the Senate adjourns, it adjourn in memory of Howard Grady Hilton of Lucedale, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of John Miller of Guntown, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dollie D. Kirkpatrick of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jerald Bierman of Morton, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Forrest D. Foster and Donna Carr of Natchez, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of William Lloyd Sanders of Mendenhall, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Fred Kelly and Herman Lee Starling of Jackson, MS.

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

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SENATE JOURNAL  
MONDAY, MARCH 7, 2022

At 6:29 PM, the Senate stood adjourned in memory of Teddy Eugene Waltman, Howard Grady Hilton, Earnestine Williams, John Miller, Dollie D. Kirkpatrick, Jerald Bierman, Forrest D. Foster, Donna Carr, William Lloyd Sanders, Fred Kelly and Herman Lee Starling.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, MARCH 7, 2022

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SIXTY-FOURTH DAY, TUESDAY, MARCH 8, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Phil Ellis, Pastor, Faith Baptist Church, Saittilo, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 545, S. C. R. No. 549, S. C. R. No. 550, S. C. R. No. 552, S. C. R. No. 553, S. C. R. No. 554, S. C. R. No. 555, S. C. R. No. 556, S. C. R. No. 557, S. C. R. No. 559, S. C. R. No. 560, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34,

S. R. No. 35, S. R. No. 36, H. C. R. No. 37, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49, H. C. R. No. 50, H. C. R. No. 51 and H. C. R. No. 53 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 545:** Recognize public service of longtime Hinds County Circuit Court Judge and former State Representative Tomie T. Green.

**S. C. R. No. 549:** Commemorate the 150th Anniversary of the founding of The Carthaginian Newspaper (1872-2022) and recognize its contributions.

**S. C. R. No. 550:** Recognize the 100th Anniversary of the Mississippi Farm Bureau Federation.

**S. C. R. No. 552:** Recognize United States District Judge Debra Brown as Mississippi's first African American female Chief Federal Judge.

**S. C. R. No. 553:** Congratulate the "Pride of DeSoto Central High School Marching Band" for winning the 2021 Class 6A Marching Band Championship.

**S. C. R. No. 554:** Commend Millicent Gunter for receiving Mississippi's Presidential Award for Excellence in Math and Science.

**S. C. R. No. 555:** Commend Stone County High School "Lady Cats" Girls Soccer Team for first State Championship.

**S. C. R. No. 556:** Recognize February 2022 as "Self Care Month in Mississippi."

**S. C. R. No. 557:** Commend Laura Bivins for receiving Mississippi's Presidential Award for Excellence in Math and Science Teaching.

**S. C. R. No. 559:** Recognize outstanding public service of former U.S. Marshal and State Parole Board Member Nehemiah Flowers, Jr.

**S. C. R. No. 560:** Commend Bay Springs High School "Bulldogs" Football Team for first State Championship.

**S. R. No. 24:** Commemorate the celebration of St. Patrick's Day in Mississippi and the American-Irish State Legislators Caucus.

**S. R. No. 25:** Congratulate Lake High School "Lady Hornets" Fast-Pitch Softball Team for winning the 2021 2A State Championship.

**S. R. No. 26:** Commend Richland High School "Rangers" Boys Soccer Team for second State Championship in four years.

**S. R. No. 27:** Commend Florence High School Girls Soccer Team for Class 5A State Championship.

**S. R. No. 28:** Recognize Pat Thomasson of Philadelphia as the first female Chair of the Board of Directors of the MMA.

**S. R. No. 29:** Extend condolences of the Mississippi Senate to family of Veteran Canton Law Enforcement Officer Carl Larry Saxton, Sr.

**S. R. No. 30:** Commend Pearl River Community College "Wildcats" Cheer Squad for first National Championship.

**S. R. No. 31:** Recognize Hinds County Chancellor Denise Owens on the occasion of her retirement.

**S. R. No. 32:** Commend students of East Central High School in Jackson County for receiving MIT Technology Invention Grant.

**S. R. No. 33:** Commend Picayune High School "Maroon Tide" Football Team for MHSAA 5A State Championship.

**S. R. No. 34:** Commend Cleveland High School "Wolves" Boys Bowling Team for first State Championship.

**S. R. No. 35:** Commend Holly Brand of Meridian, Mississippi, as Miss Mississippi 2021.

**S. R. No. 36:** Commemorate service of Alpha Phi Alpha Fraternity in the Mississippi Delta.

**H. C. R. No. 37:** Tardive Dyskinesia Awareness Week; recognize May 1-7, 2022, as week of observance in Mississippi.

**H. C. R. No. 47:** Retired Brigadier General Martha Jo Leslie; commend her life upon her passing.

**H. C. R. No. 48:** Chief M.E. "Gene" Waldrop; commend upon his 50 years of police service in the State of Mississippi.

**H. C. R. No. 49:** Northwest Mississippi Community College Football Team; commend on winning MACCC State Championship.

**H. C. R. No. 50:** Brittney Reese; commend and congratulate successes as an Olympic medalist.

**H. C. R. No. 51:** Northwest Mississippi Community College Cheer Team; commend upon winning the 2022 Open Small Co-Ed National Championship.

**H. C. R. No. 53:** Dr. Sam Polles; recognize upon occasion of his retirement as Executive Director of MDWFP.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 545, S. C. R. No. 549, S. C. R. No. 550, S. C. R. No. 552, S. C. R. No. 553, S. C. R. No. 554, S. C. R. No. 555, S. C. R. No. 556, S. C. R. No. 557, S. C. R. No. 559, S. C. R. No. 560, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34, S. R. No. 35, S. R. No. 36, H. C. R. No. 37, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49, H. C. R. No. 50, H. C. R. No. 51 and H. C. R. No. 53. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th), Hopson and Simmons S. (13th) as co-authors of **S. C. R. No. 545**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. C. R. No. 549**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Caughman, England, Hopson, Kirby, McDaniel, Moran, Simmons S. (13th) and Younger as co-authors of **S. C. R. No. 550**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), England, Hopson, McDaniel and Simmons S. (13th) as co-authors of **S. C. R. No. 552**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Parker as co-authors of **S. C. R. No. 553**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. C. R. No. 554**.

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 555**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. C. R. No. 556**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. C. R. No. 557**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hopson and Kirby as co-authors of **S. C. R. No. 559**.

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Unanimous consent was granted to add Senators Butler K. (38th) and McDaniel as co-authors of **S. C. R. No. 560**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Kirby, McDaniel and Simmons S. (13th) as co-authors of **S. R. No. 24**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Parker as co-authors of **S. R. No. 25**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Kirby as co-authors of **S. R. No. 26**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Kirby as co-authors of **S. R. No. 27**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. R. No. 28**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman and McDaniel as co-authors of **S. R. No. 29**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 30**.

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. R. No. 31**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 32**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 33**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 34**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 35**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons S. (13th) as co-authors of **S. R. No. 36**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2154:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels.

YEAS AND NAYS On S. B. No. 2154. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2155:** City of Laurel; authorize tax on hotels and motels to promote tourism.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2155. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Horhn, Tate. Total--2.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3001:** City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act:

(a) "Governing authorities" means the Mayor and Board of Aldermen of the City of Bay Saint Louis, Mississippi.

(b) "City" means the City of Bay Saint Louis, Mississippi.

(c) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests. The term "hotel" or "motel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

SECTION 2. (1) For the purpose of providing funds to promote tourism and parks and recreation, the governing authorities are authorized, in their discretion, to levy and collect from the following persons a tax, which shall be in addition to all of the taxes and assessments imposed. The tax shall be imposed on every person, firm or corporation operating a hotel or motel in the city, at a rate not to exceed three percent (3%) of the gross proceeds of room rentals for each such hotel or motel.

(2) Persons, firms, corporations or other entities liable for the tax imposed under subsection (1) of this section shall add the amount of the tax to the sales price of the food and beverages and shall collect, insofar as practicable, the amount of the tax due from the person purchasing the food or beverages at the time of payment therefor.

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of the intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX" and the voters shall vote by placing a cross (X) or check () opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. (1) On or before the fifteenth day of the month preceding the date on which the city will begin to levy the tax authorized under Section 2 of this act, the governing authorities shall give written notification to the Commissioner of Revenue of the date on which the tax will become effective.

(2) The tax must be collected by and paid to the Department of Revenue in the same manner that state sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Title 27, Chapter 65, Mississippi Code of 1972, will apply as necessary for the implementation of this act.

(3) Except for any amount retained by the Department of Revenue under Section 27-3-58, Mississippi Code of 1972, the revenue from the special tax collected under this act must be paid to the city on or before the fifteenth day of the month following the month in which collected.

(4) Accounting for receipts and expenditures of the revenue from the tax shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the city. The records reflecting the receipts and expenditures of the revenue from the tax shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit to the board of supervisors. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the funds derived pursuant to this act.

(5) The proceeds of the tax may not be considered by the city as general fund revenues but must be placed into a special fund apart from the city general fund and any other funds and expended by the city strictly for the purposes prescribed under Section 2 of this act.

SECTION 5. This act shall be repealed from and after July 1, 2026.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BAY SAINT LOUIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to S. B. No. 3001 was adopted.

YEAS AND NAYS On S. B. No. 3001. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--McDaniel, Sojourner. Total--2.

Senator Polk moved that the Senate stand in recess until 1:00 PM.

The motion prevailed, and at 10:43 AM, the Senate stood in recess.

The Senate resumed business at 1:00 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

MESSAGE FROM THE TREASURER  
March 7, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

David Tipton, Grenada, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2024.

David McRae  
TREASURER

The executive nomination in the foregoing message was referred to committee as follows:

David Tipton, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2024, Finance.

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 547:** Recognize service of WWII Hero and POW Olin Pickens of Nesbit, Mississippi, and extend best wishes on his 100th Birthday.

**S. C. R. No. 558:** Commend Dia Chawla of Pillow Academy in Greenwood for winning National High School Heisman Trophy.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 55:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE CAREER AND PUBLIC SERVICE OF FORMER REPRESENTATIVE MICHAEL WESTON JANUS, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

**H. C. R. No. 58:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING COLONEL STANLEY A. MARTIN UPON THE OCCASION OF HIS RETIREMENT.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 232:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE 20 FENTANYL-RELATED SUBSTANCES, MT-45, NM2201, 5F-CUMYL-P7AICA AND PMMA AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO ALPHABETIZE CERTAIN SUBSTANCES TO CONFORM THE LIST OF SCHEDULE I OPIATES TO THE CODE OF FEDERAL REGULATIONS; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE OLICERIDINE AS A SCHEDULE II CONTROLLED SUBSTANCE BECAUSE OLICERIDINE HAS A CURRENTLY ACCEPTED MEDICAL USE BUT HAS A

HIGH POTENTIAL FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL DEPENDENCE; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE LEMBOREXANT AND REMIMAZOLAM AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE CENOBAMATE AND LASMIDITAN AS SCHEDULE V CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE IV; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO CONFORM TO EXISTING LAW REGARDING THE PRESCRIPTIVE AUTHORITY OF OPTOMETRISTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the rules be suspended to move to calendar item 127, **H. C. R. No. 39**, and the motion prevailed.

Senator Polk called up the following entitled resolution:

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the following amendments to the Mississippi Constitution of 1890 are proposed to the qualified electors of the state:

I.

Amend Section 33, Mississippi Constitution of 1890, to read as follows:

"Section 33. (1) The legislative power of this state shall be vested in a Legislature which shall consist of a Senate and a House of Representatives, but the people reserve to themselves the right to exercise the legislative power of the state to propose new laws and to amend or repeal existing laws by initiative, and to approve or reject the same in an election independent of the Legislature, in the manner prescribed in and subject to the provisions of this section.

(2) The initiative process shall not be used:

(a) To propose amendments to the Mississippi Constitution of 1890;

(b) To propose any new law or amend or repeal any existing law relating to the Mississippi Public Employees' Retirement System;

(c) To propose any new law, or amend or repeal any existing law, on any subject or matter that any section of this constitution prohibits the Legislature from enacting; or

(d) To propose any new law or amend or repeal any existing law that appropriates funds from the State Treasury. (3) As used in this section, the term "initiative measure" or "measure" means a document proposing a new law or amending or repealing an existing law that is the functional equivalent of a bill that is introduced in the Legislature.

(4) An initiative measure shall only propose new laws or amend or repeal existing laws pertaining and relating to the same subject or subject matter.

(5) The sponsor of an initiative measure shall identify in the text of the measure the amount and source of revenue required to implement the measure. If the provisions of an initiative measure would cause a substantial cost to the state or require the substantial expenditure of state funds, as determined according to law by the Legislative Budget Office or any successor agency, the sponsor also shall provide in the text of the measure for the specific funding source or mechanism to pay the cost of the provisions of the measure so that the measure will not result in a reduction in state funds available for expenditure by the Legislature. If an initiative measure requires (a) a reduction in any source of government revenue that would cause the amount of state funds available for expenditure by the Legislature to be less than the amount of state funds appropriated for the most recent fiscal year, or (b) requires a reallocation of funding from currently funded programs, the sponsor shall identify in the text of the measure the program or programs whose funding must be reduced or eliminated to implement the measure. Compliance with the requirements of this subsection shall not be a violation of the subject matter requirements of subsection (4) of this section.

(6) The Chief Legislative Budget Officer shall prepare a fiscal analysis of each initiative measure, and a summary of each fiscal analysis shall appear on the ballot.

(7) An initiative measure authorized under this section may be proposed by a petition signed over a twelve-month period by qualified electors equal in number to at least twelve percent (12%) of the votes for all candidates for Governor in the last gubernatorial election. The signatures of the qualified electors from any congressional district shall not exceed the total number of signatures required to qualify an initiative measure for placement on the ballot divided by the number of congressional districts in existence on the day that the petition is filed. If an initiative petition contains signatures from a single congressional district that exceed the total number of required signatures, the excess number of signatures from that congressional district shall not be considered by the Secretary of State in determining whether the initiative measure qualifies for placement on the ballot.

(8) The style of all initiative measures shall be: "Be it enacted by the people of the State of Mississippi."

(9) The sufficiency of petitions shall be decided in the first instance by the Secretary of State, subject to review by the Supreme Court of the state, which shall have original and exclusive jurisdiction over all such cases.

(10) If an initiative measure is certified by the Secretary of State not less than ninety (90) days before a statewide general election, the Secretary of State shall place the initiative measure on the ballot for that statewide general election. If an initiative measure is certified by the Secretary of State less than ninety (90) days before a statewide general election, the Secretary of State shall place the initiative measure on the ballot for the next statewide general election occurring after the upcoming statewide general election.

(11) No more than five (5) initiative measures may be submitted to the voters on a single ballot, and the first five (5) initiative measures submitted to the Secretary of State with sufficient petitions shall be the measures that are submitted to the voters.

(12) In order to be approved, an initiative measure must receive a majority of the votes cast thereon and not less than forty percent (40%) of the total votes cast at the election at which the initiative measure was submitted; however, an initiative measure that would be considered as a revenue bill under the Joint Rules of the Legislature in existence on the day that the initiative petition is filed must receive sixty percent (60%) of the votes cast thereon and not less than forty percent (40%) of the total votes cast at the election at which the initiative measure was submitted.

(13) Initiative measures approved by the people shall not require the signature of the Governor to become law and shall not be subject to the veto power of the Governor.

(14) If conflicting initiative measures are approved at the same election, the initiative measure receiving the highest number of affirmative votes shall prevail and become law.

(15) An initiative measure approved by the people shall take effect thirty (30) days from the date of the official declaration of the vote by the Secretary of State, unless the measure provides otherwise.

(16) An initiative measure approved by the people shall be subject to the same process for codification in the same manner as provided by law for the codification of laws enacted by the Legislature.

(17) If an initiative measure does not receive the required number of votes to be approved by the people as provided in subsection (12) of this section, an initiative measure that proposes the same, or substantially the same, provisions as those in the initiative measure that failed shall not be submitted to the electors for at least two (2) years after the date of the election on the initiative measure that failed.

(18) An initiative measure approved by the people shall not be amended by the Legislature to make a substantive change to the text in the measure, or repealed by the Legislature, for a period of two (2) years after the initiative measure takes effect. However, the Legislature may amend or repeal an initiative measure less than two (2) years after the measure takes effect if the Legislature determines the existence of an emergency affecting the public peace, health, safety or financial solvency of the state that necessitates the amendment or repeal of the initiative measure, which emergency must be stated in the legislation, and such amendment or repeal shall require a vote of two-thirds (2/3) of each house present and voting.

(19) The Secretary of State shall implement and maintain a secure electronic database accessible by the public through the Secretary of State's website that provides the capability of search and retrieval of all signatories and circulators of initiative petitions. The searchable database shall provide the ability for a member of the public to securely search for his or her own name to determine if he or she has been listed as a signatory, to search by the name of any circulator, and to retrieve the text of the petition that was signed and/or circulated. The sponsor of an initiative measure shall provide the Secretary of State with the names of the signatories and circulators on a regular basis as provided by law. The Legislature shall provide the circumstances and manner in which a name may be removed from a petition and the database.

(20) The Legislature shall enact laws to require the disclosure of contributions and expenditures for the passage or defeat of any initiative measure as well as any other disclosures related to the initiative process as provided by law.

(21) The Legislature shall provide by law the manner in which initiative petitions shall be circulated, presented and certified. To prevent signature fraud and to maintain the integrity of the initiative process, the state has a compelling interest in ensuring that no person shall circulate an initiative petition or obtain signatures on an initiative petition unless the person is a resident of this state at the time of circulation. For the purposes of

this subsection, the term "resident" means a person who is domiciled in Mississippi as evidenced by an intent to maintain a principal dwelling place in Mississippi indefinitely and to return to Mississippi if temporarily absent, coupled with an act or acts consistent with that intent. Every person who circulates an initiative petition shall print and sign his or her name on each page of an initiative petition, or on a separate page attached to each page, certifying that he or she was a resident of this state at the time of circulating the petition. The Secretary of State shall refuse to accept for filing any page of an initiative petition upon which the signatures appearing thereon were obtained by a person who was not a resident of this state at the time of circulating the petition, and an initiative measure shall not be placed on the ballot if the Secretary of State determines that without such signatures the petition clearly bears an insufficient number of signatures.

(22) The Legislature may enact laws to carry out the provisions of this section, but such laws shall in no way restrict or impair the provisions of this section or the exercise of the rights reserved to the people in this section.

II.

Amend Section 56, Mississippi Constitution of 1890, to read as follows:

"Section 56. The style of the laws of the state that are enacted by the Legislature shall be: "Be it enacted by the Legislature of the State of Mississippi."

III.

Amend Section 61, Mississippi Constitution of 1890, to read as follows:

"Section 61. No law enacted by the Legislature or by initiative of the people shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length."

IV.

Amend Section 72, Mississippi Constitution of 1890, to read as follows:

"Section 72. Every Bill which shall pass both Houses shall be presented to the Governor of the state. If he approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the House in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration two-thirds (2/3) of that House shall agree to pass the Bill, it shall be sent, with the objections, to the other House, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that House, it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such Bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such Bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature. The provisions of this section are not applicable to initiative measures approved by the people."

V.

Amend Section 273, Mississippi Constitution of 1890, to read as follows:

"Section 273. \* \* \* Whenever two-thirds (2/3) of each house of the Legislature, which two-thirds (2/3) shall consist of not less than a majority of the members elected to

each house, shall deem any change, alteration or amendment necessary to this Constitution, such proposed amendment, change or alteration shall be read and passed by two-thirds (2/3) vote of each house, as herein provided; public notice shall then be given by the Secretary of State at least thirty (30) days preceding an election, at which the qualified electors shall vote directly for or against such change, alteration or amendment, and if more than one (1) amendment shall be submitted at one (1) time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately; and, notwithstanding the division of the Constitution into sections, the Legislature may provide in its resolution for one or more amendments pertaining and relating to the same subject or subject matter, and may provide for one or more amendments to an article of the Constitution pertaining and relating to the same subject or subject matter, which may be included in and voted on as one (1) amendment; and if it shall appear that a majority of the qualified electors voting directly for or against the same shall have voted for the proposed change, alteration or amendment, then it shall be inserted as a part of the Constitution by proclamation of the Secretary of State certifying that it received the majority vote required by the Constitution; and the resolution may fix the date and direct the calling of elections for the purposes hereof."

\* \* \*

BE IT FURTHER RESOLVED, That this resolution, and the proposed amendments contained herein, shall be repealed and have no effect from and after March 1, 2022.

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

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; TO PROVIDE THAT SUCH AN INITIATIVE MEASURE MAY BE PROPOSED BY A PETITION SIGNED OVER A TWELVE-MONTH PERIOD BY QUALIFIED ELECTORS EQUAL IN NUMBER TO AT LEAST TWELVE PERCENT OF THE VOTES FOR ALL CANDIDATES FOR GOVERNOR IN THE LAST GUBERNATORIAL ELECTION; TO PROVIDE THAT THE SIGNATURES OF THE QUALIFIED ELECTORS FROM ANY CONGRESSIONAL DISTRICT SHALL NOT EXCEED THE TOTAL NUMBER OF SIGNATURES REQUIRED TO QUALIFY AN INITIATIVE MEASURE FOR PLACEMENT ON THE BALLOT DIVIDED BY THE NUMBER OF CONGRESSIONAL DISTRICTS IN EXISTENCE ON THE DAY THAT THE PETITION IS FILED; TO PROVIDE THAT NO MORE THAN FIVE INITIATIVE MEASURES MAY BE SUBMITTED TO THE VOTERS ON A SINGLE BALLOT, AND THE FIRST FIVE INITIATIVE MEASURES SUBMITTED TO THE SECRETARY OF STATE WITH SUFFICIENT PETITIONS SHALL BE THE MEASURES THAT ARE SUBMITTED TO THE VOTERS; TO PROVIDE THAT IN ORDER TO BE APPROVED, AN INITIATIVE MEASURE MUST RECEIVE A MAJORITY OF THE VOTES CAST AND NOT LESS THAN FORTY PERCENT OF THE TOTAL VOTES CAST AT THE ELECTION AT WHICH THE INITIATIVE MEASURE WAS SUBMITTED; TO PROVIDE THAT IF CONFLICTING INITIATIVE MEASURES ARE APPROVED AT THE SAME ELECTION, THE INITIATIVE MEASURE RECEIVING THE HIGHEST NUMBER OF AFFIRMATIVE VOTES SHALL PREVAIL AND BECOME LAW; TO PROVIDE THAT THE LEGISLATURE SHALL PROVIDE BY LAW THE MANNER IN WHICH INITIATIVE PETITIONS SHALL BE CIRCULATED, PRESENTED AND CERTIFIED; TO PROVIDE THAT THE MISSISSIPPI CONSTITUTION SHALL ONLY BE AMENDED BY A PROPOSED AMENDMENT BEING PASSED BY TWO-THIRDS VOTE OF EACH HOUSE OF THE LEGISLATURE AND UPON RECEIVING A MAJORITY VOTE WHEN PLACED ON THE BALLOT TO BE VOTED UPON BY THE QUALIFIED ELECTORS OF THE STATE; AND PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE PROVISIONS AUTHORIZING CONSTITUTIONAL AMENDMENTS BY INITIATIVE;

Committee Amendment No. 1 to H. C. R. No. 39 was adopted.

YEAS AND NAYS On H. C. R. No. 39. On motion of Senator Polk, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Harkins moved that the rules be suspended to move to calendar item 14, **H. B. No. 175**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 175:** Bonds; revise purposes for which bonds authorized for City of Hazlehurst may be used.

YEAS AND NAYS On H. B. No. 175. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Harkins moved that the rules be suspended to move to calendar item 15, **H. B. No. 192**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 192:** License plate; revise disability requirement for disabled veterans tag.

YEAS AND NAYS On H. B. No. 192. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

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

Nays--None.

Absent and those not voting----None.

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Senator Harkins moved that the rules be suspended to move to calendar item 16, **H. B. No. 252**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 252:** PERS; increase maximum percentage of investments of system that are in certain types of investments.

YEAS AND NAYS On H. B. No. 252. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins moved that the rules be suspended to move to calendar item 19, **H. B. No. 472**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 472:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to Mississippi.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 430 by striking "2025" and inserting in lieu thereof the following:  
2026

Committee Amendment No. 1 to H. B. No. 472 was adopted.

Senators Johnson and Harkins offered the following AMENDMENT NO. 2.

AMEND on line 8 by inserting the following before "is":

as amended by Senate Bill No. 2095, 2022 Regular Session,

FURTHER, AMEND on line 296 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (2).

FURTHER, AMEND on line 318 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (3).

FURTHER, AMEND on line 341 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (4).

FURTHER, AMEND on line 363 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (a).

FURTHER, AMEND on line 385 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (b).

FURTHER, AMEND on line 390 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (6).

FURTHER, AMEND on line 406 by inserting the following after the period:

Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (7).

FURTHER, AMEND the title to conform by inserting the following on line 2 before "TO EXTEND":

AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION,

Amendment No. 2 to H. B. No. 472 was adopted.

YEAS AND NAYS On H. B. No. 472. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins moved that the rules be suspended to move to calendar item 17, **H. B. No. 446**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Mississippi Main Street Association. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Mississippi Main Street Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Main Street Association to be used for the promotion of tourism throughout Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Gautier athletics. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Pascagoula - Gautier School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Pascagoula - Gautier School District to be expended for the support of athletic programs of district schools located in the City of Gautier, Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI MAIN STREET ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GAUTIER ATHLETICS; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 446 was adopted.

YEAS AND NAYS On H. B. No. 446. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 20, **H. B. No. 473**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 473:** State Bond Commission; extend reverter on statute prescribing powers and duties of.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, \* \* \* 2026, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) \* \* \* and (c) \* \* \* of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought.

Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and

conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than

two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, \* \* \* 2026, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the

authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) \* \* \* and (c) \* \* \* of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used

to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which

may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, WHICH SETS OUT THE POWERS AND DUTIES OF THE STATE BOND COMMISSION, TO EXTEND THE REVERTER ON THE PROVISION OF LAW GRANTING THE STATE BOND COMMISSION THE AUTHORITY TO DETERMINE THE APPROPRIATE METHOD FOR THE SALE OF BONDS, INCLUDING THE NEGOTIATION OF THE SALE OF BONDS AS AN ALTERNATIVE TO THE ISSUANCE AND SALE BONDS ON SEALED BIDS AT PUBLIC SALE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 473 was adopted.

YEAS AND NAYS On H. B. No. 473. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins moved that the rules be suspended to move to calendar item 22, **H. B. No. 512**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 512:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Definitions. In addition to the definitions provided in Section 67-1-5, which apply to this article, the following terms as used in this article shall have the following meanings unless otherwise required by the context:

(a) "Commissioner" means the Commissioner of Revenue;

(b) "Construction contractor" means an entity contracting with the department to design and construct a warehouse under this article;

(c) "Occasional improvements" means items of maintenance, repairs, upgrades or other improvements for the warehouse or its equipment that are not individually performed on a monthly basis;

(d) "Regular maintenance" means monthly overhead expenses, including, but not limited to, utilities, cleaning services and lawn care;

(e) "Shipping costs" means the average quarterly cost per case of alcoholic beverages delivered, measured from the time the delivery vehicle departs the warehouse to the time it arrives at the permittee's premises;

(f) "State" means the State of Mississippi;

(g) "Warehouse" or "new warehouse" means a liquor distribution warehouse constructed under this article;

(h) "Warehouse operator" or "operator" means an entity contracting with the department to perform warehouse and distribution operations; and

(i) "Warehouse and distribution operations" or "operations" means services provided to or on behalf of the state for the management of the warehouse and the distribution of alcoholic beverages.

SECTION 2. Warehouse construction. (1) The department, using the monies available in the ABC Warehouse Construction Fund created in Section 6(1) of this act and such other monies as the Legislature may make available, shall purchase land for and shall provide for the design and construction of a warehouse for the division in the most expedient and cost-effective manner practicable.

(2) The department shall select a suitable site for the warehouse within fifty (50) miles of the state capitol building. In selecting a site, the department shall give preference to state-owned land, if feasible when comparing the cost of site preparation to the total construction cost.

(3) The contract for design and construction shall provide that the operator shall be consulted so that the warehouse may, so far as possible, suit the preferences of the operator in furtherance of effective operations. The contract shall also provide that the design shall aim to fill demand for the next twenty-five (25) years.

(4) A contract for warehouse construction shall not be entered into unless the construction contractor has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) The ability to expedite the design and construction of facilities comparable to the warehouse.

SECTION 3. Warehouse and distribution operations. (1) The department shall contract for warehouse and distribution operations. The operator shall assume responsibility for operations at the warehouse used by the department when the term of the contract begins, and shall thereafter assume responsibility for operations at the new warehouse after its construction.

(2) The department shall pay regular maintenance expenses and shall reimburse the operator for services performed under the contract out of monies appropriated by the Legislature.

(3) The contract shall include the following terms:

(a) The department shall pay the operator cost-plus on these operations at a set dollar amount per case of alcoholic beverages sold. Otherwise, the contract shall not alter the current cash flow of operations;

(b) The operator shall be allotted a monthly spending limit for occasional improvements. The state may, at any time, review the operator's spending. The operator shall obtain prior state approval for any spending over the monthly limit set in the contract. The contract may allow either or both of the following methods for funding occasional improvements:

(i) The operator may pay out of pocket, in which case the state will reimburse the operator on a monthly basis out of monies in the ABC Warehouse Improvements Fund created in Section 6(2) of this act; or

(ii) The contract compliance officer authorized under Section 5 of this act may pay on behalf of the department by accessing the monies in the ABC Warehouse Improvements Fund;

(c) Shipping costs shall be calculated every quarter and shall be based on the actual shipping costs of the previous quarter. The contract shall specify the categories of expenses that may be considered actual shipping costs;

( \*\* \*d) If the operator negotiates a discount off the price of alcoholic beverages received by the operator for distribution on behalf of the state, the benefit of the discount shall be split evenly between the operator and the state; and

( \*\* \*e) The operator may use the TAP system as used by the department or may integrate it with the operator's own software.

(4) The initial contract for operations shall be for a period of not more than ten (10) years, with the option to renew for additional periods of not more than ten (10) years at a time. The contract shall provide that all employees needed for operations shall be employees of the operator.

(5) A contract for warehouse and distribution operations shall not be entered into unless the operator has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) A history of successful management and distribution operations for comparable facilities.

(6) A contract for operations shall not be entered into unless the following requirements are met:

(a) In addition to fire and casualty insurance, the operator provides at least Ten Million Dollars (\$10,000,000.00) of liability insurance. The liability insurance shall be issued by an insurance company with a rating of at least an A- according to A.M. Best standards. In determining the adequacy of such insurance, the Department of Finance and Administration shall determine whether:

(i) The insurance is adequate to protect the state from any and all actions by a third party against the operator or the state as a result of the contract;

(ii) The insurance is adequate to protect the state against any and all claims arising as a result of any occurrence during the term of the contract;

(iii) The insurance is adequate to assure the operator's ability to fulfill its contract with the state in all respects, and to assure that the operator is not limited in this ability because of financial liability which results from judgments; and

(iv) The insurance is adequate to satisfy such other requirements specified by the independent risk management/actuarial firm.

(b) The sovereign immunity of the state shall not apply to the operator. Neither the operator nor the operator's insurer may plead the defense of sovereign immunity in any action arising out of the performance of the contract.

(c) The operator shall post a performance bond to assure the operator's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the department and the Department of Finance and Administration, and such approval is a condition precedent to the contract taking effect.

(d) The operator shall defend any suit or claim brought against the state arising out of any act or omission in operations, and shall hold the state harmless from such claim or suit. The operator shall be solely responsible for the payment of any legal or other costs relative to any such claim or suit. The operator shall reimburse the state for any costs that it may incur as a result of such claim or suit immediately upon being submitted a statement therefor by the Attorney General.

Any suit brought or claim made arising out of any act or omission in operations shall be made or brought against the operator and not the state.

The Attorney General retains all rights and emoluments of his or her office which include direction and control over any litigation or claim involving the state.

SECTION 4. Resumption of control by state upon contract termination. A plan shall be developed and certified by the commissioner which demonstrates the method by which the state would resume control of the warehouse upon termination of the contract for operations. The plan shall be submitted for review and comment to the Governor, the Lieutenant Governor, the Speaker of the House, the Chairmen of the Senate Finance Committee and the House Ways and Means Committee, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

SECTION 5. Contract compliance officer. (1) The commissioner shall designate an employee of the department as a contract compliance officer within the department who shall monitor the contract between the state and the operator for warehouse and distribution operations, and shall assure operator compliance with its performance work statement.

(2) The contract compliance officer shall be responsible for monitoring all aspects of the warehouse. The officer shall be provided an on-site work area, shall be on site on a daily basis, and shall have access to all areas of the warehouse and staff at all times. The operator shall provide any and all data, reports and other materials that the contract compliance officer determines are necessary to carry out monitoring responsibilities under this section.

(3) The contract compliance officer shall have the authority to access monies in the ABC Warehouse Improvements Fund created in Section 6(2) of this act for the purpose of making payments on behalf of the department for occasional improvements consistent with the terms of the contract.

(4) The contract compliance officer shall report at least annually, or as requested, to the Governor and the Legislature.

SECTION 6. (1) A special fund, to be designated the "ABC Warehouse Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be used to assist the Department of Revenue in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for its Alcoholic Beverage Control Division. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

(2) A special fund, to be designated the "ABC Warehouse Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be used to assist the Department of Revenue in paying the costs associated with occasional improvements. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 7. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest

accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) Monies deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Department of Revenue in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for its Alcoholic Beverage Control Division.

(b) Amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Fifty-five Million Dollars (\$55,000,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue,

be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due,

then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ABC Warehouse Construction Fund created in Section 6(1) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. (1) The \* \* \* department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

(2) The \* \* \* department or its warehouse operator shall add to the cost of all alcoholic beverages a markup of twenty-seven and one-half percent (27-1/2%), inclusive of the three percent (3%) markup imposed by Section 27-71-7(2).

(3) In addition to other excise taxes and markups imposed in this section and in Section 27-71-7, the department or its warehouse operator shall add to the cost of all alcoholic beverages shipped a charge of Twenty-five Cents (25¢) per case, to be deposited into the ABC Warehouse Improvements Fund created in Section 6(2) of this act. However, if the amount in the ABC Warehouse Improvements Fund reaches Five Million Dollars (\$5,000,000.00) before July 1, 2027, this charge shall be suspended until July 1, 2027. If the amount in the ABC Warehouse Improvements Fund reaches Ten Million Dollars (\$10,000,000.00) between July 1, 2027, and July 1, 2030, this charge shall be suspended until July 1, 2030. If the amount in the ABC Warehouse Improvements Fund reaches Fifteen Million Dollars (\$15,000,000.00) between July 1, 2030, and July 1, 2032, this charge shall be suspended until July 1, 2032. The charge shall be permanently discontinued on or after July 1, 2032, in the month in which the amount in the ABC Warehouse Improvements Fund reaches Twenty-five Million Dollars (\$25,000,000.00).

(4) The \* \* \* department or its warehouse operator shall sell alcoholic beverages at uniform prices throughout the state.

SECTION 9. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. All taxes levied by this article shall be paid to the department \* \* \* in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of

liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the General Fund, except for fees charged by the department or its warehouse operator for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be earmarked for use by the department or its warehouse operator for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall not lapse into the General Fund. "Net proceeds" in this section means the total of all fees collected by the department or its warehouse operator to defray the costs of shipping less the actual costs of shipping.

SECTION 10. Section 27-65-5, Mississippi Code of 1972, is amended as follows:

27-65-5. "Wholesaler," "jobber" or "distributor" means a person doing a regularly organized wholesale or jobbing business, known to the trade as such, and selling to licensed retail dealers or other wholesalers for resale in the regular course of business. This classification has no bearing on rates of tax due under this chapter, each sale or part of sales being taxable or exempt depending upon the class in which it falls.

"Wholesale sales" shall apply to:

(1) A sale of tangible personal property taxable under \* \* \* Section 27-65-17 \* \* \* for resale in the regular line of business, when made in good faith to a retailer regularly selling or renting that property and when the dealer is licensed under Section 27-65-27 of this chapter if located in this state.

A sale of a service taxable under Section 27-65-23 for resale in the regular line of business, when made to a regular dealer in that service and when the dealer is licensed under Section 27-65-27 of this chapter if located in this state, or a charge for custom processing rendered upon merchandise for resale or rental by a dealer licensed under Section 27-65-27.

A sale of telecommunications services taxable under Section 27-65-19 for resale in the regular course of business, when made to a regular telecommunications provider of the service and the provider is the holder of a permit issued under Section 27-65-27 and is located in this state or is providing telecommunications services in this state.

A sale of specified digital product taxable under Section 27-65-26 for resale in the regular course of business, when made to a regular dealer of specified digital products and the dealer is the holder of a permit issued under Section 27-65-27 and is located in this state.

"Wholesale sale" shall not include a transaction whereby property is delivered to, and collection for the transaction is made from, a person that will consume the property rather than resell it even though the billing is to a retailer.

However, when a taxpayer sells merchandise and has paid a rate equal to the retail rate of tax on the purchase price to a wholesaler, the taxpayer may take credit for the tax paid to the wholesaler from the tax due on the sale of the merchandise specifically included in his return to the commissioner.

(2) A sale of tangible personal property (except sand or gravel when sold by the producer thereof) or service which is to become a component part of a structure or improvement erected, constructed, repaired, or made only when the sale is made to a contractor taxable under Section 27-65-21 of this chapter on the contract in which the component materials are to be used; and only when the contractor holds a material purchase certificate as required by Section 27-65-21 of this chapter.

(3) A sale of boxes, crates, cartons, cans, bottles and other packaging materials to a retailer or retail custom processor for use as a container to accompany goods or services sold by the retailer or custom processor where possession thereof will pass to the customer at the time of sale of the goods or services contained therein.

(4) The value of soft drinks and syrup withdrawn from the business by a manufacturer for sale at retail and food or drink withdrawn by a manufacturer or wholesaler to be sold through full service vending machines for human consumption.

The quantity of property or services sold or the price at which sold is immaterial in determining whether or not a sale is at wholesale. Sales may be classed as wholesale, or exempt, only if evidenced by proper and adequate records and invoices to substantiate the wholesale rate or exemption from the tax on each individual sale.

The substantiation of the wholesale sales must be by an invoice clearly indicating the date, the name and address of the vendor and vendee, the items sold and the price thereof. Such proof of wholesale sales shall be filed in chronological order and thus preserved for a period of three (3) years from the date of sale. These records shall be subject to inspection by the commissioner and his agents, at their discretion, for the verification of returns filed by either the wholesaler or his customers.

The substantiation of an exempt sale must be by an invoice containing the same information as required for the wholesale sales. This requirement shall apply equally to a retailer making wholesale or exempt sales.

Any failure to comply with all the above requirements shall subject the violator to the retail rate of tax on all such violations.

SECTION 11. Section 27-65-25, Mississippi Code of 1972, is amended as follows:

27-65-25. Upon every person engaging or continuing within this state in the business of selling alcoholic beverages at retail, the sales of which are legal under the provisions of Chapter 1 of Title 67, Mississippi Code of 1972, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business. \* \* \*

SECTION 12. Section 7-7-211, Mississippi Code of 1972, is amended as follows:

7-7-211. The department shall have the power and it shall be its duty:

(a) To identify and define for all public offices of the state and its subdivisions generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations and to consult with the State Fiscal Officer in the prescription and implementation of accounting rules and regulations;

(b) To provide best practices, for all public offices of regional and local subdivisions of the state, systems of accounting, budgeting and reporting financial facts relating to said offices in conformity with legal requirements and with generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations; to assist such subdivisions in need of assistance in the installation of such systems; to revise such systems when deemed necessary, and to report to the Legislature at periodic times the extent to which each office is maintaining such systems, along with such recommendations to the Legislature for improvement as seem desirable;

(c) To study and analyze existing managerial policies, methods, procedures, duties and services of the various state departments and institutions upon written request of the Governor, the Legislature or any committee or other body empowered by the Legislature to make such request to determine whether and where operations can be eliminated, combined, simplified and improved;

(d) To postaudit each year and, when deemed necessary, preaudit and investigate the financial affairs of the departments, institutions, boards, commissions, or other agencies of state government, as part of the publication of a comprehensive annual financial report for the State of Mississippi, or as deemed necessary by the State Auditor. In complying with the requirements of this paragraph, the department shall have the authority to conduct all necessary audit procedures on an interim and year-end basis;

(e) To postaudit and, when deemed necessary, preaudit and investigate separately the financial affairs of (i) the offices, boards and commissions of county

governments and any departments and institutions thereof and therein; (ii) public school districts, departments of education and junior college districts; and (iii) any other local offices or agencies which share revenues derived from taxes or fees imposed by the State Legislature or receive grants from revenues collected by governmental divisions of the state; the cost of such audits, investigations or other services to be paid as follows: Such part shall be paid by the state from appropriations made by the Legislature for the operation of the State Department of Audit as may exceed the sum of Thirty-five Dollars (\$35.00) per man-hour for the services of each staff person engaged in performing the audit or other service plus the actual cost of any independent specialist firm contracted by the State Auditor to assist in the performance of the audit, which sum shall be paid by the county, district, department, institution or other agency audited out of its general fund or any other available funds from which such payment is not prohibited by law. Costs paid for independent specialists or firms contracted by the State Auditor shall be paid by the audited entity through the State Auditor to the specialist or firm conducting the postaudit.

Each school district in the state shall have its financial records audited annually, at the end of each fiscal year, either by the State Auditor or by a certified public accountant approved by the State Auditor. Beginning with the audits of fiscal year 2010 activity, no certified public accountant shall be selected to perform the annual audit of a school district who has audited that district for three (3) or more consecutive years previously. Certified public accountants shall be selected in a manner determined by the State Auditor. The school district shall have the responsibility to pay for the audit, including the review by the State Auditor of audits performed by certified public accountants;

(f) To postaudit and, when deemed necessary, preaudit and investigate the financial affairs of the levee boards; agencies created by the Legislature or by executive order of the Governor; profit or nonprofit business entities administering programs financed by funds flowing through the State Treasury or through any of the agencies of the state, or its subdivisions; and all other public bodies supported by funds derived in part or wholly from public funds, except municipalities which annually submit an audit prepared by a qualified certified public accountant using methods and procedures prescribed by the department;

(g) To make written demand, when necessary, for the recovery of any amounts representing public funds improperly withheld, misappropriated and/or otherwise illegally expended by an officer, employee or administrative body of any state, county or other public office, and/or for the recovery of the value of any public property disposed of in an unlawful manner by a public officer, employee or administrative body, such demands to be made (i) upon the person or persons liable for such amounts and upon the surety on official bond thereof, and/or (ii) upon any individual, partnership, corporation or association to whom the illegal expenditure was made or with whom the unlawful disposition of public property was made, if such individual, partnership, corporation or association knew or had reason to know through the exercising of reasonable diligence that the expenditure was illegal or the disposition unlawful. Such demand shall be premised on competent evidence, which shall include at least one (1) of the following: (i) sworn statements, (ii) written documentation, (iii) physical evidence, or (iv) reports and findings of government or other law enforcement agencies. Other provisions notwithstanding, a demand letter issued pursuant to this paragraph shall remain confidential by the State Auditor until the individual against whom the demand letter is being filed has been served with a copy of such demand letter. If, however, such individual cannot be notified within fifteen (15) days using reasonable means and due diligence, such notification shall be made to the individual's bonding company, if he or she is bonded. Each such demand shall be paid into the proper treasury of the state, county or other public body through the office of the department in the amount demanded within thirty (30)

days from the date thereof, together with interest thereon in the sum of one percent (1%) per month from the date such amount or amounts were improperly withheld, misappropriated and/or otherwise illegally expended. In the event, however, such person or persons or such surety shall refuse, neglect or otherwise fail to pay the amount demanded and the interest due thereon within the allotted thirty (30) days, the State Auditor shall have the authority and it shall be his duty to institute suit, and the Attorney General shall prosecute the same in any court of the state to the end that there shall be recovered the total of such amounts from the person or persons and surety on official bond named therein; and the amounts so recovered shall be paid into the proper treasury of the state, county or other public body through the State Auditor. In any case where written demand is issued to a surety on the official bond of such person or persons and the surety refuses, neglects or otherwise fails within one hundred twenty (120) days to either pay the amount demanded and the interest due thereon or to give the State Auditor a written response with specific reasons for nonpayment, then the surety shall be subject to a civil penalty in an amount of twelve percent (12%) of the bond, not to exceed Ten Thousand Dollars (\$10,000.00), to be deposited into the State General Fund;

(h) To investigate any alleged or suspected violation of the laws of the state by any officer or employee of the state, county or other public office in the purchase, sale or the use of any supplies, services, equipment or other property belonging thereto; and in such investigation to do any and all things necessary to procure evidence sufficient either to prove or disprove the existence of such alleged or suspected violations. The \* \* \* Division of Investigation of the State Department of Audit may investigate, for the purpose of prosecution, any suspected criminal violation of the provisions of this chapter. For the purpose of administration and enforcement of this chapter, the enforcement employees of the \* \* \* Division of Investigation of the State Department of Audit have the powers of a law enforcement officer of this state, and shall be empowered to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi. All enforcement employees of the \* \* \* Division of Investigation of the State Department of Audit hired on or after July 1, 1993, shall be required to complete the Law Enforcement Officers Training Program and shall meet the standards of the program;

(i) To issue subpoenas, with the approval of, and returnable to, a judge of a chancery or circuit court, in termtime or in vacation, to examine the records, documents or other evidence of persons, firms, corporations or any other entities insofar as such records, documents or other evidence relate to dealings with any state, county or other public entity. The circuit or chancery judge must serve the county in which the records, documents or other evidence is located; or where all or part of the transaction or transactions occurred which are the subject of the subpoena;

(j) In any instances in which the State Auditor is or shall be authorized or required to examine or audit, whether preaudit or postaudit, any books, ledgers, accounts or other records of the affairs of any public hospital owned or owned and operated by one or more political subdivisions or parts thereof or any combination thereof, or any school district, including activity funds thereof, it shall be sufficient compliance therewith, in the discretion of the State Auditor, that such examination or audit be made from the report of any audit or other examination certified by a certified public accountant and prepared by or under the supervision of such certified public accountant. Such audits shall be made in accordance with generally accepted standards of auditing, with the use of an audit program prepared by the State Auditor, and final reports of such audits shall conform to the format prescribed by the State Auditor. All files, working papers, notes, correspondence and all other data compiled during the course of the audit shall be available, without cost, to the State Auditor for examination and abstracting during the

normal business hours of any business day. The expense of such certified reports shall be borne by the respective hospital, or any available school district funds other than minimum program funds, subject to examination or audit. The State Auditor shall not be bound by such certified reports and may, in his or their discretion, conduct such examination or audit from the books, ledgers, accounts or other records involved as may be appropriate and authorized by law;

(k) The State Auditor shall have the authority to contract with qualified public accounting firms to perform selected audits required in paragraphs (d), (e), (f) and (j) of this section, if funds are made available for such contracts by the Legislature, or if funds are available from the governmental entity covered by paragraphs (d), (e), (f) and (j). Such audits shall be made in accordance with generally accepted standards of auditing. All files, working papers, notes, correspondence and all other data compiled during the course of the audit shall be available, without cost, to the State Auditor for examination and abstracting during the normal business hours of any business day;

(l) The State Auditor shall have the authority to establish training courses and programs for the personnel of the various state and local governmental entities under the jurisdiction of the Office of the State Auditor. The training courses and programs shall include, but not be limited to, topics on internal control of funds, property and equipment control and inventory, governmental accounting and financial reporting, and internal auditing. The State Auditor is authorized to charge a fee from the participants of these courses and programs, which fee shall be deposited into the Department of Audit Special Fund. State and local governmental entities are authorized to pay such fee and any travel expenses out of their general funds or any other available funds from which such payment is not prohibited by law;

(m) Upon written request by the Governor or any member of the State Legislature, the State Auditor may audit any state funds and/or state and federal funds received by any nonprofit corporation incorporated under the laws of this state;

(n) To conduct performance audits of personal or professional service contracts by state agencies on a random sampling basis, or upon request of the State Personal Service Contract Review Board under Section 25-9-120(3);

(o) At the discretion of the State Auditor, the Auditor may conduct risk assessments, as well as performance and compliance audits based on Generally Accepted Government Auditing Standards (GAGAS) of any state-funded economic development program authorized under Title 57, Mississippi Code of 1972. After risk assessments or program audits, the State Auditor may conduct audits of those projects deemed high-risk, specifically as they identify any potential wrongdoing or noncompliance based on objectives of the economic development program. The Auditor is granted authority to gather, audit and review data and information from the Mississippi Development Authority or any of its agents, the Department of Revenue or its warehouse operator, and when necessary under this paragraph, the recipient business or businesses or any other private, public or nonprofit entity with information relevant to the audit project. The maximum amount the State Auditor may bill the oversight agency under this paragraph in any fiscal year is One Hundred Thousand Dollars (\$100,000.00), based on reasonable and necessary expenses;

(p) To review and approve any independent auditor selected by the Mississippi Lottery Corporation in accordance with Section 27-115-89, to conduct an annual audit of the corporation; and

(q) To conduct audits or investigations of the Mississippi Lottery Corporation if in the opinion of the State Auditor conditions justify such audits or investigations.

SECTION 13. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by the department or its warehouse operator to be collected from each retail licensee at the time of sale in accordance with the following schedule:

- (a) Distilled spirits .....\$2.50 per gallon
- (b) Sparkling wine and champagne.....\$1.00 per gallon
- (c) Other wines, including  
native wines .....\$ .35 per gallon

(2) (a) In addition to the tax levied by subsection (1) of this section, and in addition to any other markup collected, the Alcoholic Beverage Control Division shall collect a markup of three percent (3%) on all alcoholic beverages, as defined in Section 67-1-5, Mississippi Code of 1972, which are sold by the \* \* \* department or its warehouse operator. The proceeds of the markup shall be collected by the \* \* \* department or its warehouse operator from each purchaser at the time of purchase.

(b) Until June 30, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Alcoholism Treatment and Rehabilitation Fund," a special fund which is hereby created in the State Treasury, and shall be used by the Division of Alcohol and Drug Abuse of the State Department of Mental Health and public or private centers or organizations solely for funding of treatment and rehabilitation programs for alcoholics and alcohol abusers which are sponsored by the division or public or private centers or organizations in such amounts as the Legislature may appropriate to the division for use by the division or public or private centers or organizations for such programs. Any tax revenue in the fund which is not encumbered at the end of the fiscal year shall lapse to the General Fund. It is the intent of the Legislature that the State Department of Mental Health shall continue to seek funds from other sources and shall use the funds appropriated for the purposes of this section and Section 27-71-29 to match all federal funds which may be available for alcoholism treatment and rehabilitation.

From and after July 1, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Mental Health Programs Fund," a special fund which is hereby created in the State Treasury and shall be used by the State Department of Mental Health for the service programs of the department. Any revenue in the "Alcoholism Treatment and Rehabilitation Fund" which is not encumbered at the end of Fiscal Year 1987 shall be deposited to the credit of the "Mental Health Programs Fund."

SECTION 14. Section 27-71-9, Mississippi Code of 1972, is amended as follows:

27-71-9. The \* \* \* department may promulgate regulations authorizing persons holding on-premises retailer's permits for common carriers, as provided herein, to file periodic reports and pay a tax based upon the value of alcoholic beverages sold while in this state, in lieu of purchasing all such alcoholic beverages from the \* \* \* department or its warehouse operator. Such tax shall not be less than an amount equivalent to the

gross profit plus all taxes that would have been derived from the sale of a like quantity of alcoholic beverages by the \* \* \* department or its warehouse operator.

SECTION 15. Section 27-71-13, Mississippi Code of 1972, is amended as follows:

27-71-13. The \* \* \* department or its warehouse operator shall purchase directly from the manufacturer, except under the following conditions:

(a) Foreign brands which are not readily obtainable directly from the manufacturer.

(b) When the \* \* \* department or its warehouse operator can conclusively prove that unusual or extraordinary circumstances exist and the required or desired brands can be purchased at substantially lower prices from wholesalers or brokerage firms.

In all instances involving purchases, other than directly from the manufacturer, the \* \* \* department or its warehouse operator shall maintain full and complete records clearly reflecting the justification for such purchases. Said records shall include invoices, price lists, comparative prices, bills of lading and a certificate of justification signed by the director of the \* \* \* division or the appropriate authority of the department's warehouse operator, as to the conditions requiring the purchase or purchases. All such records shall be retained for a period of three (3) years.

SECTION 16. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting alcoholic beverages shall have in his possession an invoice issued by the \* \* \* department or its warehouse operator at the time of the wholesale sale covering the merchandise transported by the vehicle. The \* \* \* department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the \* \* \* department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 17. Section 27-71-17, Mississippi Code of 1972, is amended as follows:

27-71-17. It shall be unlawful for any person to counterfeit or reuse any label prescribed by the \* \* \* department and used to identify alcoholic beverages sold at wholesale by the \* \* \* department or its warehouse operator and, upon conviction, the person shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or both.

SECTION 18. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a

copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

learning and: 18. Land that is owned by a state institution of higher

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; however, the governing authorities of the municipality in which such area is located may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; and

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a

license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 1 of this act.

SECTION 19. Section 67-1-9, Mississippi Code of 1972, is amended as follows:

67-1-9. (1) It shall be unlawful for any person to manufacture, distill, brew, sell, import into this state, export from the state, transport, distribute, warehouse, store, solicit, take order for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except as authorized in this chapter. However, nothing contained herein shall prevent importers, wineries and distillers of alcoholic beverages from storing such alcoholic beverages in private bonded warehouses located within the State of Mississippi for the ultimate use and benefit of the Department of Revenue or its warehouse operator as provided in Section 67-1-41. The department is hereby authorized to promulgate rules and regulations for the establishment of such private bonded warehouses and for the control of alcoholic beverages stored in such warehouses. Additionally, nothing herein contained shall prevent any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of his profession, or prevent any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or other

institution. Any drugstore employing a licensed pharmacist may possess and use alcoholic liquors in the combination of prescriptions of duly licensed physicians. The possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church shall not be prohibited by this chapter.

(2) Any person, upon conviction of any provision of this section, shall be punished as follows:

(a) By a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail not less than one (1) week nor more than three (3) months, or both, for the first conviction under this section.

(b) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00) or by imprisonment in the county jail not less than sixty (60) days, nor more than six (6) months, or both fine and imprisonment, for the second conviction for violating this section.

(c) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00) or by imprisonment in the State Penitentiary not less than one (1) year, nor more than five (5) years, or both fine and imprisonment, for conviction the third time under this section for the violation thereof after having been twice convicted of its violation.

(3) Nothing in this section shall make it unlawful to transport bottles or containers of alcoholic beverages that are legally purchased in this state if the bottles or containers are unopened and are being transported on state or federal highway.

SECTION 20. Section 67-1-19, Mississippi Code of 1972, is amended as follows:

67-1-19. Except as otherwise noted, the administration and enforcement of this chapter shall be vested in the Department of Revenue. There is hereby created the Alcoholic Beverage Control Division within and as a part of the Department of Revenue.

SECTION 21. Section 67-1-33, Mississippi Code of 1972, is amended as follows:

67-1-33. (1) No member of the Board of Tax Appeals, Commissioner of Revenue of the Department of Revenue, or person appointed or employed by the department under this chapter, including its warehouse operator, shall solicit, accept or receive any gift, gratuity, emolument or employment from any person subject to the provisions of this chapter, or from any officer, agent or employee thereof.

(2) No member of the Board of Tax Appeals, the Commissioner of Revenue of the Department of Revenue, or person appointed or employed by the department under this chapter, including its warehouse operator, shall solicit, request from or recommend, directly or indirectly, to any person subject to the provisions of this chapter, or to any officer, agent or employee thereof, the appointment of any person to any place or position.

(3) Every person subject to the provisions of this chapter, and every officer, agent or employee thereof, is hereby forbidden to offer to any member of the Board of Tax Appeals, to the Commissioner of Revenue or to any person appointed or employed by the department under this chapter, including its warehouse operator, any gift, gratuity, emolument or employment.

(4) If any member of the Board of Tax Appeals, the Commissioner of Revenue or any person appointed or employed by the department under this chapter, including its warehouse operator, shall violate any of the provisions of this section, he shall be removed from the office or employment held by him.

(5) Every person violating the provisions of this section shall be guilty of a misdemeanor.

(6) For purposes of this provision, the terms "gift," "gratuity," "emolument" and "employment" do not include the payment of expenses associated with social occasions afforded public servants or any other benefit that does not come within the definition of "pecuniary benefit" as defined in Section 25-4-103.

SECTION 22. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department or its warehouse operator, except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, and the department or its warehouse operator may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department or its warehouse operator, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this chapter.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this chapter, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department or its warehouse operator. For each holder of the designated permits, the

manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department or its warehouse operator. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or its warehouse operator, or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or

corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 23. Section 67-1-43, Mississippi Code of 1972, is amended as follows:

67-1-43. Any authorized retail distributor who shall purchase or receive \* \* \* alcoholic beverages from any source except from the department or its warehouse operator, unless authorized by rules and regulations of the department promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail for not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 24. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of

Mississippi, except to the department or its warehouse operator, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine or native spirit may sell native wines or native spirits, respectively, to the department or its warehouse operator, or to consumers at the location of the native winery or native distillery or its immediate vicinity.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 25. Section 67-1-49, Mississippi Code of 1972, is amended as follows:

67-1-49. All distillers or distributors having contracts with the \* \* \* department or its warehouse operator for the sale of alcoholic beverages to \* \* \* the department or its warehouse operator, shall, on or before February 1st of each year, file a statement, under oath, with the \* \* \* department and with the Secretary of State, listing the names and addresses of each person, firm or corporation in Mississippi to whom or which said distiller or distributor shall have paid or agreed to pay any fee, retainer, salary, or remuneration, during the preceding year, together with a statement of the purpose for such payment. Failure to file such statement shall constitute grounds for the \* \* \* department to suspend the right of the distiller or distributor to sell to \* \* \* the department or its warehouse operator until such time as said statement shall be filed.

SECTION 26. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations.

Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and

resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or its warehouse operator or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code

of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize

such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the \* \* \* department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit

may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale

or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 27. Section 67-5-5, Mississippi Code of 1972, is amended as follows:

67-5-5. For purposes of this chapter, the following words and phrases shall have the definitions ascribed herein, unless the context otherwise requires:

(a) "Native wine" shall mean any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The commission shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon. In order to be classified as "native wine" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from fermentation of grapes, fruits, berries, honey or vegetables grown and produced in Mississippi.

(b) "Native winery" shall mean any place or establishment within this state where native wine is produced in whole or in part for sale.

(c) "Produce" shall mean to do or to perform any act or thing in the process of making native wine.

(d) "Person" shall mean one or more natural persons, or a corporation, partnership or association.

(e) "Producer" shall mean any person who owns, operates or conducts a native winery, but it does not mean the employees of such persons.

(f) "Consumer" shall mean any person who purchases native wine for the purpose of consuming it, giving it away, or distributing it in any way other than by sale, barter or exchange.

(g) "Commission" or "department" shall mean the Mississippi \* \* \* Department of Revenue.

(h) "Division" shall mean the Alcoholic Beverage Control Division of the \* \* \* department.

SECTION 28. Section 67-5-11, Mississippi Code of 1972, is amended as follows:

67-5-11. (1) Within the State of Mississippi, every native winery is authorized to make sales to the department or its warehouse operator, or to consumers at the location of the native winery or its immediate vicinity. Every native winery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who are authorized by law to purchase the same.

(2) With respect to native wines or distilled spirits sold by the department or its warehouse operator to retailers under Section 67-1-41, the native winery or distillery retailer may hold those wines or spirits for onsite pickup instead of shipping them to the department warehouse, at the option of the retailer and pursuant to any rules promulgated by the department.

SECTION 29. Section 67-5-13, Mississippi Code of 1972, is amended as follows:

67-5-13. (1) Upon every producer holding a permit for the production of native wine, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native wine an annual privilege license tax in an amount equal to Ten Dollars (\$10.00) for each ten thousand (10,000) gallons, or any part thereof, of native wine produced by the winery.

(2) There is levied and assessed an excise tax upon each case of native wine sold by a producer to any source to be collected from the producer in the amount

provided for in Section 27-71-7. However, native wine produced in Mississippi for export and sale without this state and native wine produced in Mississippi and sold to the \* \* \* department or its warehouse operator shall not be subject to the excise tax, nor shall the tax accrue or be collected on native wines dispensed, as free samples in quantities of not more than six (6) ounces, in the tasting room of a native winery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the \* \* \* department on all sales made in Mississippi to consumers at the location of the native winery or its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) All taxes levied by and collected under this section shall be deposited in the General Fund.

SECTION 30. Section 67-11-9, Mississippi Code of 1972, is amended as follows:

67-11-9. (1) Within the State of Mississippi, every native distillery is authorized to make sales to the department or its warehouse operator, or to consumers at the location of the native distillery or its immediate vicinity. Every native distillery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who is authorized by law to purchase the same.

(2) With respect to native spirits sold by the department or its warehouse operator to retailers under Section 67-1-41, the native distillery may hold those spirits for onsite pickup instead of shipping them to the department warehouse, at the option of the retailer and pursuant to any rules promulgated by the department.

SECTION 31. Section 67-11-11, Mississippi Code of 1972, is amended as follows:

67-11-11. (1) Upon every producer holding a permit for the production of native spirits, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native spirits an annual privilege license tax in an amount equal to Ten Dollars (\$10.00) for each one thousand (1,000) gallons, or any part thereof, of native spirits produced by the distillery.

(2) There is levied and assessed an excise tax upon each case of native spirit sold by a producer to any source to be collected from the producer in the amount provided for in Section 27-71-7. However, native spirit produced in Mississippi for export and sale without this state and native spirit produced in Mississippi and sold to the department or its warehouse operator shall not be subject to the excise tax, nor shall the tax accrue or be collected on native spirits dispensed, as free samples in quantities of not more than two (2) ounces, in the tasting room of a native distillery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the department on all sales made in Mississippi to consumers at the location of the native distillery in its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) All taxes levied by and collected under this section shall be deposited in the State General Fund.

SECTION 32. Sections 1 through 6 of this act shall be codified as a new article in Title 67, Chapter 1, Mississippi Code of 1972.

SECTION 33. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO DIRECT THE DEPARTMENT OF REVENUE TO PROVIDE FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE ALCOHOLIC BEVERAGE CONTROL DIVISION IN THE JACKSON, MISSISSIPPI, METROPOLITAN AREA; TO PROVIDE THAT LAND ACQUISITION AND WAREHOUSE DESIGN AND CONSTRUCTION SHALL BE FUNDED WITH MONIES FROM THE ABC WAREHOUSE CONSTRUCTION FUND AND SUCH OTHER MONIES AS THE LEGISLATURE MAY MAKE AVAILABLE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE WAREHOUSE; TO DIRECT THE DEPARTMENT TO CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO SPECIFY THAT THE OPERATOR SHALL TAKE RESPONSIBILITY FOR OPERATIONS AT THE WAREHOUSE CURRENTLY USED BY THE DEPARTMENT AND SHALL THEREAFTER ASSUME RESPONSIBILITY FOR OPERATIONS AT THE NEW WAREHOUSE AFTER ITS CONSTRUCTION; TO PROVIDE THAT THE DEPARTMENT SHALL PAY REGULAR MAINTENANCE EXPENSES AND SHALL REIMBURSE THE OPERATOR FOR SERVICES PERFORMED UNDER THE CONTRACT OUT OF MONIES APPROPRIATED BY THE LEGISLATURE; TO PROVIDE THAT THE STATE SHALL PAY THE OPERATOR COST-PLUS ON THESE OPERATIONS AT A SET DOLLAR AMOUNT PER CASE OF ALCOHOLIC BEVERAGES SOLD; TO REQUIRE THE CALCULATION OF SHIPPING COSTS EVERY QUARTER, BASED ON THE ACTUAL SHIPPING COSTS OF THE PREVIOUS QUARTER, AND TO PROVIDE THAT THE CONTRACT SHALL SPECIFY CATEGORIES OF EXPENSES THAT MAY BE CONSIDERED ACTUAL SHIPPING COSTS; TO PROVIDE FOR THE EVEN SHARING BETWEEN THE OPERATOR AND THE STATE OF ANY DISCOUNT NEGOTIATED BY THE OPERATOR OFF THE PRICE OF ALCOHOLIC BEVERAGES TO BE DISTRIBUTED ON BEHALF OF THE STATE; TO PROVIDE THAT EXPENSES ASSOCIATED WITH OCCASIONAL IMPROVEMENTS TO THE WAREHOUSE AND ITS EQUIPMENT SHALL BE PAID FROM MONIES IN THE ABC WAREHOUSE IMPROVEMENTS FUND; TO REQUIRE THAT ALL EMPLOYEES NEEDED FOR WAREHOUSE AND DISTRIBUTION OPERATIONS BE EMPLOYEES OF THE OPERATOR; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO REQUIRE THE COMMISSIONER OF REVENUE TO DEVELOP A PLAN DEMONSTRATING THE METHOD BY WHICH THE STATE WOULD RESUME CONTROL OF THE WAREHOUSE UPON TERMINATION OF THE CONTRACT; TO REQUIRE THAT THE PLAN BE SUBMITTED FOR REVIEW AND COMMENT TO THE GOVERNOR AND THE LEGISLATURE; TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL DESIGNATE AN EXISTING DEPARTMENT EMPLOYEE AS A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND SHALL ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; TO REQUIRE THE CONTRACT COMPLIANCE OFFICER TO REPORT AT LEAST ANNUALLY, OR AS REQUESTED, TO THE GOVERNOR AND THE LEGISLATURE; TO CREATE THE ABC WAREHOUSE CONSTRUCTION FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF, THE WAREHOUSE; TO CREATE THE ABC WAREHOUSE IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN

PAYING THE COSTS ASSOCIATED WITH OCCASIONAL MAINTENANCE, REPAIRS, UPGRADES AND OTHER IMPROVEMENTS FOR THE WAREHOUSE AND ITS EQUIPMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN AN AMOUNT OF \$55,000,000.00 FOR THE ABC WAREHOUSE CONSTRUCTION FUND; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO ADD A \$0.25 CHARGE TO THE COST OF EACH CASE OF ALCOHOLIC BEVERAGES SHIPPED BY THE DEPARTMENT OR ITS WAREHOUSE OPERATOR, TO BE DEPOSITED INTO THE ABC WAREHOUSE IMPROVEMENTS FUND; TO PERIODICALLY SUSPEND THE CHARGE WHEN THE AMOUNT IN THE ABC WAREHOUSE IMPROVEMENTS FUND REACHES CERTAIN THRESHOLDS; TO AMEND SECTION 27-71-29, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO PROVIDE THAT PROCEEDS REMAINING IN THE ABC SHIPPING FUND ON AUGUST 1 OF ANY FISCAL YEAR SHALL NOT LAPSE INTO THE GENERAL FUND; TO AMEND SECTIONS 27-65-5 AND 27-65-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX ON WHOLESALE PURCHASES OF ALCOHOLIC BEVERAGES; TO AMEND SECTIONS 7-7-211, 27-71-7, 27-71-9, 27-71-13, 27-71-15, 27-71-17, 67-1-5, 67-1-9, 67-1-19, 67-1-33, 67-1-41, 67-1-43, 67-1-45, 67-1-49, 67-1-51, 67-5-5, 67-5-11, 67-5-13, 67-11-9 AND 67-11-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 512 was adopted.

YEAS AND NAYS On H. B. No. 512. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Branning, Chism, Hill, McDaniel, Sojourner. Total--5.

Absent and those not voting---None.

Voting Present--Tate. Total--1.

Senator Harkins moved that the rules be suspended to move to calendar item 23, **H. B. No. 516**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 516:** Mississippi Business Finance Corporation; extend repealer on authority to issue bonds to finance economic development projects.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-10-401, Mississippi Code of 1972, is brought forward as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for improvement of the real estate, including surveys, site tests and inspections, subsurface site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and

similar facilities, off-site construction of utility extensions to the boundaries of the real estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act. From and after January 1, 2014, such term also includes the economic development project of a related approved company that is merged into or consolidated with another approved company where the approved companies are engaged in a vertically integrated manufacturing or warehouse operation.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which is:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00); or

(iv) A telecommunications or data processing business.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto, together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for improvement of the real estate, including surveys, site tests and inspections, subsurface site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities, off-site construction of utility extensions to the boundaries of the real

estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act.

If an eligible company closes a facility in this state and becomes an approved company under the provisions of Sections 57-10-401 through 57-10-449, only that portion of the project for which such company is attempting to obtain financing that is in excess of the value of the closed facility shall be included within the definition of the term "economic development project." The Mississippi Business Finance Corporation shall promulgate rules and regulations to govern the determination of the difference between the value of the closed facility and the new facility.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00);

(iv) A telecommunications or data/information processing business meeting criteria established by the Mississippi Business Finance Corporation;

(v) National or regional headquarters meeting criteria established by the Mississippi Business Finance Corporation;

(vi) Research and development facilities meeting criteria established by the Mississippi Business Finance Corporation; or

(vii) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Business Finance Corporation.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto, together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

SECTION 2. Section 57-10-403, Mississippi Code of 1972, is brought forward as follows:

57-10-403. (1) The Legislature finds and declares that the general welfare and material well-being of citizens of the state depend in large measure upon the development and growth of industry in the state.

(2) The Legislature finds and declares further that it is in the best interest of the state to induce the location or expansion of manufacturing facilities within this state in order to advance the public purposes of relieving unemployment by creating new jobs within this state that, but for the inducements to be offered by the corporation to approved companies as herein provided, would not exist, and of creating new sources of tax revenues for the support of the public services provided by this state and country.

(3) The Legislature finds and declares further that the authority granted by this article and the purposes to be accomplished hereby are proper governmental and public purposes for which public monies may be expended, and that the inducement of the location or expansion of manufacturing facilities within the state is of paramount importance, mandating that the provisions of this article be liberally construed and applied in order to advance the public purposes.

SECTION 3. Section 57-10-405, Mississippi Code of 1972, is brought forward as follows:

57-10-405. In addition to its other powers and duties, the corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Sections 57-10-401 through 57-10-445, including, but without limiting the generality of the foregoing, the power:

(a) To provide and finance economic development projects under the provisions of Sections 57-10-401 through 57-10-445, and cooperate with counties, municipalities and eligible companies in order to promote, foster and support economic development within the counties and municipalities;

(b) To conduct hearings and inquiries, in the manner and by the methods as it deems desirable, including, without limitation, appointment of special committees, for the purpose of gathering information with respect to counties, municipalities, eligible companies and economic development projects, for the purpose of making any determinations necessary or desirable in the furtherance of Sections 57-10-401 through 57-10-445;

(c) To negotiate the terms of, and enter into financing agreements with, approved companies, and in connection therewith to acquire, convey, sell, own, lease, mortgage, finance, foreclose or otherwise dispose of any property, real or personal, in connection with an economic development project, and to pay, or cause to be paid, in accordance with the provisions of a financing agreement, the approved costs of an economic development project from any funds available therefor, including, without limitation, funds available as the result of the issuance of bonds under the Mississippi Small Enterprise Development Finance Act;

(d) To delegate to the executive director the rights and powers of the corporation required for the proper and desirable execution of the purposes of this article;

(e) To consent, if it deems it necessary or desirable in the fulfillment of its purposes, to the modification of the terms of any financing agreements of any kind to which the corporation is a party;

(f) To include in any borrowing the amounts deemed necessary by the corporation to pay financing charges, consultant, advisory and legal fees, fees for bond insurance, letters of credit or other forms of credit enhancement, investment advisory fees, trustees' fees and other expenses necessary or incident to the borrowing;

(g) To make and publish administrative regulations respecting its programs and other administrative regulations necessary or appropriate to effectuate the purposes of Sections 57-10-401 through 57-10-445, and necessary to administer the procedures and program as provided for in Sections 57-10-401 through 57-10-445;

(h) To make, execute and effectuate any and all agreements or other documents with any governmental agency or any person, corporation, association, partnership, or other organization or entity, necessary or appropriate to accomplish the purposes of Sections 57-10-401 through 57-10-445, including any financing agreements with state agencies or any political subdivisions of the state under which funds may be pledged by or to the corporation for the payment of its bonds;

(i) To accept gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and assistance and any other aid from any source and to agree to, and to comply with, conditions attached thereto;

(j) To sue and be sued in its own name, plead and be impleaded; and

(k) To invest any funds held by the corporation or its agents or trustees, under Sections 57-10-401 through 57-10-445, including, but not limited to, the proceeds of bonds issued under Sections 57-10-401 through 57-10-445, reserve or other funds, or any monies not required for immediate disbursement, and the investment income on any of the foregoing, in obligations authorized by Sections 57-10-401 through 57-10-445.

SECTION 4. Section 57-10-407, Mississippi Code of 1972, is brought forward as follows:

57-10-407. The corporation may accept and expend: (a) monies which may be appropriated from time to time by the Legislature; (b) monies which may be available under the Mississippi Small Enterprise Development Finance Act; or (c) monies which may be received from any source, including income from the corporation's operations, under Sections 57-10-401 through 57-10-445, for effectuating the purposes of Sections 57-10-401 through 57-10-445, including, without limitation, the payment of the expenses of administration and operation incurred pursuant to Sections 57-10-401 through 57-10-445 and the establishment and, if deemed desirable, maintenance of a reserve or contingency fund for the administration of Sections 57-10-401 through 57-10-445.

SECTION 5. Section 57-10-409, Mississippi Code of 1972, is brought forward as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the

corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted the following during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years:

1. A tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972; plus

2. The aggregate assessment withheld by the approved company in each year.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) (i) The financing agreement shall provide that the assessments, when added to the credit for the state corporate income tax herein granted, shall not exceed the total financing agreement annual payment by the approved company in any year; however, to the extent that financing agreement annual payments exceed credits received and assessments collected in any year, the excess payment may be recouped from excess credits or assessment collections in succeeding years.

(ii) If during any fiscal year of the financing agreement the total of the income tax credit granted to the approved company plus the assessment collected from the wages of the employees equals the annual payment pursuant to the financing agreement, and if all excess payments pursuant to the financing agreement accumulated in prior years have been recouped, the assessment collected from the wages of the employees shall cease for the remainder of the fiscal year of the financing agreement.

(f) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted the following during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years:

1. A tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972; plus

2. The aggregate assessment withheld by the approved company in each year.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) (i) The financing agreement shall provide that the assessments, when added to the credit for the state corporate income tax herein granted, shall not exceed the total financing agreement annual payment by the approved company in any year; however, to the extent that financing agreement annual payments exceed credits received and assessments collected in any year, the excess payment may be recouped from excess credits or assessment collections in succeeding years not to exceed three (3) years following the termination of the period of time during which the financing agreement is in effect.

(ii) If during any fiscal year of the financing agreement the total of the income tax credit granted to the approved company plus the assessment collected from the wages of the employees equals the annual payment pursuant to the financing agreement, and if all excess payments pursuant to the financing agreement accumulated in prior years have been recouped, the assessment collected from the wages of the employees shall cease for the remainder of the fiscal year of the financing agreement.

(f) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1997, or in cases involving an economic development project which has not been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted a tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972, during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

SECTION 6. Section 57-10-411, Mississippi Code of 1972, is brought forward as follows:

57-10-411. Ninety (90) days after the filing of the tax return of the approved company, the Department of Revenue shall certify to the corporation the state income tax liability for the preceding year of each approved company with respect to an economic development project financed under Sections 57-10-401 through 57-10-445, and the amounts of any tax credits taken under Sections 57-10-401 through 57-10-445.

SECTION 7. Section 57-10-413, Mississippi Code of 1972, is brought forward as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-413. (1) The approved company may require that each employee whose gross wages are equivalent to Five Dollars (\$5.00) or more per hour, as a condition of employment, agrees to pay a job development assessment fee not to exceed a certain percentage of the gross wages of each such employee whose job was created as a result of the economic development project, for the purpose of retiring the bonds which fund the

economic development project or other indebtedness. The job development assessment fee shall not exceed the following percentages of the gross wages of the employee:

(a) Two percent (2%), if the gross wages of the employee are equivalent to Five Dollars (\$5.00) or more per hour but less than Seven Dollars (\$7.00) per hour;

(b) Four percent (4%), if the gross wages of the employee are equivalent to Seven Dollars (\$7.00) or more per hour but less than Nine Dollars (\$9.00) per hour; and

(c) Six percent (6%), if the gross wages of the employee are equivalent to Nine Dollars (\$9.00) or more per hour.

(2) Each employee so assessed shall be entitled to credits against Mississippi income taxes as provided in Section 27-7-22.3.

(3) If an approved company shall elect to impose the assessment as a condition of employment, it shall deduct the assessment from each paycheck of each employee.

(4) Any approved company collecting an assessment as provided in subsection (1) of this section shall make its payroll books and records available to the corporation at such reasonable times as the corporation shall request and shall file with the corporation documentation respecting the assessment as the corporation may require.

(5) Any assessment of the wages of employees of an approved company in connection with their employment at an economic development project under subsection (1) of this section shall lapse on the date the bonds are retired.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-413. (1) Except as otherwise provided for in subsection (6) of this section, the approved company may require that each employee whose gross wages are equivalent to Five Dollars (\$5.00) or more per hour, as a condition of employment, agrees to pay a job development assessment fee not to exceed a certain percentage of the gross wages of each such employee whose job was created as a result of the economic development project, for the purpose of retiring the bonds which fund the economic development project or other indebtedness. The job development assessment fee shall not exceed the following percentages of the gross wages of the employee:

(a) Two percent (2%), if the gross wages of the employee are equivalent to Five Dollars (\$5.00) or more per hour but less than Seven Dollars (\$7.00) per hour;

(b) Four percent (4%), if the gross wages of the employee are equivalent to Seven Dollars (\$7.00) or more per hour but less than Nine Dollars (\$9.00) per hour; and

(c) Six percent (6%), if the gross wages of the employee are equivalent to Nine Dollars (\$9.00) or more per hour.

(2) Each employee so assessed shall be entitled to credits against Mississippi income taxes as provided in Section 27-7-22.3.

(3) If an approved company shall elect to impose the assessment as a condition of employment, it shall deduct the assessment from each paycheck of each employee.

(4) Any approved company collecting an assessment as provided in subsection (1) of this section shall make its payroll books and records available to the corporation at such reasonable times as the corporation shall request and shall file with the corporation documentation respecting the assessment as the corporation may require.

(5) Any assessment of the wages of employees of an approved company in connection with their employment at an economic development project under subsection (1) of this section shall lapse on the date the bonds are retired.

(6) If an eligible company closes a facility in this state and becomes an approved company under the provisions of Sections 57-10-401 through 57-10-449, only those jobs created in excess of those that existed at the closed facility at the time of the closure shall be eligible for the imposition of the job development assessment fee. The Mississippi Business Finance Corporation shall promulgate rules and regulations to govern the determination of the number of jobs upon which the job development assessment fee may be imposed.

SECTION 8. Section 57-10-415, Mississippi Code of 1972, is brought forward as follows:

57-10-415. Every issue of bonds under Sections 57-10-401 through 57-10-445 shall be payable solely out of any revenues of the corporation as provided in Sections 57-10-401 through 57-10-445. The bonds additionally may be secured by a pledge of any grant, contribution or guarantee from the federal government or any person or a pledge by the corporation of any revenues from any source.

SECTION 9. Section 57-10-417, Mississippi Code of 1972, is brought forward as follows:

57-10-417. The bonds issued by the corporation under Sections 57-10-401 through 57-10-445 shall be limited obligations of the corporation and shall not constitute a debt, liability or general obligation of the state or any political subdivision thereof (other than the corporation), or a pledge of the faith and credit of the state or any political subdivision thereof (other than the corporation), but shall be payable solely as provided by the corporation under Sections 57-10-401 through 57-10-445. No member or officer of the board of directors of the corporation nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. Each bond issued under Sections 57-10-401 through 57-10-445 shall contain on the face thereof a statement that neither the state, nor any other political subdivision thereof, shall be obligated to pay the same or the interest thereon or other costs incident thereto except from the revenue or money pledged by the corporation and that neither the faith and credit nor the taxing power of the state or any political subdivision thereof is pledged to the payment of the principal of, or the interest on, such bond.

SECTION 10. Section 57-10-419, Mississippi Code of 1972, is brought forward as follows:

57-10-419. (1) The corporation may issue in its own name, from time to time, for the purpose of financing the approved costs of an economic development project, its bonds and may pledge for the payment thereof funds derived in respect of any financing agreement or other arrangement entered into by the corporation and an approved company under Sections 57-10-401 through 57-10-445.

(2) In anticipation of the issuance of bonds, the corporation may provide for the issuance, at one time or from time to time, of bond anticipation notes. The principal of and the interest on the notes shall be payable solely from the funds herein provided for the payment. Any notes may be made payable from the proceeds of bonds or renewal notes; or, if bond or renewal note proceeds are not available, the notes may be paid from any available revenues or assets of the corporation.

(3) The bonds issued under Sections 57-10-401 through 57-10-445 shall be authorized by a resolution of the corporation, shall bear such date or dates, and shall mature at such time or times as such resolution may provide, except that no bond shall mature more than twenty-five (25) years from the date of issue. Bonds which are not subject to taxation shall bear interest at such rate or rates, be in such denominations, be in such form, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, including redemption before maturity, as such resolution may provide. Except as expressly provided otherwise in Sections 57-10-401 through 57-10-445, the provisions of other laws of the state relating to the issuance of revenue bonds shall not apply to bonds issued by the corporation. As to bonds issued hereunder and designated as taxable bonds by the corporation, any immunity to taxation by the United States government of interest on such bonds or notes is hereby waived. Bonds of the corporation may be sold by the corporation at public or private sale, from time to time, and at such price or prices as the corporation shall determine.

(4) The proceeds of any bonds shall be used solely for the purposes for which issued and shall be disbursed in the manner and under the restrictions, if any, that the corporation may provide in the resolution authorizing the issuance of the bonds or in a trust indenture securing the same.

(5) The principal and interest on the bonds issued by the corporation shall be payable solely and only from proceeds derived under a financing agreement and shall be secured solely by the economic development project, the proceeds of the financing agreement, and such other assets as may be available, but not including revenues of the state.

(6) Before the preparation of definitive certificates evidencing the bonds, the corporation may issue, under like restrictions, interim receipts or temporary certificates, with or without coupons, exchangeable for definitive certificates when the certificates have been executed and are available for delivery. The corporation may also provide for the replacement of any certificates which become mutilated or are destroyed or lost.

SECTION 11. Section 57-10-421, Mississippi Code of 1972, is brought forward as follows:

57-10-421. In addition to the requirements provided for in Section 57-10-419, any resolution authorizing the issuance of bonds under Sections 57-10-401 through 57-10-445 may contain provisions as to:

(a) The setting aside of reserves or sinking funds and the regulations and disposition thereof;

(b) Limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding or other bonds;

(c) The procedure, if any, by which the terms of any of the proceedings under which the bonds are being issued may be amended or abrogated, the number or percentage of bondholders who or which must consent thereto, and the manner in which the consent may be given;

(d) The vesting in a trustee or trustees of such property, rights, powers and duties in trust as the company may determine, and limiting or abrogating the right of bondholders to appoint a trustee or limiting the rights, powers and duties of the trustee;

(e) Defining the act or omissions to act which shall constitute a default and the obligations or duties of the corporation to the holders of the bonds, and providing for

the rights and remedies of the holders of the bonds in the event of default, which rights and remedies may include the general laws of the state and other provisions of Sections 57-10-401 through 57-10-445; or

(f) Any other matter, of like or different character, which in any way affects the security or protection of the holders of the bonds.

SECTION 12. Section 57-10-423, Mississippi Code of 1972, is brought forward as follows:

57-10-423. Any pledge made by the corporation shall be valid and binding from the time when the pledge was made. The revenues or properties so pledged and thereafter received by the corporation shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

SECTION 13. Section 57-10-425, Mississippi Code of 1972, is brought forward as follows:

57-10-425. The corporation, subject to the provisions in proceedings relating to outstanding bonds as may then exist, may purchase bonds out of any funds available therefor, which shall thereupon be canceled, at any reasonable price which, if the bonds are then redeemable, shall not exceed the redemption price (and premium, if any) then applicable plus accrued interest to the redemption date thereof.

SECTION 14. Section 57-10-427, Mississippi Code of 1972, is brought forward as follows:

57-10-427. The bonds may be secured by an indenture by and between the corporation and a corporate trustee which may be any bank or other corporation having the power of a trust company or any trust company within or without this state. Such indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the corporation in relation to the exercise of its powers and the custody, safekeeping and application of all money. The corporation may provide by the indenture for the payment of the proceeds of the bonds and revenues to the trustee under the indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as the corporation may determine. If the bonds shall be secured by an indenture, the bondholders shall have no authority to appoint a separate trustee to represent them.

SECTION 15. Section 57-10-429, Mississippi Code of 1972, is brought forward as follows:

57-10-429. In the event that any of the members or officers of the board of directors of the corporation shall cease to be members or officers of the board prior to the delivery of any bonds signed by them, their signatures or facsimiles thereof shall nevertheless be valid and sufficient for all purposes, the same as if such members or officers had remained in office until such delivery.

SECTION 16. Section 57-10-431, Mississippi Code of 1972, is brought forward as follows:

57-10-431. The corporation may create and establish such funds and accounts as may be necessary or desirable for its purposes under Sections 57-10-401 through 57-10-445.

SECTION 17. Section 57-10-433, Mississippi Code of 1972, is brought forward as follows:

57-10-433. The corporation shall have the power to contract with the holders of any of its bonds issued under Sections 57-10-401 through 57-10-445 as to the custody, collection, securing, investment and payment of any money of the corporation, and of any money held in trust or otherwise for the payment of bonds, and to carry out such contract. Money held in trust or otherwise for the payment of bonds or in any way to secure bonds and deposits of money may be secured in the same manner as money of the corporation, and all banks and trust companies are authorized to give security for the deposits.

SECTION 18. Section 57-10-435, Mississippi Code of 1972, is brought forward as follows:

57-10-435. Amendments to Sections 57-10-401 through 57-10-445, enacted after July 1, 1993, shall not limit the rights vested in the corporation with respect to any agreements made with, or remedies available to, the holders of bonds issued under this article or Section 27-7-22.3 prior to the enactment of the amendments until the bonds, together with all interest thereon, and all costs and expenses in connection with any proceeding by or on behalf of the holders, are fully met and discharged.

SECTION 19. Section 57-10-437, Mississippi Code of 1972, is brought forward as follows:

57-10-437. All expenses incurred by the corporation in carrying out the provisions of Sections 57-10-401 through 57-10-445 shall be payable solely from funds provided under Sections 57-10-401 through 57-10-445, or other funds of the corporation. Nothing in Sections 57-10-401 through 57-10-445 shall be construed to authorize the corporation to incur indebtedness or liability on behalf of or payable by the state or any other political subdivision thereof.

SECTION 20. Section 57-10-439, Mississippi Code of 1972, is brought forward as follows:

57-10-439. (1) The corporation is hereby declared to be performing a public function and to be a public body corporate and a political subdivision of the state. Accordingly, the income, including any profit made on the sale thereof from all bonds issued by the corporation, shall at all times be exempt from all taxation by the state or any political subdivision thereof. If, after all indebtedness and other obligations of the corporation are discharged, the corporation is dissolved, its remaining assets shall inure to the benefit of the state.

(2) With the approval of the appropriate local taxing authority, all mortgages or deeds of trust executed as security therefor, all lease or purchase agreements made pursuant to the provisions hereof, and all purchases required to establish the industrial enterprise and financed by proceeds from bonds issued under Sections 57-10-401 through 57-10-445, shall likewise be exempt from all taxation in the State of Mississippi except the contractors' tax imposed by Section 27-65-21 and the tax levied by Section 27-65-24(1)(b), and except ad valorem taxes levied for school district purposes. All projects and the revenue derived therefrom from any lease thereof shall be exempt from all taxation in the State of Mississippi, except the tax levied by Sections 27-65-21 and 27-65-24(1)(b), except the tax levied under Chapter 7, Title 27, Mississippi Code of 1972, and except ad valorem taxes levied for school district purposes.

SECTION 21. Section 57-10-441, Mississippi Code of 1972, is brought forward as follows:

57-10-441. The bonds issued by and under the authority of Sections 57-10-401 through 57-10-445 by the corporation are declared to be legal investments in which all public officers or public bodies of the state, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations, and other persons carrying on insurance business, all banks, bankers, banking associations, trust companies, savings associations, including savings and loan associations, building and loan associations, investment companies, and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons who are now or may later be authorized to invest in bonds or in other obligations of the state, may invest funds, including capital, in their control or belonging to them. Such bonds are also hereby made securities which may be deposited with and received by all public officers and bodies of the state or any agency or political subdivision of the state and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of the state is now or may be later authorized by law.

SECTION 22. Section 57-10-443, Mississippi Code of 1972, is brought forward as follows:

57-10-443. The corporation, within one hundred twenty (120) days of the close of each fiscal year, shall submit an annual report of its activities in regard to Sections 57-10-401 through 57-10-445 for the preceding year to the Governor. The Clerk of the House of Representatives and the Secretary of the Senate each shall receive a copy of the report by making a request for it to the corporation. Each report shall set forth a complete operating and financial statement in regard to Sections 57-10-401 through 57-10-445 for the corporation during the fiscal year it covers.

SECTION 23. Section 57-10-445, Mississippi Code of 1972, is brought forward as follows:

57-10-445. Nothing contained in Sections 57-10-401 through 57-10-445 is to be construed as a restriction or limitation upon any powers which the corporation might otherwise have under any other law of the state. Insofar as the provisions of Sections 57-10-401 through 57-10-445 are inconsistent with the provisions of any other law, the provisions of Sections 57-10-401 through 57-10-445 shall be controlling, and the powers conferred by Sections 57-10-401 through 57-10-445 shall be regarded as supplemental and additional to powers conferred by any other laws. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument or the security therefor, except as provided in Sections 57-10-401 through 57-10-445.

The provisions of Sections 57-10-401 through 57-10-445 shall be liberally construed to accomplish the purposes of Sections 57-10-401 through 57-10-445.

The powers granted and the duties imposed in Sections 57-10-401 through 57-10-445 shall be construed to be independent and severable. If any one or more sections, subsections, sentences or parts of any of Sections 57-10-401 through 57-10-445 shall be adjudged unconstitutional or invalid, such adjudication shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

SECTION 24. Section 57-10-447, Mississippi Code of 1972, is brought forward as follows:

57-10-447. No elected or appointed official shall derive any pecuniary benefit, directly or indirectly, as a result of such elected or appointed official's duties under Sections 57-10-401 through 57-10-445. Any member of the Legislature, any elected or appointed official, any member of the immediate family of a member of the Legislature, or any partner or associate of such a member of the Legislature or elected or appointed official, shall not derive any income from the issuance of any bonds under Sections 57-10-401 through 57-10-445, contrary to the provisions of Section 109, Mississippi

Constitution of 1890, or Article 3, Chapter 4, Title 25, Mississippi Code of 1972. The provisions of this section shall not apply to any person performing clerical or administrative functions, which are other than legal services provided by an attorney, that are associated with the issuance of any bonds under Sections 57-10-401 through 57-10-445, such as the printing of bonds or other materials. Any person convicted of a violation of this section shall be punished by imprisonment for not less than one (1) year and not more than five (5) years and a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) and not more than Ten Thousand Dollars (\$10,000.00).

SECTION 25. Section 27-7-22.3, Mississippi Code of 1972, is brought forward as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

27-7-22.3. (1) For taxpayers who are required to pay a job assessment fee as provided in Section 57-10-413, there shall be allowed as a credit against the taxes imposed by this chapter, an amount equal to the amount of the job assessment fee imposed upon such taxpayer pursuant to Section 57-10-413. If the amount allowable as a credit exceeds the tax imposed by this article and Section 27-7-22.3, the amount of such excess shall not be refundable or carried forward to any other taxable year.

(2) For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409. The tax credit allowed in this subsection shall not exceed the amount of taxes due the State of Mississippi.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

27-7-22.3. (1) For taxpayers who are required to pay a job assessment fee as provided in Section 57-10-413, there shall be allowed as a credit against the taxes imposed by this chapter, an amount equal to the amount of the job assessment fee imposed upon such taxpayer pursuant to Section 57-10-413. If the amount allowable as a credit exceeds the tax imposed by this article and Section 27-7-22.3, the amount of such excess shall not be refundable or carried forward to any other taxable year.

(2) For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409. The tax credit allowed in this subsection shall not exceed the amount of taxes due the State of Mississippi. The amount of income of the approved company generated by or arising out of the economic development project shall be determined by a formula adopted by the Mississippi Business Finance Corporation.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1997, or in cases involving an economic development project which has not been induced by a resolution of the Board of Directors

of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

27-7-22.3. For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409; provided, however, that the tax credit allowed in this subsection shall not exceed eighty percent (80%) of the amount of taxes due the State of Mississippi prior to the application of the credit. To the extent that financing agreement annual payments exceed the amount of the credit authorized pursuant to this section in any taxable year, such excess payment may be recouped from excess credits in succeeding years not to exceed three (3) years following the date upon which the credit was earned. The amount of income of the approved company generated by or arising out of the economic development project shall be determined by a formula adopted by the Mississippi Business Finance Corporation.

SECTION 26. Section 57-10-449, Mississippi Code of 1972, is amended as follows:

57-10-449. Sections 57-10-401 through \* \* \* 57-10-447 and 27-7-22.3 shall be repealed from and after October 1, \* \* \* 2026.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO BRING FORWARD SECTIONS 57-10-401 THROUGH 57-10-445, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO BRING FORWARD SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CREDIT AGAINST STATE INCOME TAXES FOR CERTAIN COMPANIES FOR DEBT SERVICE PAID BY SUCH COMPANIES UNDER FINANCING AGREEMENTS ENTERED INTO WITH THE MISSISSIPPI BUSINESS FINANCE CORPORATION UNDER SECTION 57-10-409; TO AMEND SECTION 57-10-449, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL OCTOBER 1, 2026, THE REPEAL DATE ON SECTIONS 57-10-401 THROUGH 57-10-445 AND SECTION 27-7-22.3; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 516 was adopted.

YEAS AND NAYS On H. B. No. 516. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 24, **H. B. No. 1430**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following terms shall have the following meanings, unless the context clearly indicates otherwise:

(a) "Beneficiary designation" means the designation by an owner of a motor vehicle of a beneficiary of the vehicle as provided by Section 6 of this act.

(b) "Designated beneficiary" means a person designated as a beneficiary of an owner's interest in a motor vehicle under Section 6 of this act.

(c) "Joint owner with right of survivorship" or "joint owner" means a person who owns a motor vehicle concurrently with one or more other persons with a right of survivorship.

(d) "Motor vehicle" shall have the same meaning as the term as defined in Section 63-21-5(l).

SECTION 2. (1) An owner of a motor vehicle may transfer the owner's interest in the motor vehicle to a sole beneficiary effective on the owner's death by designating a beneficiary as provided by Section 6 of this act.

(2) A beneficiary designation is:

(a) Subject to Section 3 of this act, revocable and may be changed at any time without the consent of the designated beneficiary as provided by Section 6 of this act;

(b) A nontestamentary instrument; and

(c) Effective without:

(A) Notice or delivery to or acceptance by the designated beneficiary during the owner's life; or

(B) Consideration.

(3) A will may not revoke or supersede a beneficiary designation, regardless of when the will is made.

(4) A designated beneficiary may disclaim the designated beneficiary's interest in the motor vehicle as provided by applicable law.

SECTION 3. (1) If a motor vehicle that is the subject of a beneficiary designation is owned by joint owners with right of survivorship, the beneficiary designation must be made by all of the joint owners.

(2) A beneficiary designation made by joint owners with right of survivorship:

(a) May be revoked or changed as provided by Section 6 of this act, only if it is revoked or changed by all of the joint owners; and

(b) May be revoked or changed by the last surviving joint owner as provided by Section 6 of this act.

SECTION 4. During a motor vehicle owner's life, a beneficiary designation does not:

(a) Affect an interest or right of the owner or owners making the designation, including the right to transfer or encumber the motor vehicle that is the subject of the designation;

(b) Create a legal or equitable interest in favor of the designated beneficiary in the motor vehicle that is the subject of the designation, even if the beneficiary has actual or constructive notice of the designation;

(c) Affect an interest or right of a secured or unsecured creditor or future creditor of the owner or owners making the designation, even if the creditor has actual or constructive notice of the designation; or

(d) Affect an owner's or the designated beneficiary's eligibility for any form of public assistance, subject to applicable federal law.

SECTION 5. (1) On the death of the owner of a motor vehicle that is the subject of a beneficiary designation, the following rules apply to an interest in the motor vehicle:

(a) If the designated beneficiary survives the owner making the designation by one hundred twenty (120) hours, the interest in the motor vehicle is transferred to the designated beneficiary; and

(b) If the designated beneficiary fails to survive the owner making the designation by one hundred twenty (120) hours, the share of the designated beneficiary lapses and is subject to and passes as if the beneficiary designation were a devise made in a will.

(2) If an owner is a joint owner with right of survivorship who is survived by one or more other joint owners, the motor vehicle that is the subject of the beneficiary designation belongs to the surviving joint owner or owners. If an owner is a joint owner with right of survivorship who is the last surviving joint owner, the beneficiary designation is effective.

(3) A designated beneficiary takes the motor vehicle subject to all encumbrances, assignments, contracts, liens and other interests to which the vehicle is subject at the owner's or last surviving owner's death, as applicable. The transfer to the designated beneficiary does not affect the ability of a lienholder to pursue an existing means of debt collection permitted under the laws of this state.

SECTION 6. (1) The owner of a motor vehicle may designate a sole beneficiary to whom the owner's interest in the vehicle transfers on the owner's death as provided by Sections 1 through 5 of this act, by submitting an application for title with the designation. To be effective, the designation must state that the transfer of an interest in the vehicle to the designated beneficiary is to occur at the transferor's death.

(2) The legal name of a beneficiary designated under this section must be included on the title.

(3) The department shall transfer title of a motor vehicle to a beneficiary designated under this section for the vehicle if the beneficiary submits:

(a) An application for title not later than the 180th day after the date of the owner's death or, if the vehicle is owned by joint owners, the last surviving owner's death, as applicable; and

(b) Satisfactory proof of the death of the owner or owners, as applicable.

(4) A beneficiary designation may be changed or revoked by submitting a new application for title.

(5) A beneficiary designation or a change or revocation of a beneficiary designation made on an application for title of a motor vehicle that has not been submitted to the department before the death of a vehicle's owner or owners who made, changed, or revoked the designation, as applicable, is invalid.

(6) The Department of Revenue may adopt rules to administer this section.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AUTHORIZE A BENEFICIARY DESIGNATION THAT TRANSFERS A MOTOR VEHICLE AT THE OWNER'S DEATH; TO PROVIDE DEFINITIONS; TO PROVIDE FOR REQUIREMENT OF THE BENEFICIARY DESIGNATION; TO PROVIDE THE PROCEDURE FOR JOINT OWNERS; TO MAKE CERTAIN REQUIREMENTS OF THE DEPARTMENT OF REVENUE AND AUTHORIZE RULEMAKING AUTHORITY TO THE DEPARTMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1430 was adopted.

YEAS AND NAYS On H. B. No. 1430. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator McCaughn called up the following entitled bill:

**H. B. No. 478:** Mississippi Forestry Commission; extend repealer on authority to hire law enforcement officers to investigate woods arson.

YEAS AND NAYS On H. B. No. 478. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

**H. B. No. 1187:** Mississippi Insurance E-Commerce Model Act; enact.

Senator Boyd offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known as the "Mississippi Insurance E-Commerce Model Act."

SECTION 2. The purpose of this act is to provide consumers more choice, convenience and flexibility in managing their insurance.

SECTION 3. As used in this act, the following definitions apply:

(a) "Delivered by electronic means" means either of the following:

(i) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(ii) Posting on an electronic network or site accessible via the Internet, mobile application, computer, mobile device, tablet, or any other electronic device, together with separate notice of the posting provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party. The separate notice of the posting shall contain the internet address at which the documents are posted. For purposes of this subsection, delivery shall be effective upon the latter of the posting or the actual delivery of the separate notice of the posting.

(b) "Party" means any recipient of any notice or document required as part of an insurance transaction, including, but not limited to, an applicant, an insured, a policyholder, or an annuity contract holder.

SECTION 4. (1) Subject to the requirements of this section, any notice to a party or any other document required by law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means if the electronic means meet the requirements of applicable state technology law.

(2) Delivery of a notice or document in accordance with this section shall be considered equivalent to and have the same effect as any delivery method required by

law, including delivery by first class mail, first class mail with postage prepaid, certified mail, certificate of mail, or certificate of mailing.

(3) A notice or document may be delivered by electronic means by an insurer to a party pursuant to this section if all of the following apply:

(a) The party has affirmatively consented electronically, or confirmed consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means to which the party has given consent, and the party has not withdrawn the consent.

(b) The party, before giving consent, is provided with a clear and conspicuous statement informing the party of all of the following:

(i) The hardware and software requirements for access to and retention of a notice or document delivered by electronic means.

(ii) The types of notices and documents to which the party's consent would apply.

(iii) The right of the party to withdraw consent to have a notice or document delivered by electronic means, at any time, and any conditions or consequences imposed in the event consent is withdrawn.

(iv) The procedures a party must follow to withdraw consent, which can be no more burdensome than providing consent, to have a notice or document delivered by electronic means and to update the party's electronic mail address.

(v) The right of a party to have any notice or document delivered, upon request, in paper form.

(4) An insurer shall take all measures reasonably calculated to ensure that delivery by electronic means pursuant to this section results in receipt of the notice or document by the party.

SECTION 5. After the consent of a party is given, in the event a change in the hardware or software requirements needed to access or retain a notice or document to be delivered by electronic means creates a material risk that the party will not be able to access or retain the notice or document to which the consent applies, the insurer shall not deliver a notice or document to the party by electronic means unless the insurer complies with Section 4 of this act and provides the party with a statement that describes all of the following:

(a) The revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means.

(b) The right of the party to withdraw consent without the imposition of any condition or consequence that was not disclosed at the time of initial consent.

SECTION 6. (1) The provisions of this section shall not be construed to affect requirements related to content or timing of any notice or document required by any other provision of law.

(2) If a provision of this title or other applicable law requiring a notice or document to be provided to a party expressly requires confirmation of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for confirmation of receipt by the recipient.

(3) This act shall not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this act to a party who, before that date, has consented to receive the notice or document in an electronic form otherwise allowed by law.

SECTION 7. The legal effectiveness, validity or enforceability of any contract or policy of insurance executed by a party shall not be denied solely because of the failure of the insurer to obtain electronic consent or confirmation of consent of the party in accordance with the provisions of this act if the notice or document is delivered in paper form.

SECTION 8. (1) A withdrawal of consent by a party shall not affect the legal effectiveness, validity or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective.

(2) A withdrawal of consent by a party shall be effective within a reasonable period of time after receipt of the withdrawal by the insurer.

(3) Failure by an insurer to comply with any provision of Sections 4 or 5 of this act may be treated, at the election of the party, as a withdrawal of consent for purposes of this act.

SECTION 9. If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this act, and an insurer intends to deliver additional notices or documents to the party in an electronic form pursuant to this act, then prior to delivering the additional notices or documents electronically, the insurer shall comply with the provisions of Section 4 of this act and shall provide the party with a statement that describes both of the following:

(a) The notices or documents that shall be delivered by electronic means that were not previously delivered electronically.

(b) The party's right to withdraw consent to have notices or documents delivered by electronic means, without the imposition of any condition or consequence that was not disclosed at the time of initial consent.

SECTION 10. An insurer shall deliver a notice or document by any other delivery method permitted by law other than electronic means if either of the following occurs:

(a) The insurer attempts to deliver the notice or document by electronic means and has a reasonable basis for believing that the notice or document has not been received by the party.

(b) The insurer becomes aware that the electronic mail address provided by the party is no longer valid. The insured's consent to electronic delivery shall not preclude the insurer from delivering a notice or document by any other delivery method permitted by law.

SECTION 11. An insurance producer shall not be subject to civil liability for any harm or injury that occurs because of a party's election to receive any notice or document by electronic means or by an insurer's failure to deliver or a party's failure to receive a notice or document by electronic means.

SECTION 12. (1) An insurance policy and an endorsement that does not contain personally identifiable information may be mailed, delivered, or, if the insurer obtains separate, specific consent, posted on the insurer's website. If the insurer elects to post an insurance policy and an endorsement on the insurer's website in lieu of mailing or delivering the policy and endorsement to the insured, the insurer shall comply with the following conditions:

- (a) The policy and an endorsement must be accessible to the owner or insured and producer of record and remain that way while the policy is in force;
- (b) After the expiration of the policy, the insurer shall either:
- (i) Make the expired policy and endorsement available upon request, for a period of five (5) years; or
  - (ii) If the insurer continues to make the expired policy or endorsement available on its website, keep the insured's user ID active for a period of five (5) years;
- (c) The policy and endorsement must be posted in a manner that enables the insured and producer of record to print and save the policy and endorsement using a program or application that is widely available on the Internet and free to use;
- (d) The insurer shall provide the following information in, or simultaneous with, each declaration page provided at the time of issuance of the initial policy and any renewals of the policy:
- (i) A description of the exact policy and endorsement form purchased by the insured;
  - (ii) A description of the insured's right to receive, upon request and without charge, an electronic and/or a paper copy of the policy and endorsement; and
  - (iii) The Internet address at which the policy and endorsement are posted;
- (e) The insurer, upon an insured's request and once without charge following receipt of the initial copy, shall mail a paper copy of the policy and endorsement to the insured; and
- (f) The insurer shall provide notice, either electronically or in writing at the insured's option, of any change to the forms or endorsement; the insured's right to obtain, upon request and once without charge following receipt of the initial copy, a paper copy of the forms or endorsement; and the Internet address at which the forms or endorsement are posted.

(2) This section does not affect the timing or content of any disclosure or document required to be provided or made available to any insured under applicable law.

SECTION 13. All claims brought by insureds, workers' compensation claimants, or third parties against an insurer shall be paid by check or draft of the insurer or, if offered by the insurer and the claimant consents, electronic transfer of funds to the order of the claimant to whom payment of the claim is due pursuant to the policy provisions, or her/his attorney, or upon direction of the claimant to one specified. However, when the employer has advanced the claims payment to the claimant, the check or draft shall be paid jointly to the claimant and the employer; or, if consented by all parties, the electronic payment shall be paid to the trust account. The check or draft shall be paid jointly until the amount of the advanced claims payment has been recovered by the employer. The electronic payment shall be held in trust until the amount of the advanced claims payment has been recovered by the employer.

SECTION 14. The Commissioner of Insurance may adopt rules to implement the provisions of this act.

SECTION 15. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT; TO PROVIDE THE PURPOSE OF THE ACT; TO PROVIDE DEFINITIONS FOR THE ACT; TO REGULATE THE ELECTRONIC DELIVERY OF INSURANCE DOCUMENTS AND NOTICES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1187 was adopted.

YEAS AND NAYS On H. B. No. 1187. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-59-3, Mississippi Code of 1972, is amended as follows:

41-59-3. As used in this chapter, unless the context otherwise requires, the term:

(a) "Ambulance" means any privately or publicly owned land or air vehicle that is especially designed, constructed, modified or equipped to be used, maintained and operated upon the streets, highways or airways of this state to assist persons who are sick, injured, wounded, or otherwise incapacitated or helpless;

(b) "Permit" means an authorization issued for an ambulance vehicle and/or a special use EMS vehicle as meeting the standards adopted under this chapter;

(c) "License" means an authorization to any person, firm, corporation, or governmental division or agency to provide ambulance services in the State of Mississippi;

(d) "Emergency medical technician" means an individual who possesses a valid emergency medical technician's certificate issued under the provisions of this chapter or who has a privilege to practice under the Emergency Medical Services Personnel Licensure Interstate Compact;

(e) "Certificate" means official acknowledgment that an individual has successfully completed (i) the recommended basic emergency medical technician training course referred to in this chapter which entitles that individual to perform the functions and duties of an emergency medical technician, or (ii) the recommended medical first responder training course referred to in this chapter which entitles that individual to perform the functions and duties of a medical first responder;

(f) "Board" means the State Board of Health;

(g) "Department" means the State Department of Health, Division of Emergency Medical Services;

(h) "Executive officer" means the Executive Officer of the State Board of Health, or his designated representative;

(i) "First responder" means a person who uses a limited amount of equipment to perform the initial assessment of and intervention with sick, wounded or otherwise incapacitated persons;

(j) "Medical first responder" means a person who uses a limited amount of equipment to perform the initial assessment of and intervention with sick, wounded or otherwise incapacitated persons who (i) is trained to assist other EMS personnel by successfully completing, and remaining current in refresher training in accordance with, an approved "First Responder: National Standard Curriculum" training program, as developed and promulgated by the United States Department of Transportation; (ii) is nationally registered as a first responder by the National Registry of Emergency Medical Technicians; and (iii) is certified as a medical first responder by the State Department of Health, Division of Emergency Medical Services;

(k) "Invalid vehicle" means any privately or publicly owned land or air vehicle that is maintained, operated and used only to transport persons routinely who are convalescent or otherwise nonambulatory and do not require the service of an emergency medical technician while in transit;

(l) "Special use EMS vehicle" means any privately or publicly owned land, water or air emergency vehicle used to support the provision of emergency medical services. These vehicles shall not be used routinely to transport patients;

(m) "Trauma care system" or "trauma system" means a formally organized arrangement of health care resources that has been designated by the department by which major trauma victims are triaged, transported to and treated at trauma care facilities;

(n) "Trauma care facility" or "trauma center" means a hospital located in the State of Mississippi or a Level I trauma care facility or center located in a state contiguous to the State of Mississippi that has been designated by the department to perform specified trauma care services within a trauma care system pursuant to standards adopted by the department;

(o) "Trauma registry" means a collection of data on patients who receive hospital care for certain types of injuries. Such data are primarily designed to ensure quality trauma care and outcomes in individual institutions and trauma systems, but have the secondary purpose of providing useful data for the surveillance of injury morbidity and mortality;

(p) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, psychiatric disturbances and/or symptoms of substance abuse, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in placing the health of the individual (or,

with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part;

(q) "Emergency medical call" means a situation that is presumptively classified at time of dispatch to have a high index of probability that an emergency medical condition or other situation exists that requires medical intervention as soon as possible to reduce the seriousness of the situation, or when the exact circumstances are unknown, but the nature of the request is suggestive of a true emergency where a patient may be at risk;

(r) "Emergency response" means responding immediately at the basic life support or advanced life support level of service to an emergency medical call. An immediate response is one in which the ambulance supplier begins as quickly as possible to take the steps necessary to respond to the call;

(s) "Emergency mode" means an ambulance or special use EMS vehicle operating with emergency lights and warning siren (or warning siren and air horn) while engaged in an emergency medical call.

(t) "Nontransport emergency medical services" (NTEMS) means the provision of initial assessment and medical intervention with sick, wounded or otherwise incapacitated persons, performed by a medically trained person or team of persons, prior to the availability of and intervention by an ambulance service. NTEMS are typically rendered at the location of first contact with a patient, and do not include transportation and care during transit to a medical facility, NTEMS providers are "EMS personnel" as referenced in the provisions of Chapters 59 and 60 of this title upon meeting the training and certification requirements for emergency medical technicians.

SECTION 2. Section 41-59-35, Mississippi Code of 1972, is amended as follows:

41-59-35. (1) An emergency medical technician certificate so issued shall be valid for a period not exceeding two (2) years from the date of issuance and may be renewed upon payment of a renewal fee to be fixed by the board, which shall be paid to the board, provided that the holder meets the qualifications set forth in this Chapter 59 and Chapter 60 and rules and regulations promulgated by the board. Any increase in the fee charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The board is authorized to suspend or revoke a certificate so issued at any time it is determined that the holder no longer meets the prescribed qualifications.

(3) It shall be unlawful for any person, corporation or association to, in any manner, represent himself, herself or itself as an Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services Driver, or use in connection with his or its name the words or letters of EMT, emt, paramedic, critical care paramedic, or any other letters, words, abbreviations or insignia which would indicate or imply that he, she or it is an Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services Driver, unless certified in accordance with Chapters 59 and 60 of this title and in accordance with the rules and regulations promulgated by the board; or a person who has a privilege to practice under the Emergency Medical Services Personnel Licensure Interstate Compact. It shall be unlawful to employ an uncertified Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, or Emergency Medical Technician-Paramedic Critical Care to provide basic or advanced life-support services.

(4) The department may develop, in conjunction with the Mississippi Insurance Department, a coordinated entity to provide a statewide system of nontransport emergency medical services for emergency medical personnel governed by the Division of Emergency Medical Services that includes medical control protocols, a quality management system, charting platform and data reporting system.

( \*\* \*5) An EMT, EMT-A, EMR, or Paramedic may transport a police dog injured in the line of duty to a veterinary clinic, hospital emergency department or similar facility if there are no persons requiring medical attention or transport at that time. For the purposes of this subsection, "police dog" means a dog owned or used by a law enforcement department or agency in the course of the department or agency's work, including a search and rescue dog, service dog, accelerant detection canine, or other dog that is in use by a county, municipal, or state law enforcement agency.

( \*\* \*6) Any Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services Driver who violates or fails to comply with these statutes or the rules and regulations promulgated by the board under these statutes shall be subject, after due notice and hearing, to an administrative fine not to exceed One Thousand Dollars (\$1,000.00).

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 41-59-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH AND MISSISSIPPI INSURANCE DEPARTMENT TO DEVELOP A COORDINATED ENTITY TO PROVIDE A STATEWIDE SYSTEM OF NONTRANSPORT EMERGENCY MEDICAL SERVICES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 821 was adopted.

YEAS AND NAYS On H. B. No. 821. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

**H. B. No. 475:** IHL Board; extend repealer on authority to oversee certain construction projects funded by state general obligation bonds.

YEAS AND NAYS On H. B. No. 475. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

**H. B. No. 1068:** Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward.

Senator Parks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-97-101, Mississippi Code of 1972, is brought forward as follows:

37-97-101. This article shall be known and may be cited as the "Mississippi Intercollegiate Athletics Compensation Rights Act."

SECTION 2. Section 37-97-103, Mississippi Code of 1972, is amended as follows:

37-97-103. (1) As used in this article, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means anything of value, monetary or otherwise, including, but not limited to, cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law, and any other form of payment or remuneration, except as excluded under this article.

For the purposes of this article, "compensation" shall not mean or include the following:

(i) Tuition, room, board, books, fees and personal expenses that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member;

(ii) Federal Pell Grants and other state and federal grants or scholarships unrelated to, and not awarded because of a student-athlete's participation in intercollegiate athletics or sports competition;

(iii) Any other financial aid, benefits or awards that a postsecondary educational institution provides a student-athlete in accordance with the rules of the

athletic association or conference of which the postsecondary educational institution is a member; or

(iv) The payment of wages and benefits to a student-athlete for work actually performed \*\*\* for services unrelated to a student-athlete's publicity rights or other intellectual or intangible property rights of a student-athlete under federal or state law.

(b) "Image" means a picture of the student-athlete.

(c) "Intercollegiate athletics program" means an intercollegiate athletics program played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(d) "Likeness" means a physical, digital or other depiction or representation of a student-athlete.

(e) "Name" means the first or last name, or the nickname, of a student-athlete when used in a context that reasonably identifies the student-athlete with particularity.

(f) "Name, Image and Likeness Agreement" means a contract or \*\*\* other arrangement between a student-athlete and a third-party \*\*\* regarding the \*\*\* use of the \*\*\* publicity rights of the student-athlete.

(g) "Publicity right" means any right \*\*\*:

(i) \*\*\* Associated with the name, image, \*\*\* likeness \*\*\*, publicity, reputation, fame or personal following of a student-athlete; or

(ii) Recognized under a federal or state law \*\*\* as permitting an individual to control and profit from the \*\*\* use of the name, image \*\*\*, likeness, publicity, reputation, fame or personal following of the individual.

(h) "Postsecondary educational institution" means a public university or community college or private university or college.

(i) "Social media compensation" means all forms of payment for engagement on social media received by a student-athlete as a result of the use of that student-athlete's \*\*\* publicity rights.

(j) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, intercollegiate athletics program at a postsecondary educational institution, including without limitation, prospective student-athletes of an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(k) "Third-party \*\*\*" means any individual or entity or group of the same, acting independently or collectively, that \*\*\* enters into an agreement for the publicity rights \*\*\* of student-athlete or group of student-athletes. The term "third-party \*\*\*" shall not include any national association for the promotion or regulation of collegiate athletics, athletics conference, or postsecondary educational institution.

SECTION 3. Section 37-97-105, Mississippi Code of 1972, is amended as follows:

37-97-105. (1) Except as provided in Section 37-97-107, a student-athlete may:

(a) Earn compensation \*\*\* for the use of the \*\*\* publicity rights of the student-athlete \*\*\*; and

(b) Obtain and retain a certified agent for any matter or activity relating to such compensation.

(2) No student-athlete may earn compensation in exchange for the student-athlete's athletic ability or participation in intercollegiate athletics or sports competition.

(3) Notwithstanding any other provision of applicable law or agreement to the contrary, a student-athlete shall not be deemed an employee or independent contractor of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program.

SECTION 4. Section 37-97-107, Mississippi Code of 1972, is amended as follows:

37-97-107. (1) Except as provided for under this article, a postsecondary educational institution shall not uphold any contract, rule, regulation, standard or other requirement that prevents a student-athlete of that institution from earning compensation \*\*\* for the use of the student's \*\*\* publicity rights. Any such contract, rule, regulation standard or other requirement shall be void and unenforceable against the postsecondary educational institution or the student-athlete. Compensation from the use of a student-athlete's \*\*\* publicity rights may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility. Nothing in this article is intended to alter any state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.

(2) Except as provided for in this article, an athletic association, conference or other group or organization with authority over intercollegiate athletic programs, including, but not limited to, the National Collegiate Athletic Association (NCAA) and the National Junior College Athletic Association (NJCAA), shall not prevent, or otherwise enforce a contract, rule, regulation, standard or other requirement that prevents, a student-athlete of a postsecondary educational institution from earning compensation as a result of the use of the student-athlete's \*\*\* publicity rights.

(3) To protect the integrity of its educational mission and intercollegiate athletics program, a postsecondary educational institution may impose reasonable limitations on the dates and time that a student-athlete may participate in endorsement, promotional, social media or other activities related to the license or use of the student-athlete's \*\*\* publicity rights. Nothing in this article shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or institution-sponsored event. A student-athlete may not receive or enter into a contract for compensation for the use of his or her \*\*\* publicity rights in a way that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary institution, unless the institution has provided the student-athlete with written permission to do so prior to \*\*\* entering into the agreement or receipt of compensation. If permission is granted, the postsecondary educational institution, by agreement of all parties, may be compensated for the use in a manner consistent with market rates. A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any entity during an intercollegiate athletics competition or institution-sponsored event.

(4) An athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not enforce

a contract, rule, regulation, standard or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program, or otherwise penalize the postsecondary educational institution or its intercollegiate athletic program, as a result of activities permitted by this article, including without limitation, the compensation of a student-athlete for the use of the student-athlete's \* \* \* publicity rights.

(5) A postsecondary educational institution may facilitate opportunities for student-athletes to engage with third-parties interested in entering into name, image, and likeness agreements, and may communicate with third-parties interested in providing name, image, and likeness agreements to student-athletes. A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not \* \* \*:

(a) Enter into, or offer to enter into, a name, image and likeness agreement with a \* \* \* student-athlete; or

(b) Provide a \* \* \* student-athlete or the student-athlete's family compensation in relation to the use of the student-athlete's \* \* \* publicity rights.

(6) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association shall not prevent a student-athlete from obtaining professional representation in relation to \* \* \* publicity rights, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by athlete agents or legal representation provided by attorneys. A student-athlete shall provide the postsecondary educational institution with written notice at least seven (7) days prior to entering into a representation agreement with any individual for the purpose of exploring or securing compensation for use of the student-athlete's \* \* \* publicity rights.

(7) Professional representation obtained by student-athletes must be from persons registered as athlete agents as provided in Section 73-42-1 et seq. of the Uniform Athlete Agent Act. Attorneys who provide legal representation to student-athletes must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar.

(8) Athlete agents representing student-athletes shall comply with the Uniform Athlete Agents Act, Section 73-42-1 et seq., Mississippi Code of 1972, and the federal Sports Agent Responsibility and Trust Act in 15 USC Sections 7801-7807 in their relationships with student-athletes.

(9) A grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits from the postsecondary educational institution in which a student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this article.

(10) Before any \* \* \* agreement for compensation for the use of a student-athlete's \* \* \* publicity rights is \* \* \* entered into, and before any compensation is provided to the student-athlete in advance of \* \* \* an agreement, the student-athlete shall disclose the \* \* \* agreement to a designated official of the postsecondary educational institution in which the student-athlete is enrolled in a manner prescribed by the institution.

(11) A third-party \* \* \* may not enter into, or offer to enter into, a name, image and likeness agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's \* \* \* publicity rights if a provision of the name, image and likeness agreement or the use of the student-athlete's \* \* \* publicity rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the

postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(12) No postsecondary educational institution, booster \*\*\* or third-party \*\*\* shall provide a \*\*\* student-athlete compensation or enter into a name, image and likeness agreement as an inducement for the student-athlete to attend or enroll in a specific institution or group of institutions. Compensation for a student-athlete's \*\*\* publicity rights may not be conditioned on athletic performance \*\*\*.

\*\*\*

(\*\*\*13) No student-athlete shall enter into a name, image, and likeness agreement or receive compensation from a third-party licensee for the endorsement or promotion of gambling, sports betting, controlled substances, marijuana, tobacco or alcohol \*\*\* brand or products, alternative or electronic nicotine product or delivery system, performance-enhancing supplements, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution or that negatively impacts or reflects adversely on a postsecondary education institution or its athletic programs, including, without limitation, bringing about public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary educational institution.

(15) A contract for the use of \*\*\* a student-athlete's \*\*\* publicity rights which is formed while the student-athlete is participating in an intercollegiate sport at a postsecondary educational institution may not extend beyond the student-athlete's participation in the sport at the institution.

(16) Nothing in this article shall be interpreted to modify any requirements or obligations imposed under Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.).

SECTION 5. Section 37-97-109, Mississippi Code of 1972, is brought forward as follows:

37-97-109. No postsecondary educational institution shall be subject to a claim for damages of any kind under this article, including, without limitation, a claim for unfair trade or competition or tortious interference. No postsecondary educational institution shall be subject to a claim for damages related to its adoption, implementation or enforcement of any contract, rule, regulation, standard or other requirement in compliance with this article. This article is not intended to and shall not waive or diminish any applicable defenses and immunities, including, without limitation, sovereign immunity applicable to postsecondary educational institutions.

SECTION 6. Section 73-42-1, Mississippi Code of 1972, is brought forward as follows:

73-42-1. This chapter may be cited as the "Uniform Athlete Agents Act."

SECTION 7. Section 73-42-3, Mississippi Code of 1972, is brought forward as follows:

73-42-3. In this chapter:

(a) "Agency contract" means an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract, an endorsement contract, compensation for the use of the student-athlete's name, image or likeness, or enrollment at any educational institution that offers an athletic scholarship to the student-athlete.

(b) "Athlete agent" means an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits, induces or solicits a student-athlete to enter into an agency contract. The term does not include a spouse, parent, sibling, grandparent or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. The term includes an individual who represents to the public that the individual is an athlete agent.

(c) "Athletic director" means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(d) "Contact" means a communication, direct or indirect, written or oral, between an athlete agent and a student-athlete, to recruit, induce or solicit the student-athlete to enter into an agency contract.

(e) "Endorsement contract" means:

(i) An agreement under which a student-athlete is employed or receives consideration or anything of value for the student-athlete's publicity, reputation, following, or fame obtained because of the student-athlete's athletic ability or performance; and

(ii) An agreement under which a student-athlete receives compensation, consideration or anything of value for the use of the student-athlete's name, image or likeness.

(f) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(g) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation, or any other legal or commercial entity.

(h) "Professional-sports-services contract" means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(i) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(j) "Registration" means registration as an athlete agent pursuant to this chapter.

(k) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(l) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, a sport for a professional sports team or in any intercollegiate sport at any educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 8. Section 73-42-5, Mississippi Code of 1972, is brought forward as follows:

73-42-5. (1) The Secretary of State shall administer this chapter.

(2) By engaging in the business of an athlete agent in this state, a nonresident individual appoints the Secretary of State as the individual's agent to accept service of process in any civil action related to the individual's business as an athlete agent in this state.

(3) The Secretary of State may:

(a) Conduct public or private investigations within or outside of this state which he considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate any provision of this chapter or a rule adopted under this chapter, or to aid in the enforcement of this chapter or in the adoption of rules and forms under this chapter;

(b) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as he may determine, as to all facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(c) Publish a record concerning an action, proceeding, or an investigation under, or a violation of, this chapter or a rule adopted under this chapter if he determines it is necessary or appropriate in the public interest.

(4) For the purpose of an investigation under this chapter, the Secretary of State or his designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Secretary of State considers relevant or material to the investigation.

SECTION 9. Section 73-42-7, Mississippi Code of 1972, is brought forward as follows:

73-42-7. (1) Except as otherwise provided in subsection (2), an individual may not act as an athlete agent in this state before being issued a certificate of registration under Section 73-42-11 or 73-42-15.

(2) Before being issued a certificate of registration, an individual may act as an athlete agent for all purposes except signing an agency contract if within seven (7) days after an initial act as an athlete agent, the individual submits an application to register as an athlete agent in this state.

(3) An agency contract resulting from conduct in violation of this section is void. The athlete agent shall return any consideration received under the contract to the individual or entity who tendered or paid the consideration.

SECTION 10. Section 73-42-9, Mississippi Code of 1972, is brought forward as follows:

73-42-9. (1) An applicant for registration shall submit an application for registration to the Secretary of State in a form prescribed by the Secretary of State. An application filed under this section is a public record. Except as otherwise provided in subsection (2), the application must be in the name of an individual, signed by the applicant under penalty of perjury and must state or contain:

(a) The name of the applicant and the address of the applicant's principal place of business;

- (b) The name of the applicant's business or employer, if applicable;
- (c) Any business or occupation engaged in by the applicant for the five (5) years next preceding the date of submission of the application;
- (d) A description of the applicant's:
  - (i) Formal training as an athlete agent;
  - (ii) Practical experience as an athlete agent; and
  - (iii) Educational background relating to the applicant's activities as an athlete agent;
- (e) The names and addresses of three (3) individuals not related to the applicant who are willing to serve as references;
- (f) The name, sport and last known team for each individual for whom the applicant provided services as an athlete agent during the five (5) years next preceding the date of submission of the application;
- (g) The names and addresses of all persons who are:
  - (i) With respect to the athlete agent's business if it is not a corporation, the partners, officers, associates, individuals or profit-sharers; and
  - (ii) With respect to a company or corporation employing the athlete agent, the officers, directors and any shareholder of the corporation or member with a five percent (5%) or greater interest;
- (h) Whether the applicant or any other person named pursuant to paragraph (g) has been convicted of a crime that, if committed in this state, would be a felony or other crime involving moral turpitude, and identify the crime;
- (i) Whether there has been any administrative or judicial determination that the applicant or any other person named pursuant to paragraph (g) has made a false, misleading, deceptive or fraudulent representation;
- (j) Any instance in which the conduct of the applicant or any other person named pursuant to paragraph (g) resulted in the imposition of a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event on a student-athlete or educational institution;
- (k) Any sanction, suspension or disciplinary action taken against the applicant or any other person named pursuant to paragraph (g) arising out of occupational or professional conduct;
- (l) Whether there has been any denial of an application for, suspension or revocation of, or refusal to renew, the certification, registration or licensure of the applicant or any other person named pursuant to paragraph (g) as an athlete agent in any state;
- (m) Any pending litigation against the applicant in the applicant's capacity as an agent;
- (n) A list of all other states in which the applicant is currently licensed or registered as an athlete agent and a copy of each state's license or registration, as applicable; and

(o) Consent to submit to a criminal background check before being issued a certificate of registration. Any fees connected with the background check shall be assessed to the applicant.

(2) An individual who has submitted an application for, and received a certificate of, registration or licensure as an athlete agent in another state, may submit a copy of the application and a valid certificate of registration or licensure from the other state in lieu of submitting an application in the form prescribed pursuant to subsection (1), along with the information requested in paragraphs (l), (m), (n) and (o) of subsection (1). The Secretary of State shall accept the application and the certificate from the other state as an application for registration in this state if the application to the other state:

(a) Was submitted in the other state within the six (6) months next preceding the submission of the application in this state and the applicant certifies the information contained in the application is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(3) An athlete agent must notify the Secretary of State within thirty (30) days whenever the information contained in any application for registration as an athlete agent in this state changes in a material way or is, or becomes, inaccurate or incomplete in any respect. Events requiring notice shall include, but are not limited to, the following:

(a) Change in address of the athlete agent's principal place of business;

(b) Conviction of a felony or other crime involving moral turpitude by the athlete agent;

(c) Denial, suspension, refusal to renew, or revocation of a registration or license of the athlete agent as an athlete agent in any state; or

(d) Sanction, suspension or other disciplinary action taken against the athlete agent arising out of occupational or professional conduct.

SECTION 11. Section 73-42-11, Mississippi Code of 1972, is brought forward as follows:

73-42-11. (1) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual who complies with Section 73-42-9(1).

(2) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual whose application has been accepted under Section 73-42-9(2).

(3) The Secretary of State may refuse to issue a certificate of registration if he determines that the applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to serve as an athlete agent. In making the determination, the Secretary of State may consider whether the applicant has:

(a) Been convicted of a crime in another state that, if committed in this state, would be a felony or other crime involving moral turpitude;

(b) Made a materially false, misleading, deceptive or fraudulent representation as an athlete agent or in the application;

(c) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(d) Engaged in conduct prohibited by Section 73-42-27;

(e) Had a registration, licensure or certification as an athlete agent suspended, revoked, or denied or been refused renewal of registration, licensure or certification in any state;

(f) Engaged in conduct or failed to engage in conduct the consequence of which was that a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event was imposed on a student-athlete or educational institution; or

(g) Engaged in conduct that significantly adversely reflects on the applicant's trustworthiness or credibility.

(4) In making a determination under subsection (3), the Secretary of State shall consider:

(a) How recently the conduct occurred;

(b) The nature of the conduct and the context in which it occurred; and

(c) Any other relevant conduct of the applicant.

(5) An athlete agent may apply to renew a registration by submitting an application for renewal in a form prescribed by the Secretary of State. An application filed under this section is a public record. The application for renewal must be signed by the applicant under penalty of perjury and must contain current information on all matters required in an original registration.

(6) An individual who has submitted an application for renewal of registration or licensure in another state, in lieu of submitting an application for renewal in the form prescribed pursuant to subsection (5), may file a copy of the application for renewal and a valid certificate of registration from the other state. The Secretary of State shall accept the application for renewal from the other state as an application for renewal in this state if the application to the other state:

(a) Was submitted in the other state within the last six (6) months and the applicant certifies the information contained in the application for renewal is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(7) Except as provided in Section 33-1-39, a certificate of registration or a renewal of a registration is valid for two (2) years.

SECTION 12. Section 73-42-13, Mississippi Code of 1972, is brought forward as follows:

73-42-13. (1) After proper notice and an opportunity for a hearing, the Secretary of State may deny, suspend, revoke or refuse to renew a registration for conduct that would have justified denial of registration under Section 73-42-11(3) or for a violation of any provision of this chapter.

(2) (a) The Secretary of State shall appoint at least one (1) hearing officer for the purpose of holding hearings, compiling evidence and rendering decisions under this section and Section 73-42-11. The hearing officer shall fix the date for an adjudicatory hearing and notify the athlete agent involved. The hearing shall be held at a location to be designated by the hearing officer. Unless the time period is extended by the hearing officer, the hearing shall be held not less than fifteen (15) nor more than thirty (30) days after the mailing of notice to the athlete agent involved. At the conclusion of the hearing, the hearing officer shall make a recommendation regarding the registration of the athlete agent involved. The Secretary of State shall then take appropriate action by final order.

(b) Any athlete agent whose application for registration has been denied or not renewed, or whose registration has been revoked or suspended by the Secretary of State, within thirty (30) days after the date of such final order, shall have the right of a trial de novo on appeal to the circuit court of the county of residence of the athlete agent, the student-athlete, or the educational institution that issued an athletic scholarship to the student-athlete. If the secretary's final order is supported by substantial evidence and does not violate a state or federal law, then it shall be affirmed by the circuit court. Either party shall have the right of appeal to the Supreme Court as provided by law from any decision of the circuit court. No athlete agent shall be allowed to deliver services to a student-athlete domiciled or residing in Mississippi while any such appeal is pending.

(3) In addition to the reasons specified in subsection (1) of this section, the secretary shall be authorized to suspend the registration of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a registration for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a registration suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a registration suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the secretary in suspending the registration of a person when required by Section 93-11-157 are not actions from which an appeal may be taken under this section. Any appeal of a registration suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 13. Section 73-42-15, Mississippi Code of 1972, is brought forward as follows:

73-42-15. The Secretary of State may issue a temporary certificate of registration while an application for registration or renewal is pending.

SECTION 14. Section 73-42-17, Mississippi Code of 1972, is brought forward as follows:

73-42-17. (1) An application for registration or renewal of registration must be accompanied by a fee in the following amount:

(a) Two Hundred Dollars (\$200.00) for an initial application for registration.

(b) Two Hundred Dollars (\$200.00) for an application for registration based upon a certificate of registration or licensure issued by another state.

(c) Two Hundred Dollars (\$200.00) for an application for renewal of registration.

(d) Two Hundred Dollars (\$200.00) for an application for renewal of registration based upon an application for renewal of registration or licensure submitted in another state.

(2) In addition, the Secretary of State may impose a fee for the actual costs incurred by the Secretary of State's office for processing and administering one or more criminal history background checks.

SECTION 15. Section 73-42-19, Mississippi Code of 1972, is brought forward as follows:

73-42-19. (1) An agency contract must be in a record, signed by the parties.

(2) An agency contract must state or contain:

(a) The amount and method of calculating the consideration to be paid by the student-athlete for services to be provided by the athlete agent under the contract and any other consideration or anything of value that the athlete agent has received or will receive from any other source for entering into the contract or for providing the services;

(b) The name of any person not listed in the application for registration or renewal who will be compensated because the student-athlete signed the agency contract;

(c) A description of any expenses that the student-athlete agrees to reimburse;

(d) A description of the services to be provided to the student-athlete;

(e) The duration of the contract; and

(f) The date of execution.

(3) An agency contract must contain, in close proximity to the signature of the student-athlete, a conspicuous notice in boldface type in capital letters stating:

**WARNING TO STUDENT-ATHLETE**

**IF YOU SIGN THIS CONTRACT:**

(1) **YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT-ATHLETE IN YOUR SPORT;**

(2) **BOTH YOU AND YOUR ATHLETE AGENT ARE REQUIRED TO TELL YOUR ATHLETIC DIRECTOR, IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO AN AGENCY CONTRACT; AND**

(3) **YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THE CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.**

(4) An agency contract that does not conform to this section is voidable by the student-athlete.

(5) The athlete agent shall give a copy of the signed agency contract to the student-athlete at the time of signing.

SECTION 16. Section 73-42-21, Mississippi Code of 1972, is brought forward as follows:

73-42-21. (1) Before an athlete agent, or his or her employee or representative, may initiate a first contact, direct or indirect, with any of the individuals listed below, with the intent or for the purpose of soliciting the student-athlete or of procuring employment from the student-athlete, the athlete agent, or his or her employee or representative, must provide the educational institution at which the student-athlete is enrolled with written notification of the planned contact with these individuals:

(a) The student-athlete;

(b) The student-athlete's spouse, parent, foster parent, guardian, sibling, aunt, uncle, grandparent, child or first cousin; or the parent, foster parent, sibling, aunt, uncle, grandparent, child or first cousin of the student-athlete's spouse; or

(c) A representative of any of the individuals enumerated in paragraphs (a) and (b) of this subsection (1).

(2) Within seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student-athlete may participate, whichever occurs first, the athlete agent shall give notice of the existence of the agency contract to the athletic director of the educational institution at which the student-athlete is enrolled or at which the athlete agent has reasonable grounds to believe the student-athlete intends to enroll.

(3) Within seventy-two (72) hours after entering into an agency contract or before the next athletic event in which the student-athlete may participate, whichever occurs first, the student-athlete shall inform the athletic director of the educational institution at which the student-athlete is enrolled that he or she has entered into an agency contract.

SECTION 17. Section 73-42-23, Mississippi Code of 1972, is brought forward as follows:

73-42-23. (1) A student-athlete may cancel an agency contract by giving notice to the athlete agent of the cancellation within fourteen (14) days after the date the contract is signed.

(2) A student-athlete may not waive the right to cancel any agency contract.

(3) If a student-athlete cancels an agency contract, the student-athlete is not required to pay any consideration under the contract or to return any consideration received from the athlete agent to induce the student-athlete to enter into the contract.

SECTION 18. Section 73-42-25, Mississippi Code of 1972, is brought forward as follows:

73-42-25. (1) An athlete agent shall retain the following records for a period of five (5) years:

(a) The name and address of each individual represented by the athlete agent;

(b) Any agency contract entered into by the athlete agent; and

(c) Any direct costs incurred by the athlete agent in the recruitment or solicitation of a student-athlete.

(2) Records required by subsection (1) to be retained are open to inspection by the Secretary of State during normal business hours.

SECTION 19. Section 73-42-27, Mississippi Code of 1972, is brought forward as follows:

73-42-27. (1) An athlete agent may not engage in any of the following activities, within this state or otherwise, with the intent to induce a student-athlete to enter into an agency contract:

(a) Give any materially false or misleading information or make a materially false promise or representation;

(b) Furnish anything of value to a student-athlete before the student-athlete enters into the agency contract; or

(c) Furnish anything of value to any individual other than the student-athlete or another registered athlete agent.

(2) An athlete agent may not intentionally:

(a) Initiate contact with a student-athlete unless registered under this chapter;

(b) Refuse or willfully fail to retain or permit inspection of the records required by Section 73-42-25 or fail to provide the Secretary of State with any statements, documents, records or testimony required by the secretary under Section 73-42-5(3) and (4);

(c) Violate Section 73-42-7 by failing to register;

(d) Provide materially false or misleading information in an application for registration or renewal of registration;

(e) Predate or postdate an agency contract; or

(f) Fail to notify a student-athlete prior to the student-athlete's signing an agency contract for a particular sport that the signing by the student-athlete may make the student-athlete ineligible to participate as a student-athlete in that sport.

SECTION 20. Section 73-42-29, Mississippi Code of 1972, is brought forward as follows:

73-42-29. The commission of any act prohibited by Section 73-42-27 by an athlete agent is a felony punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment \* \* \* for not more than two (2) years, or both.

SECTION 21. Section 73-42-31, Mississippi Code of 1972, is brought forward as follows:

73-42-31. (1) An educational institution has a right of action against an athlete agent or a former student-athlete for damages caused by a violation of this act. In an action under this section, the court may award to the prevailing party costs and reasonable attorney's fees.

(2) Damages of an educational institution under subsection (1) include losses and expenses incurred because, as a result of the activities of an athlete agent or former student-athlete, the educational institution was injured by a violation of this chapter or was penalized, disqualified or suspended from participation in athletics by a national association for the promotion and regulation of athletics, by an athletic conference, or by reasonable self-imposed disciplinary action taken to mitigate sanctions.

(3) A right of action under this section does not accrue until the educational institution discovers or by the exercise of reasonable diligence would have discovered the violation by the athlete agent or former student-athlete.

(4) Any liability of the athlete agent or the former student-athlete under this section is several and not joint.

(5) This chapter does not restrict rights, remedies or defenses of any person under law or equity.

SECTION 22. Section 73-42-33, Mississippi Code of 1972, is brought forward as follows:

73-42-33. The Secretary of State may assess a civil penalty against an athlete agent not to exceed Twenty-five Thousand Dollars (\$25,000.00) for a violation of this chapter.

SECTION 23. Section 73-42-34, Mississippi Code of 1972, is brought forward as follows:

73-42-34. (1) If the Secretary of State determines that a person has engaged in or is engaging in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, or that a person has materially aided or is materially aiding in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, then the secretary may:

(a) Issue an order directing the person to cease and desist from engaging in the act, practice, or course of business, or to take other action necessary or appropriate to comply with this chapter or any rule adopted or order issued under this chapter;

(b) Issue an order imposing an administrative penalty against an athlete agent who violated any provision of this chapter or any rule adopted or order issued under this chapter; and

(c) Take any other action authorized under the provisions of this chapter.

(2) An order issued under subsection (1) of this section is effective on the date of its issuance. Upon the order's issuance, the Secretary of State shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or other administrative remedy to be imposed under subsection (1) of this section, a statement of the costs of investigation that the secretary will seek to recover, a statement of the reasons for the order, and a statement notifying the person of his or her right to a hearing under Section 73-42-13. If a person subject to the order does not request a hearing in writing within thirty (30) days of the date of the order and none is ordered by the hearing officer, then the order, including the imposition of a civil penalty or requirement for payment of the costs of investigation, shall become final as to that person by operation of law.

(3) In a final order, the secretary may charge the actual cost of an investigation or proceeding for a violation of this chapter or a rule adopted or order issued under this chapter.

(4) If a petition for judicial review of a final order is not filed in accordance with Section 73-42-37, or the petition is denied by the court, the secretary may file a certified copy of the final order with the clerk of a court in the jurisdiction where enforcement will be sought. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(5) If a person does not comply with an order issued under this section, the secretary may petition a court of competent jurisdiction to enforce the order and collect administrative civil penalties and costs imposed under the final order. The court may not require the secretary to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person did not comply with the order, the court may adjudge the person in civil contempt of the order. The court may grant any relief the court determines is just and proper in the circumstances.

(6) Any person aggrieved by a final order of the secretary may obtain a review of the order in the circuit court of the county of residence of the athlete agent, the student-athlete, or the public or private college, university, community or junior college in the state that issued an athletic scholarship to the student-athlete, by filing within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be served upon the secretary, and the secretary shall certify and file with the court a copy of the record and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part. The findings of the secretary as to the facts, if supported by competent material and substantial evidence, are conclusive. The beginning of proceedings under this subsection does not operate as a stay of the secretary's order, unless specifically ordered by the court.

SECTION 24. Section 73-42-35, Mississippi Code of 1972, is brought forward as follows:

73-42-35. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 25. Section 73-42-37, Mississippi Code of 1972, is brought forward as follows:

73-42-37. The provisions of this chapter modify, limit and supersede the federal Electronic Signatures in Global and National Commerce Act, 15 USCS Section 7001, et seq., except that those provisions do not modify, limit, or supersede Section 101(c) of that act, 15 USCS Section 7001(c), and do not authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 USCS Section 7003(b).

SECTION 26. Section 73-42-39, Mississippi Code of 1972, is brought forward as follows:

73-42-39. The Secretary of State may promulgate rules and regulations necessary to administer, carry out and enforce this chapter and to define terms whether or not used in this chapter, but those definitions may not be inconsistent with this chapter.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT, INCLUDING THE DEFINITIONS OF NAME, IMAGE AND LIKENESS AGREEMENTS, PUBLICITY RIGHTS AND STUDENT-ATHLETE; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO REVISE A PROVISION THAT ALLOWS STUDENT ATHLETES TO EARN COMPENSATION FOR THE USE OF THEIR PUBLICITY RIGHTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION MAY FACILITATE

OPPORTUNITIES FOR STUDENT-ATHLETES TO ENGAGE WITH THIRD PARTIES INTERESTED IN ENTERING INTO NAME, IMAGE AND LIKENESS AGREEMENTS; TO FURTHER CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 37-97-101 AND 37-97-103, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI UNIFORM AGENTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1068 was adopted.

YEAS AND NAYS On H. B. No. 1068. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

**H. B. No. 1135:** Advanced plastic recycling; define terms relating to.

YEAS AND NAYS On H. B. No. 1135. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning called up the following entitled bill:

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 328 and renumbering subsequent section(s) accordingly:

SECTION \*. (1) The Mississippi Transportation Commission, acting through the Mississippi Department of Transportation, is authorized to sell certain state-owned real property and any improvements thereon, which is located in Winston County, Mississippi, such property being more specifically described as follows:

Begin at a point that is 75.88 feet Easterly of and perpendicular to the centerline of Baremore Street at Station 14 + 67.76 as shown on the plans for State Project No. 79-0022-02-015-10; from said point of beginning run thence East, a distance of 469.88 feet; thence run North, a distance of 79.6 feet to the Southwest corner of Lot 10 of the Day Road Subdivision; thence continue North, a distance of 186.4 feet; thence run West, a distance of 500.37 feet to the East right-of-way line of said Baremore Street; thence South 3° 29' West along said right-of-way line, a distance of 131.19 feet; thence South 86° 31' East, a distance of 10.0 feet; thence South 15° 52' East along said right-of-way line, a distance of 105.4 feet; thence South 1° 54' West along said right-of-way line, a distance of 32.76 feet to the point of beginning, containing 3.00 acres, more or less, and being situated in the Northwest 1/4 of the Northwest 1/4 of Section 4, Township 14 North, Range 12 East, City of Louisville, Winston County, Mississippi.

(2) The real property and any improvements thereon described in subsection (1) of this section shall be sold by negotiated sale to the Board of Supervisors of Winston County, Mississippi, on such terms as the parties agree. The sale shall not be subject to any requirements as to fair market value or appraisals, except as agreed by the parties.

(3) All monies derived from the sale of the property described in subsection (1) of this section shall be deposited into a special fund created in the State Treasury for the use and benefit of the Mississippi Department of Transportation. Unexpended amounts remaining in the special fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned on the amounts in the special fund shall be deposited to the credit of the special fund.

(4) The Department of Finance and Administration may correct any discrepancies in the legal description provided in this section.

(5) The State of Mississippi shall retain all mineral rights to the property sold under this section.

FURTHER, AMEND the title to conform by inserting the following on line 6 after the semicolon:

TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING THROUGH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO SELL CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON, WHICH ARE LOCATED IN WINSTON COUNTY, MISSISSIPPI, TO THE COUNTY BOARD OF SUPERVISORS;

Amendment No. 1 to H. B. No. 1185 was adopted.

YEAS AND NAYS On H. B. No. 1185. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 160:** Travel Insurance Act of 2022; create.

YEAS AND NAYS On H. B. No. 160. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--McDaniel, Tate. Total--2.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 974:** Airport authorities; authorize to provide dependent health insurance coverage as employment benefit.

Senator DeLano offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 61-3-15, Mississippi Code of 1972, is amended as follows:

61-3-15. An authority shall have all the powers necessary or convenient to carry out the purposes of this chapter (excluding the power to levy and collect taxes or special assessments) including, but not limited to, the power:

(a) To sue and be sued, to have a seal and to have perpetual succession.

(b) To purchase general liability insurance coverage, including errors and omissions insurance, for its officials and employees.

(c) To employ an executive director, secretary, technical experts, and such other officers, agents and employees, permanent and temporary, as it may require, and to determine their qualifications and duties, and to establish compensation and other employment benefits as may be advisable to attract and retain proficient personnel. For regional airport authorities organized under Section 61-3-7, such employment benefits may include payment for all or part of dependent health insurance coverage.

(d) To execute such contracts and other instruments and take such other action as may be necessary or convenient to carry out the purposes of this chapter.

(e) To plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities within this state and within any adjoining state, including the acquisition, lease, lease-purchase, construction, installation, equipment, maintenance and operation of such airports or buildings, equipment and other facilities or other property for the servicing of aircraft or for the comfort and accommodation of air travelers or for any other purpose deemed by the authority to be necessary to carry out its duties; to develop, operate, manage or own and maintain intermodal facilities to serve air and surface cargo and multimodal facilities to serve highway and rail passenger transportation needs to ensure interface and interaction between modes for cargo and passengers; to construct, improve, and maintain means of ingress and egress to airport properties from and over off-airport sites with approval of the city or county in which the off-airport site is located; to market, promote and advertise airport properties, goods and services; and to directly purchase and sell supplies, goods and commodities incident to the operation of its airport properties without having to make purchases thereof through the municipal governing authorities, and with the authority to utilize design-build and construction manager at-risk methods of construction in accordance with Sections 31-7-13.1 and 31-7-13.2. For all the previously stated purposes, an authority may, by purchase, gift, devise, lease, eminent domain proceedings or otherwise, acquire property, real or personal, or any interest therein, including easements in airport hazards or land outside the boundaries of an airport or airport site, as are necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting of airport hazards, to prevent the establishment of airport hazards or to carry out its duties.

(f) To acquire, by purchase, gift, devise, lease, lease-purchase, eminent domain proceedings or otherwise, existing airports and air navigation facilities. However, an authority shall not acquire or take over any airport or air navigation facility owned or controlled by another authority, a municipality or public agency of this or any other state without the consent of such authority, municipality or public agency.

(g) To establish or acquire and maintain airports in, over and upon any public waters of this state, and any submerged lands under such public waters, and to construct and maintain terminal buildings, landing floats, causeways, roadways and bridges for approaches to or connecting with any such airport, and landing floats and breakwaters for the protection thereof.

(h) To establish, enact and enforce ordinances, rules, regulations and standards for public safety, aviation safety, airport operations and the preservation of good order and peace of the authority; to prevent injury to, destruction of or interference with public or private property; to protect property, health and lives and to enhance the general welfare of the authority by restricting the movements of citizens or any group thereof on the property of the authority when there is imminent danger to the public safety because of freedom of movement thereof; to regulate the entrances to property and buildings of the authority and the way of ingress and egress to and from the same; to establish fire limits and to hire firemen, including aircraft fire and rescue and similar personnel, and to establish and equip a fire department to provide fire and other emergency services on any property of the authority; to regulate, restrain or prohibit construction failing to meet standards established by the authority; to appoint and discharge police officers with jurisdiction limited to property of the airport authority and authorization to enforce the ordinances, rules and regulations of the authority, as well as the laws of the State of Mississippi, and to issue citations for infractions of all of such ordinances, rules, regulations, standards and laws of the State of Mississippi returnable to the court of appropriate jurisdiction.

(i) To develop and operate an industrial park or parks and exercise all authority provided for under Chapter 7, Title 57, Mississippi Code of 1972.

(j) To attach, pursuant to the power and procedure set forth in Chapter 33, Title 11, Mississippi Code of 1972, the equipment of debtors of the authority.

(k) To enter into agreements with local governments pursuant to Section 17-13-1 et seq.

(l) To render emergency assistance to other airports within the United States at an aggregate cost of less than Twenty Thousand Dollars (\$20,000.00) per emergency. The assistance authorized in this paragraph must be rendered within ninety (90) days after a state of emergency has been declared by the federal government, or by the local or state government that has jurisdiction over the area where the airport needing assistance is located.

(m) To enter into joint use or similar agreements with any department or agency of the United States of America or the State of Mississippi, including any military department of the United States of America or the State of Mississippi, with respect to the use and operation of, or services provided at, any airport or other property of the authority on the terms and conditions as the authority may deem appropriate, including provisions limiting the liability of the United States of America or the State of Mississippi for loss or damage to the authority if the authority determines that the limitation of liability is reasonable, necessary and appropriate under the circumstances.

(n) To enter into mutual aid agreements with counties and municipalities for reciprocal emergency aid and assistance in case of emergencies too extensive to be dealt with unassisted; to participate in the Statewide Mutual Aid Compact (SMAC) in accordance with Section 33-15-19.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN REGIONAL AIRPORT AUTHORITIES TO PROVIDE DEPENDENT HEALTH INSURANCE COVERAGE AS AN EMPLOYMENT BENEFIT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 974 was adopted.

YEAS AND NAYS On H. B. No. 974. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following entitled bill:

**H. B. No. 1097:** Counties and municipalities; authorize to lease facilities that are to be utilized as fire stations.

YEAS AND NAYS On H. B. No. 1097. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Branning moved that the rules be suspended for the consideration en bloc of H. B. No. 503, H. B. No. 504, H. B. No. 505, H. B. No. 990, H. B. No. 1002 and H. B. No. 1113 and the motion prevailed.

Senator Branning called up the following measures:

**H. B. No. 503:** Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection."

**H. B. No. 504:** Memorial highway; designate segment of I-22 in Lee County as the "Korean War Veterans Highway."

**H. B. No. 505:** Memorial highway; designate segment of I-22 in Lee County as the "Vietnam Veterans Way."

**H. B. No. 990:** Memorial highway and bridge; designate in Warren County for Margaret Gilmer.

**H. B. No. 1002:** Memorial Highway; designate segment in Covich County as the "Carroll V. Hood Memorial Highway".

**H. B. No. 1113:** Memorial intersection; designate intersection in Clarke County as the "PFC Damian Laquasha Heidelberg Memorial Intersection."

YEAS AND NAYS on consideration en bloc of H. B. No. 503, H. B. No. 504, H. B. No. 505, H. B. No. 990, H. B. No. 1002 and H. B. No. 1113. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Branning moved that the rules be suspended to move to calendar item 101, **H. B. No. 811**, and the motion prevailed.

Senator Branning called up the following entitled bill:

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by striking lines 9 through 14 and inserting in lieu thereof the following:

SECTION 1. (1) The segment of U.S. Highway 80 located in Rankin County, Mississippi, within the corporate limits of the City of Brandon, from its intersection with Felicity Street easterly to its intersection with North Street, is designated and shall be known as the "Deputy Travis O. Biddle Memorial Highway."

FURTHER, AMEND the title to conform by striking "INTERSTATE HIGHWAY 20" on lines 1 and 2 and inserting in lieu thereof the following:

U.S. HIGHWAY 80

Amendment No. 1 to H. B. No. 811 was adopted.

YEAS AND NAYS On H. B. No. 811. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 1378:** Memorial highways; designate in Prentiss County.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by striking SECTION 2 (lines 15 through 22) and renumbering subsequent section(s) accordingly.

FURTHER, AMEND the title to conform by striking the following language on lines 3 through 5:

TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 45 LOCATED IN PRENTISS COUNTY AS THE "SENATOR JOHN WHITE MEMORIAL HIGHWAY";

Amendment No. 1 to H. B. No. 1378 was adopted.

YEAS AND NAYS On H. B. No. 1378. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death".

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "Parker's Law."

SECTION 2. (1) A person who delivers or causes the delivery of fentanyl with knowledge of the fentanyl commits the crime of "fentanyl delivery resulting in death" when as a result of the unlawful delivery of fentanyl in exchange for anything of value to another person, death to a person results from the proximate cause of injection, oral ingestion or inhalation of the fentanyl. Upon conviction for violating the provisions of this section, the person shall be sentenced to imprisonment no less than twenty (20) years to a term of life in the custody of the Mississippi Department of Corrections.

(2) For purposes of this act only, any person, who, in good faith, without malice and in the absence of evidence of an intent to defraud, seeks medical assistance for someone experiencing a fentanyl overdose shall not be charged or prosecuted for a violation of this section, if the evidence for the charge was gained as a result of the seeking of medical assistance.

(3) For purposes of this act:

(a) "Fentanyl" means fentanyl and any fentanyl-related substances, to include fentanyl analogs, as set forth in Article 3, Chapter 29 of Title 41 of the Mississippi Code of 1972.

(b) "In exchange for anything of value" does not apply to the act of sharing fentanyl when the sharing results in the proximate cause of a person's death under this section.

(4) The legislative intent for this bill is to assist in prosecuting any person who sells or otherwise profits from the sale of unlawful fentanyl, which causes the death of another person. It is not the intent of this Legislature for the provisions of this section to be used to prosecute a drug user or drug addict who has shared fentanyl with a friend or associate and the friend or associate dies as a result of the sharing.

(5) The provisions of this section shall not be construed to limit, restrict or otherwise prohibit an indictment or conviction for any other crime that may be related to a violation of this section.

(6) The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall create an annual report of the number of persons convicted under the provisions of this act; and shall provide the report to the House and Senate Judiciary B committees by January 5, of each year.

(7) This section shall stand repealed from and after July 1, 2025.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE "PARKER'S LAW"; TO CREATE THE CRIME OF "FENTANYL DELIVERY RESULTING IN DEATH"; TO PROVIDE THE PENALTY FOR SUCH CRIME; TO PROVIDE AN EXCEPTION FOR THOSE WHO SEEK MEDICAL ATTENTION; TO DEFINE CERTAIN TERMS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 607 was adopted.

YEAS AND NAYS On H. B. No. 607. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--40.

Nays--Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Sparks, Thomas, Williams. Total--12.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 980:** Controlled substances; provide automatic defense to prosecution for charge that is brought within two years of a federal declassification of.

YEAS AND NAYS On H. B. No. 980. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.  
Voting Present--Hill. Total--1.

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Senator Parks called up the following entitled bill:

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children.

Senator Parks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "State Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program."

(2) As used in this section, the following terms shall have the meaning ascribed in this subsection, unless context of use clearly requires otherwise:

(a) "Approved postsecondary educational institution" means any public state-supported institution of higher learning, community or junior college, or any not-for-profit private institution of higher learning in the state. The term does not include proprietary colleges or universities.

(b) "Board" means the Mississippi Postsecondary Education Financial Assistance Board established in Section 37-106-9, which is authorized and empowered to administer the provisions of Title 37, Chapter 106, Mississippi Code of 1972.

(c) "Director" means the individual designated by the Board of Trustees of State Institutions of Higher Learning to administer the provisions of the various financial assistance programs by promulgating the necessary rules and regulations for their effective administration.

(d) "Department" means the Mississippi Department of Child Protection Services.

(e) "Eligible student" means:

(i) Any individual who is younger than twenty-six (26) years of age who was placed in the legal custody of the Mississippi Department of Child Protection Services by a youth court or through other legal means and who was in the legal custody of the department at any time on or after attaining thirteen (13) years of age;

(ii) Any individual who is younger than twenty-six (26) years of age who was placed in a qualified residential child care agency by a parent, legal guardian, court of competent jurisdiction, or other person or entity acting in the best interest of the individual and who did reside in a qualified residential child care agency at any time on or after attaining thirteen (13) years of age; or

(iii) Any individual who is younger than twenty-six (26) years of age who was adopted from the department's legal custody or adopted while residing at a qualified residential child care agency as described in paragraph (f) of this subsection at any time on or after attaining thirteen (13) years of age.

(f) "Qualified residential child care agency" means an entity that provides a home for children and was licensed by the Mississippi Department of Child Protection Services at the time that the scholarship applicant was housed by the agency.

(g) "Scholarship" means the State Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship.

(3) The Mississippi Postsecondary Education Financial Assistance Board, with the assistance of the Mississippi Department Child Protection Services shall develop and administer the Kinkade FAITH Scholarship Program for eligible students. Commencing with the 2023-2024 academic year, the board shall approve scholarships to eligible students who meet the general requirements set forth in subsection (8) of this section. Scholarships shall be used to pay up to the Cost of Attendance at any approved postsecondary educational institution, provided that payments to any not-for-profit private institution of higher learning shall not exceed the average cost of attendance required by all of the public state-supported institutions of higher learning.

(4) Payments up to the cost of attendance are considered program scholarships.

(5) The Kinkade FAITH Scholarship Program shall include a mentor service administered by the department as a support system for scholarship recipients. This service shall include mentors who shall be compensated by the department, as employees or contractors, to help participants adapt to independent living, academics and other college or university activities.

(6) (a) Initial recipients shall be selected from all eligible students based on rules promulgated by the board. In the second and subsequent years of the program, priority consideration shall first be given to renewal applicants. Except as provided in paragraph (b) of this subsection (6), only one hundred fifty (150) new applicants shall be eligible to receive funds under the program in any academic year, until the program reaches its maximum limitation of nine hundred (900) scholarship recipients.

(b) The board shall develop rules for ensuring that expenses of the scholarship program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the board may limit the acceptance of scholarship applications and may limit the award of scholarships.

(7) The program shall pay up to the student's Cost of Attendance for up to six (6) years, except as otherwise provided in subsection (10) of this section. In no event shall the Cost of Attendance be paid pursuant to this section for more than seventy-two (72) credit hours at a community college or one hundred forty-four (144) credit hours at a four-year college. The program shall only pay up to Cost of Attendance for courses leading to an undergraduate credential or degree. Scholarship funds may be disbursed only if sufficient funding for the scholarship program is available.

(8) To participate in the program, a scholarship applicant shall satisfy the following general eligibility requirements:

(a) Be an eligible student as defined in subsection (2)(e) of this section;

(b) Be accepted for enrollment in a degree or certificate program at an approved postsecondary educational institution; and

(c) Have completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) before each year in which he or she receives a scholarship. He or she shall have applied for all federal student financial assistance, including Educational and Training Vouchers.

(9) To receive a renewal scholarship, a student shall satisfy the following continuing eligibility requirements:

(a) Make satisfactory academic progress toward the completion of a degree or certificate as determined by rules promulgated by the board and maintain a 2.0 cumulative GPA for consecutive or nonconsecutive semesters of enrollment; and

(b) Remain in good standing with the policies established by the approved postsecondary educational institution.

(10) The age limitation under subsection (2)(e) of this section shall be extended by the total number of years during which the student was on active duty status in the United States Armed Forces. The number of months served on active duty status in the United States Armed Forces shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

(11) The scholarship will include any costs associated with room and board during institutional holidays at approved postsecondary educational institutions where such accommodations are available.

(12) The scholarship is intended to be a first dollar scholarship program. Funds can be combined with any other federal, institutional, or private scholarships to meet the student's full Cost of Attendance. No other gift aid should be reduced or supplanted by the Kinkade FAITH scholarship. However, in no case shall the FAITH scholarship be combined with other gift aid to exceed Cost of Attendance.

(13) The board shall promulgate rules as necessary to implement and administer this section.

(14) Nothing in this section shall be construed to:

(a) Guarantee acceptance of or entrance into any approved postsecondary educational institution for an eligible student;

(b) Limit the participation of an eligible student in any other program of financial assistance for postsecondary education;

(c) Require any approved postsecondary educational institution to waive costs or fees relating to room and board; or

(d) Restrict any approved postsecondary educational institution, the Mississippi Postsecondary Education Financial Assistance Board, or the Department of Child Protection Services from accessing other sources of financial assistance, except loans, that may be available to an eligible student.

SECTION 2. (1) There is established in the State Treasury a special fund to be designated as the "Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Fund." The special fund shall consist of funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature to the Mississippi Postsecondary Education Financial Assistance Board and shall only be used by the Board for the purpose of implementing the scholarship program established in Section 1 of this act.

(2) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Kinkade FAITH Scholarship Program Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 3. Section 93-19-13, Mississippi Code of 1972, is amended as follows:

93-19-13. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting personal property. In addition, all persons eighteen (18) years of age or older shall have the capacity to enter into binding contractual relationships for the purpose of investing in mutual funds, stocks, bonds and any other publicly traded equities. Nothing in this section shall be construed to affect any contracts entered into prior to July 1, 1976.

(2) Any person eighteen (18) years of age or older, if not otherwise disqualified or prohibited by law, shall have the capacity to enter into binding agreements to lease real property to be occupied by the person as the actual place of residence.

(3) Any person eighteen (18) years of age or older, if not otherwise disqualified or prohibited by law, shall have the capacity to enter into binding agreements to secure utilities for the person's actual place of residence to include electricity, natural gas, propane, water, sewage, garbage disposal and internet services.

(4) In any legal action founded on a contract entered into by a person eighteen (18) years of age or older, the said person may sue in his own name as an adult and be sued in his own name as an adult and be served with process as an adult.

SECTION 4. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in an abuse and neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

- (a) The judge of another youth court or member of another youth court staff;
- (b) The court of the parties in a child custody or adoption cause in another court;
- (c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;
- (d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;
- (e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;
- (f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training

Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without

order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child; \* \* \*

(e) Any state agency or board that administers student financial assistance programs to the extent necessary for the agency or board to determine a student's eligibility for financial assistance; and

(\* \* f) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO CREATE THE "STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM," FOR THE PURPOSE OF PROVIDING FUNDS FOR CERTAIN YOUTH TO ATTEND APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS PLACED EITHER IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES (MDCPS) OR AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS ADOPTED FROM MDCPS'S CUSTODY OR WHILE RESIDING AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER PROVIDE THAT KINKADE FAITH SCHOLARSHIP APPLICANTS MUST BE YOUNGER THAN THE AGE OF 26; TO PROVIDE THAT THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD SHALL ADMINISTER THE PROGRAM; TO PRESCRIBE INITIAL AND CONTINUING ELIGIBILITY REQUIREMENTS FOR RECEIVING A KINKADE FAITH SCHOLARSHIP; TO PROVIDE THAT THE NUMBER OF NEW SCHOLARSHIP RECIPIENTS SHALL BE LIMITED TO 150 PER YEAR UNTIL THE PROGRAM REACHES THE MAXIMUM NUMBER OF 900 SCHOLARSHIP RECIPIENTS; TO ADDRESS SUMMER AND HOLIDAY ROOM AND BOARD ACCOMMODATIONS FOR KINKADE FAITH SCHOLARS AT APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO ESTABLISH THE STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM SPECIAL FUND; TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS 18 YEARS OF AGE OR OLDER TO ENTER LEGALLY BINDING CONTRACTS FOR THE LEASE OF REAL PROPERTY AND ASSOCIATED UTILITIES; TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LIMITED DISCLOSURE OF RECORDS INVOLVING CHILDREN BY MDCPS TO STUDENT FINANCIAL ASSISTANCE BOARDS; AND FOR RELATED PURPOSES.

Senator Parks offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 471 by inserting the following before the period:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1313 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1313 was adopted.

YEAS AND NAYS On H. B. No. 1313. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Blackwell called up the following entitled bill:

**H. B. No. 658:** Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July

1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ASCs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental

transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities \* \* \* and physicians employed or contracted by hospitals \* \* \*.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and

Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this subparagraph, all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this subsection.

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to Medicaid beneficiaries, each eligible ambulance transportation service provider shall receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this section, "upper payment limit gap" means the difference between the total amount which the ambulance transportation service provider received from Medicaid and the average amount which would the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which

time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the

division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare,

as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this section, the division shall establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), or other program(s) authorized under this section, for a border city university-affiliated pediatric teaching hospital. Any program established under this subsection shall be subject to the availability of funds specifically appropriated for that purpose by the Legislature and effective for the state fiscal years 2023 and 2024.

(b) As used in this subsection, the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21).

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) This subsection shall stand repealed on July 1, 2024.

(B) [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may

participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) \* \* \* The division shall report to the Chairmen of the Senate and House of Representatives Medicaid Committees at least thirty (30) days before the division notifies providers that it is implementing a payment methodology that would result in a reduction in reimbursement to providers rendering care or services authorized under this section to recipients.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

- (1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;
- (2) Reducing reimbursement rates for any or all service types;
- (3) Imposing additional assessments on health care providers; or
- (4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated

basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) \* \* \* The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

( \*\* \*M) This section shall stand repealed on July 1, 2024.

SECTION 2. Section 43-13-139, Mississippi Code of 1972, is amended as follows:

43-13-139. Nothing contained in this article shall be construed to prevent the Governor, in his discretion, from discontinuing or limiting medical assistance to any individuals who are classified or deemed to be within any optional group or optional category of recipients as prescribed under Title XIX of the federal Social Security Act or the implementing federal regulations. If the Congress or the United States Department of Health and Human Services ceases to provide federal matching funds for any group or category of recipients or any type of care and services, the division shall cease state funding for such group or category or such type of care and services, notwithstanding any provision of this article. If any state plan amendment submitted to comply with the provisions of Section 43-13-117 is disapproved by the United States Department of Health and Human Services, the division may operate under the state plan as previously approved by the United States Department of Health and Human Services in order to preserve federal matching funds. The division shall provide notice of the disapproval to the Chairmen of the House and Senate Medicaid Committees.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT REQUIRED THE DIVISION OF MEDICAID'S RATES OF REIMBURSEMENT, SERVICES, CHARGES AND FEES TO NOT BE INCREASED, DECREASED OR OTHERWISE CHANGED UNLESS THEY ARE AUTHORIZED BY AN AMENDMENT BY THE LEGISLATURE; TO REQUIRE THE DIVISION TO REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES MEDICAID COMMITTEES AT LEAST THIRTY (30) DAYS BEFORE THE DIVISION NOTIFIES PROVIDERS THAT IT IS DECREASING OR CHANGING PAYMENTS, PAYMENT METHODOLOGY OR RATES OR REIMBURSEMENT TO PROVIDERS RENDERING CARE OF SERVICES AUTHORIZED UNDER THIS SECTION TO RECIPIENTS; TO SET REQUIREMENTS FOR THE REIMBURSEMENT OF DURABLE MEDICAL EQUIPMENT, INCLUDING NONINVASIVE VENTILATORS OR VENTILATION TREATMENTS PROPERLY ORDERED AND BEING USED IN AN APPROPRIATE CARE SETTING; TO REQUIRE REIMBURSEMENT TO DURABLE MEDICAL EQUIPMENT SUPPLIERS FOR HOME USE OF NONINVASIVE AND INVASIVE VENTILATORS TO BE ON A CONTINUOUS MONTHLY PAYMENT BASIS FOR THE

DURATION OF MEDICAL NEED THROUGHOUT A PATIENT'S VALID PRESCRIPTION PERIOD; TO REQUIRE THE DIVISION OF MEDICAID TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM OR ANOTHER ALLOWABLE DELIVERY SYSTEM AUTHORIZED BY FEDERAL LAW FOR EMERGENCY AMBULANCE TRANSPORTATION PROVIDERS; TO PROVIDE FOR THE FORMULA THAT THE DIVISION SHALL USE FOR CALCULATING AMBULANCE SERVICE ACCESS PAYMENT AMOUNTS; TO REQUIRE THE DIVISION TO EVALUATE THE FEASIBILITY OF USING A SINGLE VENDOR TO ADMINISTER DENTAL BENEFITS PROVIDED UNDER A MANAGED CARE DELIVERY SYSTEM; TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL REIMBURSE FOR OUTPATIENT HOSPITAL SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES UNDER THE AGE OF 21 BY BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITALS; TO REQUIRE THE DIVISION OF MEDICAID TO REIMBURSE FOR SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES BY A LICENSED BIRTHING CENTER IN A METHOD AND MANNER TO BE DETERMINED BY THE DIVISION IN ACCORDANCE WITH FEDERAL LAWS AND FEDERAL REGULATIONS; TO REQUIRE THE DIVISION TO SEEK ANY NECESSARY WAIVERS, MAKE ANY REQUIRED AMENDMENTS TO ITS STATE PLAN OR REVISE ANY CONTRACTS AUTHORIZED UNDER THE SECTION AS NECESSARY TO PROVIDE THE SERVICES AUTHORIZED UNDER THE ACT; TO AMEND SECTION 43-13-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY STATE PLAN AMENDMENT SUBMITTED TO COMPLY WITH THE PROVISIONS OF SECTION 43-13-117 IS DISAPPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DIVISION MAY OPERATE UNDER THE STATE PLAN AS PREVIOUSLY APPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ORDER TO PRESERVE FEDERAL MATCHING FUNDS; TO REQUIRE THE DIVISION TO PROVIDE NOTICE OF THE DISAPPROVAL TO THE CHAIRMEN OF THE HOUSE AND SENATE MEDICAID COMMITTEES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 658 was adopted.

YEAS AND NAYS On H. B. No. 658. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism. Total--1.

Absent and those not voting---None.

Voting Present--Barrett, Hill, Hopson, Suber, Tate. Total--5.

Senator Tate called up the following entitled bill:

**H. B. No. 1331:** Election commissioners; require skills assessment for every four years instead of every year.

YEAS AND NAYS On H. B. No. 1331. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate called up the following entitled bill:

**H. B. No. 1341:** Municipal candidates; clarify residency requirements of certain.

YEAS AND NAYS On H. B. No. 1341. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate called up the following entitled bill:

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance.

Senator Tate offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-15, Mississippi Code of 1972, is amended as follows:

23-15-15. \*\*\* (1) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System. Said registration application shall be compared with the Department of Public Safety driver's license and identification information. If such information does not confirm that a particular applicant is a citizen of the United States, the Statewide Elections Management System shall notify the registrar, or his or her designee, that the applicant may not be a citizen of the United States.

(2) After receiving the notice from the Statewide Elections Management System as provided in subsection (1) of this section, the registrar, or his or her designee, shall:

(a) Enter the applicant's information into the United States Citizenship and Immigration Service's Systematic Alien Verification for Entitlements (SAVE) or its successor database for further inquiry; and

(b) If both the Department of Public Safety driver's license and identification information and the database in paragraph (a) of this subsection indicate that the applicant may not be a citizen, send a notice by first-class mail to the applicant's mailing address

provided on the voter registration application inquiring whether the individual is eligible to be registered to vote. The registrar may, in addition to first-class mail, contact the applicant by email or telephone.

(3) Any applicant who receives the notice under subsection (2)(b) of this section shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the registrar or his or her designee.

(4) For purposes of this section, proof of citizenship includes, but is not limited to:

(a) The applicant's birth certificate or a legible photocopy of the birth certificate;

(b) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the applicant and showing the passport number;

(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

(5) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.

(6) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as pending in the Statewide Elections Management System for the next two (2) federal general elections:

(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection (4) of this section to the registrar within five (5) days of casting the affidavit ballot.

(b) If the applicant fails to respond to the notice or cast an affidavit ballot within two (2) federal general elections, the registrar shall mark the applicant as rejected in the Statewide Election Management System.

(7) In the event an applicant is unable to provide any documentation listed in subsection (4) of this section to show proof of citizenship, the applicant may appeal to the Board of Election Commissioners of the county in which he or she attempted to register and submit additional proof of citizenship in person or in writing. The Board of Election Commissioners shall conduct a hearing and make a finding concerning the individual's citizenship status and shall forward a copy of their decision to the registrar, or his or her designee, of the county where the person resides as established in Section 23-15-61. The Statewide Elections Management System shall be changed by the registrar, or his or her designee, to accurately reflect the decision of the Board of Election Commissioners with respect to such applicant.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR UPON RECEIVING A COMPLETED VOTER REGISTRATION APPLICATION TO ENTER AN APPLICANT INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE THAT THE REGISTRATION APPLICATION SHALL BE COMPARED WITH THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE AND IDENTIFICATION INFORMATION; TO REQUIRE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM TO NOTIFY THE REGISTRAR IF SUCH INFORMATION REFLECTS THAT THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES; TO REQUIRE THE REGISTRAR TO NOTIFY CERTAIN APPLICANTS; TO REQUIRE AN APPLICANT WHO RECEIVES NOTICE UNDER THIS SECTION TO PROVIDE PROOF OF CITIZENSHIP TO THE REGISTRAR; TO PROVIDE THE DOCUMENTATION THAT MAY BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE THE REGISTRAR TO MARK THE APPLICANT AS REJECTED WHERE THE APPLICANT FAILS TO RESPOND TO THE NOTICE OR TO PROVIDE PROOF OF CITIZENSHIP WITHIN A CERTAIN PERIOD OF TIME; TO ESTABLISH AN APPEAL PROCEDURE; AND FOR RELATED PURPOSES.

Senator Tate offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 98 by inserting before the period the following:

, and shall stand repealed on January 1, 2022

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1510 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1510 was adopted.

YEAS AND NAYS On H. B. No. 1510. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

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Senator Barnett called up the following entitled bill:

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-535, Mississippi Code of 1972, is amended as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

\* \* \*

SECTION 2. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by \* \* \* the Commissioner of Corrections. The board of directors of the nonprofit corporation shall be composed of the following \* \* \* seven (7) members \* \* \*: the Commissioner of Corrections, the Deputy Commissioner of Workforce Development, the Executive Director of the Office of Workforce Development or his appointee, and four (4) members appointed by the Commissioner of Corrections who are involved in workforce development initiatives and/or economic development initiatives. Employees of the Department of Corrections or the corporation are eligible to be members of the board. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The Commissioner of Corrections shall be the chairman of the board. The \* \* \* vice chairman and secretary-treasurer shall be selected by the members of the board. \* \* \*

(2) The \* \* \* Deputy Commissioner of Workforce Development shall \* \* \* be the chief executive officer of the corporation \* \* \*. The \* \* \* Commissioner of Corrections shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it

deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including, but not limited to, accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall be repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 47-5-535, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE TO PROHIBIT THE CORPORATION FROM HAVING ANY RIGHTS TO OPERATE A PROGRAM UNDER THE PRISON AGRICULTURAL ENTERPRISES AND CREATING A PRISON INDUSTRY PROGRAM THAT DUPLICATES A PRISON AGRICULTURAL ENTERPRISES PROGRAM OR PRODUCT; TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF CORRECTIONS RETAINS EXCLUSIVE RIGHTS TO CONDUCT ALL PRISON AGRICULTURAL AND RELATED ENTERPRISES; TO AMEND

SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL BE GOVERNED BY THE COMMISSIONER OF CORRECTIONS; TO PROVIDE FOR APPOINTMENTS TO A BOARD OF DIRECTORS; TO PROVIDE THAT EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS OR THE CORPORATION ARE ELIGIBLE TO BE MEMBERS OF THE BOARD; TO PROVIDE THAT THE DEPUTY COMMISSIONER OF WORKFORCE DEVELOPMENT SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION; TO PROVIDE THAT THE COMMISSIONER OF CORRECTIONS SHALL SET THE COMPENSATION OF THE CHIEF EXECUTIVE OFFICER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 863 was adopted.

YEAS AND NAYS On H. B. No. 863. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Barnett called up the following entitled bill:

**H. B. No. 906:** Corrections omnibus bill; enact.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the Commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be

directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(d) There shall be a Division of Workforce Development within the department, which shall have as its Chief Executive Officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 2. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and

educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education \* \* \* and Reentry, \* \* \* who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* shall focus on reentry programs aimed at reducing recidivism \* \* \*. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(e) A Deputy Commissioner for Workforce Development who shall serve as the Chief Executive Officer of Prison Industries and Director of Prison Agricultural Enterprises. The Deputy Commissioner for Workforce Development shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align

with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7. Such deputy commissioner shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The Deputy Commissioner for Workforce Development shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce development. The Deputy Commissioner for Workforce Development, with the assistance from the Office of Workforce Development, shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short- and long-term goals for the state related to workforce development and reentry offender employment within the corrections system; and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

Out of the deputy commissioners employed under this subsection (1), as set out in paragraphs (a) through (\*\*e), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections

Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 3. Section 47-5-535, Mississippi Code of 1972, is amended as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

\* \* \*

SECTION 4. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by \* \* \* the Commissioner of Corrections. The board of directors of the nonprofit corporation shall be composed of the following \* \* \* seven (7) members \* \* \*: the Commissioner of Corrections, the Deputy Commissioner of Workforce Development, the Executive Director of the Office of Workforce Development or his appointee, and four (4) members appointed by the Commissioner of Corrections who are involved in workforce development initiatives and/or economic development initiatives. Employees of the Department of Corrections or

the corporation are eligible to be members of the board. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The Commissioner of Corrections shall be the chairman of the board. The \*\*\* vice chairman and secretary-treasurer shall be selected by the members of the board. \*\*\*

(2) The \*\*\* Deputy Commissioner of Workforce Development shall \*\*\* be the chief executive officer of the corporation \*\*\*. The \*\*\* Commissioner of Corrections shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including, but not limited to, accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall be repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF WORKFORCE DEVELOPMENT WITHIN THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE DEPUTY COMMISSIONER FOR PROGRAMS, EDUCATION AND REENTRY TO ADEQUATELY PREPARE ATTENDEES FOR EMPLOYMENT UPON THEIR RELEASE; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO PROVIDE ELIGIBILITY QUALIFICATION FOR THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO REQUIRE THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT TO PERFORM CERTAIN DUTIES; TO AMEND SECTION 47-5-535, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE TO PROHIBIT THE CORPORATION FROM HAVING ANY RIGHTS TO OPERATE A PROGRAM UNDER THE PRISON AGRICULTURAL ENTERPRISES AND CREATING A PRISON INDUSTRY PROGRAM THAT DUPLICATES A PRISON AGRICULTURAL ENTERPRISES PROGRAM OR PRODUCT; TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF CORRECTIONS RETAINS EXCLUSIVE RIGHTS TO CONDUCT ALL PRISON AGRICULTURAL AND RELATED ENTERPRISES; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL BE GOVERNED BY THE COMMISSIONER OF CORRECTIONS; TO PROVIDE FOR APPOINTMENTS TO A BOARD OF DIRECTORS; TO PROVIDE THAT EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS OR THE CORPORATION ARE ELIGIBLE TO BE MEMBERS OF THE BOARD; TO PROVIDE THAT THE DEPUTY COMMISSIONER OF WORKFORCE DEVELOPMENT SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION; TO PROVIDE THAT THE COMMISSIONER OF CORRECTIONS SHALL SET THE COMPENSATION OF THE CHIEF EXECUTIVE OFFICER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 906 was adopted.

YEAS AND NAYS On H. B. No. 906. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled nomination:

**S. N. No. 78:** Charles Phillip (Phil) Buffington, Jr., Canton, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, vice Mr. Stephen Edds.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 78 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1067:** Child support; provide for imputation guidelines.

YEAS AND NAYS On H. B. No. 1067. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Blackmon, Chism, Hill, Seymour, Turner-Ford. Total--5.

Absent and those not voting---None.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-19-51, Mississippi Code of 1972, is amended as follows:

99-19-51. (1) At the discretion of the Commissioner, the Deputy Commissioner for Finance and Administration and the Deputy Commissioner for Institutions of the Mississippi Department of Corrections, the manner of inflicting the punishment of death shall be by \* \* \* one of the following: (a) intravenous \* \* \* injection of a substance or substances in a lethal quantity into the body; (b) nitrogen hypoxia; (c) electrocution or (d) firing squad, until death is pronounced by the county coroner where the execution takes place or by a licensed physician according to accepted standards of medical practice. \* \* \* Upon receipt of the warrant of execution from the Mississippi Supreme Court, the Commissioner of Corrections shall, within seven (7) days, provide written notice to the

condemned person of the manner of execution. It is the policy of the State of Mississippi that intravenous injection of a substance or substances in a lethal quantity into the body shall be the preferred method of execution.

\* \* \*

( \*\* \*2) The Commissioner of Corrections has the authority and discretion to select and obtain the substances and the means necessary to carry out an execution, and may adopt and promulgate rules and regulations as the Commissioner deems necessary to administer and implement the provisions of this section.

( \*\* \*3) (a) The Commissioner of Corrections shall select an execution team to assist the State Executioner and his deputies. \* \* \* The execution team shall consist of those persons, \* \* \* including all medical personnel, who provide direct support for the administration of lethal chemicals \* \* \* , those individuals involved in assisting in the execution in any capacity \* \* \* and those personnel assigned to specific duties related to an execution.

(b) For the purposes of this section, "supplier of lethal injection chemicals" means a supplier or suppliers of lethal injection chemicals located within the State of Mississippi.

(c) The identities of the State Executioner and his deputies, all members of the execution team, a supplier of lethal injection chemicals, and \* \* \* those witnesses listed in Section 99-19-55(2) who attend as members of the victim's family or designated by the condemned \* \* \* person shall at all times remain confidential, and the information is exempt from disclosure under the provisions of the Mississippi Public Records Act of 1983.

( \*\* \*4) Notwithstanding any provision of law to the contrary, any portion of any record of any kind that could identify a person as being a current or former State Executioner, his or her deputies, a member of an execution team \* \* \* , a current or former supplier of lethal injection chemicals, or those witnesses listed in Section 99-19-55(2) who attend as members of the victim's family or designated by the condemned \* \* \* person, shall at all times be confidential, exempt, and protected from disclosure, but the remainder of the record shall not be protected unless otherwise provided by law. A court shall preserve the secrecy of all confidential and exempt information described in this section by reasonable means, which may include granting protective orders, holding in-camera hearings, sealing the records of the action, and ordering any person involved in the litigation not to disclose such information without prior court approval.

( \*\* \*5) Notwithstanding any provision of law to the contrary, if the State Executioner, his or her deputies, a member of the execution team or supplier of lethal injection chemicals is licensed by a board or department, the licensing board or department shall not censure, reprimand, suspend, revoke, or take any other disciplinary action against the person's license because the person participated in a lawful execution. Any person or institution assisting with or participating in carrying out an execution in accordance with this statute shall be presumed to be acting in good faith. Any person or institution acting in good faith in connection with carrying out an execution shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed. The State Executioner and his deputies, and all members of the execution team perform their respective functions as official duties on behalf of the state or any agency of the state.

SECTION 2. Section 99-19-53, Mississippi Code of 1972, is amended as follows:

99-19-53. (1) The Governor shall appoint the State Executioner who shall serve at the pleasure of the Governor and until his successor shall have been duly appointed to replace him.

(2) The State Executioner, or his duly authorized representative, shall supervise and inflict the punishment of death as the same is hereby provided. All duties and necessary acts pertaining to the execution of a convict shall be performed by the Commissioner of Corrections except where such duties and actions are vested in the State Executioner. The State Executioner shall receive for his services in connection therewith compensation in the sum of Five Hundred Dollars (\$500.00) plus all actual and necessary expenses for each such execution, to be paid by the county where the crime was committed. The county of conviction shall likewise pay the fees of the attending physician or physicians in attendance. The State Executioner may appoint not more than two (2) deputies who shall be paid One Hundred Fifty Dollars (\$150.00) per execution and mileage as authorized by law, to be paid by the county where the crime was committed, to assist in the infliction of the punishment of death. The Executioner may appoint such other assistants as may be required; however, such assistants shall not be entitled to compensation or travel expenses. The State Executioner and his deputies may waive compensation, per diem or travel expenses.

(3) Any infliction of the punishment of death by administration of the required lethal substance or substances in the manner required by law shall not be construed to be the practice of medicine or nursing. Any pharmacist is authorized to dispense drugs to the State Executioner or the Commissioner of the Mississippi Department of Corrections without a prescription for the purpose of this chapter.

(4) The State Executioner shall be custodian of all equipment and supplies involved in the infliction of the death penalty. All expenses for the maintenance and protection of the property, together with operating expenses, which as a practical matter cannot be allocated to the county of conviction, shall be paid out of funds designated by law for that purpose or out of the general support fund of the Mississippi Department of Corrections.

(5) The State Executioner shall receive the per diem compensation authorized in Section 25-3-69 in addition to actual and necessary expenses, including mileage as authorized by law, for each day, not to exceed three (3) days each month, spent in maintaining the equipment and supplies involved in the infliction of the death penalty or preparing for an execution which does not occur. Such payments shall be paid out of funds designated by law for that purpose or out of the general support fund of the Mississippi Department of Corrections.

\* \* \*

SECTION 3. Section 99-19-55, Mississippi Code of 1972, is amended as follows:

99-19-55. (1) Whenever any person shall be condemned to suffer death for any crime for which such person shall have been convicted in any court of any county of this state, such punishment shall be inflicted at 6:00 p.m. or as soon as possible thereafter within the next twenty-four (24) hours at an appropriate place designated by the Commissioner of the Mississippi Department of Corrections. \* \* \* All male persons convicted of a capital offense wherein the death sentence has been imposed shall be immediately committed to the Department of Corrections and transported to the maximum security cell block \* \* \*. All female persons convicted of a capital offense wherein the death sentence has been imposed shall be immediately committed to the Department of Corrections and housed in an appropriate facility designated by the Commissioner of the Mississippi Department of Corrections. Upon final affirmance of the conviction, the punishment shall be imposed in the manner provided by law. The State Executioner or his duly authorized deputy shall supervise and perform such execution.

(2) When a person is sentenced to suffer death in the manner provided by law, it shall be the duty of the clerk of the court to deliver forthwith to the Commissioner of Corrections a warrant for the execution of the condemned person. It shall be the duty of

the commissioner forthwith to notify the State Executioner of the date of the execution and it shall be the duty of the said State Executioner, or any person deputized by him in writing, in the event of his physical disability, as hereinafter provided, to be present at such execution, to perform the same, and have general supervision over said execution. In addition to the above designated persons, the Commissioner of Corrections shall secure the presence at such execution of the sheriff, or his deputy, of the county of conviction, at least one (1) but not more than two (2) physicians or the county coroner where the execution takes place, and bona fide members of the press, not to exceed eight (8) in number, and at the request of the condemned, such ministers of the gospel, not exceeding two (2), as said condemned person shall name. The Commissioner of Corrections shall also name to be present at the execution such \* \* \* members of the execution team deemed by him or her to be necessary to insure proper security. No other persons shall be permitted to witness the execution, except the commissioner may permit the condemned person to designate two (2) \* \* \* witnesses, if they so request and two (2) members of the victim's \* \* \* family as witnesses, if they so request. Provided further, that the Governor may \* \* \* designate two (2) additional persons of good and reputable character to witness an execution. No person shall be allowed to take photographs or other recordings of any type during the execution. The absence of the sheriff, or deputy, after due notice to attend, shall not delay the execution.

(3) \* \* \* The Commissioner of Corrections, or his duly authorized representative, and the physician or physicians or county coroner who witnessed such execution shall prepare and sign officially a certificate setting forth the time and place thereof and that such \* \* \* condemned person was then and there executed in conformity to the sentence of the court and the provisions of Sections 99-19-51 through 99-19-55, \* \* \* which certificate shall be filed with the clerk of the court where the conviction of the criminal was had, and the clerk shall subjoin the certificate to the record of the conviction and sentence.

(4) The body of the person so executed shall be released immediately by the State Executioner, or his duly authorized representative, to the relatives of the dead person, or to such friends as may claim the body. The Commissioner of the Mississippi Department of Corrections shall have sole charge of burial in the event the body is not claimed as aforesaid, and his discretion in the premises shall be final. The Commissioner may donate the unclaimed body of an executed person to the University of Mississippi Medical Center for scientific purposes. The county of conviction shall bear the reasonable expense of burial in the event the body is not claimed by relatives or friends or donated to the University of Mississippi Medical Center.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTIONS 99-19-51, 99-19-53 AND 99-19-55, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO INFLICT THE DEATH PENALTY; AND FOR RELATED PURPOSES.

Senators Hickman and Simmons D. T. (12th) offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 12 by deleting the following:

one of the following: (a)

AMEND on line 14 and 15 by deleting the following:

; (b) nitrogen hypoxia; (c) electrocution or (d) firing squad,

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1479 failed.

Committee Amendment No. 1 to H. B. No. 1479 was adopted.

YEAS AND NAYS On H. B. No. 1479. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 626:** Scrap metal; revise various provisions that regulate.

Senator Thompson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 97-17-71.3, Mississippi Code of 1972:

97-17-71.3. (1) It is unlawful for any person to transfer, purchase, enter into any cash transactions for, or otherwise acquire, a used, detached catalytic converter, or any nonferrous part thereof, unless all of the following apply:

(a) The person is registered as a secondary metals recycler under Section 97-17-71;

(b) The sale, transfer, purchase or acquisition occurs at the fixed business address of a secondary metals recycler that is a party to the transaction. For purposes of this subsection, the fixed business address of the secondary metals recycler is the address of the business that is registered pursuant to Section 97-17-71;

(c) The person has maintained all of the information required under Section 97-17-71;

(d) One or more of the following apply:

(i) The used, detached catalytic converter or nonferrous part thereof was obtained by the seller thereof as part of a vehicle;

(ii) The catalytic converter or nonferrous part thereof was purchased from a secondary metals recycler, new or used motor vehicle dealer, automotive repair

service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters, and a copy of the seller's valid business license is received and maintained by the person at the time of the transaction; or

(iii) The seller of the catalytic converter or nonferrous part thereof provides the purchaser with all of the following information for the motor vehicle from which the catalytic converter or part thereof was taken:

1. The name of the person who removed the catalytic converter;
2. The name of the person for whom the removal was completed;
3. The make and model of the vehicle from which the catalytic converter was removed;
4. The vehicle identification number of the vehicle from which the catalytic converter was removed;
5. The part number or other identifying number of the catalytic converter that was removed;
6. A copy of the driver's license or nondriver identification card of the seller of the catalytic converter; and
7. A copy of the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle;

(e) Before each purchase or acquisition of a used, detached catalytic converter or part thereof, the secondary metals recycler, including an agent, employee, or representative thereof, shall do both of the following:

- (i) Verify, with the applicable documentation, that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer it or sell it; and
- (ii) Retain a record of the applicable verification and other information required under Section 97-17-71, and note in the business records of the secondary metals recycler any obvious markings on the used, detached catalytic converter, such as paint, labels or engravings, that would aid in the identification of the catalytic converter.

(2) It is unlawful for a seller of a used, detached catalytic converter, or any nonferrous part of a catalytic converter, to provide any false, fraudulent, altered or counterfeit information or documentation as required by this section.

(3) Each catalytic converter that is purchased, possessed, obtained, sold, transported or otherwise acquired in violation of this section is a separate violation of this section.

(4) A person who violates this section is guilty of a misdemeanor or a felony for subsequent violations as specifically prescribed under Sections 97-17-71 and 97-17-71.1, Mississippi Code of 1972.

(5) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified and labeled for reuse in accordance with applicable U.S. Environmental Protection Agency Clean Air Act regulations.

SECTION 2. Section 97-17-71, Mississippi Code of 1972, is amended as follows:

97-17-71. (1) For the purposes of this section, the following terms shall have the meanings ascribed in this section:

(a) "Railroad materials" means any materials, equipment and parts used in the construction, operation, protection and maintenance of a railroad.

(b) "Copper materials" means any copper wire, bars, rods or tubing, including copper wire or cable or coaxial cable of the type used by public utilities, common carriers or communication services providers, whether wireless or wire line, copper air conditioner evaporator coil or condenser, aluminum copper radiators not attached to a motor vehicle, or any combination of these.

(c) "Aluminum materials" means any aluminum cable, bars, rods or tubing of the type used to construct utility, communication or broadcasting towers, aluminum utility wire and aluminum irrigation pipes or tubing. "Aluminum materials" does not include aluminum cans that have served their original economic purpose.

(d) "Law enforcement officer" means any person appointed or employed full time by the state or any political subdivision thereof, or by the state military department as provided in Section 33-1-33, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal traffic laws of this state or the ordinances of any political subdivision thereof.

(e) "Metal property" means materials as defined in this section as railroad track materials, copper materials and aluminum materials and electrical, communications or utility brass, metal covers for service access and entrances to sewers and storm drains, metal bridge pilings, irrigation wiring and other metal property attached to or part of center pivots, grain bins, stainless steel sinks, catalytic converters not attached to a motor vehicle as specifically provided in Section 97-17-71.3 and metal beer kegs. Metal property does not include ferrous materials not listed in this section.

(f) "Person" means an individual, partnership, corporation, joint venture, trust, limited liability company, association or any other legal or commercial entity.

(g) "Personal identification card" means any government issued photographic identification card including a valid identification card issued by a federally recognized Indian tribe that contains a color photograph of the card holder and the card holder's legal name, residence address and date of birth.

(h) "Photograph" or "photographically" means a still photographic image, including images captured in digital format, that are of such quality that the persons and objects depicted are clearly identifiable.

(i) "Purchase transaction" means a transaction in which a person gives consideration in exchange for metal property.

(j) "Purchaser" means a person who gives consideration in exchange for metal property.

(k) "Record" or "records" means a paper, electronic or other method of storing information.

(l) "Scrap metal dealer" means any person who is engaged, from a fixed location or otherwise, in the business of paying compensation for metal property that has served its original economic purpose, whether or not the person is engaged in the business of performing the manufacturing process by which metals are converted into raw

material products consisting of prepared grades and having an existing or potential economic value.

(2) Every scrap metal dealer or other purchaser shall keep an accurate and legible record in which he shall enter the following information for each purchase transaction:

(a) The name, address and age of the person from whom the metal property is purchased as obtained from the seller's personal identification card;

(b) The date and place of each acquisition of the metal property;

(c) The weight, quantity or volume and a general physical description of the type of metal property, such as wire, tubing, extrusions or casting, purchased in a purchase transaction;

(d) The amount of consideration given in a purchase transaction for the metal property;

(e) The vehicle license tag number, state of issue and the make and type of the vehicle used to deliver the metal property to the purchaser;

(f) If a person other than the seller delivers the metal property to the purchaser, the name, address and age of the person who delivers the metal property;

(g) A signed statement from the person receiving consideration in the purchase transaction stating that he is the rightful owner of the metal property or is entitled to sell the metal property being sold;

(h) (i) A scanned copy or a photocopy of the personal identification card of the person receiving consideration in the purchase transaction; or

(ii) If a person other than the seller delivers the metal property to the purchaser, a scanned copy or a photocopy of the personal identification card of the person delivering the metal property to the purchaser; and

(i) A photograph, videotape or similar likeness of the person receiving consideration or any person other than the seller who delivers the metal property to the purchaser in which the person's facial features are clearly visible and in which the metal property the person is selling or delivering is clearly visible.

Such records shall be maintained by the scrap metal dealer or purchaser for not less than two (2) years from the date of the purchase transaction, and such records shall be made available to any law enforcement officer during usual and customary business hours.

(3) The purchaser of metal property must hold the metal property separate and identifiable from other purchases for not less than three (3) business days from the date of purchase. The purchaser shall also photographically capture the metal property in the same form, without change, in which the metal property was acquired, and maintain the photograph for a period of not less than two (2) years. The time and date shall be digitally recorded on the photograph, and the identity of the person taking the photograph shall be recorded. The purchaser shall permit any law enforcement officer to make an inspection of the metal property during the holding period, and of all photographs of the metal property. Any photograph of metal property taken and maintained pursuant to this subsection shall be admissible in any civil or criminal proceeding.

(4) During the usual and customary business hours of a scrap metal dealer or other purchaser, a law enforcement officer, after proper identification as a law

enforcement officer, shall have the right to inspect all purchased metal property in the possession of the scrap metal dealer or purchaser.

(5) (a) Whenever a law enforcement officer has reasonable cause to believe that any item of metal property in the possession of a scrap metal dealer or other purchaser has been stolen, a law enforcement officer who has an affidavit from the alleged rightful owner of the property identifying the property with specificity, including any identifying markings, may issue and deliver a written hold notice to the scrap metal dealer or other purchaser. The hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the hold notice. Upon receipt of the notice, the scrap metal dealer or other purchaser may not process or remove the metal property identified in the notice from the place of business of the scrap metal dealer or purchaser for fifteen (15) calendar days after receipt of the notice, unless sooner released by a law enforcement officer.

(b) No later than the expiration of the fifteen-day period, a law enforcement officer, after receiving additional substantive evidence beyond the initial affidavit, may issue and deliver a second written hold notice, which shall be an extended hold notice. The extended hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the extended hold notice. Upon receipt of the extended hold notice, the scrap metal dealer or purchaser may not process or remove the items of metal property identified in the notice from the place of business of the scrap metal dealer or purchaser for fifteen (15) calendar days after receipt of the extended hold notice, unless sooner released by a law enforcement officer.

(c) At the expiration of the hold period or, if extended in accordance with this subsection, at the expiration of the extended hold period, the hold is automatically released, then the scrap metal dealer or purchaser may dispose of the metal property unless other disposition has been ordered by a court of competent jurisdiction.

(d) If the scrap metal dealer or other purchaser contests the identification or ownership of the metal property, the party other than the scrap metal dealer or other purchaser claiming ownership of any metal property in the possession of a scrap metal dealer or other purchaser, provided that a timely report of the theft of the metal property was made to the proper authorities, may bring a civil action in the circuit court of the county in which the scrap metal dealer or purchaser is located. The petition for the action shall include the means of identification of the metal property utilized by the petitioner to determine ownership of the metal property in the possession of the scrap metal dealer or other purchaser.

(e) When a lawful owner recovers stolen metal property from a scrap metal dealer or other purchaser who has complied with this section, and the person who sold the metal property to the scrap metal dealer or other purchaser is convicted of a violation of this section, or theft by receiving stolen property under Section 97-17-70, the court shall order the convicted person to make full restitution to the scrap metal dealer or other purchaser, including, without limitation, attorney's fees, court costs and other expenses.

(6) This section shall not apply to purchases of metal property from any of the following:

(a) A law enforcement officer acting in an official capacity;

(b) A trustee in bankruptcy, executor, administrator or receiver who has presented proof of such status to the scrap metal dealer;

(c) Any public official acting under a court order who has presented proof of such status to the scrap metal dealer;

(d) A sale on the execution, or by virtue of any process issued by a court, if proof thereof has been presented to the scrap metal dealer; or

(e) A manufacturing, industrial or other commercial vendor that generates or sells regulated metal property in the ordinary course of its business.

(7) It shall be unlawful for any person to give a false statement of ownership or to give a false or altered identification or vehicle tag number and receive money or other consideration from a scrap metal dealer or other purchaser in return for metal property.

(8) A scrap metal dealer or other purchaser shall not enter into any cash transactions in payment for the purchase of metal property. Payment shall be made by check issued to the seller of the metal, made payable to the name and address of the seller and mailed to the recorded address of the seller, or by electronic funds transfer. Payment shall not be made for a period of three (3) days after the purchase transaction.

(9) If a person acquiring metal property fails to maintain the records or to hold such materials for the period of time prescribed by this section, such failure shall be prima facie evidence that the person receiving the metal property received it knowing it to be stolen in violation of Section 97-17-70.

(10) It shall be unlawful for any person to transport or cause to be transported for himself or another from any point within this state to any point outside this state any metal property, unless the person or entity first reports to the sheriff of the county from which he departs this state transporting such materials the same information that a purchaser in this state would be required to obtain and keep in a record as set forth in subsection (2) of this section. In such a case the sheriff receiving the report shall keep the information in records maintained in his office as a public record available for inspection by any person at all reasonable times. This section shall not apply to a public utility, as that term is defined in Section 77-3-3, engaged in carrying on utility operations; to a railroad, as that term is defined in Section 77-9-5; to a communications service provider, whether wireless or wire line; to a scrap metal dealer; or to a person identified in subsection (6) as being exempt from the provisions of this section.

(11) It shall be unlawful for a scrap metal dealer or other purchaser to knowingly purchase or possess a metal beer keg, or a metal syrup tank generally used by the soft drink industry, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut or otherwise alter scrap metal. However, it shall not be unlawful to purchase or possess a metal syrup tank generally used by the soft drink industry if the scrap metal dealer or other purchaser obtains a bill of sale at the time of purchase from a seller if the seller is a manufacturer of such tanks, a soft drink company or a soft drink distributor.

(12) It shall be unlawful to sell to a scrap metal dealer any bronze vase and/or marker, memorial, statue, plaque, or other bronze object used at a cemetery or other location where deceased persons are interred or memorialized, or for any such dealer to purchase those objects, unless the source of the bronze is known and notice is provided to the municipal or county law enforcement agency where the dealer is located. The notice shall identify all names, letters, dates and symbols on the bronze and a photograph of the bronze shall be attached thereto. Written permission from the cemetery and the appropriate law enforcement agency must be received before any type of bronze described in this subsection may be purchased, processed, sold or melted.

(13) It shall be unlawful for any scrap metal dealer to purchase any manhole cover and other similar types of utility access covers, including storm drain covers, or any metal property clearly identified as belonging to a political subdivision of the state or a municipality, unless that metal property is purchased from the political subdivision, the municipal utility or the manufacturer of the metal. Any purchaser who purchases metal property in bulk shall be allowed twenty-four (24) hours to determine if any metal property

prohibited by this subsection is included in a bulk purchase. If such prohibited metal property is included in a bulk purchase, the purchaser shall notify law enforcement no later than twenty-four (24) hours after the purchase.

(14) It shall be unlawful for a scrap metal dealer or other purchaser to purchase metal property from a person younger than eighteen (18) years of age.

(15) Metal property may not be purchased, acquired or collected between the hours of 9:00 p.m. and 6:00 a.m.

(16) Except as provided in this subsection, any person willfully or knowingly violating the provisions of this section shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) per offense, unless the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, are in aggregate an amount which exceeds One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), in which case the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed five (5) years, fined not more than Ten Thousand Dollars (\$10,000.00), or both. Any person found guilty of stealing metal property or receiving metal property, knowing it to be stolen in violation of Section 97-17-70, shall be ordered to make full restitution to the victim, including, without limitation, restitution for property damage that resulted from the theft of the property.

(17) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, are in aggregate an amount which exceeds Five Thousand Dollars (\$5,000.00) but less than Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed ten (10) years, fined not more than Ten Thousand Dollars (\$10,000.00), or both.

(18) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, are in aggregate an amount which exceeds Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed twenty (20) years, fined not more than Ten Thousand Dollars (\$10,000.00), or both.

(19) This section shall not be construed to repeal other criminal laws. Whenever conduct proscribed by any provision of this section is also proscribed by any other provision of law, the provision which carries the more serious penalty shall be applied.

(20) This section shall apply to all businesses regulated under this section without regard to the location within the State of Mississippi.

(21) This section shall not be construed to prohibit municipalities and counties from enacting and implementing ordinances, rules and regulations that impose stricter requirements relating to purchase transactions.

(22) This section shall be fully applicable to the requirements for the purchase, possession and sale of detached catalytic converters provided in Section 97-17-71.3, Mississippi Code of 1972.

SECTION 3. Section 97-17-71.1, Mississippi Code of 1972, is amended as follows:

97-17-71.1. (1) (a) From and after August 7, 2008, it shall be unlawful for any scrap metal dealer or any person who purchases scrap metal or detached catalytic converters, deals in scrap metal or detached catalytic converters, or otherwise engages in the scrap metal or detached catalytic converter business to fail to register with the Secretary of State. All registrations under this section shall expire two (2) years from the date of the registration or the renewal thereof.

(b) The Secretary of State may promulgate and adopt such rules and regulations as are reasonably necessary to carry out the provisions of this section and establish such registration and renewal fees as are adequate to cover the administrative costs associated with the registration program.

(c) The Secretary of State may deny, suspend, revoke or refuse to renew any registration following notice to the applicant or registrant in accordance with the promulgated rules and an opportunity for a hearing for any failure to comply with this section, or for other good cause.

(2) A violation of this section is a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) but not to exceed One Thousand Dollars (\$1,000.00) for the first offense. Any person who shall be guilty of any subsequent violations of this section requiring registration shall be guilty of a felony offense and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed three (3) years, fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) (a) To register or renew registration, the registrant must declare, under penalty of perjury, whether such registrant has ever been convicted of a violation of Section 97-17-71 or convicted of a criminal offense of larceny, burglary or vandalism, where the offense involved metal property as defined in Section 97-17-71.

(b) (i) An applicant who has been convicted of a violation of Section 97-17-71, or who has a conviction for a criminal offense of larceny, burglary or vandalism where such offense involved metal property, shall be prohibited from registering under this section for five (5) years from the date of conviction.

(ii) Any false statement submitted to the Secretary of State for the purpose of unlawfully registering under this section shall be punished as perjury in the manner provided in Section 97-9-61, and a person so convicted shall be disqualified for life from registering as a scrap metal dealer under this section.

(4) The Secretary of State shall immediately report any suspected criminal violation accompanied by all relevant records to the Office of Attorney General and the appropriate district attorney for further proceedings.

(5) The Secretary of State shall have the authority to:

(a) Conduct and carry out criminal background history verification of the information provided by the applicant or registrant and to require the submission of information and forms from the applicant or registrant in order to accomplish the registration duties imposed by this section;

(b) Issue a cease and desist order, with a prior hearing, against the scrap metal or detached catalytic converter dealer or other purchaser alleged to be in violation of this section, directing the person or persons to cease and desist from further illegal activity;

(c) (i) Issue an order against any scrap metal or detached catalytic converter dealer or other purchaser for any violation of this section, imposing an administrative penalty up to a maximum of One Thousand Dollars (\$1,000.00) for each offense. Each violation shall be considered a separate offense in a single proceeding or

a series of related proceedings. Any administrative penalty, plus reimbursement for all costs and expenses incurred in the investigation of the violation and any administrative proceedings, shall be paid to the Secretary of State;

(ii) For the purpose of determining the amount or extent of a sanction, if any, to be imposed under paragraph (c)(i) of this subsection, the Secretary of State shall consider, among other factors, the frequency, persistence and willfulness of the conduct constituting a violation of this section or any rule or order hereunder; the number of persons adversely affected by the conduct; and the resources of the person committing the violation;

(d) Bring an action in chancery court to enjoin the acts or practices complained of to enforce compliance with this section or any rule promulgated or order entered hereunder. Upon a proper showing, a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. In addition, upon a proper showing by the Secretary of State, the court may enter an order of rescission or restitution directed to any person who has engaged in any act constituting a violation of any provision of this section or any rule or order hereunder, or the court may impose a civil penalty up to a maximum of One Thousand Dollars (\$1,000.00) for each offense, provided that each violation shall be considered as a separate offense in a single proceeding or a series of related proceedings. The court may not require the Secretary of State to post a bond.

(6) Any person aggrieved by a final order of the Secretary of State may obtain a review of the order in the Chancery Court of the First Judicial District of Hinds County, Mississippi, by filing in the court, within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be forthwith served upon the Secretary of State and thereupon the Secretary of State shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO CODIFY SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO PROVIDE REQUIREMENTS FOR THE TRANSFER, PURCHASE AND ACQUISITION OF CERTAIN CATALYTIC CONVERTERS NOT ATTACHED TO A MOTOR VEHICLE; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THESE REQUIREMENTS; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 97-17-71.1, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY DETACHED CATALYTIC CONVERTER TO BE REGISTERED WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 626 was adopted.

YEAS AND NAYS On H. B. No. 626. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk,

Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--44.  
Nays--Chism, Hill, McDaniel, Parks, Seymour, Tate, Whaley, Williams. Total--8.  
Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 620:** Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws.

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

- (a) Office of Public Safety Planning;
- (b) Office of Mississippi Highway Safety Patrol;
- (c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);
- (d) Office of \* \* \* Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;
- (e) Office of Law Enforcement Officers' Training Academy;
- (f) Office of Support Services;
- (g) Office of Narcotics, which shall be known as the Bureau of Narcotics;
- (h) Office of Homeland Security; \* \* \*
- (i) Office of Capitol Police \* \* \*;
- (j) Office of Driver Service Bureau; and
- (k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The

commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

(7) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 2. Section 41-29-107, Mississippi Code of 1972, is amended as follows:

41-29-107. (1) There is created within the Mississippi Department of Public Safety an office to be known as the Mississippi Bureau of Narcotics. The office shall have a director who shall be appointed by the Commissioner of Public Safety. The commissioner may assign to the appropriate offices of the department such powers and duties deemed appropriate to carry out the lawful functions of the Mississippi Bureau of Narcotics.

(2) The Commissioner of Public Safety is empowered to employ or appoint necessary agents. The commissioner may also employ such secretarial, clerical and administrative personnel, including a duly licensed attorney, as necessary for the operation of the bureau, and shall have such quarters, equipment and facilities as needed. The salary and qualifications of the attorney authorized by this section shall be fixed by the director, but the salary shall not exceed the salary authorized for an assistant attorney general who performs similar duties.

(3) The director and agents so appointed shall be citizens of the United States and of the State of Mississippi, and of good moral character. The agents shall be not less than twenty-one (21) years of age at the time of such appointment. In addition thereto, those appointed shall have satisfactorily completed at least two (2) years of college studies. However, two (2) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at a school operated by the Bureau of Narcotics and Dangerous Drugs, United States Justice Department, shall satisfy one (1) year of such college studies, and four (4) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at such federal bureau school as stated heretofore shall fully satisfy the two (2) years of college requirement.

During the period of the first twelve (12) months after appointment, any \* \* \* agent of the bureau shall be subject to dismissal at the will of the director. After twelve (12) months' service, no \* \* \* agent of the bureau shall be subject to dismissal \* \* \* or otherwise have their salary adversely affected except for cause, and any such action against an agent shall be subject to and proceed under the laws, rules and regulations of the State Personnel Board.

(4) The Commissioner of Public Safety may assign members of the Mississippi Highway Safety Patrol, regardless of age, to the bureau; however, when any highway patrolman or other employee, agent or official of the Mississippi Department of Public Safety is assigned to duty with, or is employed by, the bureau, he shall not be subject to assignment or transfer to any other office or department within the Mississippi Department of Public Safety except by the commissioner. Any highway patrolman assigned to duty with the bureau shall retain his status as a highway patrolman, but shall be under the supervision of the director. For purposes of seniority within the Highway Safety Patrol and for purposes of retirement under the Mississippi Highway Safety Patrol Retirement System, highway patrolmen assigned to the bureau will be credited as if performing duty with the Highway Safety Patrol. The commissioner may assign employees of the Highway Safety Patrol to the Mississippi Bureau of Narcotics and may assign agents of the bureau to the Highway Safety Patrol; however, any employees so assigned must meet all established requirements for the duties to which they are assigned.

(5) The Commissioner of Public Safety may enter into agreements with bureaus or departments of other states or of the United States for the exchange or temporary assignment of agents for special undercover assignments and for performance of specific duties.

(6) The Commissioner of Public Safety may assign agents of the bureau to such duty and to request and accept agents from such other bureaus or departments for such duty.

\* \* \*

SECTION 3. Section 41-61-75, Mississippi Code of 1972, is amended as follows:

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State

Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) \* \* \* (a) When a medical examiner, physician or pathologist \* \* \* is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee \* \* \* and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(b) The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

SECTION 4. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

(a) Violent death, including homicidal, suicidal or accidental death.

(b) Death caused by thermal, chemical, electrical or radiation injury.

(c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.

(d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.

(e) Death that has occurred unexpectedly or from an unexplained cause.

(f) Death of a person confined in a prison, jail or correctional institution.

(g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.

(h) Death of a person where the body is not claimed by a relative or a friend.

(i) Death of a person where the identity of the deceased is unknown.

(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

(k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.

(l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a pre-diagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.

(m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audiovisual communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

( \*\* \*5) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in

Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars (\$300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars (\$300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 5. Section 41-61-77, Mississippi Code of 1972, is amended as follows:

41-61-77. (1) The Department of Public Safety shall establish and maintain a central office for the Mississippi Forensics Laboratory and the State Medical Examiner with appropriate facilities and personnel for postmortem medicolegal examinations. District offices, with appropriate facilities and personnel, may also be established and maintained if considered necessary by the department for the proper management of postmortem examinations.

The facilities of the central and district offices and their staff services may be available to the medical examiners and designated pathologists in their investigations.

(2) In order to provide proper facilities for investigating deaths as authorized in Sections 41-61-51 through 41-61-79, the State Medical Examiner may arrange for the use of existing public or private laboratory facilities. The State Medical Examiner may contract with qualified persons to perform or to provide support services for autopsies, studies and investigations not inconsistent with other applicable laws. Such laboratory facilities may be located at the University of Mississippi Medical Center or any other suitable location. The State Medical Examiner may be an affiliate or regular faculty member of the Department of Pathology at the University of Mississippi Medical Center and may serve as a member of the faculty of other institutions of higher learning. He shall be authorized to employ, with the approval of the Commissioner of Public Safety, such additional scientific, technical, administrative and clerical assistants as are necessary for performance of his duties. Such employees in the Mississippi Forensics Laboratory and the Office of the State Medical Examiner shall be subject to the rules, regulations and policies of the Mississippi State Personnel Board in their employment.

(3) The State Medical Examiner shall be authorized to employ qualified pathologists as deputy state medical examiners as are necessary to carry out the duties of his office. The deputy state medical examiners shall be licensed to practice medicine and, either board-certified in forensic pathology by the American Board of Pathology or be a physician who is board certified in anatomic pathology by the American Board of Pathology. The State Medical Examiner may delegate specific duties to competent and qualified medical examiners within the scope of the express authority granted to him by law or regulation. Employees of the Office of the State Medical Examiner shall have the authority to enter any political subdivisions of this state for the purpose of carrying out medical investigations.

SECTION 6. Section 45-1-6, Mississippi Code of 1972, is amended as follows:

45-1-6. (1) The Director of the Mississippi Bureau of Investigation is authorized to retain on a contractual basis such persons as he shall deem necessary to detect and apprehend violators of the criminal statutes of this state.

(2) Those persons contracting with the Director of the Mississippi Bureau of Investigation pursuant to subsection (1) shall be known and hereinafter referred to as "special contract agents."

(3) The investigative services provided for in this section shall be designed to support law enforcement efforts of state agencies and to support local law enforcement efforts.

(4) Special contract investigators shall have all powers necessary and incidental to the fulfillment of their contractual obligations, including the power of arrest when authorized by the Director of the Mississippi Bureau of Investigation.

(5) No person shall be a special contract investigator unless he is at least twenty-one (21) years of age.

(6) The Director of the Mississippi Bureau of Investigation shall conduct a background investigation of all potential special contract investigators. All contract agents must meet the minimum standard requirements established by the Board on Law Enforcement Officer Standards and Training.

(7) Any contract pursuant to subsection (1) shall be:

(a) Reduced to writing; and

(b) Terminable upon written notice by either party, and shall in any event terminate one (1) year from the date of signing; and

(c) Approved as to form by the Commissioner of Public Safety.

Such contracts shall not be public records and shall not be available for inspection under the provisions of a law providing for the inspection of public records as now or hereafter amended.

(8) Special contract investigators shall not be considered employees of the Mississippi Bureau of Investigation for any purpose.

(9) The Director of the Mississippi Bureau of Investigation shall have all powers necessary and incidental to the effective operation of this section.

(10) The Mississippi Bureau of Investigation shall have jurisdiction to investigate all incidents of officer-involved shootings, other than \* \* \* shootings involving one or more members of the Mississippi Bureau of Investigation, resulting in injury or death occurring in the state. However, the District Attorney in the jurisdiction where such incident occurred may designate another law enforcement agency to investigate the incident if the District Attorney determines that there is a conflict with the Mississippi Bureau of Investigation or that other extenuating circumstances exist. The Attorney General shall designate another law enforcement agency or task force to investigate any incident of a \* \* \* shooting involving one or more members of the Mississippi Bureau of Investigation resulting in injury or death occurring in the state. The Attorney General's Office shall be exclusively responsible for presenting all officer-involved shootings resulting in injury or death occurring in the state to the appropriate duly empaneled grand jury and, upon indictment by a grand jury, prosecuting such matters.

(11) Notwithstanding any other provisions contained in this section, all contracts authorized under this section and related matters shall be made available to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 7. Section 97-35-27, Mississippi Code of 1972, which is the provision that requires the registration of convicted felons with the chief of police of the city in which

the felon resides or the sheriff of the county in which the felon resides, shall stand repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIOVISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY SHALL BE SUBJECT TO THE RULES, REGULATIONS AND POLICIES OF THE MISSISSIPPI STATE PERSONNEL BOARD IN THEIR EMPLOYMENT; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL HAVE JURISDICTION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS, OTHER THAN SHOOTINGS INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION, RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL DESIGNATE ANOTHER LAW ENFORCEMENT AGENCY OR TASK FORCE TO INVESTIGATE ANY INCIDENT OF A SHOOTING INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL'S OFFICE SHALL BE EXCLUSIVELY RESPONSIBLE FOR PRESENTING ALL OFFICER-INVOLVED SHOOTINGS RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE TO THE APPROPRIATE DULY EMPANELED GRAND JURY AND, UPON INDICTMENT BY THE GRAND JURY, PROSECUTING SUCH MATTERS; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE REGISTRATION OF CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 620 was adopted.

YEAS AND NAYS On H. B. No. 620. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

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

Nays--None.

Absent and those not voting---None.

Senator Parker entered a motion to reconsider the vote whereby **H. B. No. 1323** passed the Senate.

Senator Parker moved that the rules be suspended for the immediate consideration of **H. B. No. 1323**, and the motion prevailed.

Senator Parker moved to reconsider the vote whereby **H. B. No. 1323** passed the Senate.

The foregoing motion prevailed.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND on line 13 by inserting the following before "There":

(1)

FURTHER, AMEND on line 24 by inserting the following after the period:

(2) The boards of supervisors of the counties of Leflore and Tallahatchie shall each appoint a member from their respective counties for an initial term of one (1) year; the boards of supervisors of the counties of Quitman and Panola shall each appoint a member from their respective counties for an initial term of two (2) years; the boards of supervisors of the counties of Lafayette and Marshall shall each appoint a member from their respective counties for an initial term of three (3) years; and the boards of supervisors of the counties of Union and Tippah shall each appoint a member from their respective counties for an initial term of four (4) years. All appointments made after the initial appointments shall be for terms of four (4) years each or until a successor is appointed and qualifies.

FURTHER, AMEND on line 24 by inserting "(3)" before "Board" and moving the sentence beginning with "(3)" to the next line as a new subsection.

FURTHER, AMEND the title to conform by inserting the following on line 8 after the semicolon:

TO SET THE TERMS OF THE MEMBERS OF THE BOARD OF DIRECTORS;

Amendment No. 1 to H. B. No. 1323 was adopted.

YEAS AND NAYS On H. B. No. 1323. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended to move to calendar item 2, **H. B. No. 483**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 483:** Local Governments Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses.

YEAS AND NAYS On H. B. No. 483. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended to move to calendar item 3, **H. B. No. 492**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 492:** Health Care Expendable Fund; extend repealer on.

YEAS AND NAYS On H. B. No. 492. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended to move to calendar item 9, **H. B. No. 1353**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1353:** Budget process; bring forward various sections relating to.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the

Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may

occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State

Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will

be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Capital Projects Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus Capital Projects Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Capital Projects Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus Capital Projects Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Capital Projects Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 8. During fiscal year 2022, the State Fiscal Officer shall transfer to the General Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
Capital Expense Fund	6499C00000	\$1.00
Budget Contingency Fund	6117700000	\$1.00
TOTAL		\$2.00

SECTION 9. This act shall take effect and be in force from and after its passage.

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

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS CAPITAL PROJECTS FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE SPENT UPON APPROPRIATION BY THE LEGISLATURE AND SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE FOR CERTAIN TRANSFERS TO THE GENERAL FUND DURING FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1353 was adopted.

YEAS AND NAYS On H. B. No. 1353. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate entered a motion to reconsider the vote whereby **H. B. No. 919** passed the Senate as amended.

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.

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Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 1057** passed the Senate.

**H. B. No. 1057:** Department of Marine Resources; revise acreage of bottom authorized to be leased by.

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Senator Whaley entered a motion to reconsider the vote whereby **H. B. No. 478** passed the Senate.

**H. B. No. 478:** Mississippi Forestry Commission; extend repealer on authority to hire law enforcement officers to investigate woods arson.

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Senator Whaley entered a motion to reconsider the vote whereby **H. B. No. 626** passed the Senate as amended.

**H. B. No. 626:** Scrap metal; revise various provisions that regulate.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Willie Faye Ratcliff of Meadville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Thomas Patrick Murphy, Sr. of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Kenneth Cruthirds of Latimer Community, MS.

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Senators Butler K. (38th) and Parker moved that when the Senate adjourns, it adjourn in memory of Rev. Edgar Lewis, Jr. of McComb, MS.

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Senators Parks, Sparks and Michel moved that when the Senate adjourns, it adjourn in memory of Reggie T. Little of Glen, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Virginia E. Dezell of Duck Hill, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Kristine Jones of Macon, MS.

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MESSAGE FROM THE GOVERNOR  
March 8, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2806:** Public purchases; prohibit reverse auctions for repair and remodeling of public facilities. (March 8, 2022, 10:25 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 9, 2022.

The motion prevailed, and at 3:56 PM, the Senate stood in recess.

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

**H. C. R. No. 55:** Former Representative Michael Weston Janus; commend laudable career and public service of upon his passing. Rules.

**H. C. R. No. 58:** Colonel Stanley A. Martin; commend service upon retirement. Rules.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Willie Faye Ratcliff, Thomas Patrick Murphy, Sr., James Kenneth Cruthirds, Reggie T. Little, Virginia E. Dezell, Rev. Edgar Lewis, Jr. and Kristine Jones.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 8, 2022

**S. B. No. 3200:** Local and Private

AN ACT TO AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, MISSISSIPPI, TO IMPOSE A TAX OF UP TO 2% ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY, AND TO EXPEND THE PROCEEDS OF THE TAX TO ESTABLISH A SPORTS COMPLEX FOR YOUTH WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 3201:** Local and Private

AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS IN JACKSON COUNTY; TO PROVIDE THAT THE REVENUE FROM THE TAX SHALL BE USED BY THE BOARD FOR THE PROMOTION OF TOURISM OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU OR ANOTHER ENTITY TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST, IN THE BOARD'S DISCRETION; TO PROVIDE THAT, IF THE BOARD DETERMINES THAT FUNDS SHALL NOT BE ALLOCATED TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU, THE BOARD SHALL PROVIDE NOTICE TO THE BUREAU OF ITS INTENTION NO LESS THAN 120 DAYS PRIOR TO TERMINATION OF FUNDING, DURING WHICH TIME THE BOARD MAY WITHDRAW ITS DETERMINATION; TO ALLOW THE BOARD TO ENTER INTO CONTRACTS WITH FOR-PROFIT OR NOT-FOR-PROFIT ORGANIZATIONS TO PROVIDE SERVICES FOR ADVERTISING, MARKETING AND PROMOTION OF TOURISM, CONVENTIONS AND RELATED ACTIVITIES OR TO DIRECT ALL OR A PART OF THE FUNDING TO A NOT-FOR-PROFIT CREATED OR EXISTING WITHIN THE COUNTY THAT IS RESPONSIBLE FOR THE PROMOTION OF TOURISM OR TOURISM-RELATED ACTIVITIES; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. C. R. No. 565:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BOYS BASKETBALL TEAM AND COACH TIM WISE FOR WINNING THE MAIS OVERALL STATE CHAMPIONSHIP.

By Senator(s) Kirby, Harkins, Blount, Michel

**S. C. R. No. 566:** Rules

A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI COLLEGE SCHOOL OF LAW DEAN PATRICIA BENNETT ON THE OCCASION OF HER RETIREMENT.

By Senator(s) Frazier

**S. C. R. No. 567:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LEAKE ACADEMY "LADY REBELS" GIRLS BASKETBALL TEAM AND COACH AMANDA GULLEY HATCH FOR WINNING THE MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) 5A STATE CHAMPIONSHIP.

By Senator(s) Branning

**S. C. R. No. 568:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF DR. JAMES OLIVER, M.D., AS THE FIRST AFRICAN AMERICAN TO GRADUATE FROM THE UNIVERSITY OF MISSISSIPPI SCHOOL OF MEDICINE.

By Senator(s) Jackson (11th), Barnett, Jordan, Simmons (12th), Horhn, Butler (36th), Butler (38th), Turner-Ford, Thomas, Frazier, Norwood, Blackmon, Hickman

**S. C. R. No. 569:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MERIDIAN HIGH SCHOOL "LADY WILDCATS" GIRLS BASKETBALL TEAM AND COACH DENESHIA FAULKNER FOR WINNING THEIR FIRST STATE CHAMPIONSHIP IN PROGRAM HISTORY.

By Senator(s) Hickman, Tate

**S. C. R. No. 570:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "LADY PATRIOTS" GIRLS BASKETBALL TEAM AND HEAD COACH MICHAEL MCANALLY FOR WINNING THE 2022 MAIS OVERALL STATE CHAMPIONSHIP.

By Senator(s) Kirby, Harkins, Blount, Michel

**S. C. R. No. 571:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST RANKIN "LADY COUGARS" GIRLS SOCCER TEAM AND COACH CARLI LITTLE FOR WINNING THE MHSAA 6A STATE SOCCER CHAMPIONSHIP.

By Senator(s) Harkins

**S. C. R. No. 572:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BIGGERSVILLE HIGH SCHOOL "LIONS" GIRLS AND BOYS BASKETBALL TEAMS AND HEAD COACH CLIFF LITTLE FOR WINNING TWO MHSAA CLASS 1A STATE CHAMPIONSHIPS ON THE SAME DAY.

By Senator(s) Parks, Sparks

**S. R. No. 38:** Rules

A RESOLUTION PAYING TRIBUTE TO THE LIFE AND MEDICAL LEGACY OF DR. GUSTAVUS ADOLPHUS "SONNY" RUSH III WHO FOUNDED THE ORTHOPEDIC SPORTS MEDICINE PROGRAM AT RUSH HOSPITAL IN MERIDIAN, MISSISSIPPI,

AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

By Senator(s) Tate

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SIXTY-FIFTH DAY, WEDNESDAY, MARCH 9, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Chaplin (Colonel) Terry Partain, Mississippi National Guard.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Hopson called up the following entitled bill:

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-119-9, Mississippi Code of 1972, is amended as follows:

57-119-9. (1) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, public schools, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. Projects that are eligible for assistance under this section are projects that have the potential to generate increased economic activity in the region, as described in Section 57-119-11(3).

(2) MDA shall establish criteria, rules, and procedures for accepting and reviewing applications for assistance under this section. MDA, with advice from the Gulf Coast Restoration Fund Advisory Board, shall review, compile and score all timely received applications, and shall present the applications and its recommendations for assistance to individual projects under this section to the Legislature no later than December 1 of the year. The Legislature shall determine individual projects that will be funded under this section by separate line items in an appropriation bill.

(3) Applications for assistance under this section will be received through web portals set up by MDA. MDA shall set criteria for the web portal which may include protection of the confidentiality of any or all of the applications.

(4) The project described in paragraph (m) of Section 18, Chapter 106, Laws of 2020 (Senate Bill No. 2977), to assist George County with a rail connection project, shall not be required to meet the criteria established by the Mississippi Development Authority for the selection and recommendation of projects under this section in order to receive the funds allocated for that project under Chapter 106.

SECTION 2. Section 57-119-11, Mississippi Code of 1972, is amended as follows:

57-119-11. (1) MDA is further authorized, on such terms and conditions consistent with the criteria set forth in this section as it may determine, to establish programs for making loans, loan guarantees, grants and any other financial assistance from the GCRF to applicants whose projects are approved for assistance under this section. MDA shall establish criteria, rules and procedures for accepting, reviewing, granting or denying applications, and for terms and conditions of financial assistance under this section in accordance with state law. The Legislature shall appropriate monies from the GCRF to the MDA to fund the programs established under this section in an amount requested annually by MDA for such purpose.

(2) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, public schools, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities, and local economic development entities.

(3) MDA shall establish programs and an application process to provide assistance to applicants under this section that prioritize:

(a) Projects that will impact the long-term competitiveness of the region and may result in a significant positive impact on tax base, private sector job creation and private sector investment in the region;

(b) Projects that demonstrate the maximum long-term economic benefits and long-term growth potential of the region based on a financial analysis such as a cost-benefit analysis or a return-on-investment analysis;

(c) Projects that demonstrate long-term financial sustainability, including clear performance metrics, over the duration of the project;

(d) Projects that leverage or encourage leveraging of other private sector, local, state and federal funding sources with preference to projects that can demonstrate contributions from other sources than funds from the BP settlement;

(e) Projects that are supported by multiple government or private sector entities;

(f) Projects that can move quickly and efficiently to the design, engineering, and permitting phase;

(g) Projects that enhance the quality of life/place and business environment of the region, including tourism and recreational opportunities;

(h) Projects that expand the region's ability to attract high-growth industries or establish new high-growth industries in the region;

(i) Projects that leverage or further enhance key regional assets, including educational institutions, research facilities, ports, airports, rails and military bases;

(j) Projects that are transformational for the future of the region but create a wider regional impact;

(k) Projects that enhance the marketability of existing industrial properties;

(l) Projects that enhance a targeted industry cluster or create a Center of Excellence unique to the region;

(m) Infrastructure projects for business retention and development;

(n) Projects that enhance research and innovative technologies in the region; and

(o) Projects that provide outcome and return on investment measures, to be judged by clear performance metrics, over the duration of the project or program.

SECTION 3. Section 57-119-13, Mississippi Code of 1972, is amended as follows:

57-119-13. (1) Assistance provided under this chapter may not be used to finance one hundred percent (100%) of the cost of any project; however, this limitation shall not apply to projects for public schools.

(2) Contracts executed by MDA with recipients of assistance under this chapter must include provisions requiring a performance report on the contracted activities, must account for the proper use of funds provided under the contract, and must include provisions for recovery of assistance if the assistance was based upon fraudulent information or the recipient of the assistance is not meeting the performance requirements established by MDA of the assistance. Recipients of assistance under this chapter must regularly report to MDA the status of the project on a schedule determined by MDA.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTIONS 57-119-9 AND 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOLS ARE ELIGIBLE FOR ASSISTANCE FOR PROJECTS FROM THE GULF COAST RESTORATION FUND; TO AMEND

SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL NOT APPLY TO PROJECTS OF CERTAIN PUBLIC ENTITIES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 660 was adopted.

YEAS AND NAYS On H. B. No. 660. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

Senator Hopson called up the following entitled bill:

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-23-1, Mississippi Code of 1972, is amended as follows:

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Unobligated amounts remaining in the Rural Fire Truck Fund, Fund No. 3507, or in any fund created for funds appropriated or otherwise made available for this program, may be used as matching funds by any county with remaining eligibility as provided herein. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed Nine Hundred Twenty Thousand Dollars (\$920,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii) and (xiv) of

this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars (\$50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars (\$70,000.00) per fire truck for the seventh, eighth, ninth, tenth and eleventh trucks, and not more than Ninety Thousand Dollars (\$90,000.00) per fire truck for the twelfth, thirteenth and fourteenth truck. Monies distributed under this chapter shall be expended only for the purchase of new fire trucks and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for fourteen (14) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of Nine Hundred Twenty Thousand Dollars (\$920,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for thirteen (13) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of Eight Hundred Seventy Thousand Dollars (\$870,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for twelve (12) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Eight Hundred Twenty Thousand Dollars (\$820,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for eleven (11) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Seven Hundred Seventy Thousand Dollars (\$770,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for ten (10) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Seven Hundred Twenty Thousand Dollars (\$720,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for nine (9) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Six Hundred Seventy Thousand Dollars (\$670,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for eight (8) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Six Hundred Twenty Thousand Dollars (\$620,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for seven (7) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3)

fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Five Hundred Fifty Thousand Dollars (\$550,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for six (6) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Four Hundred Eighty Thousand Dollars (\$480,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for five (5) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Four Hundred Ten Thousand Dollars (\$410,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for four (4) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Three Hundred Forty Thousand Dollars (\$340,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck.

(xiii) Any county may apply for three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(b) The board of supervisors of the county shall submit its request for the receipt of monies to the Department of Insurance. A committee composed of the Commissioner of Insurance, the State Fire Coordinator, the Director of the Rating Bureau and the Director of the State Fire Academy shall review the requests by the boards of supervisors and shall determine whether the county or municipality for which the board of supervisors has requested a truck meets the requirements of eligibility under this chapter.

(c) To be eligible to receive monies under this chapter:

(i) A county or municipality must pledge to set aside or dedicate each year as matching funds, for a period not to extend over ten (10) years, local funds in an amount equal to or not less than one-tenth (1/10) of the amount of monies for which it is requesting distribution from the Rural Fire Truck Fund, which pledged monies may be derived from local ad valorem tax authorized by law or from any other funds available to the county or municipality, except for those funds received by municipalities or counties from the Municipal Fire Protection Fund or the County Volunteer Fire Department Fund, as defined in Sections 83-1-37 and 83-1-39.

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term "rural areas" means any area within the county located outside the boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

(d) The Department of Insurance shall maintain an accurate record of all monies distributed to counties and municipalities and the number of fire trucks purchased and the cost for each fire truck, such records to be kept separate from other records of

the Department of Insurance; notify counties and municipalities of the Rural Fire Truck Acquisition Assistance Program and the requirements for them to become eligible to participate; adopt and promulgate such rules and regulations as may be necessary and desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases, and the cost of each fire truck purchased.

(4) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Matching Assistance Fund," which shall consist of funds appropriated by the Legislature from the State General Fund or any other special source fund. The Department of Insurance shall use the funds for matching assistance to counties and municipalities with remaining eligibility in accordance with the provisions of subsection (5) of this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(5) Subject to appropriation by the Legislature, the Department of Insurance may provide funds to counties and municipalities out of the Rural Fire Truck Matching Assistance Fund in an amount exceeding the amount authorized in subsection (3) of this section. However, the total amount of funds allowed under this subsection combined with the funds provided in subsection (3) of this section shall not exceed eighty percent (80%) of the purchase price of the rural fire truck. A county or municipality is eligible for such matching assistance upon meeting the following criteria:

(a) The county or municipality's application is approved for funding in accordance with the criteria in subsection (3) of this section;

(b) The department determines that the county or municipality does not have sufficient funds available for the purchase of a rural fire truck with the funds authorized in subsection (3) of this section; and

(c) The county has received funding for no more than eight (8) rounds from the Rural Fire Truck Acquisition Assistance Program.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO CREATE A SPECIAL FUND TO BE DESIGNATED THE "RURAL FIRE TRUCK MATCHING ASSISTANCE FUND" WHICH SHALL BE USED TO ASSIST COUNTIES AND MUNICIPALITIES WITH REMAINING ELIGIBILITY UNDER THE RURAL FIRE TRUCK ACQUISITION PROGRAM; TO PROVIDE THAT THE TOTAL AMOUNT OF MATCHING ASSISTANCE SHALL NOT EXCEED 80% OF THE PURCHASE PRICE OF THE RURAL FIRE TRUCK; TO PROVIDE THAT THE DEPARTMENT OF INSURANCE MAY PROVIDE SUCH MATCHING ASSISTANCE TO COUNTIES AND MUNICIPALITIES UPON MEETING CERTAIN CRITERIA; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 842 was adopted.

YEAS AND NAYS On H. B. No. 842. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-41, Mississippi Code of 1972, is amended as follows:

25-3-41. (1) Subject to the provisions of subsection (10) of this section, when any officer or employee of the State of Mississippi, or any department, agency or institution thereof, after first being duly authorized, is required to travel in the performance of his official duties, the officer or employee shall receive as expenses for each mile actually and necessarily traveled, when the travel is done by a privately owned automobile or other privately owned motor vehicle, the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel.

(2) When any officer or employee of any county or municipality, or of any agency, board or commission thereof, after first being duly authorized, is required to travel in the performance of his official duties, the officer or employee shall receive as expenses Twenty Cents (20¢) for each mile actually and necessarily traveled, when the travel is done by a privately owned motor vehicle; provided, however, that the governing authorities of a county or municipality may, in their discretion, authorize an increase in the mileage reimbursement of officers and employees of the county or municipality, or of any agency, board or commission thereof, in an amount not to exceed the mileage reimbursement rate authorized for officers and employees of the State of Mississippi in subsection (1) of this section.

(3) Where two (2) or more officers or employees travel in one (1) privately owned motor vehicle, only one (1) travel expense allowance at the authorized rate per mile shall be allowed for any one (1) trip. When the travel is done by means of a public carrier or other means not involving a privately owned motor vehicle, then the officer or employee shall receive as travel expense the actual fare or other expenses incurred in such travel.

(4) In addition to the foregoing, a public officer or employee shall be reimbursed for other actual expenses such as meals, lodging and other necessary expenses incurred in the course of the travel, subject to limitations placed on meals for intrastate and interstate official travel by the Department of Finance and Administration, provided, that the Legislative Budget Office shall place any limitations for expenditures made on matters under the jurisdiction of the Legislature. The Department of Finance and Administration

shall set a maximum daily expenditure annually for such meals and shall notify officers and employees of changes to these allowances immediately upon approval of the changes. Travel by airline shall be at the tourist rate unless that space was unavailable. The officer or employee shall certify that tourist accommodations were not available if travel is performed in first-class airline accommodations. Itemized expense accounts shall be submitted by those officers or employees in such number as the department, agency or institution may require; but in any case one (1) copy shall be furnished by state departments, agencies or institutions to the Department of Finance and Administration for preaudit or postaudit. The Department of Finance and Administration shall promulgate and adopt reasonable rules and regulations which it deems necessary and requisite to effectuate economies for all expenses authorized and paid pursuant to this section. Requisitions shall be made on the State Fiscal Officer who shall issue his warrant on the State Treasurer. Provided, however, that the provisions of this section shall not include agencies financed entirely by federal funds and audited by federal auditors.

(5) Any officer or employee of a county or municipality, or any department, board or commission thereof, who is required to travel in the performance of his official duties, may receive funds before the travel, in the discretion of the administrative head of the county or municipal department, board or commission involved, for the purpose of paying necessary expenses incurred during the travel. Upon return from the travel, the officer or employee shall provide receipts of transportation, lodging, meals, fees and any other expenses incurred during the travel. Any portion of the funds advanced which is not expended during the travel shall be returned by the officer or employee. The Department of Audit shall adopt rules and regulations regarding advance payment of travel expenses and submission of receipts to ensure proper control and strict accountability for those payments and expenses.

(6) No state or federal funds received from any source by any arm or agency of the state shall be expended in traveling outside of the continental limits of the United States until the governing body or head of the agency makes a finding and determination that the travel would be extremely beneficial to the state agency and obtains a written concurrence thereof from the Governor, or his designee, and the Department of Finance and Administration. However, employees of state institutions of higher learning may expend funds for travel outside of the continental limits of the United States upon a written finding by the president or head of the institution that the travel would be extremely beneficial to the institution.

(7) Where any officer or employee of the State of Mississippi, or any department, agency or institution thereof, or of any county or municipality, or of any agency, board or commission thereof, is authorized to receive travel reimbursement under any other provision of law, the reimbursement may be paid under the provisions of this section or the other section, but not under both.

(8) When the Governor, Lieutenant Governor or Speaker of the House of Representatives appoints a person to a board, commission or other position that requires confirmation by the Senate, the person may receive reimbursement for mileage and other actual expenses incurred in the performance of official duties before the appointment is confirmed by the Senate, as reimbursement for those expenses is authorized under this section.

(9) (a) The Department of Finance and Administration may contract with one or more commercial travel agencies, after receiving competitive bids or proposals therefor, for that travel agency or agencies to provide necessary travel services for state officers and employees. Municipal and county officers and municipal and county employees may also participate in the state travel agency contract and utilize these travel services for official municipal or county travel. However, the administrative head of each state institution of higher learning may, in his discretion, contract with a commercial travel agency to provide necessary travel services for all academic officials and staff of the university in lieu of participation in the state travel agency contract. Any such decision by

a university to contract with a separate travel agency shall be approved by the Board of Trustees of State Institutions of Higher Learning and the Executive Director of the Department of Finance and Administration.

(b) Before executing a contract with one or more travel agencies, the Department of Finance and Administration shall advertise for competitive bids or proposals once a week for two (2) consecutive weeks in a regular newspaper having a general circulation throughout the State of Mississippi. If the department determines that it should not contract with any of the bidders initially submitting proposals, the department may reject all those bids, advertise as provided in this paragraph and receive new proposals before executing the contract or contracts. The contract or contracts may be for a period not greater than three (3) years, with an option for the travel agency or agencies to renew the contract or contracts on a one-year basis on the same terms as the original contract or contracts, for a maximum of two (2) renewals. After the travel agency or agencies have renewed the contract twice or have declined to renew the contract for the maximum number of times, the Department of Finance and Administration shall advertise for bids in the manner required by this paragraph and execute a new contract or contracts.

(c) Whenever any state officer or employee travels in the performance of his official duties by airline or other public carrier, he may have his travel arrangements handled by that travel agency or agencies. The amount paid for airline transportation for any state officer or employee, whether the travel was arranged by that travel agency or agencies or was arranged otherwise, shall not exceed the amount specified in the state contract established by the Department of Finance and Administration, Office of Purchasing and Travel, unless prior approval is obtained from the office.

(10) (a) For purposes of this subsection, the term "state agency" means any agency that is subject to oversight by the Bureau of Fleet Management of the Department of Finance and Administration under Section 25-1-77.

(b) Each state agency shall use a trip optimizer type system developed and administered by the Department of Finance and Administration in computing the optimum method and cost for travel by state officers and employees using a motor vehicle where the travel will exceed one hundred (100) miles per day and the officer or employee is not driving a state-owned or state-leased vehicle that has been dedicated or assigned to the officer or employee.

(c) The provisions of this subsection shall be used to determine the most cost-effective method of travel by motor vehicles, whether those vehicles are owned by the state agency, leased by the state agency, or owned by the officer or employee, and shall be applicable for purposes of determining the maximum authorized amount of any travel reimbursement for officers and employees of those agencies related to vehicle usage.

(d) The maximum authorized amount of travel reimbursement related to motor vehicle usage shall be the lowest cost option as determined by the trip optimizer type system. All travel claims submitted for reimbursement shall include the results of the trip optimizer type system indicating the lowest cost option for travel by the state officer or employee.

(e) In providing a calculation of rates, the trip optimizer type system shall account for the distance that an officer or employee must travel to pick up a rental or state fleet vehicle, and shall account for the long-term rate discounts offered through the state purchasing contract for vehicle rentals.

(f) (i) This subsection shall not apply to travel by state officials in motor vehicles driven by the official or in vehicles used for the transport of the official. The exemption in this paragraph (f) applies only to the state official and not to the staff or other

employees of the state official. As used in this paragraph (f), "state official" means statewide elected officials and the elected members of the Public Service Commission.

(ii) This subsection shall not apply to travel by youth services counselors.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

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

AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO EXEMPT YOUTH SERVICES COUNSELORS FROM THE TRIP OPTIMIZER SYSTEM REQUIREMENTS FOR TRAVEL; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1101 was adopted.

YEAS AND NAYS On H. B. No. 1101. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1222:** Line-Item Appropriation Transparency Act; make certain technical amendments to.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-351, Mississippi Code of 1972, is amended as follows:

27-104-351. (1) This section shall be known and may be cited as the "Line-Item Appropriation Transparency Act."

(2) As used in this section, unless the context clearly indicates otherwise:

(a) "Local government entity" means any county, municipality, school district, public hospital or other political subdivision of the state.

(b) "Pass-through funding" means a line-item appropriation by the Legislature to a state agency that is itemized on a separate line in a \* \* \* state agency's appropriation bill and that is intended to be passed through the state agency to one or more:

- (i) Local government entities;
- (ii) Private organizations, including not-for-profit organizations; or
- (iii) Persons in the form of a loan or grant.

"Pass-through funding" may be general funds, dedicated credits, or any combination of state funding sources, and may be ongoing or one-time.

(c) "Recipient entity" means a local government entity or private entity, including a nonprofit entity, that receives money by way of pass-through funding from a state agency.

(d) "State agency" shall have the same meaning as provided in Section 27-103-103, and shall include any other subagency or board under the supervision of that state agency.

(e) "State money" means \* \* \* funds in the State General Fund and all state-support special funds which are in the Budget Contingency Fund, Capital Expense Fund, Working-Cash Stabilization Reserve Fund, Education Enhancement Fund, Healthcare Expendable Fund, Tobacco Control Program Fund, BP Settlement Fund, Gulf Coast Restoration Fund and any other special funds that are determined by the Joint Legislative Budget Committee to be a state-support special fund. "State money" does not include contributions or donations received by a state agency.

(f) "Department" means the Department of Finance and Administration.

(3) A state agency may not provide a recipient entity state money from pass-through funding unless:

(a) The state agency enters into a written agreement with the recipient entity, which details the criteria and reporting requirements as provided in this section; and

(b) The written agreement described in paragraph (a) of this subsection requires the recipient entity to provide to the state agency the following:

(i) \* \* \* A written description and an itemized report detailing the expenditure of state money or the intended expenditure of any state money that has not been spent. Such report shall be submitted at least quarterly on dates determined by the department; and

(ii) A final written itemized report when all the state money is spent.

Disbursements shall only be made after the written agreement described in paragraph (a) of this subsection has been signed and shall be contingent upon the recipient entity complying with the quarterly reporting requirements required by paragraph (b) of this subsection.

(4) \* \* \* On or before June 30 of each year or a date determined by the department, a state agency shall provide to the department a copy of the written agreements, written descriptions, and reports of itemized expenditures required under subsection (3) of this section.

(5)\*\*\* The department is responsible for obtaining the written agreements, written descriptions, and itemized reports required by subsection (3) of this section from state agencies. The department is further responsible for consolidating and presenting a report on the previous fiscal year's pass-through expenditures and providing it to the Joint Legislative Budget Committee by October 1 of each year.

(6) The department shall create all of the following documents which shall be in such form and contain such information as the department prescribes:

(a) Written agreement as described in subsection (3)(a) of this section;

(b) Written description and itemized report as described in subsection (3)(b) of this section; and

(c) Final itemized report as described in subsection (3)(b) of this section.

A state agency shall utilize these documents when complying with the criteria set forth in this act.

(\*\*\*7) Notwithstanding subsection (3) of this section, a state agency is not required to comply with this section to the extent that the pass-through funding is issued:

(a) Under a competitive award process;

(b) In accordance with a formula enacted in statute;

(c) In accordance with a state program under parameters in statute or rule that guides the distribution of the pass-through funding;

(d) Under the authority of the Mississippi Accountability and Adequate Education Program Act of 1997, Section 37-151-1 et seq.; or

(e) In accordance with an appropriations act of the Legislature that specifically provides an exemption from the provisions of this section.

(\*\*\*8) Unless a recipient entity is required to comply with Section 31-7-1 et seq. because it is an agency or public body, the fact that it is a recipient entity does not create such an obligation.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 27-104-351, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS BY WHICH A STATE AGENCY MAY PROVIDE A RECIPIENT ENTITY PASS-THROUGH FUNDING UNDER THE LINE-ITEM APPROPRIATION TRANSPARENCY ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1222 was adopted.

YEAS AND NAYS On H. B. No. 1222. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-35, Mississippi Code of 1972, is amended as follows:

25-3-35. (1) The annual salaries of the following judges are fixed as follows:

\* \* \*

Chief Justice of the Supreme

Court ..... \$ \* \* \* 174,000.00

Presiding Justices of the Supreme Court,

each ..... \* \* \* 169,500.00

Associate Justices of the Supreme Court,

each ..... \* \* \* 166,500.00

There are imposed upon the Supreme Court justices the extra duties of taking all necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each justice \* \* \* shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (1).

The fixed salaries in this subsection (1) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than: One Hundred Fifteen Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief Justice's salary in this subsection (1), One Hundred Thirteen Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of a presiding justice in this subsection (1), and One Hundred Twelve Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary of an associate justice in this subsection (1) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of the Chief

Justice, a presiding justice and an associate justice to the levels set forth in this subsection (1).

The fixed salaries as specified in this subsection (1) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(2) The annual salaries of the judges of the Court of Appeals of Mississippi are fixed as follows:

\*\*\*

Chief Judge of the Court of Appeals.....	\$ *** 161,500.00
Associate Judges of the Court of Appeals,	
each .....	*** 158,500.00

\*\*\* Each judge shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (2).

The fixed salaries in this subsection (2) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Eight Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief Judge's salary in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the Chief Judge's salary to the level set forth in this subsection (2). No less than One Hundred Five Thousand Fifty Dollars (\$105,050.00) of the salary of an associate judge in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of an associate judge to the level set forth in this subsection (2).

The fixed salaries as specified in this subsection (2) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(3) The annual salaries of the chancery and circuit court judges are fixed as follows:

\*\*\*

Chancery Judges, each .....	\$ *** 149,000.00
Circuit Judges, each .....	*** 149,000.00

In addition to their present official duties, the circuit and chancery judges shall take necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each judge \*\*\* shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (3).

The fixed salaries in this subsection (3) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Four Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary of a chancery or circuit judge in this subsection (3) shall be paid from general

fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of a chancery or circuit judge to the levels set forth in this subsection (3).

(4) From and after January 1, 2019, and every four (4) years thereafter, the annual salaries of the judges in subsections (1), (2) and (3) shall be fixed at the level of compensation recommended by the State Personnel Board according to the board's most recent report on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this subsection (4) shall not become effective until the commencement of the next immediately succeeding term of office.

(5) The Supreme Court shall prepare a payroll for chancery judges and circuit judges and submit such payroll to the Department of Finance and Administration.

(6) The annual salary of the full-time district attorneys shall be:

\* \* \*

From and after January 1, 2016, through December 31, 2022:

One Hundred Twenty-five Thousand Nine Hundred Dollars (\$125,900.00).

From and after January 1, 2023:

One Hundred Thirty-four Thousand Dollars (\$134,000.00).

(7) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor more than eighty percent (80%) of the salary of the district attorney for legal assistants who have been licensed to practice law for five (5) years or less; eighty-five percent (85%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least five (5) years but less than fifteen (15) years; and ninety percent (90%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least fifteen (15) years or more.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1423 was adopted.

YEAS AND NAYS On H. B. No. 1423. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.  
Nays--Chism, Hill, McDaniel, Sojourner. Total--4.  
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Twentieth Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by said criminal investigators shall be not more than \* \* \* Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq., Mississippi Code of 1972. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

[From and after January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Twentieth and Twenty-third Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than \* \* \* Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM SALARY PAID TO A CRIMINAL INVESTIGATOR IN THE OFFICE OF THE DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1424 was adopted.

YEAS AND NAYS On H. B. No. 1424. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-31, Mississippi Code of 1972, is brought forward as follows:

25-3-31. The annual salaries of the following elected state and district officers are fixed as follows:

Governor .....	\$122,160.00
Attorney General .....	108,960.00
Secretary of State.....	90,000.00
Commissioner of Insurance .....	90,000.00
State Treasurer.....	90,000.00
State Auditor of Public Accounts.....	90,000.00
Commissioner of Agriculture and Commerce.....	90,000.00
Transportation Commissioners .....	78,000.00
Public Service Commissioners.....	78,000.00

If the person serving as Governor on December 31, 2003, is reelected to the Office of Governor for the term beginning in the year 2004, he may choose not to receive the salary increase authorized by this section, but to receive, instead, an annual salary of One Hundred One Thousand Eight Hundred Dollars (\$101,800.00) during his new term of office by filing a written request with the Department of Finance and Administration.

SECTION 2. Section 25-3-39, Mississippi Code of 1972, is brought forward as follows:

25-3-39. (1) (a) Except as otherwise provided in this section, no public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, shall be paid a salary or compensation, directly or indirectly, greater than one hundred fifty percent (150%) of the salary fixed in Section 25-3-31 for the Governor, nor shall the salary of any public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, be supplemented with any funds from any source, including federal or private funds. Such salaries shall be completely paid by the state. All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges, and licensed physicians who are public employees, shall be exempt from this subsection. All professional employees who hold a bachelor's degree or more advanced degree from an accredited four-year college or university or a certificate or license issued by a state licensing board, commission or agency and who are employed by the Department of Mental Health shall be exempt from this subsection if the State Personnel Board approves

the exemption. The Commissioner of Child Protection Services is exempt from this subsection. From and after July 1, 2018, the Executive Director of the Public Employees' Retirement System and the Chief Investment Officer of the Public Employees' Retirement System shall be exempt from this subsection.

(b) The Governor shall fix the annual salary of the Executive Director of the Mississippi Development Authority, the annual salary of the Commissioner of Child Protection Services, and the annual salary of the Chief of Staff of the Governor's Office. The salary of the Governor's Chief of Staff shall not be greater than one hundred fifty percent (150%) of the salary of the Governor and shall be completely paid by the state without supplementation from another source. The salary of the Executive Director of the Mississippi Development Authority may be greater than one hundred fifty percent (150%) of the salary of the Governor and may be supplemented with funds from any source, including federal or private funds; however, any state funds used to pay the salary of the Executive Director of the Mississippi Development Authority shall not exceed one hundred fifty percent (150%) of the salary of the Governor. If the executive director's salary is supplemented with private funds, the Mississippi Development Authority shall publish on its website the amount of the supplement and the name of the donor of the private funds.

(2) No public officer, employee or administrator shall be paid a salary or compensation, directly or indirectly, in excess of the salary authorized to be paid the executive head of the state agency or department in which he is employed. The State Personnel Board, based upon its findings of fact, may exempt physicians and actuaries from this subsection when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market.

(3) The executive head of any state agency or department appointed by the Governor, in such executive head's discretion, may waive all or any portion of the salary or compensation lawfully established for the position.

SECTION 3. Section 25-3-71, Mississippi Code of 1972, is brought forward as follows:

25-3-71. The State Personnel Board shall prepare a written legislative report to be submitted to the members of the Mississippi Legislature on December 1, 1988, and on December 1 of every year thereafter, making recommendations on any salary increases and the amounts deemed necessary for all state and county elected officials and state appointed officials whose salaries are established by statute.

SECTION 4. Section 25-9-133, Mississippi Code of 1972, is brought forward as follows:

25-9-133. (1) The board shall recommend policies and procedures for the efficient and economical use of employment positions. The board shall report to the State Fiscal Management Board and the Legislative Budget Office recommendations for the number of employment positions and costs within each department, agency or institution. Such recommendation shall include the job title and salary of each position. The board shall conduct periodic position audits within each department, agency or institution to ensure the effective and efficient use of all personnel resources and to determine compliance with organization and staffing plans by agencies as presented by Section 25-9-115(n).

(2) No person shall be employed by any agency for any period for any purpose except in an employment position authorized by legislative appropriation or by the body authorized by law to escalate budgets and approve employment positions under the guidelines established by the Legislature. Each employment position so authorized shall be classified and assigned a pay range on the basis of actual job content, according to the State Classification Plan.

SECTION 5. Section 37-3-13, Mississippi Code of 1972, is brought forward as follows:

37-3-13. (1) The deputy superintendents, associate superintendents and directors shall be selected by and hold office subject to the will of the State Superintendent of Public Education subject to the approval of the State Board of Education. All other personnel shall be competitively appointed by the State Superintendent and shall be dismissed only for cause in accordance with the rules and regulations of the State Personnel Board. The State Board of Education shall set the salary of the deputy superintendents, associate superintendents and divisional directors, and the members of the teaching staffs and employees of the Mississippi School of the Arts. The State Superintendent, subject to the approval of the State Personnel Board, shall fix the amount of compensation of all other employees of the State Department of Education. All salaries, compensation or expenses of any of the personnel of the department shall be paid upon the requisition of the State Superintendent of Public Education and warrant issued thereunder by the State Auditor out of funds appropriated by the Legislature in a lump sum upon the basis of budgetary requirements submitted by the Superintendent of Education or out of funds otherwise made available. The entire expense of administering the department shall never exceed the amount appropriated therefor, plus funds received from other sources other than state appropriations. For a violation of this provision, the superintendent shall be liable, and he and the sureties on his bond shall be required to restore any such excess.

(2) For a period of two (2) years beginning July 1, 2014, the provisions of subsection (1) regarding the personnel actions of the State Department of Education shall not be subject to the rules and regulations of the State Personnel Board for all personnel employed by the department within that period. All personnel hired within the period of exemption from the state personnel system shall be classified as nonstate service and must meet the criteria of the State Personnel Board as it presently exists for employment.

SECTION 6. Section 47-5-20, Mississippi Code of 1972, is brought forward as follows:

47-5-20. The commissioner shall have the following powers and duties:

(a) To establish the general policy of the department;

(b) To approve proposals for the location of new facilities, for major renovation activities, and for the creation of new programs and divisions within the department as well as for the abolition of the same; provided, however, that the commissioner shall approve the location of no new facility unless the board of supervisors of the county or the governing authorities of the municipality in which the new facility is to be located shall have had the opportunity with at least sixty (60) days' prior notice to disapprove the location of the proposed facility. If either the board of supervisors or the governing authorities shall disapprove the facility, it shall not be located in that county or municipality. Said notice shall be made by certified mail, return receipt requested, to the members of the board or governing authorities and to the clerk thereof;

(c) Except as otherwise provided or required by law, to open bids and approve the sale of any products or manufactured goods by the department according to applicable provisions of law regarding bidding and sale of state property, and according to rules and regulations established by the State Fiscal Management Board; \* \* \*

(d) To adopt administrative rules and regulations including, but not limited to, offender transfer procedures, award of administrative earned time, personnel procedures, employment practices \* \* \*; and

(e) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures

in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department.

SECTION 7. Section 47-5-28, Mississippi Code of 1972, is brought forward as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to \* \* \* conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender \* \* \*;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; and

(j) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 8. Section 57-1-5, Mississippi Code of 1972, is brought forward as follows:

57-1-5. (1) The Governor shall, with the advice and consent of the Senate, appoint an executive director who:

(a) Shall have at least a bachelor's degree, and

(b) Shall be an experienced administrator and have at least five (5) years' experience in at least one (1) of the following areas:

(i) Industrial development, or

(ii) Economic development.

(2) The executive director shall be the executive officer of the department in the execution of any and all provisions of this chapter, and his salary shall be fixed by the Governor.

(3) The executive director shall have the following powers and duties:

(a) Formulate the policy of the department regarding the economic and tourist development of the state.

(b) To use and expend any funds from state, federal or private sources coming into the department for the purposes herein provided. State funds appropriated for the department shall be expended in accordance with the regulations governing the expenditures of other state funds.

(c) To implement the duties assigned to the department and consistent with specific requirements of law, including but not limited to:

(i) Support services to include legal, finance, data processing, personnel, communications and advertising, purchasing and accounting;

(ii) Research and planning;

(iii) Outreach, agency liaison and community development;

(iv) Tourism, business travel, and film;

(v) Programs and assistance for existing state business and industry;

(vi) Recruiting new business and industry into the state;

(vii) Fostering and promoting of entrepreneurship and the creation of new business in the state;

(viii) Programs aimed at competing effectively in the international economy by increasing exports of state products and services and by promoting, developing and creating the conditions and programs that will bring about significant increases in investment in the state from other countries;

(ix) Programs relating to the development of ports;

(x) Such other areas as are within the jurisdiction and authority of the department and will foster and promote the economic development of this state;

(xi) Salaries of the associate directors, deputy directors and bureau directors may be set by the executive director of the department. The positions of associate directors, deputy directors and bureau directors shall not be state service positions.

SECTION 9. Section 65-1-2, Mississippi Code of 1972, is brought forward as follows:

65-1-2. (1) There is hereby created the Mississippi Department of Transportation, which shall include the following offices:

- (a) Office of Administrative Services.
- (b) Office of Highways.
- (c) Office of State Aid Road Construction.
- (d) Office of Intermodal Planning.
- (e) Office of Enforcement.

(2) Each office shall be composed of such bureaus as deemed necessary by the executive director of the department.

(3) The department is designated as the single state agency to receive and expend any funds made available by the United States Department of Transportation or any agency of the federal government for transportation purposes and to cooperate with federal, state, interstate and local agencies, organizations and persons performing activities relating to transportation. This subsection shall not apply to motor carrier safety assistance program funds made available by the federal government to the Public Service Commission.

(4) The powers, duties and responsibilities of the State Highway Department with respect to the construction and maintenance of the state highway system are transferred to the Mississippi Department of Transportation.

(5) The powers, duties and responsibilities of the \* \* \* Mississippi Development Authority with respect to aeronautics are transferred to the Mississippi Department of Transportation.

(6) The powers, duties and responsibilities of the State Tax Commission with respect to the weighing of motor vehicles along the highways of this state at inspection stations and by means of portable scales are transferred to the Mississippi Department of Transportation.

(7) The powers, duties and responsibilities of the \* \* \* Mississippi Development Authority with respect to transportation matters, except with respect to ports, are transferred to the Mississippi Department of Transportation.

(8) The powers, duties and responsibilities of the State Aid Engineer and the Office of State Aid Road Construction are transferred to the Mississippi Department of Transportation.

(9) All powers, duties and responsibilities of the Public Service Commission with regard to railroads, except rate-making authority, are transferred to the Mississippi Department of Transportation. The Mississippi Transportation Commission may perform any act and issue any rule, regulation or order which the commission is permitted to do by the Federal Railroad Safety Act of 1970 (45 USCS et seq.). A copy of any new rule, regulation or order passed by the Mississippi Transportation Commission shall be furnished to members of the Transportation Committees of the Mississippi House of Representatives and the Mississippi Senate. Individuals, corporations or companies affected by the order, rule or regulation shall be notified in accordance with the Mississippi Administrative Procedures Law.

(10) All records, personnel, property and unexpended balances of appropriations, allocation or other funds of all those agencies, boards, commissions, departments, offices, bureaus and divisions that are transferred by Chapter 496, Laws of 1992, shall be transferred to the Mississippi Department of Transportation. The transfer of segregated or special funds shall be made in such a manner that the relation between program and revenue source as provided by law shall be retained.

(11) From and after January 1, 1993, and until January 1, 1994, the Mississippi Department of Transportation and the Mississippi Transportation Commission shall be exempt from State Personnel Board procedures for the purpose of the employment, promotion, realignment, demotion, reprimand, suspension, termination, reallocation, reassignment, transfer, moving or relocation of personnel of all those agencies, boards, commissions, departments, offices, bureaus and divisions whose duties and responsibilities are transferred by Chapter 496, Laws of 1992, to the Mississippi Department of Transportation.

SECTION 10. Section 81-1-69, Mississippi Code of 1972, is brought forward as follows:

81-1-69. The salaries of the commissioner and the deputy commissioner shall be fixed by the Legislature, and shall be payable monthly out of the funds of the department.

SECTION 11. Section 25-9-147, Mississippi Code of 1972, is brought forward as follows:

25-9-147. The State Personnel Board shall review on an annual basis the variable compensation plan adopted by the Legislature at the regular session of 1981 and subsequently implemented by the State Personnel Board. Each state department or agency subject to the variable compensation plan shall prepare an annual written report under the direction of the head of that department or agency outlining the impact which the plan has had on that department or agency during the preceding fiscal year. Such department or agency report shall be submitted to the State Personnel Board and shall become a part of the board's annual review of the variable compensation plan. After conducting its annual review of the plan and studying the report of each department or agency, the State Personnel Board shall prepare a written legislative report, to be submitted to the members of the Mississippi Legislature prior to January 1 of each year. This written report shall accurately reflect the effect of the variable compensation plan on the various departments or agencies subject to the plan. From and after July 1, 1985, the plan shall be named the "Colonel Guy Groff State Variable Compensation Plan."

SECTION 12. Section 25-3-34, Mississippi Code of 1972, is brought forward as follows:

25-3-34. (1) In addition to the salary provided in Section 25-3-33, any appointive state and district official and employee provided therein shall receive the award of an education benchmark as defined in State Personnel Board rules for the possession or attainment of any of the following:

(a) The Certified Public Manager designation;

(b) A job-related Ph.D (Doctor of Philosophy) degree which is not required as a minimum qualification of the position;

(c) A job-related certification, licensure or registration requiring the passage of an examination, which is not required as a minimum qualification of the position.

(2) No such official or employee may receive more than a total of three (3) eligible benchmarks, only one of which may be for a job related certification, licensure or registration.

(3) The State Personnel Board shall promulgate rules and regulations to carry out the provisions of this section.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO BRING FORWARD SECTION 25-3-31, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-39, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-71, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-9-133, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-3-13, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-20, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-28, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-1-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 65-1-2, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 81-1-69, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-9-147, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-34, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1426 was adopted.

YEAS AND NAYS On H. B. No. 1426. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.  
Nays--Chism, Hill, McDaniel, Sojourner, Tate. Total--5.  
Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County.

Senators Barrett and Harkins offered the following AMENDMENT NO. 1.

AMEND on line 9 by inserting the following before "is":

as amended by Senate Bill No. 2095, 2022 Regular Session,

FURTHER, AMEND by inserting the following below line 101:

The exemption provided in this paragraph (h) shall not apply to medical cannabis sold in accordance with the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

FURTHER, AMEND the title to conform by inserting the following on line 2 before "TO EXTEND":

AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION,

Amendment No. 1 to H. B. No. 470 was adopted.

YEAS AND NAYS On H. B. No. 470. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on lines 132, 135, 255, 375, 513 and 956 by striking "2025" and inserting in lieu thereof the following: 2026

Committee Amendment No. 1 to H. B. No. 474 was adopted.

Senators Johnson and Harkins offered the following AMENDMENT NO. 2.

AMEND on lines 32, 373 and 649 by inserting the following before "is":

as amended by Senate Bill No. 2095, 2022 Regular Session,

AMEND by inserting the following below line 50:

The term "health care industry facility" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 61 by inserting the following after the period:

The term "qualified business" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND by inserting the following below line 405 and below line 541:

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

AMEND on line 771 by inserting the following after the period:

The exemption provided in this paragraph (q) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 779 by inserting the following after the period:

The exemption provided in this subparagraph (i) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 792 by inserting the following after the period:

The exemption provided in this subparagraph (ii) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 886 by inserting the following after the period:

The exemption provided in this paragraph (ff) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 1050 by inserting the following after the period:

The exemption provided in this subsection (2) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

AMEND on line 1062 by inserting the following after the period:

The exemption provided in this subsection (3) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

FURTHER, AMEND the title to conform by inserting the following on lines 6, 13 and 19 after "1972,":

AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION,

Amendment No. 2 to H. B. No. 474 was adopted.

Senator Johnson offered the following AMENDMENT NO. 3.

AMEND on line 1127 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 3 to H. B. No. 474 was adopted.

YEAS AND NAYS On H. B. No. 474. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blount, Bryan. Total--2.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 256:** Manufactured and mobile homes; require certain notice to tax collector when relocated to another county.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-53-5, Mississippi Code of 1972, is amended as follows:

27-53-5. (1) It shall be the duty of the owner of a manufactured home or mobile home, not later than seven (7) days, Saturdays, Sundays and legal holidays excluded, after the date of purchase or entry into the county where the manufactured home or mobile home is located, to register such manufactured home or mobile home with the tax collector of the county where the manufactured home or mobile home is located. If a certificate of title has been issued or applied for concerning the manufactured home or mobile home, the original certificate of title or a copy of the application shall be presented to the tax collector at the time of the registration. The registration application for such manufactured home or mobile home shall contain the following information: name and address of owner, length and width of the manufactured home or mobile home, serial number or vehicle identification number (VIN) of manufactured home or mobile home, make of manufactured home or mobile home, date of purchase, present market value, and address where

manufactured home or mobile home is located if other than the address of the owner. At the time that an owner registers his manufactured home or mobile home, and before a registration certificate may be issued by the tax collector, the owner of the manufactured home or mobile home shall pay a registration fee of One Dollar (\$1.00) to the county tax collector and provide proof of payment of the previous year's taxes unless the manufactured home or mobile home was purchased from a licensed dealer. It is also the duty of the owner of the manufactured home or mobile home to reregister his manufactured home or mobile home with the tax collector within seven (7) days after the relocation of such manufactured home or mobile home from one (1) location in the county to another location in the county in order that there will always be on file with the tax collector the current address of such manufactured home or mobile home. In addition, if a manufactured home or mobile home is relocated from one (1) county to another county, then the owner of the manufactured home or mobile home, within twenty-one (21) days after such relocation, shall provide notice to the tax collector of the county from which the manufactured home or mobile home was relocated.

(2) It shall be the duty of every manufactured home or mobile home owner to provide either (a) proof of registration in the county in which the manufactured home or mobile home is located and at the address at which utility service is to be provided, as required by subsection (1), or (b) a certified copy of a recorded affidavit of affixation, together with a copy of the initial or any subsequent written confirmation from the Department of Revenue that the title to such home has been permanently retired, to each utility company whose service is procured by the owner before the utility company shall connect its services. For purposes of this section, "utility" shall mean and include water, gas, electric and telephone services, including such utilities as are owned and operated by municipalities.

(3) No utility company shall connect, provide or transfer service without receiving and recording either (a) the number of the current registration certificate issued for the manufactured home or mobile home at the address where service will be connected, provided or transferred, or (b) instrument number or the book and page where the affidavit of affixation is recorded.

(4) It shall be the duty of every manufactured home or mobile home owner subject to the use tax levy in Section 27-67-5 to provide proof of payment of such tax prior to the time of registration. If the manufactured home or mobile home has been registered in another county in this state, then the owner shall only need to show proof of such registration.

(5) Every utility company, in its discretion, may furnish to the county tax collector, upon request, the names and addresses of all manufactured home or mobile home customers to whom the utility company provides a service.

(6) The owner of a manufactured home or mobile home whose title has been permanently retired to real property under Section 63-21-30 shall be exempt from the requirements of subsection (1) of this section until such time as the owner of such manufactured home or mobile home files an affidavit of severance.

SECTION 2. Section 27-53-29, Mississippi Code of 1972, is brought forward as follows:

27-53-29. Any such willful violation of this chapter shall be punishable by a fine of not more than Twenty-five Dollars (\$25.00).

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 27-53-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A MANUFACTURED HOME OR MOBILE HOME IS RELOCATED FROM ONE COUNTY TO ANOTHER COUNTY, THEN THE OWNER OF THE MANUFACTURED HOME OR MOBILE HOME SHALL PROVIDE NOTICE TO THE TAX COLLECTOR OF THE COUNTY FROM WHICH THE MANUFACTURED HOME OR MOBILE HOME WAS RELOCATED; TO BRING FORWARD SECTION 27-53-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A PENALTY FOR VIOLATIONS OF THE LAWS PROVIDING FOR THE REGISTRATION AND ASSESSMENT OF MANUFACTURED HOMES AND MOBILE HOMES FOR AD VALOREM TAX PURPOSES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 256 was adopted.

YEAS AND NAYS On H. B. No. 256. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hill, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Wiggins, Williams, Younger. Total--35.

Nays--Barrett, Blackmon, Branning, Chism, DeBar, Frazier, Hickman, Hopson, Horhn, McDaniel, Michel, Seymour, Sojourner, Tate, Turner-Ford, Whaley. Total--16.

Absent and those not voting---None.

Voting Present--Simmons D. T. (12th). Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 684:** Small Business and Grocer Investment Act; extend repealer on.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 165 by striking the following language:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to H. B. No. 684 was adopted.

YEAS AND NAYS On H. B. No. 684. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting---None.

Senator Harkins called up the following entitled bill:

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-17-75, Mississippi Code of 1972, is amended as follows:

63-17-75. Within ninety (90) days after July 1, 1970, all persons who on July 1, 1970, are engaged in a business or occupation for which a license is required under the Mississippi Motor Vehicle Commission Law shall make application on forms prescribed by the commission for their respective licenses. All such persons shall be permitted, without a license, to continue to engage in the business or occupation for which a license is applied for until the license is either granted or, in case it is denied, until the applicant has exhausted or has had an opportunity to exhaust all of his remedies under Section 63-17-99. No person not engaged in a business or occupation requiring such a license on July 1, 1970, shall be permitted to engage in such business or occupation until he shall have first obtained a license to engage in such business or occupation.

Applications for licenses shall be verified by the oath or affirmation of the applicants and shall be on forms prescribed by the commission and furnished to such applicants. Applications shall contain such information as the commission deems necessary to enable it to fully determine the qualifications and eligibility of the several applicants to receive the license or licenses applied for. The commission shall require that there be set forth in each application information relating to the applicant's financial standing, the applicant's business integrity, whether the applicant has an established place of business and is primarily engaged in the pursuit, avocation or business for which a license or licenses is applied for, and whether the applicant is able to properly conduct the business for which a license or licenses is applied for, and such other pertinent information consistent with the safeguarding of the public interest and public welfare. Applications for license as a motor vehicle dealer shall, in addition to the foregoing, be accompanied by the filing with the commission of a bona fide contract or franchise then in effect between the applicant and a manufacturer, distributor or wholesaler of the new motor vehicle or vehicles proposed to be dealt in, unless such contract or franchise has already been filed with the commission in connection with a previous application made by such applicant, in which event the applicant shall, in lieu of again filing the contract or franchise, identify the contract or franchise by appropriate reference and file all revisions and additions, if any, which have been made to said contract or franchise. The applicant must furnish satisfactory evidence that he or it maintains adequate space in the building or structure wherein his or its established business is conducted for the display of new motor vehicles, or he will have such facilities within a reasonable time after receiving a license, and that he or it has or will have adequate facilities in said building or structure for the repair and servicing of motor vehicles and the storage of new parts and accessories for same. However, the failure to furnish the evidence called for in the preceding sentence shall not constitute sufficient cause for denying a license to any motor vehicle dealer who on July 1, 1970, was an enfranchised new motor vehicle dealer in this state of a manufacturer, distributor or wholesaler of new motor vehicles and who continued to be such a dealer from such date until application was made for a license as a motor vehicle dealer.

New applications for licenses as a new, used or wholesale motor vehicle dealer shall, in addition to the foregoing, be accompanied by the filing with the commission of a corporate surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00) on a bond form approved by the commission. However, an applicant for licenses at multiple

locations may choose to provide a corporate surety bond in the penal sum of One Hundred Thousand Dollars (\$100,000.00) covering all licensed locations of the same capacity in lieu of separate bonds for each location.

The bond shall be in effect upon the applicant being licensed and shall be conditioned upon his complying with the provisions of the Mississippi Motor Vehicle Commission Law. The bond shall be an indemnity for any loss sustained by any person by reason of the acts of the person bonded when those acts constitute grounds for the suspension or revocation of license. The bond shall be executed in the name of the State of Mississippi for the benefit of any aggrieved party. The aggregate liability of the surety for any claimants, regardless of the number of years this bond is in force or has been in effect, shall not exceed the amount of the bond. The proceeds of the bond shall be paid upon receipt by the commission of a final judgment from a Mississippi court of competent jurisdiction against the principal and in favor of an aggrieved party.

New, used and wholesale motor vehicle dealers shall be required to maintain motor vehicle liability insurance providing blanket coverage on vehicles operated on the public streets and highways of this state, including vehicles in dealership inventory unless the motor vehicle dealer's inventory does not have a motor. Evidence of liability insurance for business and inventory vehicles shall be filed with the application for license, and the application for license shall be denied if proof of liability insurance satisfactory to the Department of Revenue is not provided.

Except as expressly allowed by Section 63-17-109, no motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, is eligible to directly through any parent, subsidiary or affiliated entity, whether or not such motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof has entered into a franchise with any person or entity in this state: (a) own any ownership interest in, operate or control any motor vehicle dealer or dealership in this state for the same type or classification of motor vehicle that it manufactures or distributes; (b) apply for a motor vehicle dealers license; or (c) be licensed as a new motor vehicle dealer in this state.

SECTION 2. Section 63-17-109, Mississippi Code of 1972, is amended as follows:

63-17-109. (1) In the event of a proposed sale or transfer of a dealership and the franchise agreement for the dealership contains a right of first refusal in favor of the manufacturer or distributor, notwithstanding the terms of the franchise agreement, the manufacturer or distributor shall be permitted to exercise a right of first refusal to acquire the dealership only if all of the following requirements are met:

(a) The manufacturer or distributor sends by certified mail, return receipt requested, or any other reliable means of communication, notice of its intent to exercise its right of first refusal within sixty (60) days of receipt of the executed contract for the proposed sale or transfer and completed application and related documents reasonably requested by the manufacturer or distributor. The manufacturer or distributor shall provide the application and notice of other requirements within fifteen (15) days of request. In no event shall the manufacturer or distributor exercise its right of first refusal more than one hundred twenty (120) days after receipt of the executed contract. The manufacturer or distributor and the applicant shall act in good faith to provide the required information in a timely and expeditious manner.

(b) The exercise of the right of first refusal will result in the motor vehicle dealer receiving consideration, terms and conditions that are either the same as or greater than that for which such dealer has contracted for in connection with the proposed transaction.

(2) The manufacturer's or distributor's right of first refusal shall not apply to a transaction involving one (1) of the following:

(a) A designated family member or members, including the spouse, child or grandchild, spouse of a child or grandchild, brother, sister or parent of the dealer-operator, or one or more motor vehicle dealer owners;

(b) A manager employed by the motor vehicle dealer in the dealership during the previous five (5) years that is otherwise qualified as a dealer-operator;

(c) A partnership or corporation controlled by any of the family members of the dealer-operator;

(d) A trust arrangement established or to be established for the purpose of allowing the new motor vehicle dealer to continue to qualify as such pursuant to the manufacturer's or distributor's standards, or provides for the succession of the franchise agreement to designated family members or qualified management in the event of the death or incapacity of the dealer-operator or its principal owner or owners.

(3) (a) The manufacturer or distributor shall pay the reasonable expenses, including attorneys' fees which do not exceed the usual, customary and reasonable fees charged for similar work done for other clients, incurred by the proposed owner prior to the exercise of the right of first refusal in negotiating and implementing the contract for the proposed sale of the dealership. The expenses and attorneys' fees shall be paid to the proposed new owner at the time of the closing of the sale at which the manufacturer or distributor exercises its right of first refusal.

(b) No payment of expenses and attorneys' fees shall be required if the person claiming reimbursement has not submitted or caused to be submitted an accounting of those expenses within thirty (30) days after the receipt of the manufacturer's or distributor's written request for the accounting. A manufacturer or distributor may request the accounting before exercising its right of first refusal.

(4) If the selling dealer discloses the manufacturer's right of first refusal to the proposed owner in writing, the motor vehicle dealer shall not have any liability to any person as a result of a manufacturer or distributor exercising its right of first refusal and the manufacturer or distributor shall assume the defense of the selling motor vehicle dealer for any claims by the proposed owner arising from the exercise of the right of first refusal.

(5) If the manufacturer or distributor does not exercise its right of first refusal within the time period set forth in subsection (1)(a), the manufacturer or distributor shall act upon the proposed sale of the franchise promptly and in good faith but in no event more than one hundred twenty (120) days after receipt of the completed application and related documents reasonably requested by the manufacturer or distributor.

(6) Neither Section 63-17-75 nor this section shall be construed to prohibit any of the following:

(a) The ownership, operation or control by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, of a dealership for a temporary period (not to exceed one (1) year) during the transition from one (1) licensed motor vehicle dealer to another. The commission may extend the temporary ownership, operation or control period upon a showing of good cause by the manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof.

(b) The ownership or control of a dealership by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, while in a bona fide relationship with an independent person, other than a manufacturer, factory branch, distributor, distributor branch or an agent or affiliate thereof, who has made a significant, bona fide, unencumbered initial investment in the dealership that is subject to loss and

who can reasonably expect to acquire full ownership of the dealership within a reasonable period of time, and on reasonable terms and conditions.

(c) The ownership, operation or control of not more than seven (7) motor vehicle dealership locations within this state by a manufacturer that manufactures and sells only motor vehicles that are plug-in electric vehicles that do not rely on any nonelectric source of power in all modes of operation.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 63-17-75, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW TO PROHIBIT CERTAIN DIRECT SALES ACTIVITIES BY A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; TO AMEND SECTION 63-17-109, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW DOES NOT PROHIBIT REGARDING A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; AND FOR RELATED PURPOSES.

Senator Sparks offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-17-75, Mississippi Code of 1972, is amended as follows:

63-17-75. Within ninety (90) days after July 1, 1970, all persons who on July 1, 1970, are engaged in a business or occupation for which a license is required under the Mississippi Motor Vehicle Commission Law shall make application on forms prescribed by the commission for their respective licenses. All such persons shall be permitted, without a license, to continue to engage in the business or occupation for which a license is applied for until the license is either granted or, in case it is denied, until the applicant has exhausted or has had an opportunity to exhaust all of his remedies under Section 63-17-99. No person not engaged in a business or occupation requiring such a license on July 1, 1970, shall be permitted to engage in such business or occupation until he shall have first obtained a license to engage in such business or occupation.

Applications for licenses shall be verified by the oath or affirmation of the applicants and shall be on forms prescribed by the commission and furnished to such applicants. Applications shall contain such information as the commission deems necessary to enable it to fully determine the qualifications and eligibility of the several applicants to receive the license or licenses applied for. The commission shall require that there be set forth in each application information relating to the applicant's financial standing, the applicant's business integrity, whether the applicant has an established place of business and is primarily engaged in the pursuit, avocation or business for which a license or licenses is applied for, and whether the applicant is able to properly conduct the business for which a license or licenses is applied for, and such other pertinent information consistent with the safeguarding of the public interest and public welfare. Applications for license as a motor vehicle dealer shall, in addition to the foregoing, be accompanied by the filing with

the commission of a bona fide contract or franchise then in effect between the applicant and a manufacturer, distributor or wholesaler of the new motor vehicle or vehicles proposed to be dealt in, unless such contract or franchise has already been filed with the commission in connection with a previous application made by such applicant, in which event the applicant shall, in lieu of again filing the contract or franchise, identify the contract or franchise by appropriate reference and file all revisions and additions, if any, which have been made to said contract or franchise. The applicant must furnish satisfactory evidence that he or it maintains adequate space in the building or structure wherein his or its established business is conducted for the display of new motor vehicles, or he will have such facilities within a reasonable time after receiving a license, and that he or it has or will have adequate facilities in said building or structure for the repair and servicing of motor vehicles and the storage of new parts and accessories for same. However, the failure to furnish the evidence called for in the preceding sentence shall not constitute sufficient cause for denying a license to any motor vehicle dealer who on July 1, 1970, was an enfranchised new motor vehicle dealer in this state of a manufacturer, distributor or wholesaler of new motor vehicles and who continued to be such a dealer from such date until application was made for a license as a motor vehicle dealer.

New applications for licenses as a new, used or wholesale motor vehicle dealer shall, in addition to the foregoing, be accompanied by the filing with the commission of a corporate surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00) on a bond form approved by the commission. However, an applicant for licenses at multiple locations may choose to provide a corporate surety bond in the penal sum of One Hundred Thousand Dollars (\$100,000.00) covering all licensed locations of the same capacity in lieu of separate bonds for each location.

The bond shall be in effect upon the applicant being licensed and shall be conditioned upon his complying with the provisions of the Mississippi Motor Vehicle Commission Law. The bond shall be an indemnity for any loss sustained by any person by reason of the acts of the person bonded when those acts constitute grounds for the suspension or revocation of license. The bond shall be executed in the name of the State of Mississippi for the benefit of any aggrieved party. The aggregate liability of the surety for any claimants, regardless of the number of years this bond is in force or has been in effect, shall not exceed the amount of the bond. The proceeds of the bond shall be paid upon receipt by the commission of a final judgment from a Mississippi court of competent jurisdiction against the principal and in favor of an aggrieved party.

New, used and wholesale motor vehicle dealers shall be required to maintain motor vehicle liability insurance providing blanket coverage on vehicles operated on the public streets and highways of this state, including vehicles in dealership inventory unless the motor vehicle dealer's inventory does not have a motor. Evidence of liability insurance for business and inventory vehicles shall be filed with the application for license, and the application for license shall be denied if proof of liability insurance satisfactory to the Department of Revenue is not provided.

Except as expressly allowed by Section 63-17-109, no motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, is eligible to directly through any parent, subsidiary or affiliated entity, whether or not such motor vehicle manufacturer, factory branch, distributor, distributor branch or subsidiary thereof has entered into a franchise with any person or entity in this state: (a) own any ownership interest in, operate or control any motor vehicle dealer or dealership in this state for the same type or classification of motor vehicle that it manufactures or distributes; (b) apply for a motor vehicle dealers license; or (c) be licensed as a new motor vehicle dealer in this state.

SECTION 2. Section 63-17-109, Mississippi Code of 1972, is amended as follows:

63-17-109. (1) In the event of a proposed sale or transfer of a dealership and the franchise agreement for the dealership contains a right of first refusal in favor of the

manufacturer or distributor, notwithstanding the terms of the franchise agreement, the manufacturer or distributor shall be permitted to exercise a right of first refusal to acquire the dealership only if all of the following requirements are met:

(a) The manufacturer or distributor sends by certified mail, return receipt requested, or any other reliable means of communication, notice of its intent to exercise its right of first refusal within sixty (60) days of receipt of the executed contract for the proposed sale or transfer and completed application and related documents reasonably requested by the manufacturer or distributor. The manufacturer or distributor shall provide the application and notice of other requirements within fifteen (15) days of request. In no event shall the manufacturer or distributor exercise its right of first refusal more than one hundred twenty (120) days after receipt of the executed contract. The manufacturer or distributor and the applicant shall act in good faith to provide the required information in a timely and expeditious manner.

(b) The exercise of the right of first refusal will result in the motor vehicle dealer receiving consideration, terms and conditions that are either the same as or greater than that for which such dealer has contracted for in connection with the proposed transaction.

(2) The manufacturer's or distributor's right of first refusal shall not apply to a transaction involving one (1) of the following:

(a) A designated family member or members, including the spouse, child or grandchild, spouse of a child or grandchild, brother, sister or parent of the dealer-operator, or one or more motor vehicle dealer owners;

(b) A manager employed by the motor vehicle dealer in the dealership during the previous five (5) years that is otherwise qualified as a dealer-operator;

(c) A partnership or corporation controlled by any of the family members of the dealer-operator;

(d) A trust arrangement established or to be established for the purpose of allowing the new motor vehicle dealer to continue to qualify as such pursuant to the manufacturer's or distributor's standards, or provides for the succession of the franchise agreement to designated family members or qualified management in the event of the death or incapacity of the dealer-operator or its principal owner or owners.

(3) (a) The manufacturer or distributor shall pay the reasonable expenses, including attorneys' fees which do not exceed the usual, customary and reasonable fees charged for similar work done for other clients, incurred by the proposed owner prior to the exercise of the right of first refusal in negotiating and implementing the contract for the proposed sale of the dealership. The expenses and attorneys' fees shall be paid to the proposed new owner at the time of the closing of the sale at which the manufacturer or distributor exercises its right of first refusal.

(b) No payment of expenses and attorneys' fees shall be required if the person claiming reimbursement has not submitted or caused to be submitted an accounting of those expenses within thirty (30) days after the receipt of the manufacturer's or distributor's written request for the accounting. A manufacturer or distributor may request the accounting before exercising its right of first refusal.

(4) If the selling dealer discloses the manufacturer's right of first refusal to the proposed owner in writing, the motor vehicle dealer shall not have any liability to any person as a result of a manufacturer or distributor exercising its right of first refusal and the manufacturer or distributor shall assume the defense of the selling motor vehicle dealer for any claims by the proposed owner arising from the exercise of the right of first refusal.

(5) If the manufacturer or distributor does not exercise its right of first refusal within the time period set forth in subsection (1)(a), the manufacturer or distributor shall act upon the proposed sale of the franchise promptly and in good faith but in no event more than one hundred twenty (120) days after receipt of the completed application and related documents reasonably requested by the manufacturer or distributor.

(6) Neither Section 63-17-75 nor this section shall be construed to prohibit any of the following:

(a) The ownership, operation or control by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, of a dealership for a temporary period (not to exceed one (1) year) during the transition from one (1) licensed motor vehicle dealer to another. The commission may extend the temporary ownership, operation or control period upon a showing of good cause by the manufacturer, factory branch, distributor, distributor branch, or subsidiary thereof.

(b) The ownership or control of a dealership by a manufacturer, factory branch, distributor, distributor branch or subsidiary thereof, while in a bona fide relationship with an independent person, other than a manufacturer, factory branch, distributor, distributor branch or an agent or affiliate thereof, who has made a significant, bona fide, unencumbered initial investment in the dealership that is subject to loss and who can reasonably expect to acquire full ownership of the dealership within a reasonable period of time, and on reasonable terms and conditions.

(c) The ownership, operation or control of not more than one (1) motor vehicle dealership location within this state by a manufacturer that manufactures and sells only motor vehicles that are plug-in electric vehicles that do not rely on any nonelectric source of power in all modes of operation, provided that the dealership has been continuously licensed since August 1, 2021, and provided that the ownership or controlling interest in the dealership is not transferred, sold or conveyed to another person required to be licensed under this title.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022 and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 63-17-75, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW TO PROHIBIT CERTAIN DIRECT SALES ACTIVITIES BY A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; TO AMEND SECTION 63-17-109, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW DOES NOT PROHIBIT REGARDING A MOTOR VEHICLE MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF; AND FOR RELATED PURPOSES.

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

The motion prevailed, and at 10:47 AM, the Senate stood in recess.

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The Senate resumed business at 10:53 AM, pursuant to recess, with President Hosemann presiding.

Senators England, Fillingane and Hill offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. There is hereby created the Mississippi Motor Vehicle Dealer Franchise Study Committee. This Committee shall investigate the need for statutory protection to ensure Mississippi Motor Vehicle Dealers' franchise agreements adequately protect their investment in Mississippi.

SECTION 2. The Committee shall be comprised of the following members:

- (1) Three members of the House to be appointed by the Speaker of the House
- (2) Three members of the Senate to be appointed by the Lieutenant Governor
- (3) A representative of the Mississippi Automobile Dealers Association, to be appointed by the Speaker
- (4) A representative of startup electronic vehicle manufacturers which currently have no franchise agreements with Mississippi dealers, to be appointed by the Lieutenant Governor

SECTION 3. The Committee shall undertake an investigation of existing state law, existing franchise agreement, and such other topics and sources as it may deem appropriate, to determine whether Mississippi law adequately protects Mississippi dealers from unfair competition from automobile manufacturers with whom Mississippi dealers have franchise agreements. The Committee shall receive support from the staff of the legislative PEER committee. The Attorney General or her designee shall be available for all meetings of the Committee to provide advice regarding applicable law. It is the intention of the legislature that the Committee shall report its finding to the Speaker and Lieutenant Governor on necessary legislative actions not later than October 15, 2022. Upon presentation of its legislative recommendations, the Committee shall be dissolved.

SECTION 4. This act shall take effect and be in force from and after its passage.

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

AN ACT TO CREATE THE MISSISSIPPI MOTOR VEHICLE DEALER FRANCHISE STUDY COMMITTEE: TO SPECIFY THE MEMBERSHIP AND PURPOSES OF THE COMMITTEE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 833 failed by the following vote:

Yeas--Caughman, Chism, England, Fillingane, Hill, Johnson, McDaniel, Michel, Sojourner, Thompson, Wiggins. Total--11.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, DeBar, DeLano, Frazier, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--39.  
Absent and those not voting--Chassaniol, Harkins. Total--2.

Substitute for Committee Amendment No. 1 to H. B. No. 833 was adopted.

YEAS AND NAYS On H. B. No. 833. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, England, Hill, McDaniel, Sojourner. Total--5.  
Absent and those not voting---None.

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 57:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS ALL GIRL CHEERLEADING TEAM AND COACH TROY ALLEN FOR WINNING THE 2022 UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) DIVISION 1A GAME DAY NATIONAL CHAMPIONSHIP.

**H. C. R. No. 59:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE, SERVICE AND LEGACY OF MR. ROGER "BIG JOHN" EARL ROBINSON AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 60:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SIMPSON ACADEMY COUGARS BOYS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A BOYS BASKETBALL STATE CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 558:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING DIA CHAWLA OF PILLOW ACADEMY IN GREENWOOD AS THE SECOND MISSISSIPPI HIGH SCHOOL STUDENT TO WIN THE NATIONAL HIGH

SCHOOL HEISMAN TROPHY, GIVEN TO THE TOP HIGH SCHOOL STUDENT  
ATHLETE IN THE UNITED STATES OF AMERICA.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:42 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President  
Hosemann presiding.

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2004:** Public lands; extend repealer on section prescribing who may  
purchase.

**S. B. No. 2018:** MS Department of Banking and Consumer Finance conduct  
periodic joint-bank examinations; extend repealer.

**S. B. No. 2039:** Real estate appraisal management companies; extend repealer  
on registration provisions.

**S. B. No. 2113:** Critical Race Theory; prohibit.

**S. B. No. 2832:** Bonds; revise uses of IHL bond proceeds for Mississippi State  
University College of Architecture, Art and Design.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins called up the following entitled bill:

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the  
following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all

other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the

qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the

permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the

holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including

native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this chapter, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this chapter to cater an event

as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 2. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more..... \$4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons ..... \$2,800.00

(b) Manufacturer's permit, Class 2, wine

manufacturer ..... \$1,800.00

(c) Manufacturer's permit, Class 3, native wine

manufacturer per ten thousand (10,000) gallons or part thereof produced ..... \$ 10.00

(d) Manufacturer's permit, Class 4, native spirit

manufacturer per one thousand (1,000) gallons or part thereof produced ..... \$ 300.00

(e) Native wine retailer's permit..... \$ 50.00

(f) Package retailer's permit, each..... \$ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each....\$ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each\$ 225.00

(i) On-premises retailer's permit for clubs..... \$ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle.....\$ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... \$ 100.00

(l) Filing fee for each application except for an employee identification card.....\$ 25.00

(m) Temporary permit, Class 1, each..... \$ 10.00

(n) Temporary permit, Class 2, each..... \$ 50.00

(o) (i) Caterer's permit.....	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit.....	\$ 150.00
(p) Research permit.....	\$ 100.00
(q) Temporary permit, Class 3 (wine only) .....	\$ 10.00
(r) Special service permit .....	\$ 225.00
(s) Merchant permit.....	\$ 225.00
(t) Temporary alcoholic beverages charitable auction permit .....	\$ 10.00
(u) Event venue retailer's permit .....	\$ 225.00
(v) Temporary theatre permit, each.....	\$ 10.00
(w) Charter ship operator's permit.....	\$ 100.00
(x) Distillery retailer's permit.....	\$ 450.00
(y) Festival wine permit.....	\$ 10.00
(z) Charter vessel operator's permit .....	\$ 100.00
(aa) Native spirit retailer's permit.....	\$ 50.00
(bb) Delivery service permit .....	\$ 500.00
(cc) Food truck permit.....	\$ 100.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in

the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be

liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE A FOOD TRUCK PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE THE HOLDER OF AN ON-PREMISES RETAILER'S PERMIT TO USE A FOOD TRUCK TO SELL ALCOHOLIC BEVERAGES OFF ITS PREMISES TO GUESTS WHO MUST CONSUME THE BEVERAGES IN OPEN CONTAINERS; TO DEFINE THE TERM "FOOD TRUCK"; TO PROVIDE THAT FOOD TRUCKS MUST MAINTAIN SUCH DISTANCE REQUIREMENTS FROM SCHOOLS, CHURCHES, KINDERGARTENS AND FUNERAL HOMES AS ARE REQUIRED FOR ON-PREMISES RETAILER'S PERMITTEES AND THAT SALES MUST BE MADE WITHIN A VALID LEISURE AND RECREATION DISTRICT; TO PROVIDE THAT FOOD TRUCKS CANNOT SELL OR SERVE ALCOHOLIC BEVERAGES UNLESS ALSO OFFERING FOOD PREPARED AND COOKED WITHIN THE FOOD TRUCK AND PERMITTEES MUST MAINTAIN A 25% FOOD SALE REVENUE REQUIREMENT BASED ON THE FOOD SOLD FROM A FOOD TRUCK ALONE; TO PROVIDE THAT A FOOD TRUCK PERMIT HOLDER MUST PROVIDE NOTICE OF NOT LESS THAN 48 HOURS TO THE DEPARTMENT OF REVENUE OF EACH LOCATION AT WHICH ALCOHOLIC BEVERAGES WILL BE SOLD; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A FOOD TRUCK PERMIT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 918 was adopted.

YEAS AND NAYS On H. B. No. 918. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--42.

Nays--Branning, Chism, Frazier, Hickman, Norwood, Parker, Seymour, Suber, Tate, Williams. Total--10.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Harkins called up the following entitled bill:

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.7, Mississippi Code of 1972, is reenacted as follows:

27-7-22.7. (1) As used in this section, the term "port" means a state, county or municipal port or harbor established pursuant to Sections 59-5-1 through 59-5-69, Sections 59-7-1 through 59-7-519, Sections 59-9-1 through 59-9-85 or Sections 59-11-1 through 59-11-7.

(2) For any income taxpayer utilizing the port facilities at any port for the export of cargo that is loaded on a carrier calling at any such port, a credit against the taxes imposed pursuant to this chapter shall be allowed in the amounts provided in this section.

(3) Except as otherwise provided by subsection (5) of this section, the amount of the credit allowed pursuant to this section shall be the total of the following charges on export cargo paid by the corporation:

- (a) Receiving into the port;
- (b) Handling to a vessel; and
- (c) Wharfage.

(4) The credit provided for in this section shall not exceed fifty percent (50%) of the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding five (5) years. The maximum cumulative credit that may be claimed by a taxpayer pursuant to this section and for the period of time beginning on January 1, 1994, and ending on December 31, 2005, is limited to One Million Two Hundred Thousand Dollars (\$1,200,000.00).

(5) To obtain the credit provided for in this section, a taxpayer must provide to the Department of Revenue a statement from the governing authority of the port certifying the amount of charges paid by the taxpayer for which a credit is claimed and any other information required by the Department of Revenue.

(6) The purpose of the tax credit provided for in this section is to promote the increased use of ports and related facilities in this state, particularly by those taxpayers which would not otherwise use such ports and related facilities without the benefit of such tax credit, and increase the number of port related jobs and other economic development benefits associated with the increased use of such ports and related facilities. It is the intent of the Legislature that in determining whether or not such tax credit will be continued in future years, the attainment of the purposes set forth in this subsection must be demonstrated by the material contained in the reports prepared by the Mississippi Development Authority under Section 27-7-22.9.

SECTION 2. Section 27-7-22.9, Mississippi Code of 1972, is reenacted as follows:

27-7-22.9. The Mississippi Development Authority shall report annually to the Legislature regarding the impact of the credit granted in Section 27-7-22.7 on shipping

and economic growth. Each report shall show the overall annual increase on shipping at each port for the most recent year for which data is available and for each of the previous five (5) years. Each report shall estimate the number of jobs created or retained at each port and in businesses related to port activity at each port since January 1, 1994, as compared to the number of similar jobs created during the ten (10) years preceding January 1, 1994. Each report shall state the net economic impact on the state as a result of the tax credit provided for in Section 27-7-22.7. The Mississippi Development Authority shall file a copy of the report with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives and the Chairmen of the House Ways and Means Committee and the Senate Finance Committee of the Legislature on May 1 of each year. The Department of Revenue and all state, county and municipal ports shall cooperate with the Mississippi Development Authority in providing the information required in the annual reports.

SECTION 3. Section 4, Chapter 492, Laws of 1994, as amended by Section 3, Chapter 548, Laws of 1998, as amended by Section 3, Chapter 537, Laws of 2002, as amended by Section 3, Chapter 457, Laws of 2005, as amended by Section 3, Chapter 322, Laws of 2009, as amended by Section 3, Chapter 377, Laws of 2012, as amended by Section 3, Chapter 335, Laws of 2016, as amended by Section 3, Chapter 321, Laws of 2019, is amended as follows:

SECTION 4. This act shall take effect and be in force from and after January 1, 1994, and shall stand repealed from and after December 31, \* \* \* 2025.

SECTION 5. Section 27-7-22.25, Mississippi Code of 1972, is reenacted and amended as follows:

27-7-22.25. (1) As used in this section, the term "airport" means an airport established pursuant to Chapters 3 and 5, Title 61, Mississippi Code of 1972.

(2) Subject to the provisions of this section, for any income taxpayer utilizing the facilities at any airport for the export or import of cargo that is unloaded from a carrier at any such airport, a credit against the taxes imposed pursuant to this chapter shall be allowed in the amounts provided in this section. In order to be eligible for the credit authorized under this section, a taxpayer must locate its United States headquarters in Mississippi on or after July 1, 2005, employ at least five (5) new permanent full-time employees who actually work at such headquarters and, after July 1, 2005, invest a minimum of Two Million Dollars (\$2,000,000.00), in the aggregate, in real property and/or personal property in Mississippi. For the purposes of this section, "full-time employee" shall mean an employee who works at least thirty-five (35) hours per week.

(3) Except as otherwise provided by subsection (4) of this section, the amount of the credit allowed pursuant to this section shall be the total of the following charges on import or export of cargo paid by the corporation:

- (a) Receiving into the airport;
- (b) Aircraft marshalling or handling fees; and
- (c) Aircraft landing fees.

(4) The credit provided for in this section shall not exceed fifty percent (50%) of the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding five (5) years. The maximum cumulative credit that may be claimed by a taxpayer under this section is limited to One Million Dollars (\$1,000,000.00) if the taxpayer employs at least five (5), but not more than twenty-five (25) permanent full-time employees at its headquarters in Mississippi; Two Million Dollars

(\$2,000,000.00) if the taxpayer employs more than twenty-five (25), but not more than one hundred (100) permanent full-time employees at its headquarters in Mississippi; Three Million Dollars (\$3,000,000.00) if the taxpayer employs more than one hundred (100), but not more than two hundred (200) permanent full-time employees at its headquarters in Mississippi; and Four Million Dollars (\$4,000,000.00) if the taxpayer employs more than two hundred (200) permanent full-time employees at its headquarters in Mississippi.

(5) To obtain the credit provided for in this section, a taxpayer must provide to the Department of Revenue a statement from the governing authority of the airport certifying the amount of charges paid by the taxpayer for which a credit is claimed and any other information required by the Department of Revenue.

(6) Any taxpayer who is eligible, before July 1, \* \* \* 2025, for the credit provided for in this section, shall remain eligible for such credit after July 1, \* \* \* 2025, notwithstanding the repeal of this section.

SECTION 6. Section 27-7-22.26, Mississippi Code of 1972, is reenacted as follows:

27-7-22.26. The Mississippi Development Authority shall report annually to the Legislature regarding the impact of the credit granted in Section 27-7-22.25 on shipping and economic growth. Each report shall show the overall annual increase in shipping at each airport for the most recent year for which data is available and for each of the previous five (5) years. Each report shall estimate the number of jobs created or retained at each airport and in businesses related to airport activity at each airport since January 1, 2006, as compared to the number of similar jobs created during the ten (10) years preceding January 1, 2006. Each report shall state the net economic impact on the state as a result of the tax credit provided for in Section 27-7-22.25. The Mississippi Development Authority shall file a copy of the report with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives and the Chairmen of the House Ways and Means Committee and the Senate Finance Committee of the Legislature on May 1 of each year. The Department of Revenue and all state, regional, county and municipal airports shall cooperate with the Mississippi Development Authority in providing the information required in the annual reports.

SECTION 7. Section 3, Chapter 442, Laws of 2005, as amended by Section 3, Chapter 519, Laws of 2007, as amended by Section 3, Chapter 323, Laws of 2009, as amended by Section 6, Chapter 377, Laws of 2012, as amended by Section 6, Chapter 335, Laws of 2016, as amended by Section 6, Chapter 321, Laws of 2019, is amended as follows:

SECTION 8. Sections 1 and 2 of this act shall stand repealed from and after July 1, \* \* \* 2025.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 321,

LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972; TO REENACT SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS THAT USE THE AIRPORT FACILITIES AT PUBLIC AIRPORTS FOR CERTAIN CHARGES PAID BY THE TAXPAYER ON THE EXPORT OR IMPORT OF CARGO; TO AMEND REENACTED SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 27-7-22.26, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH INCOME TAX CREDIT; TO AMEND SECTION 3, CHAPTER 442, LAWS OF 2005, AS LAST AMENDED BY SECTION 6, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.25 AND 27-7-22.26, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1162 was adopted.

YEAS AND NAYS On H. B. No. 1162. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-9, Mississippi Code of 1972, is amended as follows:

19-5-9. (1) The construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments are adopted as minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi. Any county within the State of Mississippi, in the discretion of the board of supervisors, may adopt building codes, plumbing codes, electrical codes, sanitary codes, or other related codes dealing with general public health, safety or welfare, or a combination of the same, within but not exceeding the provisions of the construction codes published by nationally recognized code groups, by order or resolution in the manner prescribed in this section, but those codes so adopted shall apply only to the unincorporated areas of the county. However, those codes shall not apply to the erection, maintenance, repair or extension of farm buildings or farm structures, except as may be required under the terms of the "Flood

Disaster Protection Act of 1973," and shall apply to a master planned community as defined in Section 19-5-10 only to the extent allowed in Section 19-5-10. The provisions of this section shall not be construed to authorize the adoption of any code which applies to the installation, repair or maintenance of electric wires, pipelines, apparatus, equipment or devices by or for a utility rendering public utility services, required by it to be utilized in the rendition of its duly authorized service to the public. Before any such code shall be adopted, it shall be either printed or typewritten and shall be presented in pamphlet form to the board of supervisors at a regular meeting. The order or resolution adopting the code shall not set out the code in full, but shall merely identify the same. The vote or passage of the order or resolution shall be the same as on any other order or resolution. After its adoption, the code or codes shall be certified to by the president and clerk of the board of supervisors and shall be filed as a permanent record in the office of the clerk who shall not be required to transcribe and record the same in the minute book as other orders and resolutions.

(2) If the board of supervisors of any county adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All provisions of this section shall apply to amendments and revisions of the codes mentioned in this section. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of county orders, resolutions or codes.

(4) Any code adopted under the provisions of this section shall not be in operation or force until sixty (60) days have elapsed from the adoption of same; however, any code adopted for the immediate preservation of the public health, safety and general welfare may be effective from and after its adoption by a unanimous vote of the members of the board. Within five (5) days after the adoption or passage of an order or resolution adopting that code or codes the clerk of the board of supervisors shall publish in a legal newspaper published in the county the full text of the order or resolution adopting and approving the code, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of the order or resolution.

(5) Any person or persons objecting to the code or codes may object in writing to the provisions of the code or codes within sixty (60) days after the passage of the order or resolution approving same, and if the board of supervisors adjudicates that ten percent (10%) or more of the qualified electors residing in the affected unincorporated areas of the county have objected in writing to the code or codes, then in such event the code shall be inoperative and not in effect unless adopted for the immediate preservation of the public health, safety and general welfare until approved by a special election called by the board of supervisors as other special elections are called and conducted by the election commissioners of the county as other special elections are conducted, the special election to be participated in by all the qualified electors of the county residing in the unincorporated areas of the county. If the voters approve the code or codes in the special election it shall be in force and in operation thereafter until amended or modified as provided in this section. If the majority of the qualified electors voting in the special election vote against the code or codes, then, in such event, the code or codes shall be void and of no force and effect, and no other code or codes dealing with that subject shall be adopted under the provisions of this section until at least two (2) years thereafter.

(6) After any such code shall take effect the board of supervisors is authorized to employ such directors and other personnel as the board, in its discretion, deems necessary and to expend general county funds or any other funds available to the board to fulfill the purposes of this section.

(7) For the purpose of promoting health, safety, morals or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, is empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density or population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required except as may be required under the terms of the "Flood Disaster Protection Act of 1973" for the erection, maintenance, repair or extension of farm buildings or farm structures outside the corporate limits of municipalities.

(8) The authority granted in this section is cumulative and supplemental to any other authority granted by law.

(9) Notwithstanding any provision of this section to the contrary, any code adopted by a county before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(10) Notwithstanding any provision of this section to the contrary, the Boards of Supervisors of Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(11) Regardless of whether a county adopts or has adopted codes, as set forth in this section, each and every county in this state shall require permitting as a condition to construction within the unincorporated areas of the county, and such permits shall contain, on their face, in conspicuous print, (a) the contractor's material purchase certificate number to the extent furnished by the Department of Revenue pursuant to Section 27-65-21(4) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(4), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the county as part of the prime contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

SECTION 2. Section 21-19-25, Mississippi Code of 1972, is amended as follows:

21-19-25. (1) Any municipality within the State of Mississippi may, in the discretion of its governing authority, adopt building codes, plumbing codes, electrical codes, gas codes, sanitary codes, or any other codes dealing with general public health, safety or welfare, or a combination of the same, by ordinance, in the manner prescribed in this section. Before any such code shall be adopted, it shall be either printed or typewritten, and it shall be presented in pamphlet form to the governing authority of the municipality at a regular meeting. The ordinance adopting the code shall not set out the code in full, but shall merely identify the same. The vote on passage of the ordinance shall be the same as on any other ordinances. After its adoption, the code shall be certified to by the mayor and clerk of the municipality, and shall be filed as a permanent record in the office of the clerk, who shall not be required to transcribe and record the same in the ordinance book as other ordinances. It shall not be necessary that the ordinance adopting the code or the code itself be published in full, but notice of the adoption of the code shall be given by publication in some newspaper of the municipality for one (1) time, or if there be no such newspaper, by posting at three (3) or more public places within the corporate limits, a notice in substantially the following form:

Notice is given that the city (or town or village) of \_\_\_\_\_, on the (give date of ordinance adopting code), adopted (state type of code and other information serving to identify the same) code.

(2) If the governing authority of any municipality adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All the provisions of this section shall apply to amendments and revisions of the code mentioned in this section. Any code adopted in accordance with this section shall not be in force for one (1) month after its passage, unless the municipal authorities in the ordinance authorize to the contrary. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of municipal ordinances or codes.

(4) Notwithstanding any provision of this section to the contrary, any code adopted by a municipality before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(5) Notwithstanding any provision of this section to the contrary, the governing authorities of each municipality in Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(6) Regardless of whether the governing authority of any municipality adopts or has adopted construction codes, as set forth in this section, each and every governing authority of any municipality shall require permitting as a condition to construction within the municipality's jurisdiction, and any and all such permits shall contain on their faces, in conspicuous print, (a) the contractor's material purchase certificate number to the extent one is furnished by the Department of Revenue pursuant to Section 27-65-21(4) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(4), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the governing authority of such municipality as part of the contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

(7) The provisions of this section shall apply to all municipalities of this state, whether operating under the code charter, a special charter, commission form, or other form of government.

SECTION 3. Section 73-59-1, Mississippi Code of 1972, is amended as follows:

73-59-1. For the purposes of this chapter, the following words shall have the meanings ascribed herein:

(a) "Board" means the State Board of Contractors created in Section 31-3-3, Mississippi Code of 1972.

(b) "Residential builder" means any corporation, partnership or individual who constructs a building or structure for sale for use by another as a residence or who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of any building or structure which is not more than three (3) floors in height, to be used by another as a residence, when the total cost of the undertaking exceeds Fifty Thousand Dollars (\$50,000.00).

(c) "Remodeler" means any corporation, partnership or individual who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of improvements to an

existing residence when the total cost of the improvements exceeds Ten Thousand Dollars (\$10,000.00).

(d) "Residential construction" means any undertaking described in paragraph (b) of this section performed by a residential builder.

(e) "Residential improvement" means any undertaking described in paragraph (c) of this section performed by a remodeler.

(f) "Active licensee" means any builder or remodeler licensed under this chapter and engaged in building and remodeling.

(g) "Inactive licensee" means any builder or remodeler licensed under this chapter and not engaged in building or remodeling.

(h) "Construction manager" means any person or entity, other than a residential builder, remodeler or owner, who has a contract or agreement with the owner of the property for residential construction or residential improvement, no matter if that owner himself is the general contractor or a holder of a building permit.

(i) "Residential solar contractor" means any person or entity who installs, modifies, maintains, and repairs thermal and photovoltaic solar energy systems.

SECTION 4. Section 73-59-3, Mississippi Code of 1972, is amended as follows:

73-59-3. (1) Except as otherwise provided in Section 73-59-15 or Section 33-1-39, the following persons \* \* \* or entities shall be licensed by the board annually as an active licensee or inactive licensee, as appropriate \* \* \*:

(a) Persons or entities acting in the capacity as a residential builder;

(b) Persons or entities acting in the capacity as a residential remodeler;

(c) Persons or entities acting in the capacity as a construction manager through a contract or an agreement with the owner of the property being improved or constructed upon;

(d) Any subcontractor, of any tier, performing the following work or within the following trade, on any residential construction or residential improvement project, no matter the dollar amount of the construction or improvements:

(i) Electrical;

(ii) Plumbing;

(iii) Mechanical; and/or

(iv) Heating, ventilation and/or air conditioning; and

(e) Persons or entities acting in the capacity as a residential solar contractor.

(2) As a prerequisite to obtaining a license or renewal thereof, each of the persons or entities in subsection (1) of this section shall submit to the board:

(a) Proof of workers' compensation insurance, if required by applicable law; however, workers' compensation insurance shall not be required for inactive licensees;

(b) A federal employment identification number or social security number.

( \*\*3) The board may require liability insurance to be licensed under this chapter and it shall be reflected on the certificate of licensure; however, liability insurance shall not be required for inactive licensees.

( \*\*4) The board shall issue or renew a license to \*\*\* persons or entities required by subsection (1) of this section to be licensed, upon payment to the board of the license fee. The initial license fee shall be Fifty Dollars (\$50.00). The license fee may thereafter be increased or decreased by the board and cannot exceed One Hundred Dollars (\$100.00); however, the receipts from fees collected by the board shall be no greater than the amount required to pay all costs and expenses incurred by the board in enforcing the provisions of this chapter. Twenty-five Dollars (\$25.00) of the fee required by this section which is assessed to residential builders licensed under the provisions of Section 73-59-1 et seq. shall be deposited to the Construction Education Fund created pursuant to Section 31-3-14 and shall be distributed to the Mississippi Housing Institute. The remaining fees collected under this chapter shall be deposited into the special fund in the State Treasury known as the "State Board of Contractors Fund" created pursuant to Section 31-3-17 and shall be used for the administration and enforcement of this chapter and as provided in Section 31-3-14. Amounts in such fund shall not lapse into the State General Fund at the end of a fiscal year. Interest accrued to such fund shall remain in the fund. All expenditures from the special fund shall be by requisition to the Department of Finance and Administration, signed by the executive director of the board and countersigned by the chairman or vice chairman of the board.

( \*\*5) Except as provided in Section 33-1-39, the license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid unless renewed. The board may notify by mail or email every licensee under this chapter of the date of the expiration of his license and the amount of the fee required for renewal of the license for one (1) year. To receive notification by email, a licensee must notify the board of his desire to receive notification by email and provide an email address. Such notice may be mailed or emailed within thirty (30) days prior to the expiration date of the license. The failure on the part of any licensee to renew his license annually in such twelfth month shall not deprive such licensee of the right of renewal, provided that renewal is effected within one hundred eighty (180) days after the expiration date of the license by payment of the license fee plus a penalty of ten percent (10%) of the license fee. A new license required to replace a revoked, lost, mutilated or destroyed license may be issued, subject to the rules of the board, for a charge of not more than Fifty Dollars (\$50.00). An inactive licensee may become an active licensee upon application meeting all the requirements of this section.

( \*\*6) Any person who is not a resident of the State of Mississippi who desires to perform residential construction or residential improvement shall be licensed to perform such construction or improvement as provided by this chapter.

SECTION 5. Section 73-59-9, Mississippi Code of 1972, is amended as follows:

73-59-9. (1) Any \*\*\* person or entity required to have a license under Section 73-59-3(1) who undertakes or attempts to undertake the business of residential construction or improvement without having a valid license as required by this chapter, or who knowingly presents to the board, or files with the board, false information for the purpose of obtaining such license, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) or be imprisoned for not less than thirty (30) nor more than sixty (60) days in the county jail, or both.

\*\*\*

( \*\*2) \*\*\* Any person or entity required to have a license under Section 73-59-3(1) who does not have the license provided by this chapter at the time

construction, building or remodeling services are rendered may not bring any action, either at law or in equity, to enforce any contract for residential building or remodeling or to enforce a sales contract, but instead shall be only permitted to recover as damages actual documented expenses for labor, materials or both, incurred as a result of the construction, building or remodeling services rendered, but only for those expenses which can be shown by clear and convincing evidence.

( \* \* \*3) The board shall have the authority to issue a citation and may stop work of a residential builder or remodeler performing work without having a valid license as required by this chapter.

SECTION 6. Section 73-59-15, Mississippi Code of 1972, is amended as follows:

73-59-15. (1) This chapter shall not apply to:

(a) Agricultural buildings, buildings used for agricultural purposes, buildings constructed as a community effort, or tenant houses;

(b) Any person who undertakes construction or improvement on his own residence, or who acts as his own general contractor in the performance of construction or improvement on his own residence;

(c) Any person who undertakes residential construction or improvement, or who acts as a general contractor in the performance of residential construction or improvement, or who acts under supervision of the owner-occupant with respect to residential construction or improvement, when the owner of such construction or improvement is related to such person by consanguinity or direct affinity, and the property or improvement will not be for sale, rent, public use or public assembly;

(d) The owners of property who supervise, superintend, oversee, direct or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down or maintenance of any building, railroad, excavation, project, development, improvement, plant facility or any other construction undertaking on such property for use by such owner and which will not be for sale, rent, public use or public assembly;

(e) Any contractor holding a valid license or certificate of responsibility for general construction from the board;

(f) Any nonresident contractor holding a valid license or certificate of responsibility for \* \* \* building construction;

(g) Any person who constructs two (2) single residences or less within a period of one (1) year in any county or municipality which does not require a building permit or any local certification for such construction, provided that the person is not building the residences for sale, profit or remuneration.

(2) A person specified in subsection (1)(b) or (c) shall not make more than \* \* \* one (1) application for a permit to construct a single residence or shall not construct more than \* \* \* one (1) single residence within a period of one (1) year. There shall be a rebuttable presumption that such person intends to construct for the purpose of sale, lease, rent or any similar purpose if more than \* \* \* one (a) application is made for a permit to construct a single residence or if more than \* \* \* one (1) single residence is constructed within a period of one (1) year.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, REGARDLESS OF WHETHER A COUNTY OR MUNICIPALITY HAS ADOPTED CERTAIN CONSTRUCTION CODES, A COUNTY OR MUNICIPALITY, AS THE CASE MAY BE, SHALL REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION, AND THAT SUCH PERMITS SHALL CONTAIN ON THEIR FACE THE CONTRACTOR'S MATERIAL PURCHASE CERTIFICATE NUMBER TO THE EXTENT FURNISHED BY THE DEPARTMENT OF REVENUE AND THE CONTRACTOR'S LICENSE OR CERTIFICATE OF RESPONSIBILITY NUMBER AS REQUIRED BY CERTAIN SECTIONS OF LAW; TO AMEND SECTIONS 73-59-1, 73-59-3, 73-59-9 AND 73-59-15, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS, TO DEFINE THE TERMS "CONSTRUCTION MANAGER" AND "RESIDENTIAL SOLAR CONTRACTOR" FOR PURPOSES OF SUCH SECTIONS OF LAW, TO REVISE THE PERSONS OR ENTITIES THAT MUST BE LICENSED BY THE STATE BOARD OF CONTRACTORS UNDER SUCH LAWS, TO REVISE CERTAIN PROVISIONS REGARDING PENALTIES FOR PERSONS WHO UNDERTAKE TO PERFORM THE BUSINESS OF RESIDENTIAL CONSTRUCTION OR IMPROVEMENT WITHOUT FIRST HAVING A LICENSE; TO REVISE THE TYPES OF REMEDIES AVAILABLE TO SUCH PERSONS OR ENTITIES AND TO REVISE THE TYPES OF RESIDENTIAL CONSTRUCTION TO WHICH SUCH SECTIONS OF LAWS DO NOT APPLY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1163 was adopted.

YEAS AND NAYS On H. B. No. 1163. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Branning, Chism, Hill, McCaughn, McDaniel, Sojourner, Tate. Total--7.

Absent and those not voting---None.

Voting Present--Johnson. Total--1.

Senator Harkins called up the following entitled bill:

**H. B. No. 1164:** Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010.

Senators Harkins and Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-10-601, Mississippi Code of 1972, is amended as follows:

57-10-601. (1) As used in this section:

(a) "Act" means the State Small Business Credit Initiative Act of 2010 ( \* \* \*12 USC 5701 et seq. as amended).

(b) "State program" has the meaning ascribed to such term in the State Small Business Credit Initiative Act of 2010 ( \* \* \*12 USC 5701 et seq. as amended).

(c) "MDA" means the Mississippi Development Authority.

(2) The MDA is designated as the agency to implement a state program and participate in the State Small Business Credit Initiative established under the act.

(3) The MDA is authorized and empowered to take any action necessary to establish and implement a state program that meets all the requirements of the act.

(4) The MDA is authorized and empowered to administer funds transferred to the state under the act.

(5) The Executive Director of MDA \* \* \* shall promulgate and put into effect all reasonable rules and regulations that he or she may deem necessary to carry out the provisions of this section and comply with the act.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 57-10-601, MISSISSIPPI CODE OF 1972, WHICH DESIGNATES THE MISSISSIPPI DEVELOPMENT AUTHORITY AS THE AGENCY TO IMPLEMENT A STATE PROGRAM AND PARTICIPATE IN THE FEDERAL STATE SMALL BUSINESS CREDIT INITIATIVE ACT OF 2010, TO UPDATE CITATIONS TO FEDERAL LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1164 was adopted.

YEAS AND NAYS On H. B. No. 1164. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

\_\_\_\_\_  
Senator Kirby called up the following entitled bill:

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this act, the following words and phrases have the following meanings, unless the context clearly indicates otherwise:

(a) "Immunity passport" means a document, digital record, or software application indicating that a person has immunity to COVID-19, either through vaccination or infection and recovery.

(b) "COVID-19 vaccination status" means an indication of whether a person has received one or more doses of a vaccine for COVID-19.

(2) Except as provided in subsection (3) of this section, it is an unlawful discriminatory practice for:

(a) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to refuse, withhold from, or deny to a person any local or state services, goods, facilities, advantages, privileges, licensing, educational opportunities, health care access, or employment opportunities based on the person's COVID-19 vaccination status or whether the person has an immunity passport;

(b) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to refuse employment to a person, to bar a person from employment, or to discriminate against a person in compensation or in a term, condition, or privilege of employment based on the person's COVID-19 vaccination status or whether the person has an immunity passport; or

(c) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to exclude, limit, segregate, refuse to serve, or otherwise discriminate against a person based on the person's COVID-19 vaccination status or whether the person has an immunity passport.

(3) Children attending any school, kindergarten or similar type of facility intended for the instruction of children, either public or private, shall not be required to receive a vaccine for COVID-19 as a condition of attendance.

(4) (a) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state does not unlawfully discriminate under this section if they recommend that an employee receive a vaccine for COVID-19.

(b) A health care facility does not unlawfully discriminate under this act if it:

(i) Asks an employee to volunteer the employee's COVID-19 vaccination status for the purpose of determining whether the health care facility should implement reasonable accommodation measures to protect the safety and health of employees, patients, visitors, and other persons from COVID-19. A health care facility may consider an employee to be unvaccinated if the employee declines to provide the employee's COVID-19 vaccination status to the health care facility for purposes of determining whether reasonable accommodation measures should be implemented; or

(ii) Implements reasonable accommodation measures for employees, patients, visitors, and other persons who are not vaccinated for COVID-19 to protect the safety and health of employees, patients, visitors, and other persons from COVID-19.

(5) An employee of any public or private employer who has a sincerely held religious objection to receiving a vaccine for COVID-19 shall not be required to receive a vaccine for COVID-19.

SECTION 2. A health care facility is exempt from compliance with this act during any period of time that compliance with this act would result in a violation of regulations or guidance issued by the Centers for Medicare and Medicaid Services or the Centers for Disease Control and Prevention.

SECTION 3. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

SECTION 4. This act shall take effect and be in force from and after its passage.

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

AN ACT TO PROHIBIT A STATE AGENCY, PUBLIC OFFICIAL, STATE INSTITUTION OF HIGHER LEARNING, PUBLIC COMMUNITY OR JUNIOR COLLEGE, COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE FROM REFUSING SERVICES, HEALTH CARE ACCESS OR EMPLOYMENT OPPORTUNITIES TO A PERSON, OR OTHERWISE DISCRIMINATE AGAINST A PERSON, BASED UPON HIS OR HER COVID-19 VACCINATION STATUS OR POSSESSION OF A COVID-19 IMMUNITY PASSPORT; TO DEFINE THE TERMS "IMMUNITY PASSPORT" AND "COVID-19 VACCINATION STATUS"; TO PROVIDE A CERTAIN EXEMPTION FOR HEALTH CARE FACILITIES; AND FOR RELATED PURPOSES.

Senators DeBar and Kirby offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 84 by deleting "its passage" and inserting in lieu thereof the following:

July 1, 2022, and shall stand repealed on June 30, 2022

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1509 was adopted.

Senators McDaniel, Sojourner, Seymour, Wiggins, Tate, McLendon, Chism, Branning, Hill, Suber and DeBar offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following after "passport" on lines 31, 39 and 45:

, or whether the person declines any government-mandated vaccine based on that person's sincerely held religious belief, practice or observance

POINT OF ORDER

A point of order was raised by Senator Blount that Amendment No. 2 to Committee Amendment No. 1 is not germane because it expands the scope of the bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The bill is limited to Covid-19 vaccines only. The amendment would greatly expand the scope and purpose of the bill to include all government-mandated vaccines. Therefore, the amendment is not germane.

Senator McDaniel appealed the ruling of the Chair, and the appeal failed.

YEAS AND NAYS. The yeas and nays being taken, the Appeal of the Chair's Ruling failed, and the foregoing ruling was affirmed by the following vote:

Yeas--Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford. Total--34.

Nays--Barrett, Branning, Caughman, Chism, DeBar, Hill, McDaniel, McLendon, McMahan, Seymour, Sojourner, Suber, Tate, Wiggins, Williams, Younger. Total--16.

Absent and those not voting--Barnett, Whaley. Total--2.

Senator McMahan offered the following AMENDMENT NO. 3 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 71 by inserting the phrase "or medical condition" after the word "objection"

Amendment No. 3 to Committee Amendment No. 1 to H. B. No. 1509 failed.

Senator McMahan offered the following AMENDMENT NO. 4 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following new section after line 72 and renumbering any succeeding sections:

SECTION \*. No person in the State of Mississippi shall be required to show proof of a COVID-19 vaccine in order to purchase goods, receive services or hold a professional license.

Amendment No. 4 to Committee Amendment No. 1 to H. B. No. 1509 failed.

Committee Amendment No. 1 as amended to H. B. No. 1509 was adopted.

YEAS AND NAYS On H. B. No. 1509. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

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

Senator Kirby called up the following entitled bill:

**H. B. No. 1487:** State song; designate "One Mississippi" as official.

Senator Kirby offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The lyrics and music to the song "One Mississippi," written by Steve Azar, are designated as the official song of the State of Mississippi.

SECTION 2. Chapter 654, Laws of 1962, which designated "Go Mississippi" as the official song of the State of Mississippi, is repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO DESIGNATE "ONE MISSISSIPPI", WRITTEN BY STEVE AZAR, AS THE OFFICIAL STATE SONG; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED "GO MISSISSIPPI" AS THE OFFICIAL STATE SONG; AND FOR RELATED PURPOSES.

Senators Boyd, Sparks, Jackson (11th) and Simmons D. T. (12th) offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after line 8 and inserting in lieu thereof the following:

WHEREAS, the State of Mississippi has no official state song because "Go, Mississippi" was declared the official state song under House Concurrent Resolution No. 67 (1962 Regular Session) and was never enacted as a statute and codified as other official state emblems and designations; and

WHEREAS, the official state song of Mississippi should reference the rich music traditions of the state which are performed and celebrated by music lovers across the state, country and internationally; and

WHEREAS, the extensive history and diversity of the State of Mississippi require the designation of three official state songs that can be sung with pride and affection; and

WHEREAS, Jimmie Rodgers of Meridian, Mississippi, "The Father of Country Music," has had a profound impact on all of our lives and touched our souls with his simple but unique way with music. "Miss the Mississippi and You" by Jimmie Rodgers in 1932 meets the melodic and lyrical requirements for a state song, the words of which are as follows:

MISS THE MISSISSIPPI AND YOU

I'm growing tired of the big city lights

Tired of the glamour, tired of the size

I'm always dreaming of roaming once more

Back to my home on the old river shore

Days are dark and dreary everywhere I roam

How I long for Mississippi and you

Nothing seems to cheer me under heaven's door

How I miss the Mississippi and you

Roaming the wide world over

Always alone and blue, so blue

I am sad and weary, longing to go home

Yes, I miss the Mississippi and you

Mockingbirds are singing 'round the cabin door

While I dream of Mississippi and you

And my memories are bringing happy days of yore

I have spent in Mississippi with you

Roaming the wide world over

Always alone and blue, so blue

Longing for my homeland on that muddy water shore

Yes, I miss the Mississippi and you

The Mississippi and you

WHEREAS, "Cross Road Blues" (more commonly known as "Crossroads") is a blues song written and recorded by Mississippi Blues Artist Robert Johnson in 1936. Johnson performed it as a solo piece with his vocal and acoustic slide guitar in the Delta blues-style. The song has become part of the Robert Johnson mythology as referring to the place where he supposedly sold his soul to the Devil in exchange for his musical talents, although the lyrics do not contain any specific references to such events.

Renowned English Guitarist Eric Clapton with Cream popularized the song as "Crossroads" in the late 1960s. "Cross Road Blues" meets the melodic and lyrical requirements for a state song, the words of which are as follows:

## CROSSROADS

I went down to the crossroads, fell down on my knees.

I went down to the crossroads, fell down on my knees.

Asked the Lord above for mercy, "Save me if you please."

I went down to the crossroads, tried to flag a ride.

I went down to the crossroads, tried to flag a ride.

Nobody seemed to know me, everybody passed me by.

I'm going down to Rosedale, take my rider by the side.

I'm going down to Rosedale, take my rider by the side.

You can still barrel house, baby, on the riverside.

You can run, you can run, tell my friend-boy Willie Brown.

You can run, you can run, tell my friend-boy Willie Brown.

And I'm standing at the crossroads, believe I'm sinking down; and

WHEREAS, in 2021, a popular Mississippi singer and songwriter released a new anthem for the state titled "One Mississippi." In 2017, Steve Azar, who was born and reared in Greenville, Mississippi, was asked by Governor Phil Bryant to write the official Mississippi bicentennial song. "One Mississippi" was recorded at a new recording studio at the Mississippi Arts & Entertainment Experience Museum in Meridian. Azar's lyrics encompass all corners of the Magnolia State, the words of which are as follows:

## ONE MISSISSIPPI

Fertile fields of flat lands and hills raise

'bout anything, whatever a farmer can dream.

Slug burgers, shrimp boil, catfish fried up in oil.

Oh good gosh oh mighty, just to husk a hot tamale, now.

Now that's Mississippi.

America's music birthplace where rock and roll

was made out of our gospel and blues

and that pure country tune.

Oh authors and poets, so profoundly historic.

An imagination of a child let their

words run wild. Come on now.

Now that's Mississippi.

I say, one Mississippi there's a magnolia tree.

Two Mississippi where a mockingbird sings, out on its limb, whistling that sweet soulful  
hymn.

I say, three Mississippi to this land called home.

I'll breathe Mississippi 'til I'm dead and gone.

Just carry on. I'll carry on. Mississippi. Yeah.

We survived hurricanes, know them by name,

rose above a flood, built a wall of its own mud.

And come Sunday morning, we profess our faith,

we're near the cross and His amazing grace.

Oh yeah, now that's Mississippi.

I say, one Mississippi there's a magnolia tree.

Two Mississippi where a mockingbird sings, out on its limb, whistling that sweet soulful  
hymn.

I say, three Mississippi to this land called home.

I'll breathe Mississippi 'til I'm dead and gone.

Just carry on. I'll carry on. Mississippi.

Round here's where the Muppets grew up.

And potters and artists inspired all of us.

It's kudzu walls and fall football.

A Gulf Coast sunset and a Delta dawn.

It's simple nights, a smile on a face,

taking that peaceful drive down the Natchez Trace.

And our old man river, lavish lakes and streams.

Pines full of the wildest life and possibilities.

That's Mississippi.

Now Jackson is some kind of centerpiece on a

most celebrated table of hospitality.

And ain't it funny how the world has come to

count it seems, they're doing it everywhere,

it's just not one, two, three. No.

We're one Mississippi where there's a magnolia tree.

Two Mississippi while a mockingbird sings,

out on its limb, oh what a sweet soulful hymn.

I say, three Mississippi to this land called home.

I'll bleed Mississippi til I'm dead and gone.

Won't you carry on. Oh carry on. Mississippi. Mississippi.

NOW, THEREFORE,

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

SECTION 1. The following are hereby designated the official state songs of the State of Mississippi:

(a) Traditional Country Song, "Miss the Mississippi and You" by Jimmie Rodgers;

(b) Traditional Blues Song, "Cross Road Blues" by Robert Johnson; and

(c) Contemporary Music Song, "One Mississippi" by Steve Azar.

SECTION 2. Chapter 654, Laws of 1962, which designated "Go Mississippi" as the official song of the State of Mississippi, is repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

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

AN ACT TO DESIGNATE "MISS THE MISSISSIPPI AND YOU" BY JIMMIE RODGERS AS THE OFFICIAL TRADITIONAL COUNTRY SONG OF MISSISSIPPI, TO DESIGNATE "CROSS ROAD BLUES" BY ROBERT JOHNSON AS THE OFFICIAL TRADITIONAL BLUES SONG OF MISSISSIPPI AND TO DESIGNATE "ONE MISSISSIPPI" BY STEVE AZAR AS THE OFFICIAL CONTEMPORARY MUSIC SONG OF MISSISSIPPI; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED "GO MISSISSIPPI" AS THE OFFICIAL SONG OF THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1487 was adopted.

YEAS AND NAYS On H. B. No. 1487. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Fillingane, Hill, Horhn, McDaniel, Sojourner, Tate. Total--6.

Absent and those not voting---None.

Voting Present--Blackmon, Blackwell, Branning, Chassaniol, Chism, Michel, Norwood, Parker, Seymour, Turner-Ford. Total--10.

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Senator Caughman called up the following entitled bill:

**H. B. No. 933:** Homeowners' associations; regulate managing agents of and provide certain requirements for.

YEAS AND NAYS On H. B. No. 933. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Sojourner. Total--1.

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Senator Whaley called up the following entitled bill:

**H. B. No. 942:** Hunting and fishing; allow online applicants for a license to elect to be an organ donor.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) An application through the department's online sales system for a resident hunting or fishing license that is required under this chapter may allow an applicant to indicate whether or not the applicant desires to be a donor of an anatomical gift. If the applicant elects to be a donor, the hunting or fishing license issued to the applicant must include a symbol that indicates that the individual is a donor under the Revised Mississippi Uniform Anatomical Gift Act (Sections 41-39-101 through 41-39-147).

(2) The department is not required to keep a physical record of the donor's application after issuing the hunting or fishing license in order for the anatomical gift to be valid.

SECTION 2. Section 41-39-103, Mississippi Code of 1972, is amended as follows:

41-39-103. In Sections 41-39-101 through 41-39-149:

(1) "Adult" means an individual who is at least eighteen (18) years of age.

(2) "Agent" means an individual:

(A) Authorized to make health care decisions on the principal's behalf by a power of attorney for health care; or

(B) Expressly authorized to make an anatomical gift on the principal's behalf by any other record signed by the principal.

(3) "Anatomical gift" means a donation of all or part of a human body to take effect after the donor's death for the purpose of transplantation, therapy, research, or education.

(4) "Decedent" means a deceased individual whose body or part is or may be the source of an anatomical gift. The term includes a stillborn infant and, subject to restrictions imposed by law other than Sections 41-39-101 through 41-39-149, a fetus.

(5) "Disinterested witness" means a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift, or another adult who exhibited special care and concern for the individual. The term does not include a person to which an anatomical gift could pass under Section 41-39-121.

(6) "Document of gift" means a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver's license, identification card, hunting or fishing license, or donor registry.

(7) "Donor" means an individual whose body or part is the subject of an anatomical gift.

(8) "Donor registry" means a database that contains records of anatomical gifts and amendments to or revocations of anatomical gifts.

(9) "Driver's license" means a license or permit issued by the Mississippi Department of Public Safety to operate a vehicle, whether or not conditions are attached to the license or permit.

(10) "Eye bank" means a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of human eyes or portions of human eyes.

(11) "Guardian" means a person appointed by a court to make decisions regarding the support, care, education, health, or welfare of an individual. The term does not include a guardian ad litem.

(12) "Hospital" means a facility licensed as a hospital under the law of any state or a facility operated as a hospital by the United States, a state, or a subdivision of a state.

(13) "Hunting or fishing license" means a license to hunt or fish issued under Title 49, Chapter 7, Mississippi Code of 1972, which is purchased or renewed online by a resident of the state through the website of the Mississippi Department of Wildlife, Fisheries and Parks.

( \*\* \*14) "Identification card" means an identification card issued by the Mississippi Department of Public Safety.

( \*\* \*15) "Know" means to have actual knowledge.

( \*\* \*16) "Minor" means an individual who is under eighteen (18) years of age.

( \*\* \*17) "Organ procurement organization" means a person designated by the Secretary of the United States Department of Health and Human Services as an organ procurement organization.

( \*\* \*18) "Parent" means a parent whose parental rights have not been terminated.

( \*\* \*19) "Part" means an organ, an eye, or tissue of a human being. The term does not include the whole body.

( \*\* \*20) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

( \*\* \*21) "Physician" means an individual authorized to practice medicine or osteopathy under the law of any state.

( \*\* \*22) "Procurement organization" means an eye bank, organ procurement organization, or tissue bank.

( \*\* \*23) "Prospective donor" means an individual who is dead or near death, Glasgow Coma Scale of five (5) or less, and has been determined by a procurement organization to have a part that could be medically suitable for transplantation, therapy, research, or education. The term does not include an individual who has made a refusal.

( \*\* \*24) "Reasonably available" means able to be contacted by a procurement organization without undue effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.

( \*\* \*25) "Recipient" means an individual into whose body a decedent's part has been or is intended to be transplanted.

( \*\* \*26) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

( \*\* \*27) "Refusal" means a record created under Section 41-39-113 that expressly states an intent to bar other persons from making an anatomical gift of an individual's body or part.

( \*\* \*28) "Sign" means, with the present intent to authenticate or adopt a record:

(A) To execute or adopt a tangible symbol; or

(B) To attach to or logically associate with the record an electronic symbol, sound, or process.

( \*\* \*29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

( \*\* \*30) "Technician" means an individual determined to be qualified to remove or process parts by an appropriate organization that is licensed, accredited, or regulated under federal or state law. The term includes an enucleator.

( \*\* \*31) "Tissue" means a portion of the human body other than an organ or an eye. The term does not include blood unless the blood is donated for the purpose of research or education.

( \*\* \*32) "Tissue bank" means a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue.

( \*\* \*33) "Transplant hospital" means a hospital that furnishes organ transplants and other medical and surgical specialty services required for the care of transplant patients.

SECTION 3. Section 41-39-107, Mississippi Code of 1972, is amended as follows:

41-39-107. Subject to Section 41-39-115, an anatomical gift of a donor's body or part may be made during the life of the donor for the purpose of transplantation, therapy, research, or education in the manner provided in Section 41-39-109 by:

(1) The donor, if the donor is an adult or if the donor is a minor and is:

(A) Emancipated; \* \* \*

(B) Authorized under state law to apply for a driver's license because the donor is at least eighteen (18) years of age; or

(C) Authorized under state law to apply for a hunting or fishing license and is at least eighteen (18) years of age;

(2) An agent of the donor, unless the power of attorney for health care or other record prohibits the agent from making an anatomical gift;

(3) A parent of the donor, if the donor is an unemancipated minor; or

(4) The donor's guardian.

SECTION 4. Section 41-39-109, Mississippi Code of 1972, is amended as follows:

41-39-109. (a) A donor may make an anatomical gift:

(1) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor's driver's license \* \* \*, identification card or hunting or fishing license;

(2) In a will;

(3) During a terminal illness or injury of the donor, by any form of communication addressed to at least two (2) adults, at least one (1) of whom is a disinterested witness; or

(4) As provided in subsection (b).

(b) A donor or other person authorized to make an anatomical gift under Section 41-39-107 may make a gift by a donor card or other record signed by the donor or other person making the gift or by authorizing that a statement or symbol indicating that the donor has made an anatomical gift be included on a donor registry. If the donor or other

person is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and must:

(1) Be witnessed by at least two (2) adults, at least one (1) of whom is a disinterested witness, who have signed at the request of the donor or the other person; and

(2) State that it has been signed and witnessed as provided in paragraph (1).

(c) Revocation, suspension, expiration, or cancellation of a driver's license \* \* \*, identification card or hunting or fishing license upon which an anatomical gift is indicated does not invalidate the gift.

(d) An anatomical gift made by will takes effect upon the donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.

SECTION 5. Section 41-39-127, Mississippi Code of 1972, is amended as follows:

41-39-127. (a) When a hospital refers an individual at or near death to a procurement organization, the organization shall make a reasonable search of the records of the Mississippi Department of Public Safety, the Mississippi Department of Wildlife, Fisheries and Parks and any donor registry that it knows exists for the geographical area in which the individual resides to ascertain whether the individual has made an anatomical gift.

(b) A procurement organization must be allowed reasonable access to information in the records of the Mississippi Department of Public Safety and the Mississippi Department of Wildlife, Fisheries and Parks to ascertain whether an individual at or near death is a donor.

(c) When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor or a prospective donor. The organ procurement organizations, tissue bank, or eye bank, or hospital medical professionals under the direction thereof, may perform any and all tests to evaluate the deceased as a potential donor and any invasive procedures on the deceased body in order to preserve the potential donor's organs. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the individual expressed a contrary intent. The procurement organization representative shall initiate the consent process with reasonable discretion and sensitivity to the family's circumstances, values and beliefs.

(d) Unless prohibited by law other than Sections 41-39-101 through 41-39-149, at any time after a donor's death, the person to which a part passes under Section 41-39-121 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

(e) Unless prohibited by law other than Sections 41-39-101 through 41-39-149, an examination under subsection (c) or (d) may include an examination of all medical and dental records of the donor or prospective donor.

(f) Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke the refusal.

(g) Upon referral by a hospital under subsection (a), a procurement organization shall make a reasonable search for any person listed in Section 41-39-117 having priority to make an anatomical gift on behalf of a prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended, or revoked, it shall promptly advise the other person of all relevant information.

(h) Subject to Sections 41-39-121(i) and 41-39-143, the rights of the person to which a part passes under Section 41-39-121 are superior to the rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and Sections 41-39-101 through 41-39-149, a person that accepts an anatomical gift of an entire body may allow embalming, burial or cremation, and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under Section 41-39-121, upon the death of the donor and before embalming, burial, or cremation, shall cause the part to be removed without unnecessary mutilation.

(i) Neither the physician who attends the decedent at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.

(j) A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

SECTION 6. Section 41-39-139, Mississippi Code of 1972, is amended as follows:

41-39-139. (a) The Mississippi Department of Public Safety may establish or contract for the establishment of a donor registry.

(b) The Mississippi Department of Public Safety shall cooperate with a person that administers any donor registry that this state establishes, contracts for, or recognizes for the purpose of transferring to the donor registry all relevant information regarding a donor's making, amendment to, or revocation of an anatomical gift.

(c) The Mississippi Department of Wildlife, Fisheries and Parks shall provide all relevant information regarding a donor's making, amendment to, or revocation of an anatomical gift to a donor registry established or contracted for under this section. The donor registry shall reimburse the department for any costs associated with providing this information to the registry. If the department is not reimbursed according to this subsection, the department is absolved of all responsibility to collect and provide donor data to the registry.

( \*\* \*d) A donor registry must:

(1) Allow a donor or other person authorized under Section 41-39-107 to include on the donor registry a statement or symbol that the donor has made, amended, or revoked an anatomical gift;

(2) Be accessible to a procurement organization to allow it to obtain relevant information on the donor registry to determine, at or near death of the donor or a prospective donor, whether the donor or prospective donor has made, amended, or revoked an anatomical gift; and

(3) Be accessible for purposes of paragraphs (1) and (2) seven (7) days a week on a twenty-four-hour basis.

( \*\* \*e) Except as otherwise provided in subsection ( \*\* \*g), personally identifiable information on a donor registry about a donor or prospective donor may not be used or disclosed without the express consent of the donor, prospective donor, or person that

made the anatomical gift for any purpose other than to determine, at or near death of the donor or prospective donor, whether the donor or prospective donor has made, amended, or revoked an anatomical gift.

( \*\* \*f) This section does not prohibit any person from creating or maintaining a donor registry that is not established by or under contract with the state. Any such registry must comply with subsections ( \*\* \*d) and ( \*\* \*e).

( \*\* \*g) At the time that a person is renewing his or her driver's license, the Department of Public Safety shall ask the person if he or she would like to be a donor. If the answer is yes, the department shall inform the prospective donor that his or her decision to be a donor cannot be revoked, changed or contested after his or her death by the donor's next of kin or by any other person, and shall ask the person if he or she desires information about the person's decision to be a donor to be sent to another person or persons. If the answer is yes, the department shall obtain the name and mailing address of the person or persons designated by the prospective donor, and the donor registry shall send the information about the prospective donor's decision to the designated person or persons as requested.

(h) At the time that a person is applying to renew a hunting or fishing license online through the Mississippi Department of Wildlife, Fisheries and Parks' website, the website will include a question asking if the person would like to be a donor. If the answer is yes, the website application must inform the prospective donor that a decision to be a donor cannot be revoked, changed or contested after the donor's death by the donor's next of kin or by any other person. The application will include a question asking the applicant if the person desires information about the person's decision to be a donor to be sent to another person or persons. If the answer is yes, the online application must obtain the name and mailing address of the person or persons designated by the prospective donor, and the donor registry shall send the information about the prospective donor's decision to the designated person or persons as requested.

SECTION 7. Section 1 of this act shall be codified as a new section in Title 49, Chapter 7, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ALLOW AN ONLINE APPLICANT FOR A RESIDENT HUNTING OR FISHING LICENSE TO INDICATE IF THE APPLICANT DESIRES TO BE A DONOR OF AN ANATOMICAL GIFT; TO REQUIRE THE HUNTING OR FISHING LICENSE OF AN ONLINE APPLICANT WHO ELECTS TO BE A DONOR TO INCLUDE A SYMBOL INDICATING THAT THE LICENSE HOLDER IS A DONOR UNDER THE MISSISSIPPI UNIFORM ANATOMICAL GIFT ACT; TO AMEND SECTION 41-39-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HUNTING OR FISHING LICENSE" AS USED UNDER THE ANATOMICAL GIFT ACT; TO AMEND SECTION 41-39-107, MISSISSIPPI CODE OF 1972, TO INCLUDE PERSONS APPLYING ONLINE FOR A HUNTING OR FISHING LICENSE WHO ARE OVER THE AGE OF 18 IN THE LIST OF PERSONS ELIGIBLE TO MAKE AN ANATOMICAL GIFT; TO AMEND SECTIONS 41-39-109 AND 41-39-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 41-39-139, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO PROVIDE RELEVANT INFORMATION REGARDING A DONOR'S ANATOMICAL GIFT TO A DONOR REGISTRY ESTABLISHED OR CONTRACTED FOR BY THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE AN ONLINE APPLICATION FOR

THE RENEWAL OF A HUNTING OR FISHING LICENSE TO INCLUDE A QUESTION ASKING THE APPLICANT IF THE INDIVIDUAL DESIRES TO BE A DONOR; TO DIRECT THE CODE PUBLISHERS TO CODIFY SECTION 1 OF THIS ACT WITH THE LAWS GOVERNING HUNTING AND FISHING IN CHAPTER 7, TITLE 49, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 942 was adopted.

YEAS AND NAYS On H. B. No. 942. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Commission on Wildlife, Fisheries and Parks shall establish and regulate special hunts during velvet hunting season, outside of the regular open season on deer. Velvet hunting season shall begin on September 10, and end no later than September 20, and shall be for no less than three (3) consecutive days in length, and for no more than five (5) consecutive days in length, and only hunting with bow and arrow or crossbows shall be allowed during such season. The special season shall be open on private lands and any Wildlife Management Areas as deemed appropriate by the department. Only bucks that meet the antler criteria for the respective deer management unit may be harvested.

(2) The commission shall establish a special hunting permit for velvet hunting season. Such special hunting permit for velvet hunting season shall be authorized for a time period beginning on September 10, and ending no later than September 20, and shall be valid for no less than three (3) consecutive days in length, and for no more than five (5) consecutive days in length. The commission shall, set the cost of permits.

SECTION 2. Section 49-7-31, Mississippi Code of 1972, is amended as follows:

49-7-31. (1) The open season on deer shall be as follows:

(a) With bow and arrow: October 1 through the Friday prior to Thanksgiving.

(b) With guns and with dogs: from the Saturday prior to Thanksgiving through December 1.

(c) With primitive weapons and without dogs: December 2 through December 15.

(d) With guns and without dogs: December 16 through December 23. However, the commission may allow hunting statewide or in specific areas with any legal weapon which it may designate without dogs after the end of the last season for hunting deer with guns and with dogs, but the season with legal designated weapons and without dogs shall not extend beyond January 31.

(e) The commission shall establish an extended season with primitive weapons and bow and arrow without dogs from February 1 through February 15 for the area south of U.S. Highway 84 and east of Mississippi Highway 35 only for legal bucks. Any antlered deer taken in this area during any open season under this section must be a legal buck as defined in this paragraph. For purposes of this paragraph, the term "legal buck" means a deer with antlers of four (4) points or more with a minimum inside spread of ten (10) inches or a minimum main beam length of thirteen (13) inches. The commission may regulate the taking of deer with antlers of four (4) points or less under this paragraph for the proper management of antlered deer. The commission may delay the opening date and change the length of bow and arrow season in paragraph (a) in this area.

(f) With guns and with dogs: December 24 through a date fixed by the commission that will provide a total of thirty-nine (39) days of hunting deer with guns and with dogs when added to the number of days provided for hunting deer with guns and with dogs in paragraph (b).

(g) When the open season on deer ends on a Friday, the commission shall have the authority to extend the season until thirty (30) minutes after sunset on the following Sunday.

(2) The commission may set and regulate the deer seasons on wildlife management areas which it administers.

(3) (a) The commission may allow the harvesting of antlerless deer in the districts or zones upon the recommendation of the executive director based upon good and substantial quantitative data and research evaluations that demonstrate that the harvesting is necessary to properly manage the herd.

(b) The commission, only upon the recommendation of the executive director, may allow the harvesting of antlerless deer during the deer season with guns and with dogs by a majority vote of the commission.

(c) Nothing in this subsection prohibits the harvesting of either-sex deer by landowners or leaseholders on private lands under the deer management assistance program prescribed or approved by the executive director.

(4) The commission may provide a special permit for the harvesting of deer when they are depredating and destroying crops. The department shall supervise the harvesting and provide for the salvaging of the meat of the animals. The commission may authorize the department to assist any farmer in this state, who sustains crop damage by wildlife, in eradication of the problem wildlife.

(5) (a) During any open season on deer with primitive weapons after November 30, a person may use any legal weapon of choice on private lands only, if the person is:

(i) The title owner of the land;

- (ii) The lessee of the hunting rights on the land;
  - (iii) A member of a hunting club leasing the hunting rights on the land;
- or
- (iv) A guest of a person specified in subparagraph (i), (ii) or (iii).

(b) If the person is required to have a hunting license, the person must have a primitive weapon license, Sportsman's License or a Lifetime Sportsman's License.

(6) The commission shall establish and regulate special hunts during velvet hunting season, outside of the regular open season on deer, as provided in Section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; TO PROVIDE THAT VELVET HUNTING SEASON SHALL BEGIN ON SEPTEMBER 10 AND END SEPTEMBER 20; TO REQUIRE THE COMMISSION TO ESTABLISH A SPECIAL HUNTING PERMIT FOR VELVET HUNTING SEASON; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, WHICH RELATES TO OPEN SEASON ON DEER, TO REQUIRE THE COMMISSION TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1035 was adopted.

YEAS AND NAYS On H. B. No. 1035. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

**H. B. No. 683:** State Parole Board; extend repealer on.

YEAS AND NAYS On H. B. No. 683. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-1-43, Mississippi Code of 1972, is brought forward as follows:

9-1-43. (1) After making deductions for employer contributions paid by the chancery or circuit clerk to the Public Employees' Retirement System under Sections 25-11-106.1 and 25-11-123(f)(4), employee salaries and related salary expenses, and expenses allowed as deductions by Schedule C of the Internal Revenue Code, no office of the chancery clerk or circuit clerk of any county in the state shall receive fees as compensation for the chancery clerk's or circuit clerk's services in excess of Ninety-four Thousand Five Hundred Dollars (\$94,500.00). All such fees received by the office of chancery or circuit clerks that are in excess of the salary limitation shall be deposited by such clerk into the county general fund on or before April 15 for the preceding calendar year. If the chancery clerk or circuit clerk serves less than one (1) year, then he shall not receive as compensation any fees in excess of that portion of the salary limitation that can be attributed to his time in office on a pro rata basis. Upon leaving office, income earned by any clerk in his last full year of office but not received until after his last full year of office shall not be included in determining the salary limitation of the successor clerk. There shall be exempted from the provisions of this subsection any monies or commissions from private or governmental sources which: (a) are to be held by the chancery or circuit clerk in a trust or custodial capacity as prescribed in subsections (4) and (5); or (b) are received as compensation for services performed upon order of a court or board of supervisors which are not required of the chancery clerk or circuit clerk by statute.

(2) It shall be unlawful for any chancery clerk or circuit clerk to use fees in excess of Ninety-four Thousand Five Hundred Dollars (\$94,500.00), to pay the salaries or actual or necessary expenses of employees who are related to such clerk by blood or marriage within the first degree of kinship according to the civil law method of computing kinship as provided in Sections 1-3-71 and 1-3-73. However, the prohibition of this subsection shall not apply to any individual who was an employee of the clerk's office prior to the date his or her relative was elected as chancery or circuit clerk. The spouse and/or any children of the chancery clerk or circuit clerk employed in the office of the chancery clerk may be paid a salary; however, the combined annual salaries of the clerk, spouse and any child of the clerk may not exceed an amount equal to the salary limitation.

(3) The chancery clerk and the circuit clerk shall be liable on their official bond for the proper deposit and accounting of all monies received by his office. The State Auditor shall promulgate uniform accounting methods for the accounting of all sources of income by the offices of the chancery and circuit clerk.

(4) There is created in the county depository of each county a clearing account to be designated as the "chancery court clerk clearing account," into which shall be deposited: (a) all such monies as the clerk of the chancery court shall receive from any person complying with any writ of garnishment, attachment, execution or other like process authorized by law for the enforcement of child support, spousal support or any other judgment; (b) any portion of any fees required by law to be collected in civil cases which are to pay for the service of process or writs in another county; and (c) any other money as shall be deposited with the court which by its nature is not, at the time of its deposit, public monies, but which is to be held by the court in a trust or custodial capacity in a case or proceeding before the court. The clerk of the chancery court shall account for all monies deposited in and disbursed from such account and shall be authorized and empowered to draw and issue checks on such account at such times, in such amounts and to such persons as shall be proper and in accordance with law.

The following monies paid to the chancery clerk shall be subject to the salary limitation prescribed under subsection (1): (a) all fees required by law to be collected for the filing, recording or abstracting of any bill, petition, pleading or decree in any civil case in chancery; (b) all fees collected for land recordings, charters, notary bonds, certification of decrees and copies of any documents; (c) all land redemption and mineral documentary stamp commissions; and (d) any other monies or commissions from private or governmental sources for statutory functions which are not to be held by the court in a trust capacity. Such fees as shall exceed the salary limitations shall be maintained in a bank account in the county depository and accounted for separately from those monies paid into the chancery court clerk clearing account.

(5) There is created in the county depository in each county a clearing account to be designated as the "circuit court clerk civil clearing account," into which shall be deposited: (a) all such monies and fees as the clerk of the circuit court shall receive from any person complying with any writ of garnishment, attachment, execution or any other like process authorized by law for the enforcement of a judgment; (b) any portion of any fees required by law or court order to be collected in civil cases; (c) all fees collected for the issuance of marriage licenses; and (d) any other money as shall be deposited with the court which by its nature is not, at the time of its deposit, public monies but which is to be held by the court in a trust or custodial capacity in a case or proceeding before the court.

There is created in the county depository in each county a clearing account to be designated as the "circuit court clerk criminal clearing account," into which shall be deposited: (a) all such monies as are received in criminal cases in the circuit court pursuant to any order requiring payment as restitution to the victims of criminal offenses; (b) any portion of any fees and fines required by law or court order to be collected in criminal cases; and (c) all cash bonds as shall be deposited with the court. The clerk of the circuit court shall account for all monies deposited in and disbursed from such account and shall be authorized and empowered to draw and issue checks on such account, at such times, in such amounts and to such persons as shall be proper and in accordance with law; however, such monies as are forfeited in criminal cases shall be paid by the clerk of the circuit court to the clerk of the board of supervisors for deposit in the general fund of the county.

The following monies paid to the circuit clerk shall be subject to the salary limitation prescribed under subsection (1): (a) all fees required by law to be collected for the filing, recording or abstracting of any bill, petition, pleading or decree in any civil action in circuit court; (b) copies of any documents; and (c) any other monies or commissions from private or governmental sources for statutory functions which are not to be held by the court in a trust capacity.

(6) The chancery clerk and the circuit clerk shall establish and maintain a cash journal for recording cash receipts from private or government sources for furnishing copies of any papers of record or on file, or for rendering services as a notary public, or other fees wherein the total fee for the transaction is Ten Dollars (\$10.00) or less. The cash journal entry shall include the date, amount and type of transaction, and the clerk shall not be required to issue a receipt to the person receiving such services. The State Auditor shall not take exception to the furnishing of copies or the rendering of services as a notary by any clerk free of charge.

In any county having two (2) judicial districts, whenever the chancery clerk serves as deputy to the circuit clerk in one (1) judicial district and the circuit clerk serves as deputy to the chancery clerk in the other judicial district, the chancery clerk may maintain a cash journal, separate from the cash journal maintained for chancery clerk receipts, for recording the cash receipts paid to him as deputy circuit clerk, and the circuit clerk may maintain a cash journal, separate from the cash journal maintained for circuit clerk receipts, for recording the cash receipts paid to him as deputy chancery clerk. The cash receipts collected by the chancery clerk in his capacity as deputy circuit clerk and the cash receipts collected by the circuit clerk in his capacity as deputy chancery clerk shall be subject to the salary limitation prescribed under subsection (1).

(7) Any clerk who knowingly shall fail to deposit funds or otherwise violate the provisions of this section shall be guilty of a misdemeanor in office and, upon conviction thereof, shall be fined in an amount not to exceed double the amount that he failed to deposit, or imprisoned for not to exceed six (6) months in the county jail, or be punished by both such fine and imprisonment.

SECTION 2. Section 23-15-225, Mississippi Code of 1972, is brought forward as follows:

23-15-225. (1) The registrar shall be entitled to such compensation, payable monthly out of the county treasury, which the board of supervisors of the county shall allow on an annual basis in the following amounts:

(a) For counties with a total population of more than two hundred thousand (200,000), an amount not to exceed Thirty-one Thousand Three Hundred Ninety-five Dollars (\$31,395.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(b) For counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed Twenty-six Thousand Five Hundred Sixty-five Dollars (\$26,565.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(c) For counties with a total population of more than fifty thousand (50,000) and not more than one hundred thousand (100,000), an amount not to exceed Twenty-four Thousand One Hundred Fifty Dollars (\$24,150.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(d) For counties with a total population of more than thirty-five thousand (35,000) and not more than fifty thousand (50,000), an amount not to exceed Twenty-one Thousand Seven Hundred Thirty-five Dollars (\$21,735.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(e) For counties with a total population of more than twenty-five thousand (25,000) and not more than thirty-five thousand (35,000), an amount not to exceed Nineteen Thousand Three Hundred Twenty Dollars (\$19,320.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(f) For counties with a total population of more than fifteen thousand (15,000) and not more than twenty-five thousand (25,000), an amount not to exceed Sixteen Thousand Nine Hundred Five Dollars (\$16,905.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(g) For counties with a total population of more than ten thousand (10,000) and not more than fifteen thousand (15,000), an amount not to exceed Fourteen Thousand Four Hundred Ninety Dollars (\$14,490.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(h) For counties with a total population of more than six thousand (6,000) and not more than ten thousand (10,000), an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(i) For counties with a total population of not more than six thousand (6,000), an amount not to exceed Nine Thousand Six Hundred Sixty Dollars (\$9,660.00) but not less than Six Thousand Six Hundred Forty-one Dollars and Twenty-five Cents (\$6,641.25).

(j) For counties having two (2) judicial districts, the board of supervisors of the county may allow, in addition to the sums prescribed herein, in its discretion, an amount not to exceed Eleven Thousand Five Hundred Dollars (\$11,500.00).

(2) In the event of a reregistration within such county, or a redistricting that necessitates the hiring of additional deputy registrars, the board of supervisors, in its discretion, may by contract compensate the county registrar amounts in addition to the sums prescribed herein.

(3) As compensation for their services in assisting the county election commissioners in performance of their duties in the revision of the voter roll as electronically maintained by the Statewide Elections Management System and in assisting the election commissioners, executive committees or boards of supervisors in connection with any election, the registrar shall receive the same daily per diem and limitation on meeting days as provided for the board of election commissioners as set out in Sections 23-15-153 and 23-15-227 to be paid from the general fund of the county.

(4) In any case where an amount has been allowed by the board of supervisors pursuant to this section, such amount shall not be reduced or terminated during the term for which the registrar was elected.

(5) The circuit clerk shall, in addition to any other compensation provided for by law, be entitled to receive as compensation from the board of supervisors the amount of Two Thousand Five Hundred Dollars (\$2,500.00) per year. This payment shall be for the performance of his or her duties in regard to the conduct of elections and the performance of his or her other duties.

(6) The municipal clerk shall, in addition to any other compensation for performance of duties, be eligible to receive as compensation from the municipality's governing authorities a reasonable amount of additional compensation for reimbursement of costs and for additional duties associated with mail-in registration of voters.

(7) The board of supervisors shall not allow any additional compensation authorized under this section for services as county registrar to any circuit clerk who is receiving fees as compensation for his or her services equal to the limitation on compensation prescribed in Section 9-1-43.

SECTION 3. Section 25-3-3, Mississippi Code of 1972, is brought forward as follows:

25-3-3. (1) The term "total assessed valuation" as used in this section only refers to the ad valorem assessment for the county and, in addition, in counties where oil or gas is produced, the actual value of oil at the point of production, as certified to the counties by the Department of Revenue under the provisions of Sections 27-25-501 through 27-25-525, and the actual value of gas as certified by the Department of Revenue under the provisions of Sections 27-25-701 through 27-25-723.

(2) The salary of assessors and collectors of the various counties is fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of Three Billion Dollars (\$3,000,000,000.00) or more, a salary of Seventy Thousand Five Hundred Sixty Dollars (\$70,560.00);

(b) For counties having a total assessed valuation of at least Two Billion Dollars (\$2,000,000,000.00) but less than Three Billion Dollars (\$3,000,000,000.00), a salary of Sixty-seven Thousand Two Hundred Dollars (\$67,200.00);

(c) For counties having a total assessed valuation of at least One Billion Dollars (\$1,000,000,000.00) but less than Two Billion Dollars (\$2,000,000,000.00), a salary of Sixty-four Thousand Five Hundred Seventy-five Dollars (\$64,575.00);

(d) For counties having a total assessed valuation of at least Five Hundred Million Dollars (\$500,000,000.00) but less than One Billion Dollars (\$1,000,000,000.00), a salary of Sixty-one Thousand Four Hundred Twenty-five Dollars (\$61,425.00);

(e) For counties having a total assessed valuation of at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but less than Five Hundred Million Dollars (\$500,000,000.00), a salary of Fifty-eight Thousand Eight Hundred Dollars (\$58,800.00);

(f) For counties having a total assessed valuation of at least One Hundred Fifty Million Dollars (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary of Fifty-six Thousand Seven Hundred Dollars (\$56,700.00);

(g) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00) but less than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary of Fifty-five Thousand One Hundred Twenty-five Dollars (\$55,125.00);

(h) For counties having a total assessed valuation of less than Seventy-five Million Dollars (\$75,000,000.00), a salary of Fifty Thousand Nine Hundred Twenty-nine Dollars (\$50,929.00).

(3) In addition to all other compensation paid pursuant to this section, the board of supervisors shall pay to a person serving as both the tax assessor and tax collector in their county an additional Five Thousand Dollars (\$5,000.00) per year.

(4) The annual salary established for assessors and tax collectors shall not be reduced as a result of a reduction in total assessed valuation. The salaries shall be increased as a result of an increase in total assessed valuation.

(5) In addition to all other compensation paid to assessors and tax collectors in counties having two (2) judicial districts, the board of supervisors shall pay such assessors and tax collectors an additional Three Thousand Five Hundred Dollars (\$3,500.00) per

year. In addition to all other compensation paid to assessors or tax collectors, in counties maintaining two (2) full-time offices, the board of supervisors shall pay the assessor or tax collector an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year.

(6) In addition to all other compensation paid to assessors and tax collectors, the board of supervisors of a county shall allow for such assessor or tax collector, or both, to be paid additional compensation when there is a contract between the county and one or more municipalities providing that the assessor or tax collector, or both, shall assess or collect taxes, or both, for the municipality or municipalities; and such assessor or tax collector, or both, shall be authorized to receive such additional compensation from the county and/or the municipality or municipalities in any amount allowed by the county and/or the municipality or municipalities for performing those services.

(7) When any tax assessor holds a valid certificate of educational recognition from the Mississippi Cooperative Extension Service or is a licensed appraiser under Section 73-34-1 et seq., he shall receive an additional One Thousand Five Hundred Dollars (\$1,500.00) annually beginning the next fiscal year after completion. When any tax assessor is a licensed state certified Residential Appraiser (RA) or licensed state certified Timberland Appraiser (TA) under Section 73-34-1 et seq., or when any tax assessor holds a valid designation from the International Association of Assessing Officers as a Cadastral Mapping Specialist (CMS) or Personal Property Specialist (PPS) or Residential Evaluation Specialist (RES), he shall receive an additional Six Thousand Five Hundred Dollars (\$6,500.00) annually beginning the next fiscal year after completion. When any tax assessor holds the valid designation of Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers or is a state certified General Real Estate Appraiser (GA) under Section 73-34-1 et seq., he shall receive an additional Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning the next fiscal year after completion.

(8) The salaries provided for in this section shall be the total funds paid to the county assessors and tax collectors and shall be full compensation for their services, with any fees being paid to the county general fund.

(9) The salaries provided for in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month or every two (2) weeks pursuant to Section 25-3-29. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

SECTION 4. Section 25-7-9, Mississippi Code of 1972, is brought forward as follows:

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....\$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5) pages..... \$ 25.00

(ii) Each additional page.....\$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....\$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....\$ 25.00

per additional assignee.....\$ 18.00

(iii) Each additional page.....\$ 1.00

(iv) Sectional index entries per section or subdivision lot.....\$ 1.00

(v) Archive fee.....\$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page.....\$ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....\$ .50

If performed by any other person,

per page.....\$ .25

(ii) Entering marginal notations on

documents of record.....\$ 1.00

(e) For each day's attendance on the board of supervisors, for himself and one (1) deputy, each.....\$ 20.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding.....\$3,000.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each.....\$ 85.00

For the second chancellor sitting, clerk only.....\$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding.....\$5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund.....\$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoption, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or

fee.....\$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....\$ 10.00

(b) An additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45.....\$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

SECTION 5. Section 25-7-13, Mississippi Code of 1972, is brought forward as follows:

25-7-13. (1) The clerks of the circuit court shall charge the following fees:

(a) Docketing, filing, marking and registering each complaint, petition and indictment..... \$ 85.00

The fee set forth in this paragraph shall be the total fee for all services performed by the clerk up to and including entry of judgment with respect to each complaint, petition or indictment, including all answers, claims, orders, continuances and other papers filed therein, issuing each writ, summons, subpoena or other such instruments, swearing witnesses, taking and recording bonds and pleas, and recording judgments, orders, fiats and certificates; the fee shall be payable upon filing and shall accrue to the clerk at the time of collection. The clerk or his successor in office shall perform all duties set forth above without additional compensation or fee.

(b) Docketing and filing each motion to renew judgment, notice of renewal of judgment, suggestion for a writ of garnishment, suggestion for a writ of execution and judgment debtor actions and issuing all process, filing and recording orders or other papers and swearing witnesses..... \$ 35.00

(c) For every civil case filed, an additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14..... \$ 10.00

(d) For every civil case filed, an additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45 ..... \$ 40.00

(2) Except as provided in subsection (1) of this section, the clerks of the circuit court shall charge the following fees:

(a) Filing and marking each order or other paper and recording and indexing same ..... \$ 2.00

(b) Issuing each writ, summons, subpoena, citation, capias and other such instruments ..... \$ 1.00

(c) Administering an oath and taking bond ..... \$ 2.00

(d) Certifying copies of filed documents, for each complete document ..... \$ 1.00

(e) Recording orders, fiats, licenses, certificates, oaths and bonds:

First page ..... \$ 2.00

Each additional page ..... \$ 1.00

(f) Furnishing copies of any papers of record or on file and entering marginal notations on documents of record:

If performed by the clerk or his employee,

per page ..... \$ 1.00

If performed by any other person,

per page ..... \$ .25

(g) Judgment roll entry ..... \$ 5.00

(h) Taxing cost and certificate ..... \$ 1.00

(i) For taking and recording application for marriage license, for filing and recording consent of parents when required by law, for filing and recording medical certificate, filing and recording proof of age, recording and issuing license, recording and filing returns..... \$ 35.00

The clerk shall deposit Fourteen Dollars (\$14.00) of each fee collected for a marriage license in the Victims of Domestic Violence Fund established in Section 93-21-117, on a monthly basis.

(j) For certified copy of marriage license and search of record, the same fee charged by the Bureau of Vital Statistics of the State Board of Health.

(k) For public service not particularly provided for, the circuit court may allow the clerk, per annum, to be paid by the county on presentation of the circuit court's order, the following amount ..... \$5,000.00

However, in the counties having two (2) judicial districts, such above allowance shall be made for each judicial district.

(l) For drawing jurors and issuing venire, to be paid by the county . \$ 5.00

(m) For each day's attendance upon the circuit court term, for himself and necessary deputies allowed by the court, each to be paid by the county..... \$ 75.00

(n) Summons, each juror to be paid by the county upon the allowance of the court..... \$ 1.00

(o) For issuing each grand jury subpoena, to be paid by the county on allowance by the court, not to exceed Twenty-five Dollars (\$25.00) in any one (1) term of court..... \$ 1.00

(p) For each civil filing, to be deposited into the Civil Legal Assistance Fund..... \$ 5.00

(3) On order of the court, clerks and deputies may be allowed five (5) extra days for attendance upon the court to get up records.

(4) The clerk's fees in state cases where the state fails in the prosecution, or in cases of felony where the defendant is convicted and the cost cannot be made out of his estate, in an amount not to exceed Four Hundred Dollars (\$400.00) in one (1) year, shall be paid out of the county treasury on approval of the circuit court, and the allowance thereof by the board of supervisors of the county. In counties having two (2) judicial districts, such allowance shall be made in each judicial district; however, the maximum thereof shall not exceed Eight Hundred Dollars (\$800.00). Clerks in the circuit court, in cases where appeals are taken in criminal cases and no appeal bond is filed, shall be allowed by the board of supervisors of the county after approval of their accounts by the circuit court, in addition to the above fees, for making such transcript the rate of Two Dollars (\$2.00) per page.

(5) The clerk of the circuit court may retain as his commission on all money coming into his hands, by law or order of the court, a sum to be fixed by the court not exceeding one-half of one percent (1/2 of 1%) on all such sums.

(6) For making final records required by law, including, but not limited to, circuit and county court minutes, and furnishing transcripts of records, the circuit clerk shall charge Two Dollars (\$2.00) per page. The same fees shall be allowed to all officers for making and certifying copies of records or papers which they are authorized to copy and certify.

(7) The circuit clerk shall prepare an itemized statement of fees for services performed, cost incurred, or for furnishing copies of any papers of record or on file, and shall submit the statement to the parties or, if represented, to their attorneys within sixty (60) days. A bill for same shall accompany the statement.

SECTION 6. Section 25-7-19, Mississippi Code of 1972, is brought forward as follows:

25-7-19. (1) The sheriffs of the various counties of the State of Mississippi shall charge the following fees:

(a) A uniform total fee in all criminal and civil cases for the service or attempted service of any process, summons, warrant, writ or other notice as may be required by law or the court, each..... \$ 45.00

(b) In all cases where there is more than one (1) defendant residing at the same household, service on each additional defendant ..... \$ 5.00

(c) After final judgment has been enrolled, notice of further proceedings involving levy of execution on judgments, and attachment and garnishment proceedings, shall be deemed a new suit and the sheriff shall be entitled to the following fee ..... \$ 45.00

(d) Taking bonds of every kind (for purposes of this fee multiple bonds for criminal charges arising out of a single incident or transaction shall be considered a single bond)..... \$ 25.00

(e) Attendance in habeas corpus proceeding in vacation, eminent domain court and commitment cases ..... \$ 25.00

(f) On all money made by virtue of any decree, execution or attachment, or other process, the following commissions, to wit:

- On the first One Hundred Dollars (\$100.00), five percent (5%),
- On the second One Hundred Dollars (\$100.00), four percent (4%),
- On all sums over Two Hundred Dollars (\$200.00), three percent (3%).

(g) For all service of all process of every kind and nature issued from without the county wherein it is to be served, a fee of ..... \$ 45.00

In civil cases, all process sent out of the county, where issued to another county for service, shall be accompanied by a fee of Forty-five Dollars (\$45.00) to pay the sheriff's fee for his execution of such process unless the clerk or justice shall endorse on the process that the party at whose instance it issued had filed an affidavit of inability to pay costs thereof. All fees sent and unearned, and the whole of it, shall be unearned if the writ be not legally and properly executed and returned, and shall be remitted by the sheriff with the writ at his own expense.

(2) (a) The sheriff shall keep a complete account of every fee of every nature, commission or charge collected by him, and shall file an itemized statement thereof monthly, under oath, with the clerk of the board of supervisors of his county who shall preserve same as a part of the records of his office, and he shall make a remittance to the clerk of the board of supervisors of his county on or before the fifteenth of each month for deposit into the general fund of the county of all said fees, commissions and charges collected during the preceding month. A fee for attempted service of process is unearned absent two (2) documented actual attempts to serve the process.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of this section shall be used for the sheriffs' salaries authorized in Section 25-3-25, as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(3) Any sheriff who shall knowingly fail to collect any fee established by law which was in fact collectible by him or having collected the fee shall fail to keep account of such fee or fail to deposit the fee with the clerk of the board of supervisors as provided by subsection (2), or such other person or office entitled thereto, shall be guilty of a misdemeanor in office and, upon conviction therefor, shall be fined in an amount not to

exceed double the amount he failed to collect or pay over, or imprisoned for not to exceed six (6) months in the county jail, or be punished by both such fine and imprisonment.

This provision shall in no way lessen the sheriff's civil liability on his bond, but shall be an additional penalty for misfeasance or nonfeasance in office.

SECTION 7. Section 25-7-27, Mississippi Code of 1972, is brought forward as follows:

25-7-27. (1) Marshals and constables shall charge the following fees:

(a) (i) In all civil and criminal cases, for each service of process, summons, warrant, writ or other notice ..... \$ 45.00

(ii) In all cases where there is more than one (1) defendant residing at the same household, for service on each additional defendant..... \$ 5.00

(iii) For service of each process of every kind and nature issued from outside the county where it is to be served, the fees provided in subparagraphs (i) and (ii) of this paragraph, as applicable, shall be assessed.

(iv) When a complaining party has provided erroneous information to the clerk of the court relating to the service of process on the defendant or defendants and process cannot be served after diligent search and inquiry on oath thereof of the marshal or constable, as the case may be, charged with serving such process, the fees provided in subparagraphs (i) and (ii) of this paragraph, as applicable, shall be assessed.

(v) When process has been attempted in one (1) county but the defendant is not found, and process must be served on that defendant in another county, the clerk shall notify the complaining party that an additional fee or fees must be paid before the process can be delivered to the other county.

(b) After final judgment has been enrolled, further proceedings involving levy of execution on judgments, and attachment and garnishment proceedings shall be a new suit for which the marshal or constable shall be entitled to the following fee ..... \$ 45.00

(c) For conveying a person charged with a crime to jail, mileage reimbursement in an amount not to exceed the rate established under Section 25-3-41(2).

To be paid out of the county treasury on the allowance of the board of supervisors, when the state fails in the prosecution, or the person is convicted but is not able to pay the costs.

(d) For other service, the same fees allowed sheriffs for similar services.

(e) For service as a bailiff in any court in a civil case, to be paid by the county on allowance of the court on issuance of a warrant therefor, an amount equal to the amount provided under Section 19-25-31 for each day, or part thereof, for which he serves as bailiff when the court is in session.

(f) For serving all warrants and other process and attending all trials in state cases in which the state fails in the prosecution, to be paid out of the county treasury on the allowance of the board of supervisors without itemization, subject, however, to the condition that the marshal or constable must not have overcharged in the collection of fees for costs, contrary to the provisions of this section, annually.. \$2,500.00

(2) Marshals and constables shall be paid all uncollected fees levied under subsection (1) of this section in full from the first proceeds received by the court from the guilty party or from any other source of payment in connection with the case.

(3) In addition to the fees authorized to be paid to a constable under subsection (1) of this section, a constable may receive payments for collecting delinquent criminal fines in justice court pursuant to the provisions of Section 19-3-41(3).

SECTION 8. Section 41-61-59, Mississippi Code of 1972, is brought forward as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

(a) Violent death, including homicidal, suicidal or accidental death.

(b) Death caused by thermal, chemical, electrical or radiation injury.

(c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.

(d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.

(e) Death that has occurred unexpectedly or from an unexplained cause.

(f) Death of a person confined in a prison, jail or correctional institution.

(g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.

(h) Death of a person where the body is not claimed by a relative or a friend.

(i) Death of a person where the identity of the deceased is unknown.

(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

(k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.

(l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.

(m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars (\$300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars (\$300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 9. Section 41-61-75, Mississippi Code of 1972, is brought forward as follows:

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00)

if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO BRING FORWARD SECTION 9-1-43, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF CHANCERY CLERKS AND CIRCUIT CLERKS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 23-15-225, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF COUNTY REGISTRARS OF ELECTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-3, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO COMPENSATION OF COUNTY TAX ASSESSORS AND COLLECTORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-9, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CERTAIN FILING FEES CHARGED BY CHANCERY CLERKS FOR THE RECORDING OF DOCUMENTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-13, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-19, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO FEES CHARGED BY SHERIFFS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-27, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES CHARGED BY MARSHALS AND CONSTABLES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-61-59, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF COUNTY MEDICAL EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER INVESTIGATORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-61-75, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID BY THE COUNTY TO A MEDICAL EXAMINER OR HIS OR HER DEPUTY FOR FILING CERTAIN INVESTIGATION REPORTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 719 was adopted.

YEAS AND NAYS On H. B. No. 719. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**H. B. No. 1328:** Mississippi Industries for the Blind; revise authority to enter into certain agreements and contracts.

YEAS AND NAYS On H. B. No. 1328. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Carter called up the following entitled bill:

**H. B. No. 1214:** Carbon dioxide geologic sequestration; revise laws regarding.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 53-11-3, Mississippi Code of 1972, is amended as follows:

53-11-3. (1) It is declared to be in the public interest for a public purpose and the policy of Mississippi that:

(a) The geologic sequestration of carbon dioxide will benefit the citizens of the state and the state's environment.

(b) Carbon dioxide is a valuable commodity to the citizens of the state.

(c) Geologic sequestration of carbon dioxide may allow for orderly withdrawal as appropriate or necessary, thereby allowing carbon dioxide to be available for commercial, industrial, or other uses, including the use of carbon dioxide for enhanced recovery of oil and gas.

(d) The state has substantial and valuable oil and gas reserves not producible by traditional recovery techniques, but which may be producible by enhanced recovery methods.

(e) The enhanced recovery of oil and gas by the injection of carbon dioxide into oil and gas reservoirs is a proven enhanced recovery method which results in additional production of oil and gas in the State of Mississippi and the sequestration of carbon dioxide.

(f) It is for the public benefit and in the public interest that the maximum amount of the state's oil and gas reserves be produced to the extent that it is economically and technologically feasible.

(g) It is for the public benefit and in the public interest that, to the extent that it is economically and technologically feasible, carbon dioxide be injected into and stored in oil and gas reservoirs and other geologic formations in a manner protective of waters of the state as defined in Section 49-17-5(f).

(h) Providing at the election of the operator for a current or former enhanced oil or gas recovery project to qualify as a geologic sequestration project for the incidental storage of carbon dioxide will encourage enhanced oil or gas recovery projects and geologic sequestration projects and will be beneficial to the citizens of this state and will serve the public interest.

(i) Geologic sequestration of carbon dioxide is an emerging industry that has the potential to provide jobs, investment, and other economic opportunities for the people of Mississippi, and is a valuable incentive for Mississippi to attract new industry.

(j) It is the public policy of Mississippi and the purpose of this chapter to provide for a coordinated statewide program related to the geologic sequestration of carbon dioxide in reservoirs defined in this chapter; to provide procedures, in a manner fair to all interests, for the cooperative management of surface and subsurface property interests to ensure the maximum use of natural resources; and to also fulfill the state's primary responsibility for assuring compliance with the federal Safe Drinking Water Act, including any amendments thereto related to the underground injection of carbon dioxide for geologic sequestration.

(k) It is for the public benefit and in the public interest to promote projects for the secure geologic storage of carbon dioxide.

(2) The board shall have jurisdiction and authority over all persons and property necessary to enforce effectively the provisions of this chapter relating to the geologic sequestration of carbon dioxide streams and subsequent withdrawal of stored carbon dioxide streams. The board, on behalf of the State of Mississippi, shall seek primacy from the U.S. Environmental Protection Agency for Class VI underground injection control wells. The board shall enforce the law pursuant to Section 49-17-1 et seq. and shall serve as the permitting agency for Class VI underground injection control wells; and is authorized to promulgate such rules and regulations as are necessary for the development and administration of the Class VI underground injection control well program consistent with federal statutes, rules and regulations pertaining to geologic sequestration of carbon dioxide streams and assessment of fees for the development and administration of the Class VI underground injection control well program. Underground formations or strata used for the geologic sequestration of carbon dioxide that are not included in the term "reservoir" as defined in this chapter shall also be subject to the jurisdiction of the board. The board has primacy for Class II underground injection control wells and will have jurisdiction and authority over Class II underground injection control wells converted to Class VI underground injection control wells and Class VI underground injection control wells within reservoirs as defined in this chapter. All rules, regulations and standards promulgated by the board shall be consistent with the requirements of federal statutes, rules and regulations related to Class VI underground injection control wells.

SECTION 2. Section 53-11-5, Mississippi Code of 1972, is amended as follows:

53-11-5. As used in this chapter, the following terms shall have the meanings ascribed unless the context clearly indicates otherwise:

(a) "Board" means the State Oil and Gas Board created by Section 53-1-5.

(b) "Carbon dioxide" means: (i) naturally occurring carbon dioxide; (ii) geologically sourced carbon dioxide; (iii) anthropogenic carbon dioxide; or (iv) carbon dioxide stream. The term includes phases of carbon dioxide, whether fluid, liquid or gaseous, stripped, segregated, or divided from any other fluid stream thereof.

(c) "Carbon dioxide stream" means carbon dioxide that has been captured from an emission source (e.g., a power plant), plus incidental associated substances derived from the source materials and the capture process, and any substances added to the stream to enable or improve the injection process. This paragraph (c) does not apply to any carbon dioxide stream that meets the definition of hazardous waste under federal environmental laws and regulations.

(d) "Class VI underground injection control wells" means wells that are not experimental in nature, that are used for geologic sequestration of a carbon dioxide stream, either alone or in combination with injection of carbon dioxide in other forms, and which inject beneath the lowermost formation containing an underground source of drinking water.

(e) "Department" means the Mississippi Department of Environmental Quality created by Section 49-2-4.

(f) "Enhanced oil or gas recovery project" means secondary recovery, pressure maintenance, repressuring operations, cycling operations, water-flooding operations, injection of carbon dioxide or other gaseous substances or any combination thereof, or any other form of effort calculated to increase the ultimate recovery of oil or gas or both from a reservoir.

(g) "Gas" has the same meaning as provided in Section 53-1-3(d).

(h) "Geologic sequestration" means the long-term containment of a gaseous, liquid, or supercritical carbon dioxide stream in subsurface geologic formations. For purposes of this chapter, "storage" and "sequestration" have the same meaning. This term does not apply to carbon dioxide capture or transport.

(i) "Geologic sequestration facility" means a facility that receives and contains or sequesters carbon dioxide, or has done so, including:

(i) The reservoir into which carbon dioxide is injected;

(ii) Sequestration wells, monitoring wells, underground equipment, and surface buildings and equipment utilized in geologic sequestration, owned by or under the control of the storage operator; and

(iii) Other property identified by the board as part of the facility.

The reservoir component of the geologic sequestration facility includes any necessary and reasonable buffer and subsurface monitoring zones designated by the board for the purpose of ensuring the safe and efficient operation of the geologic sequestration facility for the containment or sequestration of carbon dioxide and shall be chosen to protect against escape or migration of carbon dioxide. Nothing in this definition shall prevent orderly withdrawal of the contained carbon dioxide as appropriate or

necessary to allow carbon dioxide to be available for enhanced oil or gas recovery projects or other authorized commercial, and industrial uses.

(j) "Oil" has the same meaning as provided in Section 53-1-3(c).

(k) "Oil and gas reservoir" shall mean a pool or field as defined in Section 53-1-3(e) and (f).

(l) "Owner," except when used in the phrases "working owner" or "royalty owner," shall have its ordinary, accepted meaning.

(m) "Person" means any natural person, corporation, association, partnership, limited liability company, or other entity, receiver, executor, administrator, fiduciary or representative of any kind.

(n) "Reservoir" means oil and gas reservoirs and formations above and below oil and gas reservoirs suitable for or capable of being made suitable for the injection and storage of carbon dioxide therein, or any other geologic formation suitable for or capable of being made suitable for the injection and storage of carbon dioxide therein, but only those formations for which the boundaries have been or can be delineated as provided in this chapter.

(o) "Royalty owner" means any person who possesses an interest in production of oil, gas or other commercial minerals, but who is not a "working owner" as defined in this section.

(p) "Safe Drinking Water Act" means the Safe Drinking Water Act, as amended, Title 42, Chapter 6A, Subchapter XII (42 USCS Section 300(f) et seq.).

(q) "Sequestration" means geologic sequestration as used in this chapter and may include the incidental storage of carbon dioxide associated with enhanced oil recovery or gas recovery project operations.

(r) "State" means the State of Mississippi.

(s) "Storage operator" means the person authorized by the board to operate a geologic sequestration facility.

(t) "Underground source of drinking water" means an aquifer or portion of an aquifer that supplies any public water system or that contains a sufficient quantity of ground water to supply a public water system, and currently supplies drinking water for human consumption, or that contains fewer than ten thousand (10,000) milligrams per liter total dissolved solids and is not an exempted aquifer.

(u) "Working owner" means the person who has the right to drill into and produce from any pool of oil, gas or other commercial minerals, and to appropriate the production either for himself or for himself and another or others.

SECTION 3. Section 53-11-9, Mississippi Code of 1972, is amended as follows:

53-11-9. (1) The board may enter an order, after notice and hearing pursuant to the provisions of Sections 53-1-19 through 53-1-37, approving any proposed geologic sequestration of carbon dioxide. The board shall be authorized to issue an order upon finding the following:

(a) That the reservoir sought to be used as a reservoir for the injection, storage and withdrawal of carbon dioxide is suitable and feasible for such use and in the public interest;

(b) That a majority interest, as provided in this chapter, have consented to such use in writing, or in the event that a majority has not consented, for the purpose of a preliminary technical order under this subsection (1) that must subsequently meet the requirements of Section 53-11-11(3), upon a showing by the storage operator that it has made a good-faith effort to obtain such majority consent, and that all nonconsenting owners are or will be equitably compensated;

(c) That there is no reasonable risk that the use of the reservoir for the storage of carbon dioxide will injure or endanger other formations containing fresh water, oil, gas or other commercial mineral deposits;

(d) That there is no reasonable risk that the proposed storage will endanger human lives or cause a hazardous condition to property; and

(e) In the case of a reservoir that may contain oil, gas or other commercial minerals, that either:

(i) The reservoir has been substantially depleted of all volumes of reservoir oil, gas or other commercial minerals and the requirements of Sections 53-11-11 and 53-11-13 have been satisfied; or

(ii) The reservoir has a greater value or utility as a reservoir for carbon dioxide storage than for the production of the remaining volumes of reservoir oil, gas, condensate or other commercial mineral, if any, and the requirements of Sections 53-11-11 and 53-11-13 have been satisfied.

(2) Approval of a geologic sequestration facility by the board shall provide full and complete authority for the construction, equipping and operation of the geologic sequestration facility without need of further action or grant by any person.

( \* \* \*3) Neither injection nor an order of the board shall affect ownership of the carbon dioxide or inhibit the voluntary conveyance of title to the carbon dioxide by the owner. The board may issue any necessary order to protect the title of an owner to carbon dioxide injected into a geologic sequestration facility. The carbon dioxide shall not be subject to the right of any person other than the owner of the carbon dioxide to produce, take, reduce to possession, or otherwise interfere with or exercise any control thereover. The owner of the carbon dioxide shall have no right to gas, liquid hydrocarbons, salt or other commercial minerals in any stratum or portion thereof not determined by the board to constitute an approved sequestration reservoir which are not otherwise owned or leased by the owner.

SECTION 4. Section 53-11-11, Mississippi Code of 1972, is amended as follows:

53-11-11. (1) Upon application by an operator to unitize for a geologic sequestration facility in an oil or gas reservoir that is not unitized either under this chapter or by board order under the provisions of \* \* \* Section 53-3-103 or 53-3-155, after notice as provided in Section 53-3-115, the board shall hold a hearing to consider the operation of the reservoir for the storage of carbon dioxide to determine whether the predominant result of the injection operations will be the storage of carbon dioxide or will result in an increase in the ultimate recovery of oil or gas, or both, from the proposed geologic sequestration facility. After the hearing the board may:

(a) Determine from the evidence that the reservoir has more value as a geologic sequestration facility than as an enhanced oil or gas recovery project, and as a result, the board shall enter an order for the operation of the unit as a geologic sequestration facility upon making the additional findings set forth in Section 53-11-13.

(b) Determine from the evidence that the predominant result of the injection operations will be an increase in the ultimate recovery of oil or gas or both, and as a result,

the board shall not approve the application for a geologic sequestration facility. However, this shall not prevent the board, upon application of the operator, from approving operation of an existing enhanced oil or gas recovery project simultaneously as a geologic sequestration project, recognizing the incidental storage of carbon dioxide under the provisions set forth in Section 53-11-15(1)(d).

(2) Upon application by an operator to unitize for a geologic sequestration facility in any other nonoil, nongas or noncommercial mineral-bearing reservoir that needs to be unitized, after notice as provided, the board shall hold a hearing to consider the evidence, and shall enter an order for the operation of the reservoir as a geologic sequestration facility upon making the findings set forth in Sections 53-11-9(1) and 53-11-13.

(3) An order requiring unit operations of a geologic sequestration facility shall be effective only when the unit for the geologic sequestration facility and the agreements incorporating the pertinent provisions of Section 53-11-15 have been signed, ratified, adopted or approved in writing by a majority interest of the surface interest, on the basis of, and in proportion to, the surface acreage content of the unit area, and, if separately owned, a majority interest of all rights of the subsurface reservoir, on the basis of and in proportion to the surface acreage content of the unit area, and the board has made a finding to that effect, either in the order or in a supplemental order.

(4) If the board finds under Section 53-11-9(1)(e) that a reservoir has been substantially depleted of commercially recoverable quantities of oil or gas or other commercial minerals or that the reservoir has greater utility as a reservoir for carbon dioxide storage and that the remaining conditions of Section 53-11-9(1) have been satisfied; or if the board finds that a nonoil, nongas or noncommercial mineral-bearing reservoir satisfies the conditions of Section 53-11-9(1)(a) through (d) and all other conditions the board shall require have been satisfied, the board shall issue an order approving the reservoir for the injection and storage of carbon dioxide in connection with operation of a geologic sequestration facility. An order approving any geologic sequestration facility shall be effective only when the storage rights agreement has been signed, ratified, adopted or approved in writing by a majority interest of the surface interest, on the basis of, and in proportion to, the surface acreage content of the unit area under the terms of the order; and, if separately owned, a majority interest of all rights in the underground reservoir, on the basis of, and in proportion to, the surface acreage content of the unit area. If oil, gas or commercial minerals are expected to be produced and sold or used in connection with the geologic sequestration facility in a depleted oil, gas or commercial mineral-bearing reservoir, or such a reservoir that has greater utility as a geologic sequestration facility, then a majority interest of all working owners of such oil, gas or commercial minerals, on the basis of, and in proportion to, the surface acreage content of the unit area under the terms of the order, must also consent to the allocation of the production in writing before an order approving the geologic sequestration facility shall be effective.

(5) In the event the required percentages set forth in this section have not signed, ratified or approved the respective agreements within \* \* \* twenty-four (24) months from and after the date of the order, the order requiring unit operation shall be automatically revoked.

SECTION 5. Section 53-11-31, Mississippi Code of 1972, is amended as follows:

53-11-31. Any interested person, as defined in this section, adversely affected by any provision or section of this chapter within the jurisdiction of the board or by any rule, regulation or order made by the board thereunder, or by any act done or threatened thereunder, may obtain court review and seek relief by appeal to the Chancery Court of the First Judicial District of Hinds County, Mississippi, or the chancery court of the county in which the land involved, or any part thereof, is situated. The term "interested person" \* \* \* means all mineral and royalty owners, mineral lessees, if any, and the owners

of surface on which injection or reinjection wells and other surface equipment connected with a geologic sequestration facility is or will be situated. Any interested party may appeal to the chancery court of the county in which the land involved or any part thereof is situated, if appeal is demanded within thirty (30) days from the date that the rule, regulation or order of the board is filed for record in the office of the board.

The appeal may be taken by filing notice of the appeal with the board, whereupon the board shall, under its certificate, transmit to the court appealed to all documents and papers on file in the matter, together with a transcript of the record, which documents and papers together with said transcript of the record shall be transmitted to the clerk of the chancery court of the county to which the appeal is taken.

Except as otherwise provided in this section, the appeal otherwise shall be made in accordance with the provisions of Sections 53-1-39 and 53-1-41.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE FINDINGS REGARDING GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE; TO AMEND SECTION 53-11-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF RESERVOIR; TO AMEND SECTION 53-11-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE OIL AND GAS BOARD'S AUTHORITY WHEN ENTERING AN ORDER APPROVING A GEOLOGIC SEQUESTRATION FACILITY; TO PROVIDE FOR A METHOD FOR THE BOARD TO ENTER A PRELIMINARY TECHNICAL ORDER APPROVING ANY PROPOSED GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE WHEN A MAJORITY INTEREST HAS NOT CONSENTED; TO AMEND SECTION 53-11-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD DURING WHICH A MAJORITY INTEREST MUST HAVE APPROVED IN WRITING OR THE ORDER REQUIRING UNIT OPERATION IS AUTOMATICALLY REVOKED; TO AMEND SECTION 53-11-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF INTERESTED PERSON REGARDING APPEALS TO CHANCERY COURT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1214 was adopted.

YEAS AND NAYS On H. B. No. 1214. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Simmons D. T. (12th) called up the following entitled bill:

**H. B. No. 616:** Menaced property; authorize municipalities to secure abandoned or dilapidated buildings on such property.

YEAS AND NAYS On H. B. No. 616. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour moved that the rules be suspended to move to calendar item 44, **H. B. No. 677**, and the motion prevailed.

Senator Seymour called up the following entitled bill:

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification.

Senator Seymour offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 35-3-21, Mississippi Code of 1972, is amended as follows:

35-3-21. In order to maintain offices and pay personnel for the purpose of assisting all residents of the State of Mississippi who served in the military or naval forces of the United States during any war, their relatives, beneficiaries or dependents, to receive from the United States any and all compensation, hospitalization, insurance or other aid or benefits to which they may be entitled under existing or hereafter enacted laws of the United States, the boards of supervisors in the various counties in the state are hereby authorized and empowered, in their discretion, to expend out of the general county fund, or special veterans' fund herein authorized to be set up, or from both of such funds, such monies necessary to defray the office operating expenses and salary of the county veteran service officers.

Two (2) or more counties may, upon resolution duly adopted by the board of supervisors of each of such counties, agree to establish one (1) veteran service office for all of such counties. When two (2) or more counties enter into such an agreement, each county shall pay such amount mutually agreed upon and duly adopted by resolution of the respective boards of supervisors.

County veteran service officers shall be (a) honorably discharged or honorably released veterans; (b) the surviving spouse or child of any such deceased veteran; or (c) any person employed as a county veteran service officer in any county of this state on March 30, 1990. From and after July 1, 1990, county veteran service officers shall be certified by the Mississippi State Veterans Affairs Board which, among any other criteria it may establish, shall require such officers to (a) attend one (1) of the annual training programs provided for such officers by the Mississippi State Veterans Affairs Board, (b)

successfully complete a written examination each year on the duties and responsibilities of and assistance available to such officers and veterans, (c) have certification and be accredited according to 38 CFR Section 14.629 administered by the Mississippi State Veterans Affairs Board, and (d) follow the rules and regulations promulgated by the Mississippi State Veterans Affairs Board. County veteran service officers who annually receive and complete such instruction in a manner satisfactory to the Veterans Affairs Board and in accordance with this section shall be certified by the board. No county veteran service officer shall be entitled to receive any compensation for his services, to which he is otherwise entitled by law, unless he is annually certified by the board. Persons who cannot meet the accreditation standards of hours worked for county veteran service officers may be certified by the Mississippi State Veterans Affairs Board as Veterans Resource Advisors and be entitled to receive any compensation for his services as authorized by law.

County veteran service officers may be employed, in the discretion of the boards of supervisors, either full time or part time.

The boards of supervisors of the various counties are authorized and directed to provide necessary office space and communications connectivity for county veteran service officers.

The boards of supervisors of the various counties are further authorized and empowered to pay all necessary and actual expenses of county veteran service officers who attend a school of instruction within the State of Mississippi for such county veteran service officers.

It shall also be the duty of the boards of supervisors to aid the United States to defeat all unjust claims for aid or benefit therefrom.

Such expenditures may be made by the several counties acting alone, or in cooperation with other counties, and in cooperation with any federal or state agency carrying out such purposes.

In the event that the general revenues of the county levied under and within the limits of existing taxing statutes are not sufficient to pay the expenses authorized herein, the board of supervisors may, in its discretion, levy an additional tax not to exceed one (1) mill on all taxable property in the county to defray such expenses or any part thereof. Any tax levy made under authority of this chapter shall not be considered in refunding homestead exemption losses under Title 27, Chapter 33, Mississippi Code of 1972.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL VETERANS RESOURCE ADVISORS TO BE CERTIFIED BY THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD AND BE ENTITLED TO COMPENSATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 677 was adopted.

YEAS AND NAYS On H. B. No. 677. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 1132:** Private food service; authorize Department of Finance and Administration to solicit proposals for certain state properties.

YEAS AND NAYS On H. B. No. 1132. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Trustees of State Institutions of Higher Learning, acting by and through the University of Southern Mississippi, may lease portions of the property administered by the Mississippi State Port Authority at Gulfport.

(2) The University of Southern Mississippi may enter into subleases with public and/or private entities for all or part of such property.

(3) The University of Southern Mississippi, acting with the approval of the Board of Trustees of State Institutions of Higher Learning, may negotiate all aspects of any lease and sublease of such property and any terms and ancillary agreements pertaining to any lease and sublease of such property as may be reasonably necessary to effectuate the intent and purposes of this section and to ensure a fair and equitable return to the state.

(4) Any lease and sublease as provided for in this section and approved and entered into by the University of Southern Mississippi shall not exceed a term of forty (40)

years and shall not be cancelled by any successor boards on the basis of the binding successor doctrine.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1247 was adopted.

YEAS AND NAYS On H. B. No. 1247. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Turner-Ford called up the following entitled bill:

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 386, Laws of 2017, as amended by Section 3, Chapter 449, Laws of 2018, as last amended by Sections 1 and 2, Chapter 363, Laws of 2019, is amended as follows:

Section 3. (1) The Department of Finance and Administration is authorized to transfer and convey to the Marion County Economic Development District certain real property located at Columbia Training School in Marion County, Mississippi. The real property contains approximately 1,148.92 acres, more or less, and is more particularly described as follows:

Parcel 1 Description:

Commencing at a found iron pin at the Northwest Corner of Section 15, Township 4 North, Range 18 West, thence South 88 degrees 44 minutes 13 seconds East a distance of 1,320.20 feet to the NE corner of the NW  $\frac{1}{4}$  of the of the NW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West and the point beginning, thence South 88 degrees 44 minutes 13 seconds East a distance of 4,066.30 feet to the NE corner of Section 15, Township 4 North, Range 18 West, thence South 00 degrees 05 minutes 56 seconds West a distance of 242.83 feet along the East line of Section

15, Township 4 North, Range 18 West, thence South 47 degrees 12 minutes 45 seconds West a distance of 4,789.95 feet along the north boundary of the Columbia-Marion County Airport Authority property, thence South 44 degrees 56 minutes 53 seconds West a distance of 761.75 feet along the north boundary of the Columbia-Marion County Airport Authority property to the center of the SW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West, thence North 00 degrees 09 minutes 35 seconds East a distance of 4,125.33 feet to the NE corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West back to an iron pin and the point of beginning, Said parcel containing 202.11 acres, more or less.

Parcel 2 Description:

Commencing at a found pine stake at the Southeast Corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 00 degrees 05 minutes 56 seconds East a distance of 6,028.64 feet to a point on the East line of Section 22, Township 4 North, Range 18

West to the point beginning, thence South 89 degrees 44 minutes 33 seconds West a distance of 4,068.43 feet to the SE corner of the N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the of the NW  $\frac{1}{4}$  of Section 22, Township 4 North, Range 18 West, thence North 00 degrees 49 minutes 42 seconds East a distance of 1,648.69 feet to the South boundary of Columbia-Marion County Airport Authority Property, thence North 62 degrees 00 minutes 33 seconds East a distance of 1,448.60 feet along the South boundary of the Columbia-Marion County Airport Authority Property, thence North 59 degrees 44 minutes 40 seconds East a distance of 3,023.35 feet along the South boundary of the Columbia-Marion County Airport Authority Property to a point on the East line of Section 15, Township 4 North, Range 18 West, thence South 00 degrees 05 minutes 56 seconds West a distance of 3,918.86 feet to a point on the east line of Section 22, Township 4 North, Range 18 West back to the point of beginning, Said parcel containing 256.81 acres, more or less.

Parcel 3 Description:

Beginning at a found pine stake at the Southeast Corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 89 degrees 42 minutes 39 seconds West a distance of 1,323.60 feet to the NW corner of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 27, Township 4

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North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 1,320.0 feet to the SW corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence South 89 degrees 42 minutes 39 seconds East a distance of 662.10 feet to the NE

corner of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 1,320.0 feet to the SE corner of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence

South 89 degrees 42 minutes 37 seconds East a distance of 662.50 feet to the SE corner of Section 27, Township 4 North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 114.57 feet to a point on the north right of way line of Old Highway 44,

thence South 84 degrees 05 minutes 37 seconds West a distance of 2,278.91 feet along said north right of way, thence South 82 degrees 30 minutes 32 seconds West a distance of 1,164.47 feet along said north right of way, thence South 73 degrees 56 minutes 48 seconds West a distance of 1,400.42 feet along said north right of way, thence South 64 degrees 06 minutes 42 seconds West a distance of 277.68 feet along said north right of way, thence South 38 degrees 11 minutes 49 seconds West a distance of 240.36 feet along said north right of way, thence South 38 degrees 11 minutes 49 seconds West a distance of 69.88 feet along said north right of way to the north line of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 34, Township 4 North, Range 18 West, thence South 89 degrees 45 minutes 36 seconds West a distance of 127.05 feet to the NW corner of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 34, Township 4 North, Range 18 West, thence North 00 degrees 04 minutes 10 seconds West a distance of 3,929.52 feet to the NW corner of the SW  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 89 degrees 49 minutes 47 seconds West a distance of 1,294.10 feet to the NE corner NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 28, Township 4 North, Range 18 West, thence North 00 degrees 16 minutes 38 seconds West a distance of 2,649.20 feet to the NE corner of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 28, Township 4 North, Range 18 West. thence East a distance of 265.82 feet to the west right of way line of Airport Road, thence along said west right of way line as follows: thence South 42 degrees 05 minutes 14 seconds East a distance of 107.03 feet, thence South 27 degrees 31 minutes 10 seconds East a distance of 185.56 feet, thence South 21 degrees 40 minutes 56 seconds East a distance of 1,482.37 feet, thence North 43 degrees 56

minutes 03 seconds East a distance of 497.83 feet crossing Airport Road and running along the south boundary of Marion County Economic Development District property, thence continuing along said south boundary North 43 degrees 58 minutes 36 seconds East a distance of 1,761.55 feet to the north line of Section 27 Township 4 North, Range 18 West. thence run East a distance of 4,097.68 feet to the NE corner of Section 27, Township 4 North, Range 18 East, thence South 00 degrees 05 minutes 56 seconds West a distance of 2,684.70 feet along the east line of Section 27, Township 4 North, Range 18 West back to the point of beginning said parcel containing 690.0 acres, more or less.

(2) The State of Mississippi shall retain any mineral rights to the property transferred and conveyed under subsection (1) of this section. The Department of Finance and Administration shall have the authority to correct any discrepancies in the property descriptions provided in subsection (1) of this section.

(3) The parcels of property conveyed under this section must be conveyed to the Marion County Economic Development District without any assumption of liability or financial responsibility by the State of Mississippi for any known or unknown environmental defects contained thereon. Upon receipt of the deed of title to the property, the Marion County Economic Development District shall indemnify the State of Mississippi for any damage, injury or loss.

(4) Upon sale or conveyance of the parcels of property conveyed hereunder, the Marion County Economic Development District shall first be reimbursed for out-of-pocket expenses for development of the parcels of property for water, sewer, roads, bridges, and electrical, and any remaining funds from the sale or conveyance shall be divided equally between the Marion County Economic Development District and the state.

(5) The parcels of property conveyed hereunder shall be sold for not less than the fair market value as determined by the average of at least two (2) appraisals by qualified appraisers, one (1) of which shall be selected by the Department of Finance and Administration and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

SECTION 2. Section 43-27-39, Mississippi Code of 1972, is amended as follows:

43-27-39. (1) The purpose of this section is to ensure that Mississippi's juvenile justice system is cost-efficient and effective at reducing juvenile crime and to create a continuum of options for Mississippi's youth court judges so that they are better equipped to protect our communities and to care for our children.

(2) The Columbia Training School shall no longer operate as a secure training school for juvenile delinquents. All youth, both male and female, committed to the custody of the Department of Human Services and adjudicated to training school shall be housed at the Oakley Youth Development Center. The Oakley Youth Development Center shall provide gender-specific treatment for youth who are adjudicated delinquent.

(3) Any portion of Columbia Training School property and facilities described in Section 1 of Chapter 553, Laws of 2012, may be conveyed or transferred to the Board of Supervisors of Marion County, Mississippi.

(4) Any portion of Columbia Training School property and facilities described in Section 2 of Chapter 386, Laws of 2017, may be conveyed or transferred to the Marion County Economic Development District for the purposes prescribed under that section.

(5) Any portion of Columbia Training School property and facilities described in Section 1 of this act may be conveyed or transferred to the Marion County Economic Development District.

SECTION 3. Section 19-5-99, Mississippi Code of 1972, is brought forward as follows:

19-5-99. (1) Subject to the provisions of Section 19-9-111, the board of supervisors of any county in the State of Mississippi, in its discretion, by order duly entered on its minutes, may establish economic development districts comprising all of the county, or one or more supervisors districts of the county, or may establish such economic development districts in cooperation with one or more other counties or with municipalities or with other local and private economic development groups. The board of supervisors may do everything within its power to secure and further industrial development of the

county or counties or district, to advertise the natural resources and possibilities of the same, and to maintain and support the same.

All monies collected for the support and maintenance of such economic development district, in accordance with the tax levy provided in Section 19-9-111, shall be placed in the county treasury to the credit of the county or district economic development fund and shall be expended as other public funds are expended, and in which event the employees of such economic development district shall be employees of the county and considered as such. In addition to such funds provided by taxation, the board of supervisors of such county may accept gifts, gratuities and donations from municipalities in such districts and from any persons, firms or corporations desiring to make such donations. Such appropriation, gift or donation shall also be placed in the county treasury and be expended in the support and maintenance of such district.

At the option of such board of supervisors, or boards of supervisors if more than one (1) county is embraced in such economic development district, it may provide for the management of such economic development district by appointing not more than twenty-five (25) nor less than five (5) trustees, or if a multicounty district not more than five (5) trustees per participating county, who shall be qualified electors residing within such economic development district, to manage the affairs of such district, and in which event the funds made available by the county or counties for the support and maintenance of such economic development district may be expended by a majority vote of such trustees so appointed to manage such economic development district. Each trustee who is an officer of the economic development district shall qualify by giving bond, with sufficient surety, to be payable, conditioned and approved as provided by law, in a penalty equal to Fifty Thousand Dollars (\$50,000.00), the premiums on all such surety bonds being paid by such economic development district. If this option is exercised and such districts operated and maintained under this paragraph, then in such event the employees of such economic development district shall not be considered as employees of the county for state retirement or any other purposes.

All funds secured and expended under the provisions of this section shall be public funds and the Auditor of Public Accounts of the State of Mississippi shall audit the same as other public funds are now audited.

Notwithstanding any provision of this section to the contrary, the board of supervisors of a county having therein an economic development district established under this section or any other law and the governing authorities of any municipality located within the economic development district in such county may enter into a contract providing for the contribution of funds by the municipality or other local and private economic development groups to the economic development district and providing for the appointment by the municipal governing authorities or other local and private economic development groups of a number of trustees, as determined by the parties to the contract, to assist in the management of the district. In like manner, any economic or industrial development foundation or private economic development group may enter into a contract with the board of supervisors of the county or jointly with the board of supervisors of the county and municipal governing authorities providing for the contribution of funds by the economic or industrial development foundation or private economic development group to the economic development district and providing for the appointment by the officials or governing board of the foundation of a number of trustees, as determined by the parties to the contract, to assist in the management of the district.

(2) Any economic development district established under this section may, when suitable office space is not otherwise available, purchase and acquire title to real estate within the district and make any improvements thereon to provide the office space it considers necessary for efficient operation of such district. Provided, however, that no contract or agreement for the exclusive listing, sale or representation for sale of publicly owned property shall be entered into by such economic development districts with any real estate broker or brokers.

(3) (a) Any economic development district established under this section shall have the authority to acquire by gift, purchase or otherwise, and to own, hold, maintain, control and develop real estate situated within the county or counties comprising such district for the development, use and operation of industrial parks or other industrial development purposes. The district is further authorized and empowered to engage in works of internal improvement therefor including, but not limited to, construction or contracting for the construction of streets, roads, railroads, spur tracks, site improvements, water, sewerage, drainage, pollution control and other related facilities necessary or required for industrial development purposes or the development of industrial park complexes; to acquire, purchase, install, lease, construct, own, hold, equip, control, maintain, use, operate and repair other structures and facilities necessary and convenient for the planning, development, use, operation and maintenance of an industrial park or parks or for other industrial development purposes, including, but not limited to, utility installations, elevators, compressors, warehouses, buildings and air, rail and other transportation terminals and pollution control facilities.

(b) Contracts for the construction, improvement, equipping or furnishing of an industrial site and improvements thereon as authorized in this section shall be entered into upon the basis of public bidding under Section 31-7-1 et seq.

(4) For the development of such projects, the board of supervisors of any county that establishes an economic development district under this section or that establishes an economic development district in cooperation with one or more other counties, or municipalities or other local and private economic groups, may, upon receipt of a resolution duly adopted by the trustees of such district, issue, secure and manage its bonds in the manner prescribed by Sections 19-9-5, 19-9-7, 19-9-9, 19-9-11, 19-9-13, 19-9-15, 19-9-17, 19-9-19, 19-9-21, 19-9-23, 19-9-25 and 19-9-29. Such bonds shall be sold in accordance with the provisions of Section 31-19-25. The full faith, credit and resources of the county shall be irrevocably pledged for the payment of the principal of and interest on the bonds issued under this section. Any income derived from the sale or lease of the property authorized to be acquired under this section shall be applied in one or more of the following manners: (a) the retirement of bonds authorized to be issued under this section; (b) further improvement or development of such industrial parks or other related industrial development activities; or (c) payment into the general fund of the county to be used for any lawful purpose. Any amounts so paid into the general fund shall be included in the computation of total receipts and subject to the restrictions of Section 27-39-321. The board of supervisors may covenant with or for the benefit of the registered owners of any bonds issued under this section with respect to the application of any or all of such income and shall, by resolution adopted before or promptly after receipt of any such income, determine, in its discretion subject only to the restrictions set forth above and any covenants made to or for the benefit of any registered owners of bonds issued under this section, the manner in which such income shall be applied.

The bonds authorized by this section and the income therefrom shall be exempt from all taxation in the State of Mississippi; however, any lessee or purchaser shall not be exempt from ad valorem taxes on industrial sites and improvements thereon unless otherwise provided by the general laws of this state, and purchases required to establish the project and financed by bond proceeds shall not be exempt from taxation in the State of Mississippi.

(5) Economic development districts established under this section are authorized and empowered:

(a) To sell, lease, trade, exchange or otherwise dispose of industrial sites or rail lines situated within industrial parks to individuals, firms or corporations, public or private, for industrial and warehouse use upon such terms and conditions, and for such considerations, with such safeguards as will best promote and protect the public interest, convenience and necessity, and to execute deeds, leases, contracts, easements and

other legal instruments necessary or convenient therefor. Any industrial lease may be executed by the district upon such terms and conditions and for such monetary rental or other considerations as may be found to be in the best interest of the public, upon an order or resolution being spread upon the minutes of the district authorizing same.

(b) To sue and be sued in their own name.

(c) To fix and prescribe fees, charges and rates for the use of any water, sewerage, pollution control or other facilities constructed and operated in connection with an industrial park or parks and to collect same from persons, firms and corporations using the same for industrial, warehouse and related purposes and are further empowered to deny or terminate such services for nonpayment of said fees, charges or rates by the users of said services.

(d) To employ engineers, attorneys, accountants, consultants, licensed real estate brokers and appraisers, and such executive and administrative personnel as shall be reasonably necessary to carry out the duties and authority authorized by this section with funds available for such purposes. Such districts may also contribute money directly to the development and cost of operation of any industrial development foundation or other private economic development group in the county.

(6) Any county board of supervisors authorized to issue bonds under this section is hereby authorized, either separately or jointly with the governing authority of any municipality within the county, to acquire, enlarge, expand, renovate or improve an existing building or buildings located in the county or municipality and to issue bonds for such purpose in the manner provided by this section.

(7) Economic development districts established under the provisions of a local and private act enacted before July 1, 1997, are authorized and empowered to employ engineers, attorneys, accountants, consultants, licensed real estate brokers and appraisers, and such executive and administrative personnel as shall be reasonably necessary to carry out the duties and authority authorized by this section, or by such local and private act, with funds available for such purposes.

(8) The enumeration of any specific rights and powers contained in this section where followed by general powers shall not be construed in a restrictive sense, but rather in as broad and comprehensive a sense as possible to effectuate the purposes of this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, AS LAST AMENDED BY SECTIONS 1 AND 2, CHAPTER 363, LAWS OF 2019, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT; TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTION 19-5-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ESTABLISHMENT OF ECONOMIC DEVELOPMENT DISTRICTS; AND FOR RELATED PURPOSES.

Senators Turner-Ford and Hill offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following after line 168:

(6) The Columbia-Marion County Airport Authority and the Marion County Economic Development District shall provide the Mississippi Department of Human Services six (6) months to harvest and sell any timber located on the property transferred using a company of the department's preference prior to any improvement or development being made on the property by such entities, the revenue generated from which shall be deposited into the State Treasury and earmarked for use by the Department of Human Services for all administrative and program purposes deemed necessary by the executive director. The State of Mississippi shall retain timber rights to any nonharvested timber remaining on the property described in subsections (1) and (2) of this section. The revenue generated from the harvest and sale of the remaining timber shall be deposited into the State Treasury.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1343 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1343 was adopted.

YEAS AND NAYS On H. B. No. 1343. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 1131:** Secretary of State; authorize to enter into agreements with online providers to conduct online auctions of state-forfeited tax land.

YEAS AND NAYS On H. B. No. 1131. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

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Senator DeBar called up the following entitled bill:

**H. B. No. 1240:** MCOPS programs; authorize training for to provide at any approved training academy in the state.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND by inserting the following language on line 148 and renumber subsequent sections accordingly:

SECTION \*. Section 37-7-345, Mississippi Code of 1972, is amended as follows:

37-7-345. (1) A regional educational service agency (RESA) may be established in a region of the state when twelve (12) or more school districts determine there are benefits and services that can be derived from the collective and collaborative formation of an agency for the purpose of pooling and leveraging resources for the common benefit of students, teachers, administrators and taxpayers. An educational service agency shall be incorporated in the State of Mississippi and organized under the laws of the State of Mississippi as a nonprofit corporation. The educational service agency shall obtain 501(c)(3) status with the Internal Revenue Service.

(2) The operation and management of the educational service agency shall be the responsibility of a public advisory board composed of the superintendents of schools or their designees from each participating school district.

(3) A board of directors shall be elected on an annual basis from the advisory board to oversee the day-to-day operations of the agency.

(4) The executive board shall hire an executive director to serve as the executive agent of the board of the regional educational service agency.

(5) The board of directors of a regional educational service agency shall have the authority to establish policies for the regional educational service to determine the programs and services to be provided, to employ staff, to prepare and expend the budget, to provide for financing programs and projects of the regional educational service agency, and to annually evaluate the performance of the agency. The board may purchase, hold, encumber and dispose of real property, in the name of the agency, for use as its office or for any educational service provided by the agency.

(6) The educational service agency is authorized and empowered to: develop, manage and provide support services and/or programs as determined by the needs of the local school districts and pre-school programs to prepare students for entry into public schools. Educational service agencies (ESAs) shall:

(a) Act primarily as service agencies in providing services and/or programs as identified and requested by member school districts and state agencies such as the Mississippi Department of Education and the Mississippi Department of Human Services (services may include, but are not limited to, professional development, instructional materials, educational technology, curriculum development and alternative educational programs);

(b) Provide for economy, efficiency and cost-effectiveness in the cooperative delivery and purchase or lease of educational services, materials and products (services may include, but are not limited to, purchasing cooperatives, insurance cooperatives, business manager services, auditing and accounting services, school safety/risk prevention, and data processing and student records);

(c) Provide administrative services (services may include, but are not limited to, communications/public information, employee background checks, grants management, printing/publications and internships);

(d) Provide educational services through leadership, research and development in pre-school, elementary and secondary education;

(e) Act in a cooperative and supportive role, including contracting, with the Mississippi Department of Education, Mississippi Institutions of Higher Learning, Mississippi community colleges and other state educational organizations in the development and implementation of long-range plans, strategies and goals for the enhancement of educational opportunities in pre-school, elementary and secondary education; and

(f) Serve, when appropriate and as funds become available, as a repository, clearinghouse and administrator of federal, state, local and private funds on behalf of school districts which choose to participate in special programs, projects or grants in order to enhance the quality of education in Mississippi schools.

(7) The State Board of Education shall have the authority to contract with and provide funds to regional educational service agencies for any education-related service.

FURTHER, AMEND the title to conform.

Amendment No. 1 to H. B. No. 1240 was adopted.

YEAS AND NAYS On H. B. No. 1240. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

**H. B. No. 1416:** "Student Protected Equal Access Rights Act"; establish to provide students to organize partisan political groups in public schools.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Students in public schools may engage in political activities or political or philosophical expression before, during and after the school day in the same manner and to the same extent that students may engage in nonpolitical activities or expression. Students may organize partisan or nonpartisan political groups, political clubs, political rallies, or other politically themed gatherings before, during and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Partisan and nonpartisan political groups must be given the same access to

school facilities for assembling as is given to other noncurricular groups without discrimination based on the political content of the students' expression.

SECTION 2. (1) It shall be unlawful for any public school which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the political, philosophical, ideological or other content of the speech at such meetings.

(2) Nothing in this act shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.

SECTION 3. If any provision of this act or the application thereof to any person or circumstances is judicially determined to be invalid, the provisions of the remainder of the act and the application to other persons or circumstances shall not be affected thereby.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO ALLOW STUDENTS IN PUBLIC SCHOOLS TO ENGAGE IN POLITICAL ACTIVITIES OR PHILOSOPHICAL EXPRESSION BEFORE, DURING AND AFTER THE SCHOOL DAY IN THE SAME MANNER AND TO THE SAME EXTENT THAT STUDENTS MAY ENGAGE IN NONPOLITICAL ACTIVITIES OR EXPRESSIONS; TO ALLOW STUDENTS TO ORGANIZE PARTISAN OR NONPARTISAN POLITICAL GROUPS, POLITICAL CLUBS, POLITICAL RALLIES, OR OTHER POLITICALLY THEMED GATHERINGS BEFORE, DURING AND AFTER SCHOOL TO THE SAME EXTENT THAT STUDENTS ARE PERMITTED TO ORGANIZE OTHER NONCURRICULAR STUDENT ACTIVITIES AND GROUPS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF THE SCHOOL, ITS AGENTS OR EMPLOYEES, TO MAINTAIN ORDER AND DISCIPLINE ON SCHOOL PREMISES, TO PROTECT THE WELL-BEING OF STUDENTS AND FACULTY, AND TO ASSURE THAT ATTENDANCE OF STUDENTS AT MEETINGS IS VOLUNTARY; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1416 was adopted.

YEAS AND NAYS On H. B. No. 1416. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**H. B. No. 732:** State Commission on the 9-8-8 Comprehensive Behavioral Health Crisis Response System; create.

YEAS AND NAYS On H. B. No. 732. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Bryan called up the following entitled bill:

**H. B. No. 424:** Audiology and speech-language pathology interstate compact; create.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Audiology and Speech-Language Pathology Interstate Compact is enacted into law and entered into by this state with any and all states legally joining in the Compact in accordance with its terms, in the form substantially as follows:

#### AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT

##### SECTION 1.

##### PURPOSE

The purpose of this Compact is to facilitate interstate practice of audiology and speech-language pathology with the goal of improving public access to audiology and speech-language pathology services. The practice of audiology and speech-language pathology occurs in the state where the patient/client/student is located at the time of the patient/client/student encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This Compact is designed to achieve the following objectives:

1. Increase public access to audiology and speech-language pathology services by providing for the mutual recognition of other member state licenses;
2. Enhance the states' ability to protect the public's health and safety;
3. Encourage the cooperation of member states in regulating multistate audiology and speech-language pathology practice;
4. Support spouses of relocating active duty military personnel;

5. Enhance the exchange of licensure, investigative and disciplinary information between member states;
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards; and
7. Allow for the use of telehealth technology to facilitate increased access to audiology and speech-language pathology services.

## SECTION 2.

### DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

1. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC Chapters 1209 and 1211.
2. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against an audiologist or speech-language pathologist, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.
3. "Alternative program" means a nondisciplinary monitoring process approved by an audiology or speech-language pathology licensing board to address impaired practitioners.
4. "Audiologist" means an individual who is licensed by a state to practice audiology.
5. "Audiology" means the care and services provided by a licensed audiologist as set forth in the member state's statutes and rules.
6. "Audiology and Speech-Language Pathology Compact Commission" or "Commission" means the national administrative body whose membership consists of all states that have enacted the Compact.
7. "Audiology and speech-language pathology licensing board," "audiology licensing board," "speech-language pathology licensing board," or "licensing board" means the agency of a state that is responsible for the licensing and regulation of audiologists and/or speech-language pathologists.
8. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech-language pathologist in the remote state under its laws and rules. The practice of audiology or speech-language pathology occurs in the member state where the patient/client/student is located at the time of the patient/client/student encounter.
9. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech-language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

10. "Data system" means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, compact privilege and adverse action.

11. "Encumbered license" means a license in which an adverse action restricts the practice of audiology or speech-language pathology by the licensee and the adverse action has been reported to the National Practitioners Data Bank (NPDB).

12. "Executive Committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

13. "Home state" means the member state that is the licensee's primary state of residence.

14. "Impaired practitioner" means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

15. "Licensee" means an individual who currently holds an authorization from the state licensing board to practice as an audiologist or speech-language pathologist.

16. "Member state" means a state that has enacted the Compact.

17. "Privilege to practice" means a legal authorization permitting the practice of audiology or speech-language pathology in a remote state.

18. "Remote state" means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

19. "Rule" means a regulation, principle or directive promulgated by the Commission that has the force of law.

20. "Single-state license" means an audiology or speech-language pathology license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

21. "Speech-language pathologist" means an individual who is licensed by a state to practice speech-language pathology.

22. "Speech-language pathology" means the care and services provided by a licensed speech-language pathologist as set forth in the member state's statutes and rules.

23. "State" means any state, commonwealth, district or territory of the United States of America that regulates the practice of audiology and speech-language pathology.

24. "State practice laws" means a member state's laws, rules and regulations that govern the practice of audiology or speech-language pathology, define the scope of audiology or speech-language pathology practice, and create the methods and grounds for imposing discipline.

25. "Telehealth" means the application of telecommunication, audio-visual or other technologies that meet the applicable standard of care to deliver audiology or speech-language pathology services at a distance for assessment, intervention and/or consultation.

SECTION 3.

## STATE PARTICIPATION IN THE COMPACT

A. A license issued to an audiologist or speech-language pathologist by a home state to a resident in that state shall be recognized by each member state as authorizing an audiologist or speech-language pathologist to practice audiology or speech-language pathology, under a privilege to practice, in each member state where the licensee obtains such a privilege.

B. A state must implement or utilize procedures for considering the criminal history records of applicants for initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

1. A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions.

2. Communication between a member state, the Commission and among member states regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.

C. Upon application for a privilege to practice, the licensing board in the issuing remote state shall ascertain, through the data system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or privilege to practice held by the applicant, whether any adverse action has been taken against any license or privilege to practice held by the applicant.

D. Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as, all other applicable state laws.

E. For an audiologist:

1. Must meet one (1) of the following educational requirements:

a. On or before December 31, 2007, has graduated with a master's degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

b. On or after January 1, 2008, has graduated with a doctoral degree in audiology, or equivalent degree, regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

c. Has graduated from an audiology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable

country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program;

2. Has completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the Commission;

3. Has successfully passed a national examination approved by the Commission;

4. Holds an active, unencumbered license;

5. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law; and

6. Has a valid United States Social Security or National Practitioner Identification number.

F. For a speech-language pathologist:

1. Must meet one (1) of the following educational requirements:

a. Has graduated with a master's degree from a speech-language pathology program that is accredited by an organization recognized by the United States Department of Education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board; or

b. Has graduated from a speech-language pathology program that is housed in an institution of higher education outside of the United States (a) for which the program and institution have been approved by the authorized accrediting body in the applicable country and (b) the degree program has been verified by an independent credentials review agency to be comparable to a state-licensing board-approved program;

2. Has completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the Commission;

3. Has completed a supervised postgraduate professional experience as required by the Commission;

4. Has successfully passed a national examination approved by the Commission;

5. Holds an active, unencumbered license;

6. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of speech-language pathology, under applicable state or federal criminal law; and

7. Has a valid United States Social Security or National Practitioner Identification number.

G. The privilege to practice is derived from the home state license.

H. An audiologist or speech-language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of audiology and speech-language pathology shall include all audiology and speech-language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology

and speech-language pathology in a member state under a privilege to practice shall subject an audiologist or speech-language pathologist to the jurisdiction of the licensing board, the courts and the laws of the member state in which the client is located at the time service is provided.

I. Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech-language pathology in any other member state. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.

J. Member states may charge a fee for granting a compact privilege.

K. Member states must comply with the bylaws and rules and regulations of the Commission.

#### SECTION 4.

##### COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the Compact, the audiologist or speech-language pathologist shall:

1. Hold an active license in the home state;
2. Have no encumbrance on any state license;
3. Be eligible for a compact privilege in any member state in accordance with Section 3 of this Compact;
4. Have not had any adverse action against any license or compact privilege within the previous two (2) years from date of application;
5. Notify the Commission that the licensee is seeking the compact privilege within a remote state(s);
6. Pay any applicable fees, including any state fee, for the compact privilege; and
7. Report to the Commission adverse action taken by any nonmember state within thirty (30) days from the date the adverse action is taken.

B. For the purposes of the compact privilege, an audiologist or speech-language pathologist shall only hold one (1) home state license at a time.

C. Except as provided in Section 6 of this Compact, if an audiologist or speech-language pathologist changes primary state of residence by moving between two-member states, the audiologist or speech-language pathologist must apply for licensure in the new home state, and the license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the Commission.

D. The audiologist or speech-language pathologist may apply for licensure in advance of a change in primary state of residence.

E. A license shall not be issued by the new home state until the audiologist or speech-language pathologist provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from the new home state.

F. If an audiologist or speech-language pathologist changes primary state of residence by moving from a member state to a nonmember state, the license issued by the prior home state shall convert to a single-state license, valid only in the former home state and the privilege to practice in any member state is deactivated in accordance with the rules promulgated by the Commission.

G. The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection A of this section to maintain the compact privilege in the remote state.

H. A licensee providing audiology or speech-language pathology services in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

I. A licensee providing audiology or speech-language pathology services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens.

J. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

1. The home state license is no longer encumbered; and
2. Two (2) years have elapsed from the date of the adverse action.

K. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection A of this section to obtain a compact privilege in any remote state.

L. Once the requirements of subsection J of this section have been met, the licensee must meet the requirements in subsection A of this section to obtain a compact privilege in a remote state.

#### SECTION 5.

##### COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

A. Member states shall recognize the right of an audiologist or speech-language pathologist, licensed by a home state in accordance with Section 3 of this Compact and under rules promulgated by the Commission, to practice audiology or speech-language pathology in any member state via telehealth under a privilege to practice as provided in the Compact and rules promulgated by the Commission.

B. A licensee providing audiology or speech-language pathology services in a remote state under the compact privilege shall function within the laws and regulations of the state where the patient/client is located.

#### SECTION 6.

##### ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state.

## SECTION 7.

## ADVERSE ACTIONS

A. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that member state.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against a audiologist's or speech-language pathologist's license issued by the home state.

B. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

C. The home state shall complete any pending investigations of an audiologist or speech-language pathologist who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the data system shall promptly notify the new home state of any adverse actions.

D. If otherwise permitted by state law, the member state may recover from the affected audiologist or speech-language pathologist the costs of investigations and disposition of cases resulting from any adverse action taken against that audiologist or speech-language pathologist.

E. The member state may take adverse action based on the factual findings of the remote state, provided that the member state follows the member state's own procedures for taking the adverse action.

F. Joint investigations.

1. In addition to the authority granted to a member state by its respective audiology or speech-language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

G. If adverse action is taken by the home state against an audiologist's or speech language pathologist's license, the audiologist's or speech-language pathologist's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose

adverse action against an audiologist's or speech language pathologist's license shall include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.

H. If a member state takes adverse action against a licensee, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state and any remote states in which the licensee has a privilege to practice of any adverse actions by the home state or remote states.

I. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

#### SECTION 8.

##### ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION

A. The Compact member states hereby create and establish a joint public agency known as the Audiology and Speech-Language Pathology Compact Commission:

1. The Commission is an instrumentality of the Compact states.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, voting and meetings.

1. Each member state shall have two (2) delegates selected by that member state's licensing board. The delegates shall be current members of the licensing board. One (1) shall be an audiologist and one (1) shall be a speech-language pathologist.

2. An additional five (5) delegates, who are either a public member or board administrator from a state licensing board, shall be chosen by the Executive Committee from a pool of nominees provided by the Commission at Large.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state licensing board shall fill any vacancy occurring on the Commission, within ninety (90) days.

5. Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission.

6. A delegate shall vote in person or by other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The Commission shall have the following powers and duties:

1. Establish the fiscal year of the Commission;
2. Establish bylaws;
3. Establish a Code of Ethics;
4. Maintain its financial records in accordance with the bylaws;
5. Meet and take actions as are consistent with the provisions of this Compact and the bylaws;
6. Promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all member states to the extent and in the manner provided for in the Compact;
7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state audiology or speech-language pathology licensing board to sue or be sued under applicable law shall not be affected;
8. Purchase and maintain insurance and bonds;
9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;
10. Hire employees, elect or appoint officers, fix compensation, define duties, grant individuals appropriate authority to carry out the purposes of the Compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety and/or conflict of interest;
12. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;
13. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
14. Establish a budget and make expenditures;
15. Borrow money;
16. Appoint committees, including standing committees composed of members, and other interested persons as may be designated in this Compact and the bylaws;
17. Provide and receive information from, and cooperate with, law enforcement agencies;
18. Establish and elect an Executive Committee; and
19. Perform other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of audiology and speech-

language pathology licensure and practice.

D. The Commission shall have no authority to change or modify the laws of the member states that define the practice of audiology and speech-language pathology in the respective states.

E. The Executive Committee.

The Executive Committee shall have the power to act on behalf of the Commission, within the powers of the Commission, according to the terms of this Compact:

1. The Executive Committee shall be composed of ten (10) members:

a. Seven (7) voting members who are elected by the Commission from the current membership of the Commission;

b. Two (2) ex officio members, consisting of one (1) nonvoting member from a recognized national audiology professional association and one (1) nonvoting member from a recognized national speech-language pathology association; and

c. One (1) ex officio, nonvoting member from the recognized membership organization of the audiology and speech-language pathology licensing boards.

F. The ex officio members shall be selected by their respective organizations.

1. The Commission may remove any member of the Executive Committee as provided in the bylaws.

2. The Executive Committee shall meet at least annually.

3. The Executive Committee shall have the following duties and responsibilities:

a. Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states such as annual dues, and any Commission Compact fee charged to licensees for the compact privilege;

b. Ensure Compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the Commission;

e. Monitor Compact compliance of member states and provide compliance reports to the Commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

4. Meetings of the Commission or the Executive Committee.

All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 10 of this Compact.

5. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, nonpublic meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

- a. Noncompliance of a member state with its obligations under the Compact;
- b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation;
- d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- e. Accusing any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- h. Disclosure of investigative records compiled for law enforcement purposes;
- i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact; or
- j. Matters specifically exempted from disclosure by federal or member state statute.

6. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

7. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of meetings other than closed meetings shall be made available to members of the public upon request at the requesting person's expense. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

8. Financing of the Commission.

- a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
- b. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

c. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

9. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.

10. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.

G. Qualified immunity, defense, and indemnification.

1. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

SECTION 9.

DATA SYSTEM

A. The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for denial; and
6. Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission.

C. Investigative information pertaining to a licensee in any member state shall only be available to other member states.

D. The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state shall be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

#### SECTION 10.

#### RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted under this section. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within four (4) years of the date of adoption of the rule, the rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.

D. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least thirty (30) days in advance of the meeting at which the rule shall be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission or other publicly accessible platform;  
and
2. On the website of each member state audiology or speech-language pathology licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The Notice of Proposed Rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule shall be considered and voted upon;
  2. The text of the proposed rule or amendment and the reason for the proposed rule;
  3. A request for comments on the proposed rule from any interested person;
- and
4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

F. Prior to the adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

G. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least twenty-five (25) members.

H. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the Executive Director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.
2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.
3. All hearings shall be recorded. A copy of the recording shall be made available to any person upon request and at the requesting person's expense.
4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.

K. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Commission or member state funds; or
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the Chair of the Commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

#### SECTION 11.

##### OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

###### A. Dispute resolution.

1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and nonmember states.

2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

###### B. Enforcement.

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

#### SECTION 12.

DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR  
AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE AND  
ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

A. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the tenth (10th) member state. The provisions, which become effective at that time, shall be limited to the powers granted to the Commission relating to assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the Compact.

B. Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.

C. Any member state may withdraw from this Compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this Compact shall be construed to invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this Compact.

E. This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

SECTION 13.

CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

SECTION 14.

BINDING EFFECT OF COMPACT AND OTHER LAWS

A. Nothing in this Compact prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.

B. All laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

C. All lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

D. All agreements between the Commission and the member states are binding in accordance with their terms.

E. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

SECTION 2. Section 73-38-3, Mississippi Code of 1972, is amended as follows:

73-38-3. The following definitions apply as used in this chapter, unless the context otherwise requires:

(a) "Board" means the Mississippi State Board of Health.

(b) "Council" means the Mississippi Council of Advisors in Speech-Language Pathology and Audiology as established in Section 73-38-11.

(c) "Person" means any individual, organization or corporate body, except that only an individual may be licensed under this chapter or hold the privilege to practice.

(d) "Speech-language pathologist" means an individual who practices speech-language pathology and who presents himself or herself to the public by any title or description of services incorporating the words "speech pathologist," "speech-language pathologist," "speech therapist," "speech correctionist," "speech clinician," "language pathologist," "language therapist," "logopedist," "communicologist," "voice therapist," "voice pathologist," or any similar title or description of services.

(e) "Speech-language pathology" means the application of principles, methods and procedures for the measurement, testing, evaluation, prediction, counseling, instruction, habilitation or rehabilitation related to the development and disorders of speech, voice, language, swallowing or feeding, or for the purpose of evaluating, preventing, ameliorating or modifying such disorders and conditions in individuals and/or groups of individuals.

(f) "Audiologist" means an individual who practices audiology and who presents himself or herself to the public by any title or description of services incorporating the words "audiologist," "hearing clinician," "hearing therapist," or any similar title or description of service.

(g) "Audiology" means the application of principles, methods and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation or rehabilitation related to disorders of hearing and balance for the purpose of evaluating, identifying, preventing, ameliorating or modifying such disorders and conditions in individuals and/or groups of individuals; and for the purpose of this subsection the words "habilitation" and "rehabilitation" include, but are not limited to, hearing aid dispensing and evaluation, and auditory training, and speech reading.

(h) "Speech-language pathology aide" means an individual who meets minimum qualifications which the council may establish for speech-language pathology aides, which qualifications shall be less than those established by this chapter as necessary for licensure as a speech-language pathologist, and who works under the supervision of a licensed speech-language pathologist or a speech-language pathologist who holds the privilege to practice.

(i) "Audiology aide" means an individual who meets minimum qualifications which the council may establish for audiology aides, which qualifications shall be less than those established by this chapter as necessary for licensure as an audiologist, and who works under the supervision of a licensed audiologist or an audiologist who holds the privilege to practice.

(j) "ASHA" means the American Speech-Language-Hearing Association.

(k) "Privilege to practice" means the authorization to practice as a speech-language pathologist or audiologist in this state or work as a speech-language pathology aide or audiology aide in this state under the Audiology and Speech-Language Pathology Interstate Compact provided for in Section 1 of this act.

(l) "Licensee" means a person who has been issued a license to practice as a speech-language pathologist or audiologist in this state or work as a speech-language pathology aide or audiology aide in this state, or a person who holds the privilege to practice as a speech-language pathologist or audiologist in this state.

SECTION 3. Section 73-38-5, Mississippi Code of 1972, is amended as follows:

73-38-5. (1) Licensure or the privilege to practice shall be granted either in speech-language pathology or audiology independently. A person may be licensed or hold the privilege to practice in both areas if he or she meets the respective qualifications.

(2) No person shall practice or represent himself or herself as a speech-language pathologist or audiologist in this state unless he or she is licensed in accordance with the provisions of this chapter or holds the privilege to practice.

SECTION 4. Section 73-38-7, Mississippi Code of 1972, is amended as follows:

73-38-7. Nothing in this chapter shall be construed as preventing or restricting:

(a) A physician from engaging in the practice of medicine in this state, or a person using an audiometer to test hearing under the direct supervision of a licensed physician, provided such person does not present himself or herself to the public by any title or description of services incorporating the words "audiologist," "hearing clinician," "hearing therapist," or any similar title or description of services;

(b) Any person licensed as a hearing aid dispenser from measuring and testing hearing in relation to the fitting, usage and dispensing of hearing aids or rendering post fitting services to his or her clients or using any title provided in Sections 73-14-1 through 73-14-47;

(c) Any person licensed in this state by any other law from engaging in the profession or occupation for which he or she is licensed;

(d) A person from being employed or working in a volunteer capacity without a license, as provided in this chapter, or without holding the privilege to practice, as a speech-language pathologist or audiologist by the government of the United States or by the governing authority of any school district or private or parochial school in this state, if such person performs speech-language pathology or audiology services solely within the confines or under the jurisdiction of the organization by which he or she is employed, or working in a volunteer capacity; however, such person may, without obtaining a license under this chapter or holding the privilege to practice, consult with or disseminate his or her research findings and other scientific information to speech-language pathologists and audiologists outside the jurisdiction of the organization by which he or she is employed; such person may also offer lectures to the public for a fee, monetary or other, without

being licensed under this chapter or holding the privilege to practice; such person may additionally elect to be subject to this chapter;

(e) The activities and services of persons pursuing a course of study leading to a degree in speech-language pathology at a college or university if such activities and services constitute a part of the supervised course of study and that such person is designated speech-language pathology intern, speech-language pathology trainee, or by other such titles clearly indicating the training status appropriate to his or her level of training;

(f) The activities and services of a person pursuing a course of study leading to a degree in audiology at a college or university if such activities and services constitute a part of a supervised course of study and such person is designated audiology intern, audiology trainee, or by any other such titles clearly indicating the training status appropriate to his or her level of training;

(g) The performance of speech-language pathology or audiology services in this state by any person not a resident of this state who is not licensed under this chapter or does not hold the privilege to practice, if such services are performed for no more than five (5) days in any calendar year and in cooperation with a speech-language pathologist or audiologist licensed under this chapter or holding the privilege to practice, and if such person meets the qualifications and requirements for application for licensure described in subsections (a) through (c) of Section 73-38-9 or the requirements for holding the privilege to practice; however, a person not a resident of this state who is not licensed under this chapter or does not hold the privilege to practice, but who is licensed under the law of another state which has established licensure requirements at least equivalent to those established by Section 73-38-9, or who is the holder of the ASHA Certificate of Clinical Competence in Speech-Language Pathology or Audiology or its equivalent, may offer speech-language pathology or audiology services in this state for no more than thirty (30) days in any calendar year if such services are performed in cooperation with a speech-language pathologist or audiologist licensed under this chapter or holding the privilege to practice; or

(h) Any person employed by a private industry or firm for the purpose of conducting hearing tests incident to the operations of such firm or industry relative to its employees and employment practices.

SECTION 5. Section 73-38-9, Mississippi Code of 1972, is amended as follows:

73-38-9. (1) To be eligible for licensure by the board as a speech-language pathologist or audiologist and to be eligible for registration as a speech-language pathology aide or audiology aide, a person shall:

(a) Be of good moral character;

(b) (1) For speech-language pathologists or audiologists, possess at least a master's degree or its equivalent in the area of speech-language pathology or audiology, as the case may be, from an educational institution recognized by the board;

(2) For speech-language pathology aide or audiology aide, the board shall set minimum educational standards which shall be less than a bachelor's degree;

(c) For speech-language pathologists and audiologists, submit evidence of the completion of the educational, clinical experience and employment requirements, which requirements shall be based on appropriate national standards and prescribed by the rules and regulations adopted pursuant to this chapter;

(d) For speech-language pathologists and audiologists licensure applicants, pass an examination approved by the board. This examination may be taken either before

or after the completion of the employment requirement specified pursuant to \* \* \* paragraph (c) of this subsection;

(e) For speech-language pathology aides and audiology aides, no examination shall be required.

(2) To be eligible for the privilege to practice, applicants must meet the requirements set out in the Audiology and Speech-Language Pathology Interstate Compact.

SECTION 6. Section 73-38-13, Mississippi Code of 1972, is brought forward as follows:

73-38-13. (1) The board shall have full authority to investigate and evaluate each and every applicant applying for a license to practice speech-language pathology or a license to practice audiology with the advice of the council.

(2) The board shall have the authority to issue subpoenas, examine witnesses and administer oaths, and shall, at its discretion, investigate allegations or practices violating the provisions of this chapter.

(3) The board shall adopt such rules and regulations not inconsistent with the laws of this state as may be necessary to effectuate the provisions of this chapter and may amend or repeal the same as may be necessary for such purposes, with the advice of the council.

(4) The conferral or enumeration of specific powers elsewhere in this chapter shall not be construed as a limitation of the general functions conferred by this section.

SECTION 7. Section 73-38-17, Mississippi Code of 1972, is amended as follows:

73-38-17. (1) The board shall issue licenses and privileges to practice and notices of renewal, revocation, suspension or reinstatement and shall publish annually the names of persons licensed under this chapter or holding the privilege to practice.

(2) The board shall publish and disseminate to all licensees, in an appropriate manner, the licensure standards prescribed by this chapter, any amendments thereto, and such rules and regulations as the board may adopt under the authority vested by Section 73-38-13 within sixty (60) days of their adoptions.

(3) The board shall administer the privilege to practice in accordance with the Audiology and Speech-Language Pathology Interstate Compact.

SECTION 8. Section 73-38-25, Mississippi Code of 1972, is amended as follows:

73-38-25. (1) The board shall issue a license to any person who meets the requirements of this chapter and who pays to the board the fees prescribed in Section 73-38-31. The board shall issue a privilege to practice to any person who meets the requirements of the Audiology and Speech-Language Pathology Interstate Compact.

(2) (a) An applicant who fulfills all the requirements for licensure except professional employment and/or examination may apply to the board for a temporary license.

(b) Upon receiving an application provided under \* \* \* paragraph (a) of this subsection, the board shall issue a temporary license which entitles the applicant to practice speech-language pathology or audiology under the supervision of a licensee with licensure in the appropriate specialty while completing the requirements for licensure.

(c) No temporary license shall be issued by the board under this section unless the applicant shows to the satisfaction of the board that he or she is or will be supervised and trained by a person who holds a license in the appropriate specialty.

(d) The temporary license shall be effective for a period to be determined by the \* \* \* board.

(3) (a) Each person licensed under this chapter or holding the privilege to practice who supervises a speech-language pathology or audiology aide shall register the same with the board.

(b) The licensee who supervises aides or temporary licensees is responsible for the services provided to the client by \* \* \* the aides or temporary licensees and may suffer suspension, revocation or other appropriate penalty for failure to exercise his or her responsibilities in the supervision of aides or temporary licensees.

(c) Speech-language pathology and audiology aides shall pay to the board a registration fee as prescribed in Section 73-38-31, subsection (1).

SECTION 9. Section 73-38-27, Mississippi Code of 1972, is amended as follows:

73-38-27. (1) With regard to a refusal to issue a privilege to practice, such refusal by the board shall be in accordance with terms of the Audiology and Speech-Language Pathology Interstate Compact. The board may refuse to issue or renew a license, or may suspend or revoke a license where the licensee or applicant for a license has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare or safety of the public. Such unprofessional conduct may result from:

(a) Negligence in the practice or performance of professional services or activities;

(b) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public in the course of professional services or activities;

(c) Perpetrating or cooperating in fraud or material deception in obtaining or renewing a license or attempting the same;

(d) Being convicted of any crime which has a substantial relationship to the licensee's activities and services or an essential element of which is misstatement, fraud or dishonesty;

(e) Being convicted of any crime which is a felony under the laws of this state or the United States;

(f) Engaging in or permitting the performance of unacceptable services personally or by others working under the licensee's supervision due to the licensee's deliberate or negligent act or acts or failure to act, regardless of whether actual damage or damages to the public is established;

(g) Continued practice although the licensee has become unfit to practice as a speech-language pathologist or audiologist due to: (i) failure to keep abreast of current professional theory or practice; or (ii) physical or mental disability; the entry of an order or judgment by a court of competent jurisdiction that a licensee is in need of mental treatment or is incompetent shall constitute mental disability; or (iii) addiction or severe dependency upon alcohol or other drugs which may endanger the public by impairing the licensee's ability to practice;

(h) Having disciplinary action taken against the licensee's license in another state;

(i) Making differential, detrimental treatment against any person because of race, color, creed, sex, religion or national origin;

(j) Engaging in lewd conduct in connection with professional services or activities;

(k) Engaging in false or misleading advertising;

(l) Contracting, assisting or permitting unlicensed persons to perform services for which a license is required under this chapter;

(m) Violation of any probation requirements placed on a license by the board;

(n) Revealing confidential information except as may be required by law;

(o) Failing to inform clients of the fact that the client no longer needs the services or professional assistance of the licensee;

(p) Charging excessive or unreasonable fees or engaging in unreasonable collection practices;

(q) For treating or attempting to treat ailments or other health conditions of human beings other than by speech or audiology therapy as authorized by this chapter;

(r) For applying or offering to apply speech or audiology therapy, exclusive of initial evaluation or screening and exclusive of education or consultation for the prevention of physical and mental disability within the scope of speech or audiology therapy, or for acting as a speech-language pathologist or audiologist, or speech-language pathologist or audiologist aide other than under the direct, on-site supervision of a licensed speech-language pathologist or audiologist;

(s) Violations of the current codes of conduct for speech-language pathologists or audiologists, and speech-language pathologist or audiologist assistants adopted by the American Speech-Language-Hearing Association;

(t) Violations of any rules or regulations promulgated pursuant to this chapter.

(2) The board may order a licensee to submit to a reasonable physical or mental examination if the licensee's physical or mental capacity to practice safely is at issue in a disciplinary proceeding.

(3) In addition to the reasons specified in subsection (1) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 10. Section 73-38-29, Mississippi Code of 1972, is amended as follows:

73-38-29. (1) Except as provided in Section 33-1-39, licenses issued under this chapter shall expire and become invalid at midnight of the expiration date. A person's privilege to practice in this state in accordance with this chapter shall be valid until the expiration date of that person's home state license.

(2) Every person licensed under this chapter or holding the privilege to practice shall, on or before the license or the privilege to practice expiration date, pay a fee for the biennial renewal of license or the privilege to practice, in accordance with the terms of the Compact, to the board. The board may suspend the license or the privilege to practice of any person who fails to have his or her license or privilege to practice renewed by the expiration date. After the expiration date, the board may renew a license or the privilege to practice upon payment of a fee to the board. No person who requests renewal of license or the privilege to practice, whose license or privilege to practice has expired, shall be required to submit to examination as a condition to renewal, if such renewal application is made within two (2) years from the date of such expiration.

(3) A suspended license or the privilege to practice is subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the licensee, while the license or the privilege to practice remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order or judgment by which the license or privilege to practice was suspended.

(4) A license or the privilege to practice revoked on disciplinary grounds is subject to expiration as provided in subsection (1) of this section, but it may not be renewed. If such license or privilege to practice is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee in an amount equal to the fee for a license or the privilege to practice issued after the expiration date which is in effect on the last preceding regular renewal date before the date on which it is reinstated. The procedure for the reinstatement of a license that is suspended for being out of compliance with an order for support, as defined in Section 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as the case may be.

(5) Any person who fails to renew his or her license or privilege to practice within the two (2) years after the date of its expiration may not renew it, and it may not be restored, reissued or reinstated thereafter, but such person may apply for and obtain a new license or privilege to practice if he or she meets the requirements of this chapter. With regard to a reinstatement of a privilege to practice, such reinstatement by the board shall be in accordance with the provisions of the Audiology and Speech-Language Pathology Interstate Compact.

SECTION 11. Section 73-38-31, Mississippi Code of 1972, is amended as follows:

73-38-31. (1) The board shall assess fees for the following purposes:

- (a) Initial licensing or the privilege to practice;
- (b) Renewal of licensure or the privilege to practice;
- (c) License or the privilege to practice issued after expiration date;
- (d) Late renewal payment penalty;
- (e) Temporary license;
- (f) Renewal of temporary license; and
- (g) Registration of aides.

(2) Every person to whom a license or the privilege to practice is issued pursuant to this chapter shall, as a condition precedent to its issuance, and in addition to any application, examination or other fee, pay the prescribed initial license fee or privilege to practice fee.

(3) Fees prescribed in subsection (1) of this section shall be exclusive and no municipality shall have the right to require any person licensed under this chapter or holding the privilege to practice to furnish any bond, pass any examination, or pay any license fee or privilege to practice fee or occupational tax.

(4) Fees listed in subsection (1) of this section shall be commensurate to the extent feasible with the cost of fulfilling the duties of the board and council as defined by this chapter; however, no individual fee shall exceed One Hundred Dollars (\$100.00).

(5) Any increase in the fees charged by the board under this section shall be in accordance with the provisions of Section 41-3-65.

SECTION 12. Section 73-38-33, Mississippi Code of 1972, is brought forward as follows:

73-38-33. The board shall require the applicant for license renewal to present evidence of the satisfactory completion of continuing education requirements as determined by the board.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO ENACT INTO LAW THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-38-3, 73-38-5, 73-38-7, 73-38-9, 73-38-17, 73-38-25, 73-38-27, 73-38-29 AND 73-38-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 73-38-33 AND 73-38-13, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 424 was adopted.

YEAS AND NAYS On H. B. No. 424. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Senator Blackwell called up the following entitled bill:

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-107, Mississippi Code of 1972, is amended as follows:

43-13-107. (1) The Division of Medicaid is created in the Office of the Governor and established to administer this article and perform such other duties as are prescribed by law.

(2) (a) The Governor shall appoint a full-time executive director, with the advice and consent of the Senate, who shall be either (i) a physician with administrative experience in a medical care or health program, or (ii) a person holding a graduate degree in medical care administration, public health, hospital administration, or the equivalent, or (iii) a person holding a bachelor's degree with at least three (3) years' experience in management-level administration of, or policy development for, Medicaid programs. Provided, however, no one who has been a member of the Mississippi Legislature during the previous three (3) years may be executive director. The executive director shall be the official secretary and legal custodian of the records of the division; shall be the agent of the division for the purpose of receiving all service of process, summons and notices directed to the division; shall perform such other duties as the Governor may prescribe from time to time; and shall perform all other duties that are now or may be imposed upon him or her by law.

(b) The executive director shall serve at the will and pleasure of the Governor.

(c) The executive director shall, before entering upon the discharge of the duties of the office, take and subscribe to the oath of office prescribed by the Mississippi Constitution and shall file the same in the Office of the Secretary of State, and shall execute a bond in some surety company authorized to do business in the state in the penal sum of One Hundred Thousand Dollars (\$100,000.00), conditioned for the faithful and impartial discharge of the duties of the office. The premium on the bond shall be paid as provided by law out of funds appropriated to the Division of Medicaid for contractual services.

(d) The executive director, with the approval of the Governor and subject to the rules and regulations of the State Personnel Board, shall employ such professional, administrative, stenographic, secretarial, clerical and technical assistance as may be necessary to perform the duties required in administering this article and fix the compensation for those persons, all in accordance with a state merit system meeting federal requirements. When the salary of the executive director is not set by law, that salary shall be set by the State Personnel Board. No employees of the Division of Medicaid shall be considered to be staff members of the immediate Office of the Governor; however, Section 25-9-107(c)(xv) shall apply to the executive director and other administrative heads of the division.

(3) (a) There is established a Medical Care Advisory Committee, which shall be the committee that is required by federal regulation to advise the Division of Medicaid about health and medical care services.

(b) The advisory committee shall consist of not less than eleven (11) members, as follows:

(i) The Governor shall appoint five (5) members, one (1) from each congressional district and one (1) from the state at large;

(ii) The Lieutenant Governor shall appoint three (3) members, one (1) from each Supreme Court district;

(iii) The Speaker of the House of Representatives shall appoint three (3) members, one (1) from each Supreme Court district.

All members appointed under this paragraph shall either be health care providers or consumers of health care services. One (1) member appointed by each of the appointing authorities shall be a board-certified physician.

(c) The respective Chairmen of the House Medicaid Committee, the House Public Health and Human Services Committee, the House Appropriations Committee, the Senate Medicaid Committee, the Senate Public Health and Welfare Committee and the Senate Appropriations Committee, or their designees, one (1) member of the State Senate appointed by the Lieutenant Governor and one (1) member of the House of Representatives appointed by the Speaker of the House, shall serve as ex officio nonvoting members of the advisory committee.

(d) In addition to the committee members required by paragraph (b), the advisory committee shall consist of such other members as are necessary to meet the requirements of the federal regulation applicable to the advisory committee, who shall be appointed as provided in the federal regulation.

(e) The chairmanship of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law. Legislators shall receive per diem and expenses, which may be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session.

(g) The advisory committee shall meet not less than quarterly, and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(h) The executive director shall submit to the advisory committee all amendments, modifications and changes to the state plan for the operation of the Medicaid program, for review by the advisory committee before the amendments, modifications or changes may be implemented by the division.

(i) The advisory committee, among its duties and responsibilities, shall:

(i) Advise the division with respect to amendments, modifications and changes to the state plan for the operation of the Medicaid program;

(ii) Advise the division with respect to issues concerning receipt and disbursement of funds and eligibility for Medicaid;

(iii) Advise the division with respect to determining the quantity, quality and extent of medical care provided under this article;

(iv) Communicate the views of the medical care professions to the division and communicate the views of the division to the medical care professions;

(v) Gather information on reasons that medical care providers do not participate in the Medicaid program and changes that could be made in the program to encourage more providers to participate in the Medicaid program, and advise the division with respect to encouraging physicians and other medical care providers to participate in the Medicaid program;

(vi) Provide a written report on or before November 30 of each year to the Governor, Lieutenant Governor and Speaker of the House of Representatives.

(4) (a) There is established a Drug Use Review Board, which shall be the board that is required by federal law to:

(i) Review and initiate retrospective drug use, review including ongoing periodic examination of claims data and other records in order to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care, among physicians, pharmacists and individuals receiving Medicaid benefits or associated with specific drugs or groups of drugs.

(ii) Review and initiate ongoing interventions for physicians and pharmacists, targeted toward therapy problems or individuals identified in the course of retrospective drug use reviews.

(iii) On an ongoing basis, assess data on drug use against explicit predetermined standards using the compendia and literature set forth in federal law and regulations.

(b) The board shall consist of not less than twelve (12) members appointed by the Governor, or his designee. In addition to the appointments by the Governor, the board shall consist of two (2) members appointed by the Speaker of the House and two (2) members appointed by the Lieutenant Governor.

(c) The board shall meet at least quarterly, and board members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(d) The board meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to board members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The board meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Board meetings conducted in violation of this section shall be deemed unlawful.

(5) (a) There is established a Pharmacy and Therapeutics Committee, which shall be appointed by the Governor, or his designee. In addition to the appointments by the Governor, the committee shall consist of two (2) members appointed by the Speaker of the House and two (2) members appointed by the Lieutenant Governor.

(b) The committee shall meet as often as needed to fulfill its responsibilities and obligations as set forth in this section, and committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(c) The committee meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to committee

members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The committee meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Committee meetings conducted in violation of this section shall be deemed unlawful.

(d) Subject to the provisions of subsection (6) of this section and after a thirty-day public notice, the executive director, or his or her designee, shall present the division's recommendation regarding prior approval for a therapeutic class of drugs to the committee. However, in circumstances where the division deems it necessary for the health and safety of Medicaid beneficiaries, the division may present to the committee its recommendations regarding a particular drug without a thirty-day public notice. In making that presentation, the division shall state to the committee the circumstances that precipitate the need for the committee to review the status of a particular drug without a thirty-day public notice. The committee may determine whether or not to review the particular drug under the circumstances stated by the division without a thirty-day public notice. If the committee determines to review the status of the particular drug, it shall make its recommendations to the division, after which the division shall file those recommendations for a thirty-day public comment under Section 25-43-7(1).

(e) Upon reviewing the information and recommendations, the committee shall forward a written recommendation approved by a majority of the committee to the executive director, or his or her designee. The decisions of the committee regarding any limitations to be imposed on any drug or its use for a specified indication shall be based on sound clinical evidence found in labeling, drug compendia, and peer-reviewed clinical literature pertaining to use of the drug in the relevant population.

(f) Upon reviewing and considering all recommendations including recommendations of the committee, comments, and data, the executive director shall make a final determination whether to require prior approval of a therapeutic class of drugs, or modify existing prior approval requirements for a therapeutic class of drugs.

(g) At least thirty (30) days before the executive director implements new or amended prior authorization decisions, written notice of the executive director's decision shall be provided to all prescribing Medicaid providers, all Medicaid enrolled pharmacies, and any other party who has requested the notification. However, notice given under Section 25-43-7(1) will substitute for and meet the requirement for notice under this subsection.

(h) Members of the committee shall dispose of matters before the committee in an unbiased and professional manner. If a matter being considered by the committee presents a real or apparent conflict of interest for any member of the committee, that member shall disclose the conflict in writing to the committee chair and recuse himself or herself from any discussions and/or actions on the matter.

(6) (a) As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (c) and (d) of this subsection (6), the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(ii) "Prior approval recommendation" means the recommendation of the Division of Medicaid regarding prior approval for a therapeutic class of drugs that is made to the Pharmacy and Therapeutics Committee under subsection (5) of this section.

(b) Whenever the Division of Medicaid makes a prior approval recommendation, the division shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the prior approval recommendation is presented to the Pharmacy and Therapeutics Committee. The division shall furnish each member of the committees with a copy and summary of each prior approval recommendation along with the notice. The division also shall provide a copy and summary of each prior approval recommendation to any other member of the Legislature upon request.

(c) (i) The committees may hold meetings to review a prior approval recommendation. If the committees decide to hold meetings, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division under paragraph (b) of this subsection, and shall set the dates and times for the meetings in the notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division. The committees may hold public hearings on any prior approval recommendation as part of their meetings.

(ii) After the committees have held their meetings, the committees may object to the prior approval recommendation or any part thereof. The committees shall notify the division of any objection and shall provide the division with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the division for suggested changes to be made to a prior approval recommendation.

(iii) If the committees do not hold meetings to review a prior approval recommendation, the division may proceed to present the prior approval recommendation to the Pharmacy and Therapeutics Committee.

(d) (i) If there are any objections to a prior approval recommendation or any part thereof from the committees, the division may withdraw the prior approval recommendation, make any of the suggested changes to the prior approval recommendation that are recommended by the committees, or not make any changes to the prior approval recommendation.

(ii) If the division does not make any changes to the prior approval recommendation, it shall notify the members of the committees of that fact in writing, and may proceed to present the prior approval recommendation to the Pharmacy and Therapeutics Committee.

(iii) If the division makes any changes to the prior approval recommendation, the division shall notify the committees of the changes in writing, and may proceed to present the prior approval recommendation to the Pharmacy and Therapeutics Committee.

(e) Nothing in this subsection (6) shall be construed as giving the committees any authority to veto, nullify or revise any prior approval recommendation of the division. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to prior approval recommendations of the division.

SECTION 2. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSS) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment

providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities, physicians employed or contracted by hospitals, and emergency ambulance transportation providers.

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and

Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal

High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and

residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(B) [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures

and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) \* \* \* As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (3) and (4) of this subsection, the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(b) "Rate change" means an increase, decrease or other change to the payments, payment methodologies or rates of reimbursement to any Medicaid providers that render any services authorized to be provided to Medicaid recipients under this article.

(2) \* \* \* Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish each member of the committees with a copy and summary of each proposed rate change along with the notice. The division also shall provide a copy and summary of each proposed rate change to any other member of the Legislature upon request.

(3) (a) The committees may hold meetings to review a proposed rate change. If the committees decide to hold meetings, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division under paragraph (2) of this subsection, and shall set the dates and times for the meetings in the notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division. The committees may hold public hearings on any proposed rate change as part of their meetings.

(b) After the committees have held their meetings, the committees may object to the proposed rate change or any part thereof. The committees shall notify the division of any objection and shall provide the division with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the division for suggested changes to be made to a proposed rate change.

(c) If the committees do not hold meetings to review a proposed rate change, the proposed rate change will take effect on the date as scheduled by the division.

(4) (a) If there are any objections to a proposed rate change or any part thereof from the committees, the division may withdraw the proposed rate change, make any of the suggested changes to the proposed rate change that are recommended by the committees, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the members of the committees of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division, or on such later date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the committees of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(5) Nothing in this subsection (D) shall be construed as giving the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient

access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling

of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) This section shall stand repealed on July 1, 2024.

SECTION 3. Section 43-13-121, Mississippi Code of 1972, is amended as follows:

43-13-121. (1) The division shall administer the Medicaid program under the provisions of this article, and may do the following:

(a) Subject to the provisions of subsection (8) of this section, adopt and promulgate reasonable rules, regulations and standards, with approval of the Governor, and in accordance with the Administrative Procedures Law, Section 25-43-1.101 et seq.:

(i) Establishing methods and procedures as may be necessary for the proper and efficient administration of this article;

(ii) Providing Medicaid to all qualified recipients under the provisions of this article as the division may determine and within the limits of appropriated funds;

(iii) Establishing reasonable fees, charges and rates for medical services and drugs; in doing so, the division shall fix all of those fees, charges and rates at the minimum levels absolutely necessary to provide the medical assistance authorized by this article, and shall not change any of those fees, charges or rates except as may be authorized in Section 43-13-117;

(iv) Providing for fair and impartial hearings;

(v) Providing safeguards for preserving the confidentiality of records;  
and

(vi) For detecting and processing fraudulent practices and abuses of the program;

(b) Receive and expend state, federal and other funds in accordance with court judgments or settlements and agreements between the State of Mississippi and the federal government, the rules and regulations promulgated by the division, with the approval of the Governor, and within the limitations and restrictions of this article and within the limits of funds available for that purpose;

(c) Subject to the limits imposed by this article and subject to the provisions of subsection (9) of this section, to submit a Medicaid plan to the United States Department of Health and Human Services for approval under the provisions of the federal Social Security Act, to act for the state in making negotiations relative to the submission and approval of that plan, to make such arrangements, not inconsistent with the law, as may be required by or under federal law to obtain and retain that approval and to secure for the state the benefits of the provisions of that law.

No agreements, specifically including the general plan for the operation of the Medicaid program in this state, shall be made by and between the division and the United States Department of Health and Human Services unless the Attorney General of the State of Mississippi has reviewed the agreements, specifically including the operational plan, and has certified in writing to the Governor and to the executive director of the division that the agreements, including the plan of operation, have been drawn strictly in accordance with the terms and requirements of this article;

(d) In accordance with the purposes and intent of this article and in compliance with its provisions, provide for aged persons otherwise eligible for the benefits provided under Title XVIII of the federal Social Security Act by expenditure of funds available for those purposes;

(e) To make reports to the United States Department of Health and Human Services as from time to time may be required by that federal department and to the Mississippi Legislature as provided in this section;

(f) Define and determine the scope, duration and amount of Medicaid that may be provided in accordance with this article and establish priorities therefor in conformity with this article;

(g) Cooperate and contract with other state agencies for the purpose of coordinating Medicaid provided under this article and eliminating duplication and inefficiency in the Medicaid program;

(h) Adopt and use an official seal of the division;

(i) Sue in its own name on behalf of the State of Mississippi and employ legal counsel on a contingency basis with the approval of the Attorney General;

(j) To recover any and all payments incorrectly made by the division to a recipient or provider from the recipient or provider receiving the payments. The division shall be authorized to collect any overpayments to providers sixty (60) days after the conclusion of any administrative appeal unless the matter is appealed to a court of proper jurisdiction and bond is posted. Any appeal filed after July 1, 2015, shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi, within sixty (60) days after the date that the division has notified the provider by certified mail sent to the proper address of the provider on file with the division and the provider has signed for the certified mail notice, or sixty (60) days after the date of the final decision if the provider does not sign for the certified mail notice. To recover those payments, the division may use the following methods, in addition to any other methods available to the division:

(i) The division shall report to the Department of Revenue the name of any current or former Medicaid recipient who has received medical services rendered during a period of established Medicaid ineligibility and who has not reimbursed the division for the related medical service payment(s). The Department of Revenue shall withhold from the state tax refund of the individual, and pay to the division, the amount of the payment(s) for medical services rendered to the ineligible individual that have not been reimbursed to the division for the related medical service payment(s).

(ii) The division shall report to the Department of Revenue the name of any Medicaid provider to whom payments were incorrectly made that the division has not been able to recover by other methods available to the division. The Department of Revenue shall withhold from the state tax refund of the provider, and pay to the division, the amount of the payments that were incorrectly made to the provider that have not been recovered by other available methods;

(k) To recover any and all payments by the division fraudulently obtained by a recipient or provider. Additionally, if recovery of any payments fraudulently obtained by a recipient or provider is made in any court, then, upon motion of the Governor, the judge of the court may award twice the payments recovered as damages;

(l) Have full, complete and plenary power and authority to conduct such investigations as it may deem necessary and requisite of alleged or suspected violations or abuses of the provisions of this article or of the regulations adopted under this article, including, but not limited to, fraudulent or unlawful act or deed by applicants for Medicaid or other benefits, or payments made to any person, firm or corporation under the terms, conditions and authority of this article, to suspend or disqualify any provider of services, applicant or recipient for gross abuse, fraudulent or unlawful acts for such periods, including permanently, and under such conditions as the division deems proper and just, including the imposition of a legal rate of interest on the amount improperly or incorrectly paid. Recipients who are found to have misused or abused Medicaid benefits may be

locked into one (1) physician and/or one (1) pharmacy of the recipient's choice for a reasonable amount of time in order to educate and promote appropriate use of medical services, in accordance with federal regulations. If an administrative hearing becomes necessary, the division may, if the provider does not succeed in his or her defense, tax the costs of the administrative hearing, including the costs of the court reporter or stenographer and transcript, to the provider. The convictions of a recipient or a provider in a state or federal court for abuse, fraudulent or unlawful acts under this chapter shall constitute an automatic disqualification of the recipient or automatic disqualification of the provider from participation under the Medicaid program.

A conviction, for the purposes of this chapter, shall include a judgment entered on a plea of nolo contendere or a nonadjudicated guilty plea and shall have the same force as a judgment entered pursuant to a guilty plea or a conviction following trial. A certified copy of the judgment of the court of competent jurisdiction of the conviction shall constitute prima facie evidence of the conviction for disqualification purposes;

(m) Establish and provide such methods of administration as may be necessary for the proper and efficient operation of the Medicaid program, fully utilizing computer equipment as may be necessary to oversee and control all current expenditures for purposes of this article, and to closely monitor and supervise all recipient payments and vendors rendering services under this article. Notwithstanding any other provision of state law, the division is authorized to enter into a ten-year contract(s) with a vendor(s) to provide services described in this paragraph (m). Notwithstanding any provision of law to the contrary, the division is authorized to extend its Medicaid Management Information System, including all related components and services, and Decision Support System, including all related components and services, contracts in effect on June 30, 2020, for a period not to exceed two (2) years without complying with state procurement regulations;

(n) To cooperate and contract with the federal government for the purpose of providing Medicaid to Vietnamese and Cambodian refugees, under the provisions of Public Law 94-23 and Public Law 94-24, including any amendments to those laws, only to the extent that the Medicaid assistance and the administrative cost related thereto are one hundred percent (100%) reimbursable by the federal government. For the purposes of Section 43-13-117, persons receiving Medicaid under Public Law 94-23 and Public Law 94-24, including any amendments to those laws, shall not be considered a new group or category of recipient; and

(o) The division shall impose penalties upon Medicaid only, Title XIX participating long-term care facilities found to be in noncompliance with division and certification standards in accordance with federal and state regulations, including interest at the same rate calculated by the United States Department of Health and Human Services and/or the Centers for Medicare and Medicaid Services (CMS) under federal regulations.

(2) The division also shall exercise such additional powers and perform such other duties as may be conferred upon the division by act of the Legislature.

(3) The division, and the State Department of Health as the agency for licensure of health care facilities and certification and inspection for the Medicaid and/or Medicare programs, shall contract for or otherwise provide for the consolidation of on-site inspections of health care facilities that are necessitated by the respective programs and functions of the division and the department.

(4) The division and its hearing officers shall have power to preserve and enforce order during hearings; to issue subpoenas for, to administer oaths to and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths; to examine witnesses; and to do all things conformable to law that may be necessary to enable them effectively to discharge the duties of their office.

In compelling the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions, as authorized by this section, the division or its hearing officers may designate an individual employed by the division or some other suitable person to execute and return that process, whose action in executing and returning that process shall be as lawful as if done by the sheriff or some other proper officer authorized to execute and return process in the county where the witness may reside. In carrying out the investigatory powers under the provisions of this article, the executive director or other designated person or persons may examine, obtain, copy or reproduce the books, papers, documents, medical charts, prescriptions and other records relating to medical care and services furnished by the provider to a recipient or designated recipients of Medicaid services under investigation. In the absence of the voluntary submission of the books, papers, documents, medical charts, prescriptions and other records, the Governor, the executive director, or other designated person may issue and serve subpoenas instantly upon the provider, his or her agent, servant or employee for the production of the books, papers, documents, medical charts, prescriptions or other records during an audit or investigation of the provider. If any provider or his or her agent, servant or employee refuses to produce the records after being duly subpoenaed, the executive director may certify those facts and institute contempt proceedings in the manner, time and place as authorized by law for administrative proceedings. As an additional remedy, the division may recover all amounts paid to the provider covering the period of the audit or investigation, inclusive of a legal rate of interest and a reasonable attorney's fee and costs of court if suit becomes necessary. Division staff shall have immediate access to the provider's physical location, facilities, records, documents, books, and any other records relating to medical care and services rendered to recipients during regular business hours.

(5) If any person in proceedings before the division disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the hearing, or neglects to produce, after having been ordered to do so, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take the oath as a witness, or after having taken the oath refuses to be examined according to law, the executive director shall certify the facts to any court having jurisdiction in the place in which it is sitting, and the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and if the evidence so warrants, punish that person in the same manner and to the same extent as for a contempt committed before the court, or commit that person upon the same condition as if the doing of the forbidden act had occurred with reference to the process of, or in the presence of, the court.

(6) In suspending or terminating any provider from participation in the Medicaid program, the division shall preclude the provider from submitting claims for payment, either personally or through any clinic, group, corporation or other association to the division or its fiscal agents for any services or supplies provided under the Medicaid program except for those services or supplies provided before the suspension or termination. No clinic, group, corporation or other association that is a provider of services shall submit claims for payment to the division or its fiscal agents for any services or supplies provided by a person within that organization who has been suspended or terminated from participation in the Medicaid program except for those services or supplies provided before the suspension or termination. When this provision is violated by a provider of services that is a clinic, group, corporation or other association, the division may suspend or terminate that organization from participation. Suspension may be applied by the division to all known affiliates of a provider, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The violation, failure or inadequacy of performance may be imputed to a person with whom the provider is affiliated where that conduct was accomplished within the course of his or her official duty or was effectuated by him or her with the knowledge or approval of that person.

(7) The division may deny or revoke enrollment in the Medicaid program to a provider if any of the following are found to be applicable to the provider, his or her agent, a managing employee or any person having an ownership interest equal to five percent (5%) or greater in the provider:

(a) Failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required, on a claim, a provider application or a provider agreement, or the making of a false or misleading statement to the division relative to the Medicaid program.

(b) Previous or current exclusion, suspension, termination from or the involuntary withdrawing from participation in the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program. If the division ascertains that a provider has been convicted of a felony under federal or state law for an offense that the division determines is detrimental to the best interest of the program or of Medicaid beneficiaries, the division may refuse to enter into an agreement with that provider, or may terminate or refuse to renew an existing agreement.

(c) Conviction under federal or state law of a criminal offense relating to the delivery of any goods, services or supplies, including the performance of management or administrative services relating to the delivery of the goods, services or supplies, under the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program.

(d) Conviction under federal or state law of a criminal offense relating to the neglect or abuse of a patient in connection with the delivery of any goods, services or supplies.

(e) Conviction under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance.

(f) Conviction under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility or other financial misconduct.

(g) Conviction under federal or state law of a criminal offense punishable by imprisonment of a year or more that involves moral turpitude, or acts against the elderly, children or infirm.

(h) Conviction under federal or state law of a criminal offense in connection with the interference or obstruction of any investigation into any criminal offense listed in paragraphs (c) through (i) of this subsection.

(i) Sanction for a violation of federal or state laws or rules relative to the Medicaid program, any other state's Medicaid program, Medicare or any other public health care or health insurance program.

(j) Revocation of license or certification.

(k) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the Medicaid program.

(l) Failure to meet any condition of enrollment.

(8) (a) As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (c) and (d) of this subsection (8), the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(ii) "Rule" has the meaning as defined in Section 25-43-1.102. For the purposes of this subsection (8), any reference to a proposed rule or the proposed adoption of a rule includes a proposed amendment or repeal of a rule.

(b) Whenever the Division of Medicaid proposes the adoption, amendment or repeal of a rule, the division shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the proposed rule is filed under the Administrative Procedures Law. The division shall furnish each member of the committees with a copy and summary of each proposed rule along with the notice. The division also shall provide a copy and summary of each proposed rule to any other member of the Legislature upon request.

(c) (i) The committees may hold meetings to review a proposed rule. If the committees decide to hold meetings, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division under paragraph (b) of this subsection, and shall set the dates and times for the meetings in the notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division. The committees may hold public hearings on any proposed rule as part of their meetings.

(ii) After the committees have held their meetings, the committees may object to the proposed rule or any part thereof. The committees shall notify the division of any objection and shall provide the division with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the division for suggested changes to be made to a proposed rule.

(iii) If the committees do not hold meetings to review a proposed rule, the division may proceed to file the proposed rule under the Administrative Procedures Law.

(d) (i) If there are any objections to a proposed rule or any part thereof from the committees, the division may withdraw the proposed rule, make any of the suggested changes to the proposed rule that are recommended by the committees, or not make any changes to the proposed rule.

(ii) If the division does not make any changes to the proposed rule, it shall notify the members of the committees of that fact in writing, and may proceed to file the proposed rule under the Administrative Procedures Law.

(iii) If the division makes any changes to the proposed rule, the division shall notify the committees of the changes in writing, and may proceed to file the proposed rule under the Administrative Procedures Law.

(e) Nothing in this subsection (8) shall be construed as giving the committees any authority to veto, nullify or revise any rule proposed by the division. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to rules proposed by the division.

(9) (a) As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (c) and (d) of this subsection (9), the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(ii) "State Plan" means the agreement between the State of Mississippi and the federal government regarding the nature and scope of Mississippi's Medicaid Program.

(iii) "State Plan Amendment" means a change to the State Plan, which must be approved by the Centers for Medicare and Medicaid Services (CMS) before its implementation.

(b) Whenever the Division of Medicaid proposes a State Plan Amendment, the division shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the proposed State Plan Amendment is filed with CMS. The division shall furnish each member of the committees with a copy and summary of each proposed State Plan Amendment along with the notice. The division also shall provide a copy and summary of each proposed State Plan Amendment to any other member of the Legislature upon request.

(c) (i) The committees may hold meetings to review a proposed State Plan Amendment. If the committees decide to hold meetings, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division under paragraph (b) of this subsection, and shall set the dates and times for the meetings in the notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division. The committees may hold public hearings on any proposed State Plan Amendment as part of their meetings.

(ii) After the committees have held their meetings, the committees may object to the proposed State Plan Amendment or any part thereof. The committees shall notify the division of any objection and shall provide the division with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the division for suggested changes to be made to a proposed State Plan Amendment.

(iii) If the committees do not hold meetings to review a proposed State Plan Amendment, the division may proceed to file the proposed State Plan Amendment with CMS.

(d) (i) If there are any objections to a proposed State Plan Amendment or any part thereof from the committees, the division may withdraw the proposed State Plan Amendment, make any of the suggested changes to the proposed State Plan Amendment that are recommended by the committees, or not make any changes to the proposed State Plan Amendment.

(ii) If the division does not make any changes to the proposed State Plan Amendment, it shall notify the members of the committees of that fact in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(iii) If the division makes any changes to the proposed State Plan Amendment, the division shall notify the committees of the changes in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(e) Nothing in this subsection (9) shall be construed as giving the committees any authority to veto, nullify or revise any State Plan Amendment proposed by the division. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to State Plan Amendments proposed by the division.

SECTION 4. Section 43-13-122, Mississippi Code of 1972, is amended as follows:

43-13-122. (1) Subject to the provisions of subsection (3) of this section, the division is authorized to apply to the Center for Medicare and Medicaid Services of the United States Department of Health and Human Services for waivers and research and demonstration grants.

(2) The division is further authorized to accept and expend any grants, donations or contributions from any public or private organization together with any additional federal matching funds that may accrue and, including, but not limited to, one hundred percent (100%) federal grant funds or funds from any governmental entity or instrumentality thereof in furthering the purposes and objectives of the Mississippi Medicaid program, provided that such receipts and expenditures are reported and otherwise handled in accordance with the General Fund Stabilization Act. The Department of Finance and Administration is authorized to transfer monies to the division from special funds in the State Treasury in amounts not exceeding the amounts authorized in the appropriation to the division.

(3) (a) As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (c) and (d) of this subsection (3), the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(ii) "Waiver or grant application" means application for a waiver or research and demonstration grant from the Centers for Medicare and Medicaid Services (CMS).

(b) Whenever the Division of Medicaid applies for a waiver or grant under subsection (1) of this section, the division shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the waiver or grant application is filed with CMS. The division shall furnish each member of the committees with a copy and summary of each waiver or grant application along with the notice. The division also shall provide a copy and summary of each waiver or grant application to any other member of the Legislature upon request.

(c) (i) The committees may hold meetings to review a waiver or grant application. If the committees decide to hold meetings, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division under paragraph (b) of this subsection, and shall set the dates and times for the meetings in the notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division. The committees may hold public hearings on any waiver or grant application as part of their meetings.

(ii) After the committees have held their meetings, the committees may object to the waiver or grant application or any part thereof. The committees shall notify the division of any objection and shall provide the division with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the division for suggested changes to be made to a waiver or grant application.

(iii) If the committees do not hold meetings to review a waiver or grant application, the division may proceed to file the waiver or grant application with CMS.

(d) (i) If there are any objections to a waiver or grant application or any part thereof from the committees, the division may withdraw the waiver or grant application,

make any of the suggested changes to the waiver or grant application that are recommended by the committees, or not make any changes to the waiver or grant application.

(ii) If the division does not make any changes to the waiver or grant application, it shall notify the members of the committees of that fact in writing, and may proceed to file the waiver or grant application with CMS.

(iii) If the division makes any changes to the waiver or grant application, the division shall notify the committees of the changes in writing, and may proceed to file the waiver or grant application with CMS.

(e) Nothing in this subsection (3) shall be construed as giving the committees any authority to veto, nullify or revise any waiver or grant application by the division. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to waiver or grant application proposed by the division.

SECTION 5. Section 43-13-139, Mississippi Code of 1972, is amended as follows:

43-13-139. (1) Subject to the provisions of subsection (2) of this section, nothing contained in this article shall be construed to prevent the Governor, in his discretion, from discontinuing or limiting medical assistance to any individuals who are classified or deemed to be within any optional group or optional category of recipients as prescribed under Title XIX of the federal Social Security Act or the implementing federal regulations. If the Congress or the United States Department of Health and Human Services ceases to provide federal matching funds for any group or category of recipients or any type of care and services, the division shall cease state funding for such group or category or such type of care and services, notwithstanding any provision of this article.

(2) (a) As used in this subsection, the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees and the Appropriations Committees of the House of Representatives and the Senate. As used in paragraphs (c) and (d) of this subsection, the term "committees" means one (1) of the committees or two (2) or more of the committees jointly.

(ii) "Optional groups discontinuation" means discontinuing or limiting Medicaid assistance to any individuals who are classified or deemed to be within any optional group or optional category of recipients, as provided in subsection (1) of this section.

(b) Whenever the Governor proposes any optional groups discontinuation, the Governor shall give notice to the chairmen and other members of the committees at least thirty (30) calendar days before the proposed optional groups discontinuation is to be implemented. The Governor shall furnish each member of the committees with a copy and summary of the proposed optional groups discontinuation along with the notice. The Governor also shall provide a copy and summary of proposed optional groups discontinuation to any other member of the Legislature upon request.

(c) (i) The committees may hold meetings to review a proposed optional groups discontinuation. If the committees decide to hold meetings, they shall notify the Governor of their intention in writing within seven (7) calendar days after receipt of the notice from the Governor under paragraph (b) of this subsection, and shall set the dates and times for the meetings in the notice to the Governor, which shall not be later than fourteen (14) calendar days after receipt of the notice from the Governor. The committees may hold public hearings on any proposed optional groups discontinuation as part of their meetings.

(ii) After the committees have held their meetings, the committees may object to the proposed optional groups discontinuation or any part thereof. The committees shall notify the Governor of any objection and shall provide the Governor with the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committees may make written recommendations to the Governor for suggested changes to be made to a proposed optional groups discontinuation.

(iii) If the committees do not hold meetings to review a proposed optional groups discontinuation, the Governor may proceed to implement the proposed optional groups discontinuation.

(d) (i) If there are any objections to a proposed optional groups discontinuation or any part thereof from the committees, the Governor may withdraw the proposed optional groups discontinuation, make any of the suggested changes to the proposed optional groups discontinuation that are recommended by the committees, or not make any changes to the proposed optional groups discontinuation.

(ii) If the Governor does not make any changes to the proposed optional groups discontinuation, he shall notify the members of the committees of that fact in writing, and may proceed to implement the proposed optional groups discontinuation.

(iii) If the Governor makes any changes to the proposed optional groups discontinuation, the Governor shall notify the committees of the changes in writing, and may proceed to implement the proposed optional groups discontinuation.

(e) Nothing in this subsection (2) shall be construed as giving the committees any authority to veto, nullify or revise any proposed optional groups discontinuation by the Governor. The authority of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to proposed optional groups discontinuations by the Governor.

SECTION 6. Section 43-13-101, Mississippi Code of 1972, is brought forward as follows:

43-13-101. This article shall be entitled and cited as the "Mississippi Medicaid Law."

SECTION 7. Section 43-13-103, Mississippi Code of 1972, is brought forward as follows:

43-13-103. For the purpose of affording health care and remedial and institutional services in accordance with the requirements for federal grants and other assistance under Titles XVIII, XIX and XXI of the Social Security Act, as amended, a statewide system of medical assistance is established and shall be in effect in all political subdivisions of the state, to be financed by state appropriations and federal matching funds therefor, and to be administered by the Office of the Governor as hereinafter provided.

SECTION 8. Section 43-13-105, Mississippi Code of 1972, is brought forward as follows:

43-13-105. When used in this article, the following definitions shall apply, unless the context requires otherwise:

(a) "Administering agency" means the Division of Medicaid in the Office of the Governor as created by this article.

(b) "Division" or "Division of Medicaid" means the Division of Medicaid in the Office of the Governor.

(c) "Medical assistance" means payment of part or all of the costs of medical and remedial care provided under the terms of this article and in accordance with provisions of Titles XIX and XXI of the Social Security Act, as amended.

(d) "Applicant" means a person who applies for assistance under Titles IV, XVI, XIX or XXI of the Social Security Act, as amended, and under the terms of this article.

(e) "Recipient" means a person who is eligible for assistance under Title XIX or XXI of the Social Security Act, as amended and under the terms of this article.

(f) "State health agency" means any agency, department, institution, board or commission of the State of Mississippi, except the University of Mississippi Medical School, which is supported in whole or in part by any public funds, including funds directly appropriated from the State Treasury, funds derived by taxes, fees levied or collected by statutory authority, or any other funds used by "state health agencies" derived from federal sources, when any funds available to such agency are expended either directly or indirectly in connection with, or in support of, any public health, hospital, hospitalization or other public programs for the preventive treatment or actual medical treatment of persons with a physical disability, mental illness or an intellectual disability.

(g) "Mississippi Medicaid Commission" or "Medicaid Commission," wherever they appear in the laws of the State of Mississippi, means the Division of Medicaid in the Office of the Governor.

SECTION 9. Section 43-13-109, Mississippi Code of 1972, is brought forward as follows:

43-13-109. The director, with the approval of the Governor and pursuant to the rules and regulations of the State Personnel Board, may adopt reasonable rules and regulations to provide for an open, competitive or qualifying examination for all employees of the division other than the director, part-time consultants and professional staff members.

SECTION 10. Section 43-13-111, Mississippi Code of 1972, is brought forward as follows:

43-13-111. Every state health agency, as defined in Section 43-13-105, shall obtain an appropriation of state funds from the State Legislature for all medical assistance programs rendered by the agency and shall organize its programs and budgets in such a manner as to secure maximum federal funding through the Division of Medicaid under Title XIX or Title XXI of the federal Social Security Act, as amended.

SECTION 11. Section 43-13-113, Mississippi Code of 1972, is amended as follows:

43-13-113. (1) The State Treasurer shall receive on behalf of the state, and execute all instruments incidental thereto, federal and other funds to be used for financing the medical assistance plan or program adopted pursuant to this article, and place all such funds in a special account to the credit of the Governor's Office-Division of Medicaid, which funds shall be expended by the division for the purposes and under the provisions of this article, and shall be paid out by the State Treasurer as funds appropriated to carry out the provisions of this article are paid out by him.

The division shall issue all checks or electronic transfers for administrative expenses, and for medical assistance under the provisions of this article. All such checks or electronic transfers shall be drawn upon funds made available to the division by the State Auditor, upon requisition of the director. It is the purpose of this section to provide that the State Auditor shall transfer, in lump sums, amounts to the division for

disbursement under the regulations which shall be made by the director with the approval of the Governor; however, the division, or its fiscal agent in behalf of the division, shall be authorized in maintaining separate accounts with a Mississippi bank to handle claim payments, refund recoveries and related Medicaid program financial transactions, to aggressively manage the float in these accounts while awaiting clearance of checks or electronic transfers and/or other disposition so as to accrue maximum interest advantage of the funds in the account, and to retain all earned interest on these funds to be applied to match federal funds for Medicaid program operations.

(2) The division is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00) to fund shortfalls which, from time to time, may occur due to decreases in state matching fund cash flow. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

In the event the State Treasurer makes a determination that special source funds are not sufficient to cover a line of credit for the Division of Medicaid, the division is authorized to obtain a line of credit, in an amount not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00), from a commercial lender or a consortium of lenders. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. The division shall obtain a minimum of two (2) written quotes that shall be presented to the State Fiscal Officer and State Treasurer, who shall jointly select a lender. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

(3) Disbursement of funds to providers shall be made as follows:

(a) All providers must submit all claims to the Division of Medicaid's fiscal agent no later than twelve (12) months from the date of service.

(b) The Division of Medicaid's fiscal agent must pay ninety percent (90%) of all clean claims within thirty (30) days of the date of receipt.

(c) The Division of Medicaid's fiscal agent must pay ninety-nine percent (99%) of all clean claims within ninety (90) days of the date of receipt.

(d) The Division of Medicaid's fiscal agent must pay all other claims within twelve (12) months of the date of receipt.

(e) If a claim is neither paid nor denied for valid and proper reasons by the end of the time periods as specified above, the Division of Medicaid's fiscal agent must pay the provider interest on the claim at the rate of one and one-half percent (1-1/2%) per month on the amount of such claim until it is finally settled or adjudicated.

(4) The date of receipt is the date the fiscal agent receives the claim as indicated by its date stamp on the claim or, for those claims filed electronically, the date of receipt is the date of transmission.

(5) The date of payment is the date of the check or, for those claims paid by electronic funds transfer, the date of the transfer.

(6) The above specified time limitations do not apply in the following circumstances:

(a) Retroactive adjustments paid to providers reimbursed under a retrospective payment system;

(b) If a claim for payment under Medicare has been filed in a timely manner, the fiscal agent may pay a Medicaid claim relating to the same services within six (6) months after it, or the provider, receives notice of the disposition of the Medicare claim;

(c) Claims from providers under investigation for fraud or abuse; and

(d) The Division of Medicaid and/or its fiscal agent may make payments at any time in accordance with a court order, to carry out hearing decisions or corrective actions taken to resolve a dispute, or to extend the benefits of a hearing decision, corrective action, or court order to others in the same situation as those directly affected by it.

(7) [Repealed.]

(8) If sufficient funds are appropriated therefor by the Legislature, the Division of Medicaid may contract with the Mississippi Dental Association, or an approved designee, to develop and operate a Donated Dental Services (DDS) program through which volunteer dentists will treat needy disabled, aged and medically-compromised individuals who are non-Medicaid eligible recipients.

SECTION 12. Section 43-13-116, Mississippi Code of 1972, is brought forward as follows:

43-13-116. (1) It shall be the duty of the Division of Medicaid to fully implement and carry out the administrative functions of determining the eligibility of those persons who qualify for medical assistance under Section 43-13-115.

(2) In determining Medicaid eligibility, the Division of Medicaid is authorized to enter into an agreement with the Secretary of the Department of Health and Human Services for the purpose of securing the transfer of eligibility information from the Social Security Administration on those individuals receiving supplemental security income benefits under the federal Social Security Act and any other information necessary in determining Medicaid eligibility. The Division of Medicaid is further empowered to enter into contractual arrangements with its fiscal agent or with the State Department of Human Services in securing electronic data processing support as may be necessary.

(3) Administrative hearings shall be available to any applicant who requests it because his or her claim of eligibility for services is denied or is not acted upon with reasonable promptness or by any recipient who requests it because he or she believes the agency has erroneously taken action to deny, reduce, or terminate benefits. The agency need not grant a hearing if the sole issue is a federal or state law requiring an automatic change adversely affecting some or all recipients. Eligibility determinations that are made by other agencies and certified to the Division of Medicaid pursuant to Section 43-13-115 are not subject to the administrative hearing procedures of the Division of Medicaid but are subject to the administrative hearing procedures of the agency that determined eligibility.

(a) A request may be made either for a local regional office hearing or a state office hearing when the local regional office has made the initial decision that the claimant seeks to appeal or when the regional office has not acted with reasonable

promptness in making a decision on a claim for eligibility or services. The only exception to requesting a local hearing is when the issue under appeal involves either (i) a disability or blindness denial, or termination, or (ii) a level of care denial or termination for a disabled child living at home. An appeal involving disability, blindness or level of care must be handled as a state level hearing. The decision from the local hearing may be appealed to the state office for a state hearing. A decision to deny, reduce or terminate benefits that is initially made at the state office may be appealed by requesting a state hearing.

(b) A request for a hearing, either state or local, must be made in writing by the claimant or claimant's legal representative. "Legal representative" includes the claimant's authorized representative, an attorney retained by the claimant or claimant's family to represent the claimant, a paralegal representative with a legal aid services, a parent of a minor child if the claimant is a child, a legal guardian or conservator or an individual with power of attorney for the claimant. The claimant may also be represented by anyone that he or she so designates but must give the designation to the Medicaid regional office or state office in writing, if the person is not the legal representative, legal guardian, or authorized representative.

(c) The claimant may make a request for a hearing in person at the regional office but an oral request must be put into written form. Regional office staff will determine from the claimant if a local or state hearing is requested and assist the claimant in completing and signing the appropriate form. Regional office staff may forward a state hearing request to the appropriate division in the state office or the claimant may mail the form to the address listed on the form. The claimant may make a written request for a hearing by letter. A simple statement requesting a hearing that is signed by the claimant or legal representative is sufficient; however, if possible, the claimant should state the reason for the request. The letter may be mailed to the regional office or it may be mailed to the state office. If the letter does not specify the type of hearing desired, local or state, Medicaid staff will attempt to contact the claimant to determine the level of hearing desired. If contact cannot be made within three (3) days of receipt of the request, the request will be assumed to be for a local hearing and scheduled accordingly. A hearing will not be scheduled until either a letter or the appropriate form is received by the regional or state office.

(d) When both members of a couple wish to appeal an action or inaction by the agency that affects both applications or cases similarly and arose from the same issue, one or both may file the request for hearing, both may present evidence at the hearing, and the agency's decision will be applicable to both. If both file a request for hearing, two (2) hearings will be registered but they will be conducted on the same day and in the same place, either consecutively or jointly, as the couple wishes. If they so desire, only one of the couple need attend the hearing.

(e) The procedure for administrative hearings shall be as follows:

(i) The claimant has thirty (30) days from the date the agency mails the appropriate notice to the claimant of its decision regarding eligibility, services, or benefits to request either a state or local hearing. This time period may be extended if the claimant can show good cause for not filing within thirty (30) days. Good cause includes, but may not be limited to, illness, failure to receive the notice, being out of state, or some other reasonable explanation. If good cause can be shown, a late request may be accepted provided the facts in the case remain the same. If a claimant's circumstances have changed or if good cause for filing a request beyond thirty (30) days is not shown, a hearing request will not be accepted. If the claimant wishes to have eligibility reconsidered, he or she may reapply.

(ii) If a claimant or representative requests a hearing in writing during the advance notice period before benefits are reduced or terminated, benefits must be continued or reinstated to the benefit level in effect before the effective date of the adverse action. Benefits will continue at the original level until the final hearing decision is

rendered. Any hearing requested after the advance notice period will not be accepted as a timely request in order for continuation of benefits to apply.

(iii) Upon receipt of a written request for a hearing, the request will be acknowledged in writing within twenty (20) days and a hearing scheduled. The claimant or representative will be given at least five (5) days' advance notice of the hearing date. The local and/or state level hearings will be held by telephone unless, at the hearing officer's discretion, it is determined that an in-person hearing is necessary. If a local hearing is requested, the regional office will notify the claimant or representative in writing of the time of the local hearing. If a state hearing is requested, the state office will notify the claimant or representative in writing of the time of the state hearing. If an in-person hearing is necessary, local hearings will be held at the regional office and state hearings will be held at the state office unless other arrangements are necessitated by the claimant's inability to travel.

(iv) All persons attending a hearing will attend for the purpose of giving information on behalf of the claimant or rendering the claimant assistance in some other way, or for the purpose of representing the Division of Medicaid.

(v) A state or local hearing request may be withdrawn at any time before the scheduled hearing, or after the hearing is held but before a decision is rendered. The withdrawal must be in writing and signed by the claimant or representative. A hearing request will be considered abandoned if the claimant or representative fails to appear at a scheduled hearing without good cause. If no one appears for a hearing, the appropriate office will notify the claimant in writing that the hearing is dismissed unless good cause is shown for not attending. The proposed agency action will be taken on the case following failure to appear for a hearing if the action has not already been effected.

(vi) The claimant or his representative has the following rights in connection with a local or state hearing:

(A) The right to examine at a reasonable time before the date of the hearing and during the hearing the content of the claimant's case record;

(B) The right to have legal representation at the hearing and to bring witnesses;

(C) The right to produce documentary evidence and establish all facts and circumstances concerning eligibility, services, or benefits;

(D) The right to present an argument without undue interference;

(E) The right to question or refute any testimony or evidence including an opportunity to confront and cross-examine adverse witnesses.

(vii) When a request for a local hearing is received by the regional office or if the regional office is notified by the state office that a local hearing has been requested, the Medicaid specialist supervisor in the regional office will review the case record, reexamine the action taken on the case, and determine if policy and procedures have been followed. If any adjustments or corrections should be made, the Medicaid specialist supervisor will ensure that corrective action is taken. If the request for hearing was timely made such that continuation of benefits applies, the Medicaid specialist supervisor will ensure that benefits continue at the level before the proposed adverse action that is the subject of the appeal. The Medicaid specialist supervisor will also ensure that all needed information, verification, and evidence is in the case record for the hearing.

(viii) When a state hearing is requested that appeals the action or inaction of a regional office, the regional office will prepare copies of the case record and

forward it to the appropriate division in the state office no later than five (5) days after receipt of the request for a state hearing. The original case record will remain in the regional office. Either the original case record in the regional office or the copy forwarded to the state office will be available for inspection by the claimant or claimant's representative a reasonable time before the date of the hearing.

(ix) The Medicaid specialist supervisor will serve as the hearing officer for a local hearing unless the Medicaid specialist supervisor actually participated in the eligibility, benefits, or services decision under appeal, in which case the Medicaid specialist supervisor must appoint a Medicaid specialist in the regional office who did not actually participate in the decision under appeal to serve as hearing officer. The local hearing will be an informal proceeding in which the claimant or representative may present new or additional information, may question the action taken on the client's case, and will hear an explanation from agency staff as to the regulations and requirements that were applied to claimant's case in making the decision.

(x) After the hearing, the hearing officer will prepare a written summary of the hearing procedure and file it with the case record. The hearing officer will consider the facts presented at the local hearing in reaching a decision. The claimant will be notified of the local hearing decision on the appropriate form that will state clearly the reason for the decision, the policy that governs the decision, the claimant's right to appeal the decision to the state office, and, if the original adverse action is upheld, the new effective date of the reduction or termination of benefits or services if continuation of benefits applied during the hearing process. The new effective date of the reduction or termination of benefits or services must be at the end of the fifteen-day advance notice period from the mailing date of the notice of hearing decision. The notice to claimant will be made part of the case record.

(xi) The claimant has the right to appeal a local hearing decision by requesting a state hearing in writing within fifteen (15) days of the mailing date of the notice of local hearing decision. The state hearing request should be made to the regional office. If benefits have been continued pending the local hearing process, then benefits will continue throughout the fifteen-day advance notice period for an adverse local hearing decision. If a state hearing is timely requested within the fifteen-day period, then benefits will continue pending the state hearing process. State hearings requested after the fifteen-day local hearing advance notice period will not be accepted unless the initial thirty-day period for filing a hearing request has not expired because the local hearing was held early, in which case a state hearing request will be accepted as timely within the number of days remaining of the unexpired initial thirty-day period in addition to the fifteen-day time period. Continuation of benefits during the state hearing process, however, will only apply if the state hearing request is received within the fifteen-day advance notice period.

(xii) When a request for a state hearing is received in the regional office, the request will be made part of the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request. A request for a state hearing received in the state office will be forwarded to the regional office for inclusion in the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request.

(xiii) Upon receipt of the hearing record, an impartial hearing officer will be assigned to hear the case either by the Executive Director of the Division of Medicaid or his or her designee. Hearing officers will be individuals with appropriate expertise employed by the division and who have not been involved in any way with the action or decision on appeal in the case. The hearing officer will review the case record and if the review shows that an error was made in the action of the agency or in the interpretation of policy, or that a change of policy has been made, the hearing officer will discuss these matters with the appropriate agency personnel and request that an

appropriate adjustment be made. Appropriate agency personnel will discuss the matter with the claimant and if the claimant is agreeable to the adjustment of the claim, then agency personnel will request in writing dismissal of the hearing and the reason therefor, to be placed in the case record. If the hearing is to go forward, it shall be scheduled by the hearing officer in the manner set forth in subparagraph (iii) of this paragraph (e).

(xiv) In conducting the hearing, the state hearing officer will inform those present of the following:

(A) That the hearing will be recorded on tape and that a transcript of the proceedings will be typed for the record;

(B) The action taken by the agency which prompted the appeal;

(C) An explanation of the claimant's rights during the hearing as outlined in subparagraph (vi) of this paragraph (e);

(D) That the purpose of the hearing is for the claimant to express dissatisfaction and present additional information or evidence;

(E) That the case record is available for review by the claimant or representative during the hearing;

(F) That the final hearing decision will be rendered by the Executive Director of the Division of Medicaid on the basis of facts presented at the hearing and the case record and that the claimant will be notified by letter of the final decision.

(xv) During the hearing, the claimant and/or representative will be allowed an opportunity to make a full statement concerning the appeal and will be assisted, if necessary, in disclosing all information on which the claim is based. All persons representing the claimant and those representing the Division of Medicaid will have the opportunity to state all facts pertinent to the appeal. The hearing officer may recess or continue the hearing for a reasonable time should additional information or facts be required or if some change in the claimant's circumstances occurs during the hearing process which impacts the appeal. When all information has been presented, the hearing officer will close the hearing and stop the recorder.

(xvi) Immediately following the hearing the hearing tape will be transcribed and a copy of the transcription forwarded to the regional office for filing in the case record. As soon as possible, the hearing officer shall review the evidence and record of the proceedings, testimony, exhibits, and other supporting documents, prepare a written summary of the facts as the hearing officer finds them, and prepare a written recommendation of action to be taken by the agency, citing appropriate policy and regulations that govern the recommendation. The decision cannot be based on any material, oral or written, not available to the claimant before or during the hearing. The hearing officer's recommendation will become part of the case record which will be submitted to the Executive Director of the Division of Medicaid for further review and decision.

(xvii) The Executive Director of the Division of Medicaid, upon review of the recommendation, proceedings and the record, may sustain the recommendation of the hearing officer, reject the same, or remand the matter to the hearing officer to take additional testimony and evidence, in which case, the hearing officer thereafter shall submit to the executive director a new recommendation. The executive director shall prepare a written decision summarizing the facts and identifying policies and regulations that support the decision, which shall be mailed to the claimant and the representative, with a copy to the regional office if appropriate, as soon as possible after submission of a

recommendation by the hearing officer. The decision notice will specify any action to be taken by the agency, specify any revised eligibility dates or, if continuation of benefits applies, will notify the claimant of the new effective date of reduction or termination of benefits or services, which will be fifteen (15) days from the mailing date of the notice of decision. The decision rendered by the Executive Director of the Division of Medicaid is final and binding. The claimant is entitled to seek judicial review in a court of proper jurisdiction.

(xviii) The Division of Medicaid must take final administrative action on a hearing, whether state or local, within ninety (90) days from the date of the initial request for a hearing.

(xix) A group hearing may be held for a number of claimants under the following circumstances:

(A) The Division of Medicaid may consolidate the cases and conduct a single group hearing when the only issue involved is one (1) of a single law or agency policy;

(B) The claimants may request a group hearing when there is one (1) issue of agency policy common to all of them.

In all group hearings, whether initiated by the Division of Medicaid or by the claimants, the policies governing fair hearings must be followed. Each claimant in a group hearing must be permitted to present his or her own case and be represented by his or her own representative, or to withdraw from the group hearing and have his or her appeal heard individually. As in individual hearings, the hearing will be conducted only on the issue being appealed, and each claimant will be expected to keep individual testimony within a reasonable time frame as a matter of consideration to the other claimants involved.

(xx) Any specific matter necessitating an administrative hearing not otherwise provided under this article or agency policy shall be afforded under the hearing procedures as outlined above. If the specific time frames of such a unique matter relating to requesting, granting, and concluding of the hearing is contrary to the time frames as set out in the hearing procedures above, the specific time frames will govern over the time frames as set out within these procedures.

(4) The Executive Director of the Division of Medicaid, with the approval of the Governor, shall be authorized to employ eligibility, technical, clerical and supportive staff as may be required in carrying out and fully implementing the determination of Medicaid eligibility, including conducting quality control reviews and the investigation of the improper receipt of medical assistance. Staffing needs will be set forth in the annual appropriation act for the division. Additional office space as needed in performing eligibility, quality control and investigative functions shall be obtained by the division.

SECTION 13. Section 43-13-117.1, Mississippi Code of 1972, is amended as follows:

43-13-117.1. It is the intent of the Legislature to expand access to Medicaid-funded home- and community-based services for eligible nursing facility residents who choose those services. The Executive Director of the Division of Medicaid is authorized to transfer funds allocated for nursing facility services for eligible residents to cover the cost of services available through the Independent Living Waiver, the Traumatic Brain Injury/Spinal Cord Injury Waiver, the Elderly and Disabled Waiver, and the Assisted Living Waiver programs when eligible residents choose those community services. The amount of funding transferred by the division shall be sufficient to cover the cost of home- and community-based waiver services for each eligible nursing facility \* \* \* resident who \* \* \* chooses those services. The number of nursing facility residents who return to the

community and home- and community-based waiver services shall not count against the total number of waiver slots for which the Legislature appropriates funding each year. Any funds remaining in the program when a former nursing facility resident ceases to participate in a home- and community-based waiver program under this provision shall be returned to nursing facility funding.

SECTION 14. Section 43-13-117.2, Mississippi Code of 1972, is brought forward as follows:

43-13-117.2. The Division of Medicaid is authorized and directed to study the feasibility of implementing a pilot program to provide chronic disease management of chronic obstructive pulmonary disease (COPD) using private sources of funding in an effort to reduce the financial and clinical burden of COPD illness upon the Medicaid program and the citizens of Mississippi. If a pilot program is deemed feasible, such a program shall be implemented and a report of findings and recommendations be prepared and provided to the Office of the Governor and the Chairmen of the House and Senate Public Health and Welfare Committees and the Chairman of the House Medicaid Committee in order to evaluate the effectiveness of the pilot program in reducing costs within the Medicaid program and in providing improved health and well-being of the affected patients.

SECTION 15. Section 43-13-117.4, Mississippi Code of 1972, is brought forward as follows:

43-13-117.4. Notwithstanding any other provision of Section 43-13-117, the division shall not authorize payment of part or all of the costs of care and services rendered by any entity that performs nontherapeutic abortions, maintains or operates a facility where nontherapeutic abortions are performed, or is affiliated with such an entity. For purposes of this provision, "nontherapeutic abortions" means abortions that are not qualified for federal matching funds under the Medicaid program, 42 USC Section 1396 et seq., and as amended hereafter, and "affiliated with" means having a legal relationship with another entity created or governed by one or more written instruments that demonstrates common control, ownership, franchisee status or management, or that grants a license or other authority to utilize the other entity's brand name, trademark, service mark or other registered identification mark.

SECTION 16. Section 43-13-117.5, Mississippi Code of 1972, is brought forward as follows:

43-13-117.5. The Division of Medicaid is authorized to reimburse for services provided to eligible Medicaid beneficiaries by a licensed freestanding psychiatric hospital in a method and manner to be determined by the division in accordance with federal law and federal regulations. The division may seek any necessary waivers, make any required amendments to its State Plan, or revise any contracts authorized under Section 43-13-117(H) as necessary to provide the services authorized under this section. As used in this section, the term "psychiatric hospital" shall have the meaning as defined in Section 41-7-173(h)(ii), which is an institution that is primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of persons with mental illness. It is the intent of the Legislature that the cost of providing services to individuals in a psychiatric hospital shall not exceed the cost of providing the same services to individuals in a hospital as defined by Section 41-7-173(h)(i).

SECTION 17. Section 43-13-118, Mississippi Code of 1972, is brought forward as follows:

43-13-118. It shall be the duty of each provider participating in the medical assistance program to keep and maintain books, documents, and other records as prescribed by the division of Medicaid in substantiation of its claim for services rendered

Medicaid recipients, and such books, documents, and other records shall be kept and maintained for a period of five (5) years or for whatever longer period as may be required or prescribed under federal or state statutes and shall be subject to audit by the division. The division shall be entitled to full recoupment of the amount it has paid any provider of medical service who has failed to keep or maintain records as required herein.

SECTION 18. Section 43-13-120, Mississippi Code of 1972, is brought forward as follows:

43-13-120. (1) Any person who is a Medicaid recipient and is receiving medical assistance for services provided in a long-term care facility under the provisions of Section 43-13-117 from the Division of Medicaid in the Office of the Governor, who dies intestate and leaves no known heirs, shall have deemed, through his acceptance of such medical assistance, the Division of Medicaid as his beneficiary to all such funds in an amount not to exceed Two Hundred Fifty Dollars (\$250.00) which are in his possession at the time of his death. Such funds, together with any accrued interest thereon, shall be reported by the long-term care facility to the State Treasurer in the manner provided in subsection (2).

(2) The report of such funds shall be verified, shall be on a form prescribed or approved by the Treasurer, and shall include (a) the name of the deceased person and his last known address prior to entering the long-term care facility; (b) the name and last known address of each person who may possess an interest in such funds; and (c) any other information which the Treasurer prescribes by regulation as necessary for the administration of this section. The report shall be filed with the Treasurer prior to November 1 of each year in which the long-term care facility has provided services to a person or persons having funds to which this section applies.

(3) Within one hundred twenty (120) days from November 1 of each year in which a report is made pursuant to subsection (2), the Treasurer shall cause notice to be published in a newspaper having general circulation in the county of this state in which is located the last known address of the person or persons named in the report who may possess an interest in such funds, or if no such person is named in the report, in the county in which is located the last known address of the deceased person prior to entering the long-term care facility. If no address is given in the report or if the address is outside of this state, the notice shall be published in a newspaper having general circulation in the county in which the facility is located. The notice shall contain (a) the name of the deceased person; (b) his last known address prior to entering the facility; (c) the name and last known address of each person named in the report who may possess an interest in such funds; and (d) a statement that any person possessing an interest in such funds must make a claim therefor to the Treasurer within ninety (90) days after such publication date or the funds will become the property of the State of Mississippi. In any year in which the Treasurer publishes a notice of abandoned property under Section 89-12-27, the Treasurer may combine the notice required by this section with the notice of abandoned property. The cost to the Treasurer of publishing the notice required by this section shall be paid by the Division of Medicaid.

(4) Each long-term care facility that makes a report of funds of a deceased person under this section shall pay over and deliver such funds, together with any accrued interest thereon, to the Treasurer not later than ten (10) days after notice of such funds has been published by the Treasurer as provided in subsection (3). If a claim to such funds is not made by any person having an interest therein within ninety (90) days of the published notice, the Treasurer shall place such funds in the special account in the State Treasury to the credit of the "Governor's Office - Division of Medicaid" to be expended by the Division of Medicaid for the purposes provided under Mississippi Medicaid Law.

(5) This section shall not be applicable to any Medicaid patient in a long-term care facility of a state institution listed in Section 41-7-73, who has a personal deposit fund as provided for in Section 41-7-90.

SECTION 19. Section 43-13-123, Mississippi Code of 1972, is brought forward as follows:

43-13-123. The determination of the method of providing payment of claims under this article shall be made by the division, with approval of the Governor, which methods may be:

(a) By contract with insurance companies licensed to do business in the State of Mississippi or with nonprofit hospital service corporations, medical or dental service corporations, authorized to do business in Mississippi to underwrite on an insured premium approach, such medical assistance benefits as may be available, and any carrier selected under the provisions of this article is expressly authorized and empowered to undertake the performance of the requirements of that contract.

(b) By contract with an insurance company licensed to do business in the State of Mississippi or with nonprofit hospital service, medical or dental service organizations, or other organizations including data processing companies, authorized to do business in Mississippi to act as fiscal agent.

The division shall obtain services to be provided under either of the above-described provisions in accordance with the Personal Service Contract Review Board Procurement Regulations.

The authorization of the foregoing methods shall not preclude other methods of providing payment of claims through direct operation of the program by the state or its agencies.

SECTION 20. Section 43-13-125, Mississippi Code of 1972, is brought forward as follows:

43-13-125. (1) If Medicaid is provided to a recipient under this article for injuries, disease or sickness caused under circumstances creating a cause of action in favor of the recipient against any person, firm, corporation, political subdivision or other state agency, then the division shall be entitled to recover the proceeds that may result from the exercise of any rights of recovery that the recipient may have against any such person, firm, corporation, political subdivision or other state agency, to the extent of the Division of Medicaid's interest on behalf of the recipient. The recipient shall execute and deliver instruments and papers to do whatever is necessary to secure those rights and shall do nothing after Medicaid is provided to prejudice the subrogation rights of the division. Court orders or agreements for reimbursement of Medicaid's interest shall direct those payments to the Division of Medicaid, which shall be authorized to endorse any and all, including, but not limited to, multipayee checks, drafts, money orders, or other negotiable instruments representing Medicaid payment recoveries that are received. In accordance with Section 43-13-305, endorsement of multipayee checks, drafts, money orders or other negotiable instruments by the Division of Medicaid shall be deemed endorsed by the recipient. All payments must be remitted to the division within sixty (60) days from the date of a settlement or the entry of a final judgment; failure to do so hereby authorizes the division to assert its rights under Sections 43-13-307 and 43-13-315, plus interest.

The division, with the approval of the Governor, may compromise or settle any such claim and execute a release of any claim it has by virtue of this section at the division's sole discretion. Nothing in this section shall be construed to require the Division of Medicaid to compromise any such claim.

(2) The acceptance of Medicaid under this article or the making of a claim under this article shall not affect the right of a recipient or his or her legal representative to recover Medicaid's interest as an element of damages in any action at law; however, a copy of the pleadings shall be certified to the division at the time of the institution of suit, and proof of that notice shall be filed of record in that action. The division may, at any

time before the trial on the facts, join in that action or may intervene in that action. Any amount recovered by a recipient or his or her legal representative shall be applied as follows:

(a) The reasonable costs of the collection, including attorney's fees, as approved and allowed by the court in which that action is pending, or in case of settlement without suit, by the legal representative of the division;

(b) The amount of Medicaid's interest on behalf of the recipient; or such amount as may be arrived at by the legal representative of the division and the recipient's attorney; and

(c) Any excess shall be awarded to the recipient.

(3) No compromise of any claim by the recipient or his or her legal representative shall be binding upon or affect the rights of the division against the third party unless the division, with the approval of the Governor, has entered into the compromise in writing. The recipient or his or her legal representative maintain the absolute duty to notify the division of the institution of legal proceedings, and the third party and his or her insurer maintain the absolute duty to notify the division of a proposed compromise for which the division has an interest. The aforementioned absolute duties may not be delegated or assigned by contract or otherwise. Any compromise effected by the recipient or his or her legal representative with the third party in the absence of advance notification to and approved by the division shall constitute conclusive evidence of the liability of the third party, and the division, in litigating its claim against the third party, shall be required only to prove the amount and correctness of its claim relating to the injury, disease or sickness. If the recipient or his or her legal representative fails to notify the division of the institution of legal proceedings against a third party for which the division has a cause of action, the facts relating to negligence and the liability of the third party, if judgment is rendered for the recipient, shall constitute conclusive evidence of liability in a subsequent action maintained by the division and only the amount and correctness of the division's claim relating to injuries, disease or sickness shall be tried before the court. The division shall be authorized in bringing that action against the third party and his or her insurer jointly or against the insurer alone.

(4) Nothing in this section shall be construed to diminish or otherwise restrict the subrogation rights of the Division of Medicaid against a third party for Medicaid provided by the Division of Medicaid to the recipient as a result of injuries, disease or sickness caused under circumstances creating a cause of action in favor of the recipient against such a third party.

(5) Any amounts recovered by the division under this section shall, by the division, be placed to the credit of the funds appropriated for benefits under this article proportionate to the amounts provided by the state and federal governments respectively.

SECTION 21. Section 43-13-126, Mississippi Code of 1972, is brought forward as follows:

43-13-126. As a condition of doing business in the state, health insurers, including self-insured plans, group health plans (as defined in Section 607(1) of the Employee Retirement Income Security Act of 1974), service benefit plans, managed care organizations, pharmacy benefit managers, or other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service, are required to:

(a) Provide, with respect to individuals who are eligible for, or are provided, medical assistance under the state plan, upon the request of the Division of Medicaid, information to determine during what period the individual or their spouses or their dependents may be (or may have been) covered by a health insurer and the nature of the

coverage that is or was provided by the health insurer (including the name, address and identifying number of the plan) in a manner prescribed by the Secretary of the Department of Health and Human Services;

(b) Accept the Division of Medicaid's right of recovery and the assignment to the division of any right of an individual or other entity to payment from the party for an item or service for which payment has been made under the state plan;

(c) Respond to any inquiry by the Division of Medicaid regarding a claim for payment for any health care item or service that is submitted not later than three (3) years after the date of the provision of that health care item or service; and

(d) Agree not to deny a claim submitted by the Division of Medicaid solely on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point of sale that is the basis of the claim, if:

(i) The claim is submitted by the division within the three-year period beginning on the date on which the item or service was furnished; and

(ii) Any action by the division to enforce its rights with respect to the claim is begun within six (6) years of the division's submission of the claim.

SECTION 22. Section 43-13-127, Mississippi Code of 1972, is brought forward as follows:

43-13-127. (1) Within sixty (60) days after the end of each fiscal year and at each regular session of the Legislature, the division shall make and publish a report to the Governor and to the Legislature, showing for the period of time covered the following:

(a) The total number of recipients;

(b) The total amount paid for medical assistance and care under this article;

(c) The total number of applications;

(d) The number of applications approved;

(e) The number of applications denied;

(f) The amount expended for administration of the provisions of this article;

(g) The amount of money received from the federal government, if any;

(h) The amount of money recovered by reason of collections from third persons by reason of assignment or subrogation, and the disposition of the same;

(i) The actions and activities of the division in detecting and investigating suspected or alleged fraudulent practices, violations and abuses of the program; and

(j) Any recommendations it may have as to expanding, enlarging, limiting or restricting the eligibility of persons covered by this article or services provided by this article, to make more effective the basic purposes of this article; to eliminate or curtail fraudulent practices and inequities in the plan or administration thereof; and to continue to participate in receiving federal funds for the furnishing of medical assistance under Title XIX of the Social Security Act or other federal law.

(2) In addition to the reports required by subsection (1) of this section, the division shall submit a report each month to the Chairmen of the Public Health and Welfare

Committees of the Senate and the House of Representatives and to the Joint Legislative Budget Committee that contains the information specified in each paragraph of subsection (1) for the preceding month.

SECTION 23. Section 43-13-129, Mississippi Code of 1972, is brought forward as follows:

43-13-129. Any person making application for benefits under this article for himself or for another person, and any provider of services, who knowingly makes a false statement or false representation or fails to disclose a material fact to obtain or increase any benefit or payment under this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or imprisoned not to exceed one (1) year, or by both such fine and imprisonment. Each false statement or false representation or failure to disclose a material fact shall constitute a separate offense. This section shall not prohibit prosecution under any other criminal statutes of this state or the United States.

SECTION 24. Section 43-13-131, Mississippi Code of 1972, is brought forward as follows:

43-13-131. Any person who shall, through intentional misrepresentation, fraud, deceit or unlawful design, either acting individually or in concert with others, influence any recipient to elect any particular provider of services, or any particular type of services, for the purposes and with the intent to obtain or increase any benefit or payment under this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment not exceeding one (1) year, or by both such fine and imprisonment. This section shall not prohibit prosecution under any other criminal statutes of this state or the United States.

SECTION 25. Section 43-13-133, Mississippi Code of 1972, is brought forward as follows:

43-13-133. It is the intent of the Legislature that all federal matching funds for medical assistance under Titles V, XVIII and XIX of the federal Social Security Act paid into any state health agency after the passage of this article shall be used exclusively to defray the cost of medical assistance expended under the terms of this article.

SECTION 26. Section 43-13-137, Mississippi Code of 1972, is brought forward as follows:

43-13-137. The division is an agency as defined under Section 25-43-3 and, therefore, must comply in all respects with the Administrative Procedures Law, Section 25-43-1 et seq.

SECTION 27. Section 43-13-143, Mississippi Code of 1972, is brought forward as follows:

43-13-143. There is created in the State Treasury a special fund to be known as the "Medical Care Fund," which shall be comprised of monies transferred by public or private health care providers, governing bodies of counties, municipalities, public or community hospitals and other political subdivisions of the state, individuals, corporations, associations and any other entities for the purpose of providing health care services. Any transfer made to the fund shall be paid to the State Treasurer for deposit into the fund, and all such transfers shall be considered as unconditional transfers to the fund. The monies in the Medical Care Fund shall be expended only for health care services, and may be expended only upon appropriation of the Legislature. All transfers of monies to the Division of Medicaid by health care providers and by governing bodies of counties, municipalities, public or community hospitals and other political subdivisions of the state shall be deposited into the fund. Unexpended monies remaining in the fund at the end of

a fiscal year shall not lapse into the State General Fund, and any interest earned on monies in the fund shall be deposited to the credit of the fund.

SECTION 28. Section 43-13-145, Mississippi Code of 1972, is brought forward as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government; or

(ii) The State Veterans Affairs Board.

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental

payments as may be developed pursuant to Section 43-13-117(A)(18), by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state-matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars (\$74,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars (\$104,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state-matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars (\$30,000,000.00) and add that amount to Seventy-four Million Dollars (\$74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000.00) (which would be Fifteen Million Dollars (\$15,000,000.00) on an annualized basis). The division shall publish the state-matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following any adjustment in that state-matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars (\$7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars (\$24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars (\$32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars (\$40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost-containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost-containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall be responsible for twenty-five percent (25%) of any such additional imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) Definitions.

(i) [Deleted]

(ii) For purposes of this subsection (4):

1. "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

a. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

b. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

c. Inpatient days shall not include residential treatment or long-term care days.

2. "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment

shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any supplement payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) Payment.

(a) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Medicare Upper Payments Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

(16) This section shall stand repealed on July 1, 2024.

SECTION 29. Section 43-13-147, Mississippi Code of 1972, is brought forward as follows:

43-13-147. (1) The Mississippi Medicaid Program and the Children's Health Insurance Program, in consultation with statewide organizations focused on premature infant health care, shall:

(a) Examine and improve hospital discharge and follow-up care procedures for premature infants born earlier than thirty-seven (37) weeks gestational age to ensure standardized and coordinated processes are followed as premature infants leave the hospital from either a Level 1 (well baby nursery), Level 2 (step down or transitional nursery) or Level 3 (neonatal intensive care unit) unit and transition to follow-up care by a health care provider in the community; and

(b) Use guidance from the Centers for Medicare and Medicaid Services' Neonatal Outcomes Improvement Project to implement programs to improve newborn outcomes, reduce newborn health costs and establish ongoing quality improvement for newborns.

(2) Data regarding the incidence and cause of rehospitalization in the first six (6) months of life for infants born premature at earlier than thirty-seven (37) weeks gestational age shall be reported to the Chairman of the House Public Health and Human Services Committee and the Chairman of the Senate Public Health and Welfare Committee by the Mississippi State Department of Health utilizing the mandated hospital discharge data system authorized in Section 41-63-4.

SECTION 30. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION IN THE MEDICAID SERVICES SECTION THAT FREEZES MEDICAID PROVIDER RATES OF REIMBURSEMENT AT THE LEVELS IN EFFECT ON JULY 1, 2021; TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED CHANGES IN RATES OF REIMBURSEMENT BY THE DIVISION OF MEDICAID BEFORE THE CHANGES WILL TAKE EFFECT; TO AMEND SECTION 43-13-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SPEAKER OF THE HOUSE AND THE LIEUTENANT GOVERNOR EACH WILL APPOINT TWO MEMBERS OF THE MEDICAID PHARMACY AND THERAPEUTICS COMMITTEE AND THE DRUG USE REVIEW BOARD; TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW RECOMMENDATIONS OF THE DIVISION OF MEDICAID REGARDING PRIOR APPROVAL FOR A THERAPEUTIC CLASS OF DRUGS BEFORE THE RECOMMENDATIONS ARE MADE TO THE PHARMACY AND THERAPEUTICS COMMITTEE; TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED RULES OF THE DIVISION OF MEDICAID BEFORE THE PROPOSED RULES ARE FILED UNDER THE ADMINISTRATIVE PROCEDURES LAW; TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED STATE PLAN AMENDMENTS OF THE DIVISION OF MEDICAID BEFORE THE PROPOSED STATE PLAN AMENDMENTS ARE FILED WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO AMEND

SECTION 43-13-122, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW APPLICATIONS BY THE DIVISION OF MEDICAID FOR A WAIVER OR RESEARCH AND DEMONSTRATION GRANT BEFORE THE APPLICATIONS ARE FILED WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO AMEND SECTION 43-13-139, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR THE MEDICAID AND APPROPRIATIONS COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED DISCONTINUATIONS OR LIMITATIONS ON MEDICAID ASSISTANCE TO OPTIONAL GROUPS OR CATEGORIES OF RECIPIENTS BY THE GOVERNOR BEFORE THOSE DISCONTINUATIONS OR LIMITATIONS ARE IMPLEMENTED; TO PROVIDE THAT THE MEDICAID AND APPROPRIATIONS COMMITTEES HAVE NO AUTHORITY UNDER THE PRECEDING PROVISIONS TO VETO OR REVISE ANY PROPOSED ACTIONS BY THE DIVISION OF MEDICAID, BUT ARE LIMITED TO REVIEWING, MAKING OBJECTIONS TO AND MAKING RECOMMENDATIONS FOR SUGGESTED CHANGES TO PROPOSED ACTIONS BY THE DIVISION; TO BRING FORWARD SECTIONS 43-13-101, 43-13-103, 43-13-105, 43-13-109, 43-13-111, 43-13-116, 43-13-117.2, 43-13-117.4, 43-13-117.5, 43-13-118, 43-13-120, 43-13-123, 43-13-125, 43-13-126, 43-13-127, 43-13-129, 43-13-131, 43-13-133, 43-13-137, 43-13-143, 43-13-145 AND 43-13-147, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE MISSISSIPPI MEDICAID LAW, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 43-13-113 AND 43-13-117.1, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE MISSISSIPPI MEDICAID LAW, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 657 was adopted.

YEAS AND NAYS On H. B. No. 657. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

Senator Seymour called up the following entitled bill:

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department.

Senator Seymour offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 33-11-1, Mississippi Code of 1972, is amended as follows:

33-11-1. The Adjutant General of this state may receive on behalf of the state, and make on behalf of the state, conveyances of real property \* \* \* that are in the best interest of the Mississippi Military Department. Prior to making any conveyance on behalf of the state, the Adjutant General shall make a written determination that such real property is not suitable for any current or future training purposes. Where such real property is conveyed to a subdivision of government or state agency, institution, public university or community or junior college, such real property may be conveyed for any consideration and upon such other terms and conditions as the Adjutant General may deem advisable. Where such property is conveyed to a private entity, it shall be sold for not less than the fair market value as determined by the average of at least two (2) appraisals by qualified appraisers who shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board. All monies derived from the sale of any property shall be deposited into a special fund in the State Treasury and shall be expended only for the benefit of the Mississippi Military Department. In accepting any such conveyance on behalf of the state, the state shall incur no liability for the purchase of such real estate unless it can be absorbed by the current appropriation for the operation of the military department. The Adjutant General is further empowered to enter into cooperative agreements with any county, municipality, or other political subdivision, of the state for the purpose of providing facilities for National Guard training purposes.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 33-11-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ADJUTANT GENERAL TO MAKE CONVEYANCES OF REAL PROPERTY ON BEHALF OF THE STATE THAT ARE IN THE BEST INTEREST OF THE MISSISSIPPI MILITARY DEPARTMENT; TO PROVIDE THAT SUCH CONVEYANCES MADE TO GOVERNMENTAL ENTITIES MAY BE MADE FOR ANY CONSIDERATION AND UPON SUCH OTHER TERMS AND CONDITIONS AS THE ADJUTANT GENERAL MAY DEEM ADVISABLE AND THAT SUCH CONVEYANCES TO PRIVATE ENTITIES CANNOT BE FOR LESS THAN THE FAIR MARKET VALUE AS DETERMINED BY THE AVERAGE OF AT LEAST TWO APPRAISALS BY QUALIFIED APPRAISERS CERTIFIED AND LICENSED BY THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD; AND FOR RELATED PURPOSES.

Senator Seymour offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 33-11-1, Mississippi Code of 1972, is amended as follows:

33-11-1. (1) The Adjutant General of this state may \* \* \* make on behalf of the state conveyances of real property \* \* \* that are in the best interest of the Mississippi Military Department as follows: the reconveyance by the State of Mississippi to the City of Indianola of the seven-acre site in the Industrial Park more particularly described in the Special Warranty Deed executed on June 28, 1983, by the City of Indianola to the State of Mississippi authorized in City Minute Book 26 at Pages 6 and 7 dated April 15, 1983.

(2) In accepting any such conveyance on behalf of the state, the state shall incur no liability for the purchase of such real estate unless it can be absorbed by the current appropriation for the operation of the military department. The Adjutant General is further empowered to enter into cooperative agreements with any county, municipality, or other political subdivision, of the state for the purpose of providing facilities for National Guard training purposes.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 33-11-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ADJUTANT GENERAL TO MAKE CONVEYANCES OF CERTAIN REAL PROPERTY ON BEHALF OF THE STATE THAT ARE IN THE BEST INTEREST OF THE MISSISSIPPI MILITARY DEPARTMENT; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1177 was adopted.

YEAS AND NAYS On H. B. No. 1177. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-31.5, Mississippi Code of 1972, is brought forward as follows:

49-7-31.5. (1) The hunting, trapping and taking of nuisance animals shall be regulated by the commission. The commission may adopt regulations to regulate the hunting, trapping and taking of nuisance animals and to control the population of nuisance animals.

(2) (a) Landowners, agricultural leaseholders or their designated agents may take predatory and nuisance animals year-round on lands owned or leased by them.

(b) Landowners, agricultural leaseholders or their designated agents may take nuisance animals with any type of weapon and may take nuisance animals during the night after legal hunting hours on lands owned or leased by them with a permit issued by the department.

(c) No license is required for a resident landowner hunting or trapping nuisance animals on his own land. An agricultural leaseholder, designated agent and any other person must possess either an all-game hunting license or trapping license, unless otherwise exempt.

(d) No license is required for a recipient of the Purple Heart Medal for wounds suffered in combat, to hunt nuisance animals on private lands. Persons exempt from purchasing a hunting license under this paragraph shall have in their possession and on their person a copy of their DD-214 discharge form indicating the receipt of the Purple Heart Medal and any proof as may be required by the commission or the Department of Wildlife, Fisheries and Parks, while engaged in such activities.

(3) The taking of any animal or animals other than nuisance animals by the use of a trap or traps is unlawful except during the time the season is open for the taking of fur-bearing animals.

(4) Nuisance animals may be run, chased or pursued with dogs, except as provided in Section 49-7-32, year-round by licensed hunters.

(5) Nuisance animals may be hunted with the aid of electronic calls.

(6) Nuisance animals may be hunted or trapped with the aid of bait and lures, on private lands, according to regulations adopted by the commission.

(7) Any part of a nuisance animal may be bought and sold year-round.

(8) (a) Wild hogs may not be caught or trapped and released into the wild at a location different from the location where the wild hog was caught or trapped.

(b) A violation of this subsection is a Class I violation and is punishable as provided under Section 49-7-141.

(9) When hunting wild hogs during any open gun season on deer, a hunter must wear in full view at least five hundred (500) square inches of solid unbroken fluorescent orange.

SECTION 2. Section 49-7-140, Mississippi Code of 1972, is brought forward as follows:

49-7-140. (1) No person may import into the state or release into the wild, any live feral hog, wild swine or Russian Boar.

(2) No person may transport on public roads or off of the property of record where captured or relocate within the state any live feral hog, wild swine or Russian Boar, except as permitted by the department.

(3) For the purposes of this section, "feral hogs, wild swine or Russian Boar" are defined as any hog that is not a domesticated pet or livestock.

(4) A violation of this section is a Class I violation punishable as provided in Section 49-7-141.

(5) (a) Wild hogs may be caught or trapped and transported within the State of Mississippi, with a permit, issued by the Mississippi Department of Wildlife, Fisheries and Parks. Wild hogs may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than five hundred (500) square feet in size and constructed in a manner that prevents the escape of any wild hog, or to a facility where the hog may be immediately prepared for slaughter. The commission shall promulgate rules and regulations for the issuance of a hog transportation permit consistent with this subsection, provided that the authority to issue such a permit is based on the determination that the individuals, at the time of requesting such permit:

- (i) Does not have a history of repeat hunting offenses; or
- (ii) Has not had his or her hunting privileges revoked.

(b) Any person transporting a live wild hog within the State of Mississippi must first obtain from the Mississippi Department of Wildlife, Fisheries and Parks, a live wild hog transportation permit, as provided above, for each wild hog being transported.

(c) A violation of any regulation of the commission promulgated under the authority provided in this section shall be a Class I violation and punishable as provided in Section 49-7-141. In addition to the penalties provided therein, upon conviction, the violator shall forfeit all hunting, trapping and fishing privileges for a period of one (1) year from the date of conviction.

(6) Nothing in this section shall be construed to prohibit the lawful transport of domestic swine for customary and ordinary purposes of intrastate or interstate commerce, or agricultural practices.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO BRING FORWARD SECTIONS 49-7-31.5 AND 49-7-140, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE HUNTING AND TRAPPING OF NUISANCE ANIMALS AND THE IMPORTATION AND RELEASE OF WILD HOGS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Hill, Whaley, Parker, Blackwell and McLendon offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following after line 102 and renumbering subsequent sections accordingly:

SECTION \*. Section 97-41-16, Mississippi Code of 1972, is amended as follows:

97-41-16. (1) (a) The provisions of this section shall be known and may be cited as \* \* \* \* \*Buddy's Law \* \* \* \* \*"

(b) The intent of the Legislature in enacting this law is to provide only for the protection of domesticated dogs and cats, as these are the animals most often serving as the loyal and beloved pets of the citizens of this state. Animals other than domesticated dogs and cats are specifically excluded from the enhanced protection described in this

section for dogs and cats. The provisions of this section do not apply, and shall not be construed as applying, to any animal other than a domesticated dog or cat.

(2) (a) If a person shall intentionally or with criminal negligence wound, deprive of adequate shelter, food or water, or carry or confine in a cruel manner, any domesticated dog or cat, or cause any person to do the same, then he or she shall be guilty of the offense of simple cruelty to a domesticated dog or cat. A person who is convicted of the offense of simple cruelty to a domesticated dog or cat shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00), or imprisoned not more than six (6) months, or both. Each act of simple cruelty that is committed against more than one (1) domesticated dog or cat constitutes a separate offense.

(b) (i) If a person with malice shall intentionally torture, mutilate, maim, burn, starve to death, crush, disfigure, drown, suffocate or impale any domesticated dog or cat, or cause any person to do the same, then he or she shall be guilty of the offense of aggravated cruelty to a domesticated dog or cat. Each act of aggravated cruelty that is committed against more than one (1) domesticated dog or cat shall constitute a separate offense.

(ii) A person who is convicted of a first offense of aggravated cruelty to a domesticated dog or cat shall be guilty of a felony and fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the Department of Corrections for not more than three (3) years, or both.

(iii) A person who is convicted of a second or subsequent offense of aggravated cruelty to a domesticated dog or cat, the offenses being committed within a period of five (5) years, shall be guilty of a felony and fined not more than Ten Thousand Dollars (\$10,000.00) and imprisoned in the custody of the Department of Corrections for not less than one (1) year nor more than ten (10) years.

For purposes of calculating previous offenses of aggravated cruelty under this subparagraph (iii), commission of one or more acts of aggravated cruelty against one or more domesticated dogs or cats within a twenty-four-hour period shall be considered one (1) offense.

(c) A conviction entered upon a plea of nolo contendere to a charge of aggravated cruelty to a domesticated dog or cat shall be counted as a conviction for the purpose of determining whether a later conviction is a first or subsequent offense.

(3) In addition to such fine or imprisonment which may be imposed:

(a) The court shall order that restitution be made to the owner of such domesticated dog or cat. The measure for restitution in money shall be the current replacement value of such loss and the actual veterinarian fees, medicine, special supplies, loss of income and other costs incurred as a result of actions in violation of subsection (2) of this section \* \* \*.

(b) The court may order that:

(i) The reasonable costs of sheltering, transporting and rehabilitating the domesticated dog or cat, and any other costs directly related to the care of the domesticated dog or cat, be reimbursed to:

1. Any law enforcement agency; or

2. Any agency or department of a political subdivision that is charged with the control, protection or welfare of domesticated or feral dogs or cats within the subdivision. The agency or department may reimburse a nongovernmental organization for such costs, if the organization possesses nonprofit status under the

United States Internal Revenue Code and has the purpose of protecting the welfare of, or preventing cruelty to, dogs or cats whether domesticated or feral.

(ii) The person convicted:

1. Receives a psychiatric or psychological evaluation and counseling or treatment for a length of time as prescribed by the court. The cost of any evaluation, counseling and treatment shall be paid by the offender upon order of the court, up to a maximum amount that is no more than the jurisdictional limit of the sentencing court.

2. Performs community service for a period not exceeding the applicable maximum term of imprisonment that may be imposed for conviction of the offense.

3. Be enjoined from employment in any position that involves the care of a domesticated dog or cat, or in any place where domesticated dogs or cats are kept or confined, for a period which the court deems appropriate.

4. If convicted of simple cruelty under this section, be prohibited from owning or possessing or residing with a domesticated dog or cat for any period of time not exceeding five (5) years from the date of sentencing, or any period of time not exceeding fifteen (15) years from the date of sentencing if the conviction involved four (4) or more counts of simple cruelty.

(c) For a child adjudicated delinquent under this section, the youth court shall order under Section 43-21-603 that the child adjudicated delinquent receives a psychiatric evaluation and counseling or treatment for a length of time as prescribed by the youth court. The cost of any evaluation, counseling and treatment shall be paid by the offender's parent or guardian, or by the state if the offender is a ward of the state, upon order of the youth court, up to a maximum amount that is no more than the jurisdictional limit of the sentencing court. The youth court shall hold the offender's parent or guardian in contempt under Section 43-21-509 if the parent or guardian willfully does not follow the recommended treatment for the offender.

( \*\* \*d) The court shall order that any person convicted of an offense of aggravated cruelty under this section be prohibited from owning or possessing or residing with a domesticated dog or cat for a period not less than five (5) years nor more than fifteen (15) years from the date of sentencing.

( \*\* \*e) A person found in violation of a court order incorporating the provisions of paragraph (b)(ii)4. or ( \*\* \*d) of this subsection may, in addition to any other punishment provided by law, be fined in an amount not exceeding One Thousand Dollars (\$1,000.00) for each domesticated dog or cat unlawfully owned or possessed.

( \*\* \*f) Any domesticated dog or cat involved in a violation of a court order described in paragraph ( \*\* \*e) of this subsection shall be forfeited to the state.

(4) (a) Nothing in this section shall be construed as prohibiting a person from:

(i) Defending himself or herself or another person from physical injury being threatened or caused by a domesticated or feral dog or cat.

(ii) Injuring or killing an unconfined domesticated or feral dog or cat on the property of the person, if the unconfined dog or cat is believed to constitute a threat of physical injury or damage to any domesticated animal under the care or control of such person.

(iii) Acting under the provisions of Section 95-5-19 to protect poultry or livestock from a trespassing dog that is in the act of chasing or killing the poultry or livestock, or acting to protect poultry or livestock from a trespassing cat that is in the act of chasing or killing the poultry or livestock.

(iv) Engaging in practices that are licensed or lawful under the Mississippi Veterinary Practice Act, Section 73-39-51 et seq., or engaging in activities by any licensed veterinarian while following accepted standards of practice of the profession within the State of Mississippi, including the euthanizing of a dog or cat.

(v) Rendering emergency care, treatment, or assistance to a dog or cat that is abandoned, ill, injured, or in distress, if the person rendering the care, treatment, or assistance is acting in good faith.

(vi) Performing activities associated with accepted agricultural and animal husbandry practices with regard to livestock, poultry or other animals, including those activities which involve:

1. Using dogs in such practices.
2. Raising, managing and using animals to provide food, fiber or transportation.

3. Butchering animals and processing food.

(vii) Training for, or participating in, a rodeo, equine activity, dog show, event sponsored by a kennel club or other bona fide organization that promotes the breeding or showing of dogs or cats, or any other competitive event which involves the lawful use of dogs or cats.

(viii) Engaging in accepted practices of dog or cat identification.

(ix) Engaging in lawful activities that are regulated by the Mississippi Department of Wildlife, Fisheries and Parks or the Mississippi Department of Marine Resources, including, without limitation, hunting, trapping, fishing, and wildlife and seafood management.

(x) Performing scientific, research, medical and zoological activities undertaken by research and education facilities or institutions that are:

1. Regulated under the provisions of the Animal Welfare Act, 7 USCS 2131 et seq., as in effect on July 1, 2011;

2. Regulated under the provisions of the Health Research Extension Act of 1985, Public Law No. 99-158; or

3. Subject to any other applicable state or federal law or regulation governing animal research as in effect on July 1, 2011.

(xi) Disposing of or destroying certain dogs under authority of Sections 19-5-50, 21-19-9 and 41-53-11, which allow counties, municipalities and certain law enforcement officers to destroy dogs running at large without proper identification indicating that such dogs have been vaccinated for rabies.

(xii) Engaging in professional pest control activities, including those activities governed by the Mississippi Pesticide Law of 1975, Section 69-23-1 et seq.; professional services related to entomology, plant pathology, horticulture, tree surgery, weed control or soil classification, as regulated under Section 69-19-1 et seq.; and any other pest control activities conducted in accordance with state law.

(xiii) Performing the humane euthanization of a dog or cat pursuant to Section 97-41-3.

(xiv) Engaging in the training of service dogs used to assist those with physical or mental health conditions.

(b) If the owner or person in control of a domesticated dog or cat is precluded, by natural or other causes beyond his reasonable control, from acting to prevent an act or omission that might otherwise constitute an allegation of the offense of simple cruelty to a domesticated dog or cat or the offense of aggravated cruelty to a domesticated dog or cat, then that person shall not be guilty of the offense. Natural or other causes beyond the reasonable control of the person include, without limitation, acts of God, declarations of disaster, emergencies, acts of war, earthquakes, hurricanes, tornadoes, fires, floods or other natural disasters.

(5) The provisions of this section shall not be construed to:

(a) Apply to any animal other than a domesticated dog or cat.

(b) Create any civil or criminal liability on the part of the driver of a motor vehicle if the driver unintentionally injures or kills a domesticated dog or cat as a result of the domesticated dog or cat being accidentally hit by the vehicle.

(6) (a) Except as otherwise provided in Section 97-35-47 for the false reporting of a crime, a person, who in good faith and acting without malice, reports a suspected incident of simple cruelty to a domesticated dog or cat, or aggravated cruelty to a domesticated dog or cat, to a local animal control, protection or welfare organization, a local law enforcement agency, or the Mississippi Department of Public Safety, shall be immune from civil and criminal liability for reporting the incident.

(b) A veterinarian licensed in Mississippi or a person acting at the direction of a veterinarian licensed in Mississippi, who in good faith and acting without malice, participates in the investigation of an alleged offense of simple or aggravated cruelty to a domesticated dog or cat, or makes a decision or renders services regarding the care of a domesticated or feral dog or cat that is involved in the investigation, shall be immune from civil and criminal liability for those acts.

(7) Other than an agency or department of a political subdivision that is charged with the control, protection or welfare of dogs or cats within the subdivision, any organization that has the purpose of protecting the welfare of, or preventing cruelty to, domesticated dogs or cats, shall register the organization with the sheriff of the county in which the organization operates a physical facility for the protection, welfare or shelter of dogs or cats, on or before the first day of October each year. The provisions of this subsection (7) shall apply to any organization that has the purpose of protecting the welfare of dogs or cats, or preventing cruelty to dogs or cats, regardless of whether the organization also protects animals other than domesticated dogs or cats.

(8) Nothing in this section shall limit the authority of a municipality or board of supervisors to adopt ordinances, rules, regulations or resolutions which may be, in whole or in part, more restrictive than the provisions of this section, and in those cases, the more restrictive ordinances, rules, regulations or resolutions will govern.

SECTION \*. Section 43-21-603, Mississippi Code of 1972, is amended as follows:

43-21-603. (1) At the beginning of each disposition hearing, the judge shall inform the parties of the purpose of the hearing.

(2) All testimony shall be under oath unless waived by all parties and may be in narrative form. The court may consider any evidence that is material and relevant to the disposition of the cause, including hearsay and opinion evidence. At the conclusion of the evidence, the youth court shall give the parties an opportunity to present oral argument.

(3) If the child has been adjudicated a delinquent child, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

- (a) The nature of the offense;
- (b) The manner in which the offense was committed;
- (c) The nature and number of a child's prior adjudicated offenses;
- (d) The child's need for care and assistance;
- (e) The child's current medical history, including medication and diagnosis;
- (f) The child's mental health history, which may include, but not be limited to, the Massachusetts Youth Screening Instrument version 2 (MAYSI-2);
- (g) Copies of the child's cumulative record from the last school of record, including special education records, if applicable;
- (h) Recommendation from the school of record based on areas of remediation needed;
- (i) Disciplinary records from the school of record; and
- (j) Records of disciplinary actions outside of the school setting.

(4) If the child has been adjudicated a child in need of supervision, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

- (a) The nature and history of the child's conduct;
- (b) The family and home situation; and
- (c) The child's need of care and assistance.

(5) If the child has been adjudicated a neglected child or an abused child, before entering a disposition order, the youth court shall consider, among others, the following relevant factors:

- (a) The child's physical and mental conditions;
- (b) The child's need of assistance;
- (c) The manner in which the parent, guardian or custodian participated in, tolerated or condoned the abuse, neglect or abandonment of the child;
- (d) The ability of a child's parent, guardian or custodian to provide proper supervision and care of a child; and
- (e) Relevant testimony and recommendations, where available, from the foster parent of the child, the grandparents of the child, the guardian ad litem of the child,

representatives of any private care agency that has cared for the child, the family protection worker or family protection specialist assigned to the case, and any other relevant testimony pertaining to the case.

(6) After consideration of all the evidence and the relevant factors, the youth court shall enter a disposition order that shall not recite any of the facts or circumstances upon which the disposition is based, nor shall it recite that a child has been found guilty; but it shall recite that a child is found to be a delinquent child, a child in need of supervision, a neglected child or an abused child.

(7) If the youth court orders that the custody or supervision of a child who has been adjudicated abused or neglected be placed with the Department of Human Services or any other person or public or private agency, other than the child's parent, guardian or custodian, the youth court shall find and the disposition order shall recite that:

(a) (i) Reasonable efforts have been made to maintain the child within his own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody; and

(b) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that the placement of the child in foster care is in the best interests of the child; or

(c) Reasonable efforts to maintain the child within his home shall not be required if the court determines that:

(i) The parent has subjected the child to aggravated circumstances, including, but not limited to, abandonment, torture, chronic abuse and sexual abuse; or

(ii) The parent has been convicted of murder of another child of that parent, voluntary manslaughter of another child of that parent, aided or abetted, attempted, conspired or solicited to commit that murder or voluntary manslaughter, or a felony assault that results in the serious bodily injury to the surviving child or another child of that parent; or

(iii) The parental rights of the parent to a sibling have been terminated involuntarily; and

(iv) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that placement of the child in foster care is in the best interests of the child.

Once the reasonable efforts requirement is bypassed, the court shall have a permanency hearing under Section 43-21-613 within thirty (30) days of the finding.

(8) Upon a written motion by a party, the youth court shall make written findings of fact and conclusions of law upon which it relies for the disposition order. If the disposition ordered by the youth court includes placing the child in the custody of a training school, an admission packet shall be prepared for the child that contains the following information:

(a) The child's current medical history, including medications and diagnosis;

(b) The child's mental health history;

- (c) Copies of the child's cumulative record from the last school of record, including special education records, if reasonably available;
- (d) Recommendation from the school of record based on areas of remediation needed;
- (e) Disciplinary records from the school of record; and
- (f) Records of disciplinary actions outside of the school setting, if reasonably available.

Only individuals who are permitted under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) shall have access to a child's medical records which are contained in an admission packet. The youth court shall provide the admission packet to the training school at or before the child's arrival at the training school. The admittance of any child to a training school shall take place between the hours of 8:00 a.m. and 3:00 p.m. on designated admission days.

(9) When a child in the jurisdiction of the Youth Court is committed to the custody of the Mississippi Department of Human Services and is believed to be in need of treatment for a mental or emotional disability or infirmity, the Department of Human Services shall file an affidavit alleging that the child is in need of mental health services with the Youth Court. The Youth Court shall refer the child to the appropriate community mental health center for evaluation pursuant to Section 41-21-67. If the prescreening evaluation recommends residential care, the Youth Court shall proceed with civil commitment pursuant to Sections 41-21-61 et seq., 43-21-315 and 43-21-611, and the Department of Mental Health, once commitment is ordered, shall provide appropriate care, treatment and services for at least as many adolescents as were provided services in fiscal year 2004 in its facilities.

(10) Any screening and assessment examinations ordered by the court may aid in dispositions related to delinquency, but no statements or admissions made during the course thereof may be admitted into evidence against the child on the issue of whether the child committed a delinquent act.

(11) For a child adjudicated delinquent for an offense under Section 97-41-16, the youth court shall order a psychiatric evaluation and counseling or treatment pursuant to Section 97-41-16(3)(c).

FURTHER, AMEND the title after the semicolon on line 4 by inserting the following:

TO AMEND SECTION 97-41-16, MISSISSIPPI CODE OF 1972, TO RENAME THE SECTION "BUDDY'S LAW"; TO REQUIRE A CHILD ADJUDICATED DELINQUENT UNDER THIS SECTION TO RECEIVE A PSYCHIATRIC EVALUATION AND COUNSELING OR TREATMENT FOR A LENGTH OF TIME PRESCRIBED BY THE YOUTH COURT; TO AMEND SECTION 43-21-603, MISSISSIPPI CODE OF 1972, TO CONFORM;

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1065 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1065 was adopted.

YEAS AND NAYS On H. B. No. 1065. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England,

Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackmon, Turner-Ford. Total--2.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 590:** Charitable solicitations; revise provisions relating to notice, demand and service of process.

YEAS AND NAYS On H. B. No. 590. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "The Mississippi Equal Pay Act."

SECTION 2. (1) An employer, including the state or any of its political subdivisions, including public bodies, may not pay any of its employees at wage rates less than the rates paid to employees of another sex for equal work within the same establishment on jobs the performance of which requires equal skill, effort, education, experience, responsibility, and performance under similar working conditions, except where the payment is made pursuant to any of the following:

(a) A seniority system;

(b) A merit system;

(c) A system which measures earnings by quantity or quality of production;

or

(d) A differential based on any factor other than sex.

(2) Any employer who violates subsection (1) of this section is liable to the employee affected in an amount equal to the wages, and interest thereon, of which the employee is deprived by reason of the violation.

(3) An employee who files a claim against his or her employer for a violation of subsection (1) of this section must plead with particularity in demonstrating the following:

(a) The employee was paid less than someone for equal work despite possessing equal skill, effort, education, experience, and responsibility; and

(b) The applicable wage schedule at issue was or is not correlated to any conditions permissible under subsection (1) of this section.

(4) If an employee recovers an amount under subsection (2) of this section, and also files a complaint or brings an action pursuant to the Equal Pay Act of 1963 or Title VII of the Civil Rights Act of 1964, which results in an additional recovery for the same employer conduct for which recovery was had under subsection (2) of this section, the employee shall return to the employer the amount recovered under subsection (2) of this section, or the amount recovered under federal law, whichever is less.

(5) A civil action brought under this subsection may be commenced no later than two (2) years from the day the employee knew or should have known his or her employer was in violation of this section.

SECTION 3. Section 93-5-1, Mississippi Code of 1972, is amended as follows:

93-5-1. Divorces from the bonds of matrimony may be decreed to the injured party for any one or more of the following \* \* \* thirteen (13) causes:

First. Natural impotency.

Second. Adultery, unless it should appear that it was committed by collusion of the parties for the purpose of procuring a divorce, or unless the parties cohabited after a knowledge by complainant of the adultery.

Third. Being sentenced to any penitentiary, and not pardoned before being sent there.

Fourth. \* \* \* Continued \* \* \* desertion for the space of one (1) year.

Fifth. Habitual drunkenness.

Sixth. Habitual and excessive use of opium, morphine or other like drug.

Seventh. Habitual cruel and inhuman treatment, including spousal domestic abuse.

Spousal domestic abuse may be established through the reliable testimony of a single credible witness, who may be the injured party, and includes, but is not limited to:

That the injured party's spouse attempted to cause, or purposely, knowingly or recklessly caused bodily injury to the injured party, or that the injured party's spouse attempted by physical menace to put the injured party in fear of imminent serious bodily harm; or

That the injured party's spouse engaged in a pattern of behavior against the injured party of threats or intimidation, emotional or verbal abuse, forced isolation, sexual extortion or sexual abuse, or stalking or aggravated stalking as defined in Section

97-3-107, if the pattern of behavior rises above the level of unkindness or rudeness or incompatibility or want of affection.

Eighth. Having mental illness or an intellectual disability at the time of marriage, if the party complaining did not know of that infirmity.

Ninth. Marriage to some other person at the time of the pretended marriage between the parties.

Tenth. Pregnancy of the wife by another person at the time of the marriage, if the husband did not know of the pregnancy.

Eleventh. Either party may have a divorce if they are related to each other within the degrees of kindred between whom marriage is prohibited by law.

Twelfth. Incurable mental illness. However, no divorce shall be granted upon this ground unless the party with mental illness has been under regular treatment for mental illness and causes thereof, confined in an institution for persons with mental illness for a period of at least three (3) years immediately preceding the commencement of the action. However, transfer of a party with mental illness to his or her home for treatment or a trial visit on prescription or recommendation of a licensed physician, which treatment or trial visit proves unsuccessful after a bona fide effort by the complaining party to effect a cure, upon the reconfinement of the party with mental illness in an institution for persons with mental illness, shall be regular treatment for mental illness and causes thereof, and the period of time so consumed in seeking to effect a cure or while on a trial visit home shall be added to the period of actual confinement in an institution for persons with mental illness in computing the required period of three (3) years confinement immediately preceding the beginning of the action. No divorce shall be granted because of mental illness until after a thorough examination of the person with mental illness by two (2) physicians who are recognized authorities on mental diseases. One (1) of those physicians shall be either the superintendent of a state psychiatric hospital or institution or a veterans hospital for persons with mental illness in which the patient is confined, or a member of the medical staff of that hospital or institution who has had the patient in charge. Before incurable mental illness can be successfully proven as a ground for divorce, it shall be necessary that both of those physicians make affidavit that the patient is a person with mental illness at the time of the examination, and both affidavits shall be made a part of the permanent record of the divorce proceedings and shall create the prima facie presumption of incurable mental illness, such as would justify a divorce based on that ground. Service of process shall be made on the superintendent of the hospital or institution in which the defendant is a patient. If the patient is in a hospital or institution outside the state, process shall be served by publication, as in other cases of service by publication, together with the sending of a copy by registered mail to the superintendent of the hospital or institution. In addition, process shall be served upon the next blood relative and guardian, if any. If there is no legal guardian, the court shall appoint a guardian ad litem to represent the interest of the person with mental illness. The relative or guardian and superintendent of the hospital or institution shall be entitled to appear and be heard upon any and all issues. The status of the parties as to the support and maintenance of the person with mental illness shall not be altered in any way by the granting of the divorce.

However, in the discretion of the chancery court, and in those cases as the court may deem it necessary and proper, before any such decree is granted on the ground of incurable mental illness, the complainant, when ordered by the court, shall enter into bond, to be approved by the court, in such an amount as the court may think just and proper, conditioned for the care and keeping of the person with mental illness during the remainder of his or her natural life, unless the person with mental illness has a sufficient estate in his or her own right for that purpose.

Thirteenth. Upon application of either party, the court may grant a divorce when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interests of the parties or family.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI EQUAL PAY ACT; TO PROHIBIT AN EMPLOYER FROM PAYING ANY OF ITS EMPLOYEES AT WAGE RATES LESS THAN THOSE PAID TO EMPLOYEES OF ANOTHER SEX FOR EQUAL WORK UNLESS A WAGE DIFFERENTIAL IS BASED UPON ONE OR MORE SPECIFIED FACTORS; TO PROVIDE A CAUSE OF ACTION AGAINST EMPLOYERS WHO VIOLATE THIS ACT; TO PROVIDE THAT EMPLOYEES WHO RECOVER UNDER THIS ACT AND ALSO RECOVER UNDER A FEDERAL CAUSE OF ACTION FOR THE SAME EMPLOYER CONDUCT SHALL RETURN THE SMALLER OF THE TWO AWARDS TO THE EMPLOYER; TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHERE WHEN THE COURT FINDS THERE HAS BEEN AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.

#### POINT OF ORDER

A point of order was raised by Senator Blackmon that Committee Amendment No. 1 is not germane.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The committee amendment adds provisions to the bill that revise the statutory grounds of divorce. These provisions do not relate to the subject matter of the bill regarding equal pay. Therefore, the amendment is not germane.

Senator Wiggins offered the following AMENDMENT NO. 2.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "The Mississippi Equal Pay Act."

SECTION 2. (1) An employer, including the state or any of its political subdivisions, including public bodies, may not pay any of its employees at wage rates less than the rates paid to employees of another sex for equal work within the same establishment on jobs the performance of which requires equal skill, effort, education, experience, responsibility, and performance under similar working conditions, except where the payment is made pursuant to any of the following:

- (a) A seniority system;
- (b) A merit system;
- (c) A system which measures earnings by quantity or quality of production;

or

- (d) A differential based on any factor other than sex.

(2) Any employer who violates subsection (1) of this section is liable to the employee affected in an amount equal to the wages, and interest thereon, of which the employee is deprived by reason of the violation.

(3) An employee who files a claim against his or her employer for a violation of subsection (1) of this section must plead with particularity in demonstrating the following:

(a) The employee was paid less than someone for equal work despite possessing equal skill, effort, education, experience, and responsibility; and

(b) The applicable wage schedule at issue was or is not correlated to any conditions permissible under subsection (1) of this section.

(4) If an employee recovers an amount under subsection (2) of this section, and also files a complaint or brings an action pursuant to the Equal Pay Act of 1963 or Title VII of the Civil Rights Act of 1964, which results in an additional recovery for the same employer conduct for which recovery was had under subsection (2) of this section, the employee shall return to the employer the amount recovered under subsection (2) of this section, or the amount recovered under federal law, whichever is less.

(5) A civil action brought under this subsection may be commenced no later than two (2) years from the day the employee knew or should have known his or her employer was in violation of this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI EQUAL PAY ACT; TO PROHIBIT AN EMPLOYER FROM PAYING ANY OF ITS EMPLOYEES AT WAGE RATES LESS THAN THOSE PAID TO EMPLOYEES OF ANOTHER SEX FOR EQUAL WORK UNLESS A WAGE DIFFERENTIAL IS BASED UPON ONE OR MORE SPECIFIED FACTORS; TO PROVIDE A CAUSE OF ACTION AGAINST EMPLOYERS WHO VIOLATE THIS ACT; TO PROVIDE THAT EMPLOYEES WHO RECOVER UNDER THIS ACT AND ALSO RECOVER UNDER A FEDERAL CAUSE OF ACTION FOR THE SAME EMPLOYER CONDUCT SHALL RETURN THE SMALLER OF THE TWO AWARDS TO THE EMPLOYER; AND FOR RELATED PURPOSES.

Amendment No. 2 to H. B. No. 770 was adopted.

YEAS AND NAYS On H. B. No. 770. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Blackmon, Butler A. (36th), Chism, Horhn, McDaniel, Polk, Sojourner, Tate, Turner-Ford. Total--9.

Absent and those not voting----None.

Voting Present--Branning. Total--1.

Senator Wiggins called up the following entitled bill:

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts.

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-27-1, Mississippi Code of 1972, is amended as follows:

9-27-1. This chapter shall be known and may be cited as the "Rivers McGraw Mental Health \* \* \* Treatment Court Act."

SECTION 2. Section 9-27-3, Mississippi Code of 1972, is amended as follows:

9-27-3. (1) The Legislature recognizes the critical need for judicial intervention to establish court processes and procedures that are more responsive to the needs of \* \* \* those individuals with mental illnesses whose conduct places them under the jurisdiction of the courts, while maintaining public safety and the integrity of the court process. It is the intent of the Legislature to facilitate local mental health treatment court alternatives adaptable to chancery, circuit, county and youth courts.

(2) The goals of the mental health treatment courts under this chapter include the following:

(a) Reduce the number of future criminal justice contacts among offenders with mental illnesses;

(b) Reduce the \* \* \* institutionalization of people with mental illnesses;

(c) Improve the mental health and well-being of defendants who come in contact with the \* \* \* court system;

(d) Improve linkages between the \* \* \* court system and the mental health system;

(e) Expedite case processing;

(f) Protect public safety;

(g) Establish linkages \*\*\* between the court system and state and local agencies and programs that target people with mental illnesses in order to maximize the delivery of services; and

(h) To \*\*\* redirect prison-bound offenders and other individuals whose \*\*\* conduct is driven in part by mental illnesses to intensive supervision and clinical treatment available in the mental health treatment court.

SECTION 3. Section 9-27-5, Mississippi Code of 1972, is amended as follows:

9-27-5. For the purposes of this chapter, the following words and phrases \*\*\* have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) \*\*\* "Certified mental health treatment provider" means an organization which conducts screening and assessments on each participant. A treatment provider shall make recommendations as to appropriate treatment services and support for individual participants of the mental health treatment court. A treatment provider shall work actively with the mental health treatment court to identify and implement alternatives to incarceration or commitment for participants and to identify, access and assist funding sources for treatment services to individual participants. A certified mental health treatment provider must be certified by the State Department of Mental Health or otherwise licensed to provide services in the State of Mississippi.

(b) "Clinical assessment" means the use of an actuarial assessment tool approved by the Administrative Office of Courts which evaluates a person's physical, medical, cognitive, psychological (personality, emotions, beliefs and attitudes), and behavioral history and current condition in order to determine the presence of any mental health disorder.

(c) "Crime of violence" means an offense defined in Section 97-3-2, other than burglary under Section 97-17-23(1).

(d) "Crisis intervention team" or "CIT" means the product of a partnership between local law enforcement officers and a variety of agencies, including Community Mental Health Centers, primary health providers and behavioral health professionals. Officers who have received crisis intervention training may respond to individuals experiencing a mental health crisis and divert them to an appropriate setting to provide treatment, ensuring individuals are not arrested and taken to jail due to the symptoms of their illness.

(e) "Mental health disorder" means a syndrome characterized by a clinically significant disturbance in an individual's cognition, emotion regulation or behavior that reflects a dysfunction in the psychological, biological or developmental processes underlying mental functioning as defined by the Diagnostic and Statistical Manual of Mental Disorders (DSM-5).

(\*\*\*f) "Mental health \*\*\* treatment court" means \*\*\* a court program with a specialized docket for certain individuals with mental illnesses with an emphasis on linking individuals to effective treatment and support.

(\*\*\*g) "Evidence-based \*\*\* program" and "research-based program" means a program that utilizes supervision policies, procedures and practices that scientific research demonstrates reduce recidivism.

(\*\*\*h) "Risk and needs assessment" means the use of an actuarial assessment tool \*\*\* that determines a person's \*\*\* eligibility for admission into a mental health treatment court.

SECTION 4. The following shall be codified as Section 9-27-6, Mississippi Code of 1972:

9-27-6. (1) (a) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all new or existing mental health treatment courts to ensure that these courts meet minimum standards for mental health treatment court operations.

(b) These standards include, but are not limited to, the Mississippi Mental Health Treatment Court Standards.

(c) Mental health treatment court certification applications must include:

(i) A description of the need for the mental health treatment court;

(ii) The targeted population for the mental health treatment court;

(iii) The eligibility criteria for mental health treatment court participants;

(iv) A description of the process for identifying appropriate participants, which must include the use of a risk and needs assessment and a clinical assessment and must focus on accepting moderate to high-risk individuals;

(v) A description of the mental health treatment court components, including anticipated budget, implementation plan, and a list of the evidence-based or research-based programs to which participants will be referred by the mental health treatment court; and

(vi) A data collection plan, which must include collecting the data listed in subsection (2) of this section.

(d) Beginning July 1, 2022, all qualified courts seeking to establish a mental health treatment court or to continue operating an existing mental health treatment court must submit a mental health treatment court certification application to the Administrative Office of Courts before April 30 preceding the fiscal year in which the court intends to begin operations or continue operating. The Administrative Office of Courts must complete the certification process no later than December 31 of the calendar year in which the application was received. A mental health treatment court's certification expires on December 31.

(e) All certified mental health treatment courts in existence on December 31, 2022, must submit a recertification petition to the Administrative Office of Courts before July 1 of every calendar year. The recertification process must be completed no later than December 31 of every calendar year.

(f) A certified mental health treatment court in existence on December 31, 2024, must submit a recertification petition to the Administrative Office of Courts before July 1, 2025, and July 1 of every third calendar year thereafter. The recertification process must be completed no later than December 31 of every third calendar year.

(2) Each month, mental health treatment courts must collect and record the required data into the official intervention court case management system adopted by the Administrative Office of Courts and any other data or information as required by the Administrative Office of Courts.

(3) A mental health treatment court judge individually may establish rules and make special orders and rules as necessary that do not conflict with rules promulgated by the Supreme Court or the Administrative Office of Courts.

(4) A mental health treatment court judge may appoint the full- or part-time employees deemed necessary for the work of the mental health treatment court and must fix the compensation of those employees, pursuant to the salary ranges promulgated by the Administrative Office of Courts. The employees must serve at the will and pleasure of the senior mental health treatment court judge.

(5) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and recertification process and make any other policies not inconsistent with this section to carry out this process.

(6) All mental health treatment courts operating in the State of Mississippi shall operate subject to the approval and regulatory powers of the Administrative Office of Courts as set forth in Section 9-27-12.

SECTION 5. Section 9-27-9, Mississippi Code of 1972, is amended as follows:

9-27-9. (1) A mental health treatment court's \*\*\* treatment component shall provide for eligible individuals, either directly or through referrals, a range of necessary \*\*\* services, including, but not limited to, the following:

(a) Screening using a valid and reliable risk and needs assessment tool effective for identifying persons affected by mental health \*\*\* disorders for eligibility and appropriate services;

(b) Clinical assessment;

(c) Education;

(d) Referral;

(e) \*\*\* Community service coordination and \*\*\* support; and

(f) Counseling and rehabilitative care.

(2) Any inpatient treatment \*\*\* provider utilized by the mental health treatment court shall be certified by the State Department of Mental Health, other appropriate state agency or the equivalent agency of another state.

SECTION 6. Section 9-27-11, Mississippi Code of 1972, is amended as follows:

9-27-11. (1) In order for a defendant accused of a crime to be eligible for \*\*\* participation in a \*\*\* mental health treatment court, the \*\*\* defendant must satisfy each of the following criteria:

(a) The \*\*\* defendant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2, other than burglary under Section 97-17-23(1), within the previous ten (10) years.

(b) The crime before the court and other criminal proceedings cannot be a crime of violence as defined in Section 97-3-2, other than burglary under Section 97-17-23(1).

\*\*\*

(\*\*\*c) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the participant have a prior conviction for same.

(2) In order for a respondent to a civil case to be eligible for participation in a mental health treatment court, the individual must satisfy each of the following criteria:

(a) The individual cannot have any felony convictions for any offenses that are crimes of violence as defined in subsection (1)(b) of this section within the previous ten (10) years;

(b) The individual cannot have any pending criminal proceedings for a crime of violence as defined in Section 97-3-2, other than burglary under Section 97-17-23(1); and

(c) The individual cannot have any pending criminal proceedings for trafficking in controlled substances under Section 41-29-139(f), nor can the individual have a prior conviction for the same.

(3) Upon referral, any person meeting the eligibility criteria in subsections (1) and (2) of this section must be screened for admission into the mental health treatment court.

( \*\* \*4) Participation in the services of a mental health treatment \*\* \* court shall be open \*\* \* to \*\* \* individuals over whom the court has jurisdiction \*\* \*. The court may agree to provide the services for individuals referred from another mental health treatment court, drug intervention court or veterans treatment court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the \*\* \* original intervention or treatment court judge.

\*\* \*

( \*\* \*5) A person does not have a right to participate in a mental health treatment court under this chapter. The court having jurisdiction over a person for a matter before the court shall: (a) allow the person to choose whether to participate in the mental health treatment court or proceed otherwise through the court system; and (b) have the final determination about whether the person may participate in the mental health treatment court under this chapter. \*\* \*

SECTION 7. The following shall be codified as Section 9-27-12, Mississippi Code of 1972:

9-27-12. With regard to any mental health treatment court, the Administrative Office of Courts shall do the following:

(a) Certify and recertify mental health treatment court applications that comply with standards established by the Administrative Office of Courts in accordance with this chapter.

(b) Ensure that the structure of the mental health treatment court complies with the Mental Health Treatment Court Rules, state statutes or applicable federal rules or regulations.

(c) Revoke the certification of a mental health treatment court upon a determination that the program does not comply with the Mental Health Treatment Court Rules, state statutes or applicable federal rules or regulations.

(d) Make agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation or individual.

(e) Directly, or by contract, approve and certify any mental health treatment court established under this chapter.

(f) Require, as a condition of operation, that all mental health treatment courts created or funded under this chapter be certified by the Administrative Office of Courts.

(g) Collect monthly data from all certified mental health treatment courts, compile an annual report summarizing the data collected and the outcomes achieved by all certified mental health treatment courts.

(h) Every five (5) years, and if funding is available, contract with an external evaluator to conduct an evaluation of the effectiveness of the statewide mental health treatment court program and individual mental health treatment courts.

(i) Adopt rules to implement this chapter.

SECTION 8. Section 9-27-15, Mississippi Code of 1972, is amended as follows:

9-27-15. (1) All monies received from any source by a mental health treatment court shall be accumulated in a local fund to be used only for mental health treatment court purposes. Any funds remaining in a local fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the mental health treatment court fund for the funding of further activities by the mental health treatment court.

(2) A mental health treatment court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract monies from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the mental health \*\*\* treatment court.

(3) The costs of \*\*\* mental health treatment \*\*\* required by the mental health treatment court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) (a) As a condition of participation in a mental health treatment court, a participant may be required to undergo a chemical or drug test or a series of chemical or drug tests as specified by the program. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the mental health treatment court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. Fees also shall be waived if the applicant is determined to be indigent.

(b) A laboratory that performs a chemical test under this section must report the results of the test to the mental health treatment court.

(\*\*\*5) The court may assess reasonable and appropriate fees to be paid to the local mental health treatment court fund for participation in a mental health treatment program \*\*\*. Additionally, all fees \*\*\* must be waived by the court if the \*\*\* participant is determined to be indigent.

SECTION 9. Section 9-27-17, Mississippi Code of 1972, is amended as follows:

9-27-17. The \* \* \* mental health treatment court coordinator and members of the professional and administrative staff of the mental health treatment court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the mental health treatment court.

SECTION 10. Section 9-27-19, Mississippi Code of 1972, is amended as follows:

9-27-19. (1) If the participant completes all requirements imposed \* \* \* by the mental health treatment court, the charge and prosecution shall be dismissed. If the \* \* \* participant was sentenced at the time of entry of a plea of guilty, the successful completion of the mental health treatment court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged by the court.

(2) Expungements performed under subsection (1) of this section are not subject to the requirements and limitations set forth by any other statute authorizing expungements.

(3) If the participant is a respondent to a civil case and completes all requirements imposed by the order placing the participant in the mental health treatment court, the petitioner's petition for commitment must be dismissed.

SECTION 11. Section 9-27-7, Mississippi Code of 1972, which requires the Administrative Office of Courts to collect certain data and reports from the mental health courts and establishes standards for mental health courts, is repealed.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE NAME OF THE RIVERS MCGRAW MENTAL HEALTH DIVERSION PROGRAM ACT TO THE "RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT"; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO TRANSITION THE MENTAL HEALTH DIVERSION PROGRAM INTO A MENTAL HEALTH TREATMENT COURT AND TO CLARIFY THE GOALS OF THE MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS AND TO DEFINE ADDITIONAL TERMS; TO CREATE NEW SECTION 9-27-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO MAINTAIN A UNIFORM CERTIFICATION PROCESS FOR MENTAL HEALTH TREATMENT COURTS AND TO ESTABLISH MINIMUM STANDARDS AND DEADLINES FOR CERTIFICATION AND RECERTIFICATION; TO AMEND SECTION 9-27-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO REVISE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN A MENTAL HEALTH TREATMENT COURT; TO CREATE NEW SECTION 9-27-12, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS IN RELATION TO THE MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-15, MISSISSIPPI CODE OF 1972, TO REQUIRE PARTICIPANTS TO UNDERGO CHEMICAL OR DRUG TESTS; TO AMEND SECTION 9-27-17, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 9-27-19, MISSISSIPPI CODE OF

1972, TO REQUIRE A PETITION FOR COMMITMENT TO BE DISMISSED UPON A PARTICIPANT'S SUCCESSFUL COMPLETION OF THE REQUIREMENTS IMPOSED BY A MENTAL HEALTH TREATMENT COURT; TO REPEAL SECTION 9-27-7, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE ADMINISTRATIVE OFFICE OF COURTS TO COLLECT CERTAIN DATA AND REPORTS FROM THE MENTAL HEALTH COURTS AND ESTABLISHES STANDARDS FOR MENTAL HEALTH COURTS; AND FOR RELATED PURPOSES.

Senator Hopson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 374 by inserting before the period the following:

, and shall stand repealed on June 30, 2022

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 698 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 698 was adopted.

YEAS AND NAYS On H. B. No. 698. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill, Parker, Tate, Williams. Total--5.

Senator Wiggins called up the following entitled bill:

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on lines 39 through 41 by deleting the following language:

The chancery clerk shall refuse to record any scrivener affidavit not containing all information required by this paragraph.

Committee Amendment No. 1 to H. B. No. 1351 was adopted.

YEAS AND NAYS On H. B. No. 1351. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

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

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination.

YEAS AND NAYS On H. B. No. 971. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled bill:

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Outdoor Stewardship Act."

SECTION 2. For the purposes of this act, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

(b) "Conservation land" means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one (1) of the following environmental values or conservation benefits:

(i) Water quality protection for wetlands, rivers, streams or lakes;

(ii) Protection of wildlife habitat;

(iii) Protection of cultural sites and archeological and historic resources;

(iv) Protection of land around Mississippi's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;

(v) Support of economic development through conservation projects;

(vi) Provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities; or

(vii) Recruiting or retention of recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities.

(c) "Nongovernmental entity" means a nonprofit organization with a 501(c)(3) status that is primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(d) "Permanently protected conservation areas" means those resources:

(i) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(ii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and dedicated for recreation or conservation or as a natural resource;

(iii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and subject to:

1. A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land;

2. Contractual arrangements ensuring that, if the protected status is discontinued on a parcel, such property will be replaced by other conservation land which at the time of such replacement is of equal or greater monetary and resource protection value; or

3. A permanent restrictive covenant as provided in state law;

or

(iv) Owned by any person or entity and subject to a conservation easement ensuring that the property will be maintained in a manner consistent with conservation land.

(e) "Project proposal" means any application seeking monies from the Mississippi Outdoor Stewardship Trust Fund.

(f) "Special fund" means the Mississippi Outdoor Stewardship Trust Fund created in Section 4 of this act.

(g) "State agency" means any agency, department, commission or institution of the State of Mississippi.

(h) "Working agricultural land" means land area that is either arable, under permanent crops or under permanent pastures. Arable land includes land under temporary crops such as cereals, temporary meadows for mowing or for pasture, land under market or kitchen gardens, and land temporarily fallow.

SECTION 3. (1) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of the following members:

(a) Four (4) members appointed by the Governor, one (1) from each of the congressional districts existing on July 1, 2022;

(b) Four (4) members appointed by the Lieutenant Governor, one (1) from each of the congressional districts existing on July 1, 2022;

(c) The Executive Director of the Mississippi Soil and Water Conservation Commission, as an ex-officio, nonvoting member;

(d) The Executive Director of the Mississippi Department of Marine Resources, as an ex-officio, nonvoting member; and

(e) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, as an ex officio, nonvoting member.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, business, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to public lands, land conservation and outdoor recreation. These eight (8) appointments shall be subject to the advice and consent of the Mississippi State Senate.

(3) (a) Two (2) persons initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2025. The other two (2) persons initially appointed by the Governor and the other two (2) persons initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2026.

After the expiration of the initial terms, each such appointment shall be for a term of four (4) years from the expiration of the previous term.

(b) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings, and all actions of the board shall require a majority vote of the voting members of the board.

(c) The board shall annually elect one (1) voting member to serve as chairman and one (1) voting member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman, or if there is a vacancy in the office of chairman.

(3) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each board meeting, including mileage, as provided in Section 25-3-41.

(4) No board member shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(5) The board shall not approve any funding to any entity of which a voting member of the board is an executive, member or employee.

(6) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

SECTION 4. (1) (a) There is created in the State Treasury a special fund to be designated the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of monies appropriated by the Legislature. Monies shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund; however, any unobligated monies in excess of Twenty Million Dollars (\$20,000,000.00) remaining in the special fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the special fund may be used upon selection by the board and approval by the Legislature. The board and the Department of Finance and Administration may use not more than two percent (2%) of monies in the special fund to defray the board's expenses in carrying out its duties under this act.

(b) Subject to the provisions of this act, monies in the special fund may be used and expended by the board to provide funds for grants to counties, municipalities, state agencies and nongovernmental entities for:

(i) Improvement of state park outdoor recreation features and trails;

(ii) Restoration or enhancement on privately owned working agricultural lands and forests that support conservation of soil, water, habitat of fish and wildlife resources;

(iii) Acquisition and improvement of parks and trails by counties and municipalities, if such parks and trails lie within the jurisdiction of such counties and municipalities;

(iv) Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, or the safe use and enjoyment of permanently protected conservation land;

(v) Restoration or enhancement of wetlands, native forests, native grasslands and other unique habitats important for Mississippi's fish and wildlife; and

(vi) Acquisition of critical areas for the provision or protection of clean water, wildlife, hunting, fishing, military installation buffering or natural resource-based outdoor recreation. Real property may only be acquired under this subparagraph (vi) when the property:

1. Is, at the time of acquisition, being leased by the state as a wildlife management area;

2. Adjoins or is in close proximity to state or federal wildlife management areas or state parks, or would provide better public access to such areas;

3. Is identified in a wildlife action plan developed by a state agency;

4. Constitutes riparian lands, and its acquisition is for the purpose of protecting any drinking water supply; or

5. Surrounds a military base or military installation.

Acquisition of land under this subparagraph (vi) may not be made through the exercise of any power of eminent domain or any condemnation proceeding.

(c) Unless otherwise authorized by the board, a county, municipality, state agency or nongovernmental entity receiving funds for a project under this section must

expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality, state agency or nongovernmental entity receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county, municipality, state agency or nongovernmental entity must provide an accounting of such unused funds and the reason for failure to expend the funds. If the board determines that the project will not be completed in a timely manner, the county, municipality, state agency or nongovernmental entity must then return any unexpended funds.

(d) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized in this act.

(2) (a) The board shall accept applications from counties, municipalities, state agencies and nongovernmental entities for project proposals eligible for funding under this section. The board shall evaluate the proposals received in accordance with this act.

(b) A county, municipality, state agency or nongovernmental entity desiring assistance under this section must submit a complete application to the board. The application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board.

(c) The board shall require annual independent audits of all expenditures from the special fund and present those findings to the Governor, Lieutenant Governor, Speaker of the House, Chairs of Senate and House Appropriations Committees, and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees.

(d) To be eligible for funding, any nongovernmental entity applicant must submit its most recent audit, disclose any audit deficiencies in the previous five (5) years, submit its certificate of good standing from the Mississippi Secretary of State, and submit a current list of its board members for purposes of conflicts of interest.

(e) For funds to be spent on private land, the applicant must show demonstrably that the project will benefit the public.

(f) No more than fifty percent (50%) of the projects approved for consideration in any fiscal year shall be submitted by nongovernmental entities.

(g) Projects on private lands shall not be considered for approval until after July 1, 2023.

(3) The board, at its first meeting of each calendar year, shall prepare a list of priorities and criteria to guide the selection of projects. The board shall give increased priority to projects:

(a) Supporting the public recreation and conservation efforts of state agencies, counties and municipalities;

(b) Leveraging or matching other nonfederal or federal funds available for similar purposes;

(c) Supporting and promoting recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities;

(d) Contributing to the improvement of the quality and quantity of surface water and groundwater; or

(e) Contributing to the conservation of soil, water, and fish and wildlife resources on privately owned working agricultural lands or forests.

(4) Upon approval of a project by the board, the project shall be submitted to the Senate and House Appropriations Committees for consideration by the Legislature. The Legislature shall have the final authority to reject or approve any project and provide an appropriation. Upon approval by the Legislature, the Department of Finance and Administration shall release funds to the board for expenditure on the approved project.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO ENACT THE MISSISSIPPI OUTDOOR STEWARDSHIP ACT; TO ESTABLISH THE ESTABLISHED THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO SPECIFY THE MEMBERSHIP OF THE BOARD; TO CREATE THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED AND EXPENDED BY THE BOARD TO PROVIDE FUNDS FOR GRANTS TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR VARIOUS OUTDOOR STEWARDSHIP PURPOSES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS FROM COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR PROJECT PROPOSALS ELIGIBLE FOR FUNDING; TO DIRECT THE BOARD TO REQUIRE ANNUAL INDEPENDENT AUDITS OF ALL EXPENDITURES FROM THE SPECIAL FUND AND TO PRESENT THOSE FINDINGS TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRS OF SENATE AND HOUSE APPROPRIATIONS COMMITTEES, AND CHAIRS OF THE SENATE AND HOUSE WILDLIFE, FISHERIES AND PARKS COMMITTEES; TO DIRECT THE BOARD TO ESTABLISH CRITERIA FOR GUIDING ITS SELECTION OF PROJECTS FOR FUNDING, SUBJECT TO PRIORITIES AS SPECIFIED THIS ACT; TO PROVIDE THAT THE LEGISLATURE SHALL HAVE THE FINAL AUTHORITY TO REJECT OR APPROVE ANY PROJECT AND PROVIDE AN APPROPRIATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 606 was adopted.

YEAS AND NAYS On H. B. No. 606. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar called up the following entitled bill:

**H. B. No. 1168:** Gifted education; require school districts to provide for students in Grades 7 and 8.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-23-179, Mississippi Code of 1972, is amended as follows:

37-23-179. (1) The board shall specifically promulgate rules, regulations and guidelines which establish model programs of gifted education and also establish minimum criteria for gifted education programs. In providing programs of gifted education, the local district may use the model programs prepared by the board or may itself develop programs of gifted education which, prior to being implemented, shall be approved by the board, provided, that no such plan or program shall be approved or continued unless it meets the minimum criteria established by the board.

(2) There is hereby created within the department an office for gifted education which shall be staffed by such professional, support and clerical personnel as may be necessary to implement the provisions of Sections 37-23-171 through 37-23-181.

(3) All local school districts may have programs of gifted education for intellectually, creatively and/or artistically gifted students in Grades 2 through 12 and for academically gifted students in Grades 9 through 12 approved by the board. Beginning with the 1993-1994 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grade 2, subject to the approval of the State Board of Education and the availability of funds appropriated therefor by line-item. Beginning with the 1994-1995 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2 and 3, subject to the approval of the State Board of Education. Beginning with the 1995-1996 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3 and 4 subject to the approval of the State Board of Education. Beginning with the 1996-1997 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4 and 5, subject to the approval of the State Board of Education. Beginning with the 1997-1998 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4, 5 and 6, subject to the approval of the State Board of Education. Beginning with the 2022-2023 school year, all local school districts may have programs of gifted education for intellectually gifted students in Grades 7 and 8, subject to the approval of the State Board of Education. The programs shall be funded as a part of the exceptional child programs in accordance with Section 37-19-5(3). Each local school district shall include as a part of its five-year plan a description of any proposed gifted education programs of the district. State funded teacher units for gifted education programs for fiscal year 1994 and thereafter shall be at least the number funded for gifted education programs for fiscal year 1993 and any additional numbers that may be funded by appropriation of the Legislature for those programs. Additional programs above the number authorized statewide and expansion of programs using state funds shall be allowed only in years in which the funding for gifted education teacher units exceeds the number funded for fiscal year 1993. In the \* \* \* Mississippi Adequate Education Program appropriation bill each year, there shall be a line item specifying the number of special education teacher units that are to be used for gifted education programs.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

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

AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR, ALL LOCAL SCHOOL DISTRICTS MAY HAVE PROGRAMS OF GIFTED EDUCATION FOR INTELLECTUALLY GIFTED STUDENTS IN GRADES 7 AND 8, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF EDUCATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1168 was adopted.

YEAS AND NAYS On H. B. No. 1168. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 799:** Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall only apply to search warrants issued in relation to computer crime investigations for sex offenses against children involving a computer defined in Section 7-5-59(1)(a).

(2) If circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge who is authorized to issue search warrants may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(3) The person who is requesting the warrant shall prepare a document to be known as a "duplicate original warrant" and shall read such duplicate original warrant verbatim to the issuing judge. The judge shall enter what is so read on a document to be known as the "original warrant." The issuing judge may direct that the warrant be modified.

(4) If the judge is satisfied that the circumstances are such as to make it reasonable to dispense with a written affidavit and the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the

face of the original warrant the exact time the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(5) When a telephone caller informs the judge that the purpose of the telephone call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for the warrant. If a voice recording device is available, the judge shall record by means of such device all of the call after the caller informs the judge that the purpose of the call is to request a warrant. Otherwise, a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.

(6) The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(7) The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 799 was adopted.

YEAS AND NAYS On H. B. No. 799. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill, Seymour. Total--2.

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

The motion prevailed, and at 5:27 PM, the Senate stood in recess.  
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The Senate resumed business at 5:29 PM, pursuant to recess, with President Hosemann presiding.

Senator DeBar moved that the rules be suspended to move to calendar item 56, **H. B. No. 881**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-23-31, Mississippi Code of 1972, is amended as follows:

37-23-31. (1) (a) When five (5) or more children under twenty-one (21) years of age who, because of \* \* \* significant developmental disabilities, complex communication needs, significant language or learning deficits or any combination of either, are unable to have their educational needs met appropriately in a regular or special education public school program \* \* \* within their local public school districts, a state-supported university or college shall be authorized and empowered, in its discretion, to provide a program of education, instruction and training to such children, provided that such program shall operate under rules, regulations, policies and standards adopted by the State Department of Education, as provided for in Section 37-23-33. The opinion of a parent or guardian in regard to the provision of an appropriate special education program in or by their respective local public school district shall be considered before a placement decision is finalized. Parents shall have any and all rights as provided in the Individuals with Disabilities Education Act, including, but not limited to, the right to equal participation in their child's Individualized Education Program (IEP), the right to require review of their child's IEP, and the right to appeal an IEP Committee decision immediately. The parent or guardian or local educational agency shall have the right to audio record the proceedings of individualized education program team meetings. The parent or guardian or local educational agency shall notify the members of the individualized education program team of his, her, or its intent to audio record a meeting at least twenty-four (24) hours prior to the meeting.

(b) Instructors, including speech-language pathologists, educational audiologists and special and early childhood educators are qualified and empowered to serve as the lead teacher for children enrolled within the state-supported university's or college's university-based program (UBP) through the IDEA-Part C and IDEA-Part B eligibility and placement process. When communication is a primary area of concern on the child's Individualized Family Service Plan (IFSP) or IEP, speech-language pathologists and educational audiologists, who undergo extensive college coursework in communication-based disorders impacting multiple areas of development, including cognition, may serve as the lead instructor.

(c) Due to the significance of the needs of the children served through the UBP, general education setting requirements may not be applicable. Justification for placement decisions is determined in conjunction with the LEA through each child's IEP for ages three (3) to twenty-one (21).

(2) Any state-supported university or college conducting a full-time medical teaching program acceptable to the State Board of Education may, at its discretion, enter

into such contracts or agreements with any private school or nonprofit corporation-supported institution, the Mississippi School for the Deaf, or any state-supported institution, providing the special education contemplated by this section for such services, provided the private school or institution offering such services shall have conducted a program of such services at standards acceptable to the State Department of Education for a period of at least one (1) year prior to the date at which the university or college proposes to enter into an agreement or contract for special educational services as described above.

SECTION 2. Section 37-23-33, Mississippi Code of 1972, is amended as follows:

37-23-33. (1) Such program of education, instruction and training as is provided in Section 37-23-31 shall be furnished in such manner as shall be provided by rules and regulations adopted by the State Board of Education, which for such purposes shall have the full power to adopt such rules, regulations, policies and standards as it may deem necessary to carry out the purpose of Sections 37-23-31 through 37-23-35, including the establishment of qualifications \* \* \* consistent with the requirements of subsection (2) of this section for any teachers employed under the provisions thereof. It is expressly provided, however, that no program of education, instruction and training shall be furnished except in a university or college supported by the State of Mississippi and only in cases where such university or college shall consent thereto and shall provide any classroom space, furniture and facilities which may be deemed necessary in carrying out the provisions of those sections.

(2) Speech-language pathologists, educational audiologists, and special and early childhood educators are qualified and authorized to serve as the lead teacher for children enrolled in a university or college-based program through the Part C and Part B eligibility and placement process. Whenever communication is a primary area of concern on a child's Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP), a speech-language pathologist or educational audiologist may serve as the lead instructor with an educator serving as a related service provider as necessary to meet the educational needs of the child. Speech-language pathologists and educational audiologists must undergo extensive college coursework in communication-based disorders impacting multiple areas of development, including cognition. The content of the college coursework must include typical and atypical development for ages birth through death.

(3) The State Department of Education shall require that the program of education, instruction and training be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success.

(4) A university or college-based program must submit all reports and data required by the State Department of Education on the same time schedule and in the same manner that same or similar reports and data must be submitted to the department by local educational agencies.

SECTION 3. Section 37-23-35, Mississippi Code of 1972, is amended as follows:

37-23-35. (1) When any children who are residents of the State of Mississippi and qualify under the provisions of Section 37-23-31, \* \* \* are provided a program of education, instruction and training within a school under the provisions of \* \* \* Section 37-23-31, the State Department of Education shall allocate one (1) teacher unit for each approved class. The allocation of funds for each teacher unit shall be based on the teacher's certification and shall be in accordance with \* \* \* Section 37-19-7. The department shall complete teacher unit approval for university or college-based programs at the same time teacher units are approved for local educational agencies. The university or college shall be eligible for state and federal funds for such programs on the same

basis as local school districts. The university or college shall be responsible for providing for the additional costs of the program.

(2) IDEA-Part B and preschool allocations for each program of education, instruction and training, as provided for in Section 37-23-31, shall be determined and calculated by the State Department of Education based on the number of students placed by the local public school district (LEA) in the university or college-based program. The State Department of Education shall inform each local public school district of the amount of such funds to be forwarded to the state-supported university or college. Only if the state-supported university or college charges the local public school district an amount in excess of the state and federal funds allocated for each special education student in the local public school district, would a collaborative agreement between the local public school district and the state-supported university or college be required.

(3) All state funds, including, but not limited to, transportation, extended school year and teacher unit allocations, including master's salary supplement, shall be distributed by the State Department of Education directly to the state-supported university or college. Teacher unit allocation and funding shall be based on the December 1 child count. The university based program (UBP) shall submit this information directly to the State Department of Education.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS WITH SIGNIFICANT DEVELOPMENTAL DISABILITIES, COMPLEX COMMUNICATION NEEDS, SIGNIFICANT LANGUAGE OR LEARNING DEFICITS, WHO ARE UNABLE TO SUFFICIENTLY HAVE THEIR EDUCATIONAL NEEDS MET WITHIN THEIR PUBLIC SCHOOL'S REGULAR OR SPECIAL EDUCATION PROGRAM, TO RECEIVE EDUCATIONAL INSTRUCTION, TRAINING AND SPECIAL EDUCATION SERVICES FROM A STATE-SUPPORTED UNIVERSITY OR COLLEGE AUTHORIZED BY THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SUCH INSTRUCTION AND TRAINING; TO AUTHORIZE QUALIFIED INSTRUCTORS WHO HOLD THE APPROPRIATE LICENSURE ENDORSEMENTS TO SERVE AS THE LEAD TEACHER FOR CHILDREN ENROLLED WITHIN THE UNIVERSITY BASED PROGRAM (UBP) THROUGH THE IDEA-PART C AND IDEA-PART B ELIGIBILITY AND PLACEMENT PROCESS; TO ALLOW CERTAIN SPEECH-LANGUAGE PATHOLOGISTS AND EDUCATIONAL AUDIOLOGISTS TO SERVE AS THE LEAD INSTRUCTOR WITH AN EDUCATOR SERVING AS A RELATED SERVICE PROVIDER AS NECESSARY TO MEET THE EDUCATIONAL NEEDS OF THE CHILD; TO PROVIDE THAT THE JUSTIFICATION FOR THE PLACEMENT OF EXCEPTIONAL STUDENTS AGES 3 TO 21 IS DETERMINED IN CONJUNCTION WITH THE LOCAL SCHOOL DISTRICT THROUGH THE STUDENT'S IEP; TO AMEND SECTION 37-23-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SPEECH-LANGUAGE PATHOLOGISTS, EDUCATIONAL AUDIOLOGISTS AND SPECIAL AND EARLY CHILDHOOD EDUCATORS WHO MEET CERTAIN QUALIFICATIONS TO SERVE AS A LEAD TEACHER IN A UNIVERSITY-BASED PROGRAM; TO REQUIRE UNIVERSITY-BASED PROGRAMS TO SUBMIT REPORTS TO THE STATE DEPARTMENT OF EDUCATION AT THE SAME TIME THAT SUCH REPORTS ARE SUBMITTED BY LOCAL SCHOOL DISTRICTS; TO AMEND SECTION 37-23-35, MISSISSIPPI CODE OF 1972, TO REQUIRE IDEA-PART B AND PRESCHOOL ALLOCATIONS FOR THE EDUCATIONAL INSTRUCTION FOR PUBLIC SCHOOL STUDENTS ENROLLED IN A UBP TO BE CALCULATED BY THE STATE DEPARTMENT OF EDUCATION BASED ON THE NUMBER OF STUDENTS PLACED IN THE UBP BY THE LOCAL PUBLIC SCHOOL DISTRICT; TO REQUIRE THE

DEPARTMENT TO INFORM THE LOCAL SCHOOL DISTRICT OF THE AMOUNT OF FUNDS TO BE FORWARDED TO THE UBP PROVIDING THE EDUCATIONAL SERVICES ON INSTRUCTION AND TRAINING; TO REQUIRE A COLLABORATIVE AGREEMENT BETWEEN THE LOCAL PUBLIC SCHOOL DISTRICT AND THE UBP IF THE STATE-SUPPORTED UNIVERSITY OR COLLEGE CHARGES THE SCHOOL DISTRICT AN AMOUNT THAT IS IN EXCESS OF THE STATE AND FEDERAL FUNDS ALLOCATED FOR EACH ENROLLED SPECIAL EDUCATION STUDENT; TO REQUIRE THE DEPARTMENT TO DISTRIBUTE ALL NECESSARY STATE FUNDS DIRECTLY TO THE STATE-SUPPORTED UNIVERSITY OR COLLEGE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 881 was adopted.

YEAS AND NAYS On H. B. No. 881. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Sparks moved that the rules be suspended to move to calendar item 1, **H. B. No. 936**, and the motion prevailed.

The Senate resumed consideration of H. B. No. 936.

Senator Sparks moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 936** was adopted by the Senate.

The foregoing motion prevailed.

Senator Sparks offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Commissioner of the Department of Corrections and the Director of Medicaid are directed to establish a task force to study House Bill No. 936, 2022 Regular Session, and the implementation of Hospice Care Services for Inmates and special care facilities for parolees and to report their recommendation to the Legislature on or before October 1, 2022.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS AND THE DIRECTOR OF MEDICAID TO ESTABLISH A TASK FORCE TO STUDY HOUSE BILL NO. 936, 2022 REGULAR SESSION, AND THE IMPLEMENTATION OF HOSPICE CARE SERVICES FOR INMATES AND SPECIAL CARE FACILITIES FOR PAROLEES AND TO REPORT THEIR RECOMMENDATION TO THE LEGISLATURE ON OR BEFORE OCTOBER 1, 2022; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 936 was adopted.

YEAS AND NAYS On H. B. No. 936. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Branning entered a motion to reconsider the vote whereby **H. B. No. 971** passed the Senate.

Senator Branning moved that the rules be suspended for the immediate consideration of **H. B. No. 971**, and the motion prevailed.

Senator Branning moved to reconsider the vote whereby **H. B. No. 971** passed the Senate.

The foregoing motion prevailed.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

AMEND by striking lines 55 and 56 and inserting in lieu thereof the following:

SECTION 3. Section 1 of this act shall take effect and be in force from and after its passage, and the remainder of this act shall take effect and be in force from and after July 1, 2022.

Committee Amendment No. 1 to H. B. No. 971 was adopted.

YEAS AND NAYS On H. B. No. 971. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Seymour entered a motion to reconsider the vote whereby **H. B. No. 1065** passed the Senate as amended.

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.

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Senator Thompson entered a motion to reconsider the vote whereby **S. B. No. 3001** passed the Senate as amended.

**S. B. No. 3001:** City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of George "Gil" Gilmore Martin, William "Bill" Marlin Bost, Jr. and Ouida Dye Joseph of Vicksburg, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Barbara Kaiser of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Betty Nell Weeks of Smithdale, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Reverend James Hines, Jr. of Yazoo City, MS.

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#### MESSAGE FROM THE HOUSE

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

**S. B. No. 2066:** District attorneys and investigators; increase annual salaries of.

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers.

**S. B. No. 2245:** Voyeurism; revise sentencing.

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration.

**S. B. No. 2506:** Bow hunting; establish a three-day season the last weekend between September 10th and 20th for legal bucks.

**S. B. No. 2543:** Department of Public Safety; revise provision related to.

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties for purchase unless certain conditions are met.

**S. B. No. 2584:** "Reentry Court Act of 2022"; authorize pilot reentry courts in circuit court districts.

**S. B. No. 2587:** CDLs; treat certain moving violations as regular license holders.

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited.

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services.

**S. B. No. 2764:** Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses.

**S. B. No. 2772:** State Small Business Credit Initiative; update citations to federal law.

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.

**S. B. No. 2269:** Community Service Revolving Fund; extend repealer on authority to collect fees for deposit into.

**S. B. No. 2272:** Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility.

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

**S. B. No. 2419:** Hospital Nurse and Allied Health Professional Retention Loan Program; create.

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

**S. B. No. 2437:** Pilot Work Initiative; authorize the establishment of at CMCF.

**S. B. No. 2450:** MS Windstorm Underwriting Association; divert nonadmitted policy fee to the State and School Employees' Insurance Fund.

**S. B. No. 2479:** Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license.

**S. B. No. 2530:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

**S. B. No. 2600:** Recidivism; create study committee to review means to reduce through support, supervision and skills attainment.

**S. B. No. 2623:** Involuntary civil commitments; limit county's liability for costs of medical treatment.

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

**S. B. No. 2698:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital.

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

**S. B. No. 2846:** Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects.

**S. B. No. 2849:** COVID-19 Destination Marketing Organization Grant Program Fund; create.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2077:** Mississippi Farms and Families Program; create.

**S. B. No. 2092:** Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures.

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property.

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.

**S. B. No. 2451:** Mississippi Equal Pay Act; enact.

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions.

**S. B. No. 2499:** Solid Waste Disposal Law; define advanced plastic recycling.

**S. B. No. 2508:** Personal delivery devices; regulate.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2024:** Travel Insurance Act of 2022; create.

**S. B. No. 2076:** Derelict vessels; provide certain requirements for the removal of.

**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

**S. B. No. 2276:** State Parole Board; extend repealer on.

**S. B. No. 2277:** Prison Overcrowding Emergency Powers Act; extend repealer on.

**S. B. No. 2280:** Corrections; extend repealer on intensive supervision program and electronic home detention.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

**S. B. No. 2509:** Outdoor advertising signs; revise height limit provisions.

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.

**S. B. No. 2517:** Commercial motor vehicles; authorize voluntary inspection program.

**S. B. No. 2519:** Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle.

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises.

**S. B. No. 2773:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state.

**S. B. No. 2776:** Health Care Expendable Fund; extend date of repeal.

**S. B. No. 2778:** Line-Item Appropriation Transparency Act; revise.

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriation bills.

**S. B. No. 2782:** Law Enforcement Officers Death Benefits Trust Fund; include presumption of eligibility for officers with COVID-19.

**S. B. No. 2791:** Salaries of public officers; bring forward various laws relating to.

**S. B. No. 2803:** Sheriffs; increase annual salaries of.

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework.

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

**S. B. No. 2831:** Taxation of remote and internet-based computer software products and services; clarify.

**S. B. No. 2841:** State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds.

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer.

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request.

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

**S. B. No. 2842:** Mississippi Health Care Industry Zone Act and related ad valorem tax and sales tax exemptions; extend repeal date.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. C. R. No. 57:** Ole Miss Rebels All Girl Cheerleading Team; commend team and coaching staff on winning 2022 UCA Division 1A. Rules.

**H. C. R. No. 59:** Roger "Big John" Earl Robinson; mourn loss and commemorate life and service of upon his passing. Rules.

**H. C. R. No. 60:** Simpson Academy Cougars Boys Basketball Team; commend for winning the MHSAA Class 5A State Championship. Rules.

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Senator Polk moved that the Senate adjourn until 10:00 AM, Thursday, March 10, 2022.

The motion prevailed, and at 5:40 PM, the Senate stood adjourned in memory of Barbara Kaiser, George "Gil" Gilmore Martin, William "Bill" Marlin Bost, Jr., Quida Dye Joseph, Reverend James Hines, Jr. and Betty Nell Weeks.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 9, 2022

**S. B. No. 3202:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE MADISON SQUARE REDEVELOPMENT AUTHORITY AND THE CITY OF MADISON, MISSISSIPPI, TO TRANSFER CERTAIN PROPERTIES OWNED BY THE MADISON SQUARE REDEVELOPMENT AUTHORITY TO THE CITY OF MADISON, MISSISSIPPI, AND TO TRANSFER CERTAIN PROPERTIES OWNED BY THE CITY OF MADISON, MISSISSIPPI, TO THE MADISON SQUARE REDEVELOPMENT AUTHORITY; TO LEASE, SUBLEASE, SUB-SUBLEASE, SELL AND LEASEBACK, LEASE AND SUBLEASE-BACK FOR TERMS VARYING IN LENGTH BUT NOT TO EXCEED 99 YEARS, OR TO TRADE, EXCHANGE OR OTHERWISE CONVEY OR DISPOSE OF CERTAIN PROPERTIES OWNED BY THE CITY OF MADISON, MISSISSIPPI, AND CERTAIN PROPERTIES OWNED BY THE MADISON SQUARE REDEVELOPMENT AUTHORITY FOR COMMERCIAL, RESIDENTIAL, MUNICIPAL AND COMMUNITY DEVELOPMENT PURPOSES; TO ENTER INTO CERTAIN CONTRACTS FOR THE DEVELOPMENT OF PROJECTS UPON SUCH PROPERTIES AND FOR THE DEVELOPMENT OF FACILITIES RELATED TO SUCH PROJECTS; TO FINANCE OR OTHERWISE PROVIDE FUNDING FOR CERTAIN PROJECTS AND FACILITIES RELATED TO PROJECTS THAT PROMOTE COMMERCIAL, RESIDENTIAL, MUNICIPAL, COMMUNITY AND OTHER ECONOMIC DEVELOPMENT WITHIN THE CITY OF MADISON, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. C. R. No. 573:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LAKE HIGH SCHOOL "LADY HORNETS" GIRLS BASKETBALL TEAM AND COACH MAURICE BOWIE FOR WINNING THE 2022 MHSAA 2A STATE CHAMPIONSHIP.

By Senator(s) McCaughn

**S. C. R. No. 574:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CHOCTAW CENTRAL HIGH SCHOOL "LADY WARRIORS" GIRLS BASKETBALL TEAM AND COACH BILL SMITH FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Branning

**S. C. R. No. 575:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON HIGH SCHOOL "ARROWS" BOYS BASKETBALL TEAM AND COACH LEONARD TAYLOR FOR WINNING BACK-TO-BACK MHSAA CLASS 6A STATE CHAMPIONSHIPS.

By Senator(s) Frazier, Blount, Norwood

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SIXTY-SIXTH DAY, THURSDAY, MARCH 10, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Zach Kilpatrick, Pastor, Mt. Zion Baptist Church, Brookhaven, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 70:** Gary Lee Rhoads, Flowood, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term beginning September 20, 2021 and ending June 30, 2026, representing the Third Congressional District. Do Advise and Consent.

**S. N. No. 71:** Leonard Leon Bentz, II, Biloxi, Mississippi, Commission on Wildlife, Fisheries and Parks, remainder of a five year term effective September 20, 2021 and ending June 30, 2023, representing the Fifth Congressional District. Do Advise and Consent.

WHALEY, Chairman

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Senator Barnett called up the motion to reconsider the vote whereby **H. B. No. 919** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment..

The foregoing motion prevailed.

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Senator Moran called up the motion to reconsider the vote whereby **H. B. No. 1057** passed the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1057:** Department of Marine Resources; revise acreage of bottom authorized to be leased by.

The foregoing motion prevailed.

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Senator Whaley called up the motion to reconsider the vote whereby **H. B. No. 1065** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to..

The foregoing motion prevailed.

Senator Wiggins moved that the rules be suspended for the consideration en bloc of calendar items 33, 42, 55, 56, 57, 70 and 89, and the motion prevailed.

Senator Wiggins called up the following House Amendment to **S. B. No. 2321** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For purposes of this act, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Human trafficking" means the actions that constitute an offense under Section 97-3-54.1 or 97-3-54.3.

(b) "Venture" means any group of two (2) or more individuals associated in fact, whether or not a legal entity.

SECTION 2. (1) A defendant who engages in human trafficking or who willfully, intentionally and knowingly benefits from participating in a venture that trafficks another person is liable to the person trafficked, as provided by this act, for damages proximately caused by the trafficking of that person by the defendant or venture.

(2) The occurrence of human trafficking on the property of one not engaged in or benefitting from such human trafficking shall not, in and of itself, subject the property owner to liability under this act.

(3) It is not a defense to liability under this act that a defendant has been acquitted or has not been prosecuted or convicted under Section 97-3-54.1 or Section 97-3-54.4, or has been convicted of a different offense or of a different type or class of offense, for the conduct that is alleged to give rise to liability under this act.

(4) The cause of action created by this section is in addition to any other remedy provided by common law or statute.

SECTION 3. (1) A claimant who prevails in a suit under this act may be awarded:

(a) Compensatory damages, including damages for mental anguish even if an injury other than mental anguish is not shown;

(b) Court costs; and

(c) Reasonable attorney's fees.

(2) In addition to an award under subsection (1) of this section, a claimant who prevails in a suit under this act may recover punitive damages subject to the provisions of Section 11-1-65.

SECTION 4. A person who engages in human trafficking or who willfully, intentionally and knowingly benefits from participating in a venture that trafficks another person and who is found liable under this act for any amount of damages proximately caused by the trafficking is jointly liable with any other defendant found liable under this act for the entire amount of damages proximately caused by the trafficking.

SECTION 5. Sections 1 through 5 of this act shall be liberally construed and applied to promote its underlying purpose to protect persons from human trafficking and provide adequate remedies to victims of human trafficking.

SECTION 6. Section 97-29-51, Mississippi Code of 1972, is amended as follows:

97-29-51. (1) (a) A person commits the misdemeanor of procuring the services of a prostitute if the person knowingly or intentionally pays, or offers or agrees to pay, money or other property to another person for having engaged in, or on the understanding that the other person will engage in, sexual intercourse or sexual conduct with the person or with any other person. "Sexual conduct" includes cunnilingus, fellatio, masturbation of another, anal intercourse or the causing of penetration to any extent and with any object or body part of the genital or anal opening of another.

(b) Upon conviction under this subsection, a person shall be punished by a fine not exceeding Two Hundred Dollars (\$200.00) or by confinement in the county jail for not more than six (6) months, or both. A second or subsequent violation of this section shall be a felony, punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or both.

(c) However, in all cases, if the person whose services are procured in violation of this subsection (1) is a minor under eighteen (18) years of age, the person convicted shall be guilty of a felony and shall, upon conviction, be punished by imprisonment for not less than five (5) years, nor more than thirty (30) years, or by a fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(d) Consent of a minor is not a defense to prosecution under this subsection (1).

(2) (a) A person commits the felony of promoting prostitution if the person:

(i) Knowingly or intentionally entices, compels, causes, induces, persuades, or encourages by promise, threat, violence, or by scheme or device, another person to become a prostitute, engage in conduct in violation of Section 97-29-49, regardless of whether the other person can be or is arrested for, charged with or convicted of the offense of prostitution;

(ii) Knowingly or intentionally solicits or offers or agrees to solicit, or receives or gives, or agrees to receive or give any money or thing of value for soliciting, or attempting to solicit, another person for the purpose of prostitution;

(iii) Knowingly induces, persuades, or encourages a person to come into or leave this state for the purpose of prostitution;

(iv) Having control over the use of a place or vehicle, knowingly or intentionally permits another person to use the place or vehicle for prostitution;

(v) Accepts, receives, levies or appropriates money or other property of value from a prostitute, without lawful consideration, with knowledge or reasonable cause to know it was earned, in whole or in part, from prostitution; or

(vi) Conducts, directs, takes, or transports, or offers or agrees to take or transport, or aids or assists in transporting, any person to any vehicle, conveyance, place, structure, or building, or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution.

(b) Upon conviction, a person shall be punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by imprisonment in the custody of the Department of Corrections for not more than ten (10) years, or both. A second or subsequent violation shall be punished by a fine not exceeding Twenty Thousand Dollars (\$20,000.00) or by imprisonment in the custody of the Department of Corrections for up to twenty (20) years, or both.

(c) However, in all cases, if the person whose services are promoted in violation of this subsection (2) is a minor under eighteen (18) years of age, the person convicted shall be guilty of a felony and shall, upon conviction, be punished by imprisonment for not less than five (5) years, nor more than thirty (30) years, or by a fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00), or both. There is no requirement that the defendant have actual knowledge of the age of the person and consent of a minor is not a defense to prosecution under this section.

(3) If it is determined that a person suspected of or charged with promoting prostitution is a trafficked person, as defined by Section 97-3-54.4, that fact shall be considered a mitigating factor in any prosecution of that person for prostitution, and the person shall be referred to appropriate resources for assistance. If it is determined that a person suspected of or charged with promoting prostitution is a minor under eighteen (18) years of age who meets the definition of a trafficked person as defined in Section 97-3-54.4, the minor is immune from prosecution for promoting prostitution as a juvenile or adult and provisions of Section 97-3-54.1(4) shall be applicable.

(4) Any partnership, association, corporation or other entity violating any provision of subsection (2) against the promotion of prostitution shall, upon conviction, be punished by a fine not exceeding Fifty Thousand Dollars (\$50,000.00). If the person whose services are promoted is under eighteen (18) years of age, the partnership, association, corporation or other legal entity convicted shall be punished by a fine not exceeding One Million Dollars (\$1,000,000.00). There is no requirement that the defendant have knowledge of the age of the person. Consent of a minor is not a defense to prosecution under this section.

(5) Investigation and prosecution of a person, partnership, association, corporation or other entity under this section shall not preclude investigation or prosecution against that person, partnership, association, corporation or other entity for a violation of other applicable criminal laws, including, but not limited to, the Mississippi Human Trafficking Act, Section 97-3-54 et seq.

SECTION 7. Section 97-3-54.7, Mississippi Code of 1972, is amended as follows:

97-3-54.7. Forfeiture of assets and disposition of proceeds.

(1) In addition to any other civil or criminal penalties provided by law, any property used in the commission of a violation of this act shall be forfeited as provided herein.

(a) The following property shall be subject to forfeiture if used or intended for use as an instrumentality in or used in furtherance of a violation of this act:

- (i) Conveyances, including aircraft, vehicles or vessels;
  - (ii) Books, records, telecommunication equipment, or computers;
  - (iii) Money or weapons;
  - (iv) Everything of value furnished, or intended to be furnished, in exchange for an act in violation and all proceeds traceable to the exchange;
  - (v) Negotiable instruments and securities;
  - (vi) Any property, real or personal, directly or indirectly acquired or received in a violation or as an inducement to violate;
  - (vii) Any property traceable to proceeds from a violation; and
  - (viii) Any real property, including any right, title and interest in the whole of or any part of any lot or tract of land used in furtherance of a violation of this act.
- (b) (i) No property used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the property is a consenting party or privy to a violation of this act;
- (ii) No property is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the property is a leased or rented property, then the confiscating authority shall notify the owner of the property within five (5) days of the confiscation or within five (5) days of forming reason to believe that the property is a leased or rented property;
- (iii) Forfeiture of a property encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission.
- (2) No property shall be forfeited under the provisions of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.
- (3) Seizure without process may be made if the seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant.
- (4) (a) When any property is seized under this section, proceedings shall be instituted within a reasonable period of time from the date of seizure or the subject property shall be immediately returned to the party from whom seized.
- (b) A petition for forfeiture shall be filed by the Attorney General or a district attorney in the name of the State of Mississippi, the county, or the municipality, and may be filed in the county in which the seizure is made, the county in which the criminal prosecution is brought, or the county in which the owner of the seized property is found. Forfeiture proceedings may be brought in the circuit court or the county court if a county court exists in the county and the value of the seized property is within the jurisdictional limits of the county court as set forth in Section 9-9-21. A copy of the petition shall be served upon the following persons by service of process in the same manner as in civil cases:
- (i) The owner of the property, if address is known;

(ii) Any secured party who has registered his lien or filed a financing statement as provided by law, if the identity of the secured party can be ascertained by the entity filing the petition by making a good faith effort to ascertain the identity of the secured party;

(iii) Any other bona fide lienholder or secured party or other person holding an interest in the property in the nature of a security interest of whom the seizing law enforcement agency has actual knowledge; and

(iv) Any person in possession of property subject to forfeiture at the time that it was seized.

(5) If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law and if there is any reasonable cause to believe that the vehicle has been titled, inquiry of the Department of Revenue shall be made as to what the records of the Department of Revenue show as to who is the record owner of the vehicle and who, if anyone, holds any lien or security interest that affects the vehicle.

(6) If the property is a motor vehicle and is not titled in the State of Mississippi, then an attempt shall be made to ascertain the name and address of the person in whose name the vehicle is licensed, and if the vehicle is licensed in a state which has in effect a certificate of title law, inquiry of the appropriate agency of that state shall be made as to what the records of the agency show as to who is the record owner of the vehicle and who, if anyone, holds any lien, security interest or other instrument in the nature of a security device that affects the vehicle.

(7) If the property is of a nature that a financing statement is required by the laws of this state to be filed to perfect a security interest affecting the property and if there is any reasonable cause to believe that a financing statement covering the security interest has been filed under the laws of this state, inquiry of the appropriate office designated in Section 75-9-501, shall be made as to what the records show as to who is the record owner of the property and who, if anyone, has filed a financing statement affecting the property.

(8) If the property is an aircraft or part thereof and if there is any reasonable cause to believe that an instrument in the nature of a security device affects the property, inquiry of the Mississippi Department of Transportation shall be made as to what the records of the Federal Aviation Administration show as to who is the record owner of the property and who, if anyone, holds an instrument in the nature of a security device which affects the property.

(9) If the answer to an inquiry states that the record owner of the property is any person other than the person who was in possession of it when it was seized, or states that any person holds any lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust that affects the property, the record owner and also any lienholder, secured party, other person who holds an interest in the property in the nature of a security interest, or holder of an encumbrance, mortgage or deed of trust that affects the property is to be named in the petition of forfeiture and is to be served with process in the same manner as in civil cases.

(10) If the owner of the property cannot be found and served with a copy of the petition of forfeiture, or if no person was in possession of the property subject to forfeiture at the time that it was seized and the owner of the property is unknown, there shall be filed with the clerk of the court in which the proceeding is pending an affidavit to such effect, whereupon the clerk of the court shall publish notice of the hearing addressed to "the Unknown Owner of \_\_\_\_\_," filling in the blank space with a reasonably detailed description of the property subject to forfeiture. Service by publication shall contain the other requisites prescribed in Section 11-33-41, and shall be served as provided in Section 11-33-37, for publication of notice for attachments at law.

(11) No proceedings instituted pursuant to the provisions of this section shall proceed to hearing unless the judge conducting the hearing is satisfied that this section has been complied with. Any answer received from an inquiry required by this section shall be introduced into evidence at the hearing.

(12) (a) An owner of a property that has been seized shall file an answer within thirty (30) days after the completion of service of process. If an answer is not filed, the court shall hear evidence that the property is subject to forfeiture and forfeit the property to the seizing law enforcement agency. If an answer is filed, a time for hearing on forfeiture shall be set within thirty (30) days of filing the answer or at the succeeding term of court if court would not be in session within thirty (30) days after filing the answer. The court may postpone the forfeiture hearing to a date past the time any criminal action is pending against the owner upon request of any party.

(b) If the owner of the property has filed an answer denying that the property is subject to forfeiture, then the burden is on the petitioner to prove that the property is subject to forfeiture. However, if an answer has not been filed by the owner of the property, the petition for forfeiture may be introduced into evidence and is prima facie evidence that the property is subject to forfeiture. The burden of proof placed upon the petitioner in regard to property forfeited under the provisions of this chapter shall be by a preponderance of the evidence.

(c) At the hearing any claimant of any right, title or interest in the property may prove his lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust to be bona fide and created without knowledge or consent that the property was to be used so as to cause the property to be subject to forfeiture.

(d) If it is found that the property is subject to forfeiture, then the judge shall forfeit the property. However, if proof at the hearing discloses that the interest of any bona fide lienholder, secured party, other person holding an interest in the property in the nature of a security interest, or any holder of a bona fide encumbrance, mortgage or deed of trust is greater than or equal to the present value of the property, the court shall order the property released to him. If the interest is less than the present value of the property and if the proof shows that the property is subject to forfeiture, the court shall order the property forfeited.

(13) Unless otherwise provided herein, all personal property which is forfeited under this section shall be liquidated and, after deduction of court costs and the expense of liquidation, the proceeds shall be divided as follows:

(a) If only one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the \* \* \* Victims of Human Trafficking and Commercial Sexual Exploitation Fund, and fifty percent (50%) shall be deposited and credited to the budget of the participating law enforcement agency.

(b) If more than one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the \* \* \* Victims of Human Trafficking and Commercial Sexual Exploitation Fund, twenty-five percent (25%) of the proceeds shall be deposited and credited to the budget of the law enforcement agency whose officers initiated the criminal case and twenty-five percent (25%) shall be divided equitably between or among the other participating law enforcement agencies, and shall be deposited and credited to the budgets of the participating law enforcement agencies. In the event that the other participating law enforcement agencies cannot agree on the division of their twenty-five percent (25%), a petition shall be filed by any one of

them in the court in which the civil forfeiture case is brought and the court shall make an equitable division.

(14) All money forfeited under this section shall be divided, deposited and credited in the same manner as provided in subsection (13).

(15) All real estate forfeited under the provisions of this section shall be sold to the highest and best bidder at a public auction for cash, the auction to be conducted by the chief law enforcement officer of the initiating law enforcement agency, or his designee, at such place, on such notice and in accordance with the same procedure, as far as practicable, as is required in the case of sales of land under execution at law. The proceeds of the sale shall first be applied to the cost and expense in administering and conducting the sale, then to the satisfaction of all mortgages, deeds of trust, liens and encumbrances of record on the property. The remaining proceeds shall be divided, forwarded and deposited in the same manner as provided in subsection (13).

(16) (a) Any county or municipal law enforcement agency may maintain, repair, use and operate for official purposes all property described in subsection (1)(a)(i) of this section that has been forfeited to the agency if it is free from any interest of a bona fide lienholder, secured party or other party who holds an interest in the property in the nature of a security interest. The county or municipal law enforcement agency may purchase the interest of a bona fide lienholder, secured party or other party who holds an interest so that the property can be released for its use. If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law, the law enforcement agency shall be deemed to be the purchaser, and the certificate of title shall be issued to it as required by subsection (9) of this section.

(b) (i) If a vehicle is forfeited to or transferred to a sheriff's department, then the sheriff may transfer the vehicle to the county for official or governmental use as the board of supervisors may direct.

(ii) If a vehicle is forfeited to or transferred to a police department, then the police chief may transfer the vehicle to the municipality for official or governmental use as the governing authority of the municipality may direct.

(c) If a motor vehicle forfeited to a county or municipal law enforcement agency becomes obsolete or is no longer needed for official or governmental purposes, it may be disposed of in accordance with Section 19-7-5 or in the manner provided by law for disposing of municipal property.

(17) The forfeiture procedure set forth in this section is the sole remedy of any claimant, and no court shall have jurisdiction to interfere therewith by replevin, injunction, supersedeas or in any other manner.

SECTION 8. Section 97-3-54.9, Mississippi Code of 1972, is amended as follows:

97-3-54.9. Statewide Human Trafficking Coordinator; duties.

(1) There is created the position of statewide human trafficking coordinator within the Mississippi Bureau of Investigation of the Department of Public Safety office. The duties of the coordinator shall be as follows:

(a) Coordinate the implementation of this act;

(b) Evaluate state efforts to combat human trafficking;

(c) Collect data on human trafficking activity within the state on an ongoing basis, including types of activities reported, efforts to combat human trafficking, and impact on victims and on the state;

(d) Exclude from publicly released portions of the data collected under subsection (1)(c) the identity of any victim and the victim's family;

(e) Promote public awareness about human trafficking, remedies and services for victims, and national hotline information;

(f) Create and maintain a website to publicize the coordinator's work;

(g) Submit to the Legislature an annual report of its evaluation under subsection (1)(b) and any other annual report required by law, including any recommendations, and summary of data collected under subsection (1)(c) and any other data otherwise required by law to be collected by the coordinator;

\* \* \*

( \* \* \*h) Assist in the creation and operations of local human trafficking task forces or working groups around the state, including serving on a task force or a multidisciplinary child protection team;

( \* \* \*i) Conduct other activities, including, but not limited to, applying for grants to enhance investigation and prosecution of trafficking offenses or to improve victim services to combat human trafficking within this state which are appropriate; and

( \* \* \*j) Perform any other duties specifically required by law for the coordinator.

(2) The coordinator shall be authorized to seek input and assistance from state agencies, nongovernmental agencies, service providers and other individuals in the performance of the foregoing duties.

(3) Each state agency, board and commission shall be required to fully cooperate with the coordinator in the performance of the duties of that position.

(4) Every investigation of an offense under this chapter shall be reported to the coordinator by the initiating law enforcement agency pursuant to guidelines established by the coordinator.

(5) Notwithstanding the provisions of Section 43-21-261, disclosure by any state agency, nongovernmental agency, service provider or local or state law enforcement agency of nonidentifying information regarding a minor victim to the coordinator for the purposes of evaluating and collecting data regarding trafficking offenses in the state is specifically authorized.

SECTION 9. Section 97-3-54.8, Mississippi Code of 1972, which provides for the Victims of Human Trafficking Fund, is repealed.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE A CIVIL CAUSE OF ACTION FOR ENGAGING IN HUMAN TRAFFICKING OR WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITTING FROM PARTICIPATION IN HUMAN TRAFFICKING; TO DEFINE TERMS; TO PROVIDE THAT A DEFENDANT WHO ENGAGES IN HUMAN TRAFFICKING OR WHO WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITS FROM PARTICIPATING

IN A VENTURE THAT TRAFFICKS ANOTHER PERSON IS LIABLE TO THE PERSON TRAFFICKED FOR DAMAGES PROXIMATELY CAUSED BY THE TRAFFICKING OF THAT PERSON BY THE DEFENDANT OR VENTURE; TO PROVIDE FOR SHAREHOLDER OR MEMBER LIABILITY; TO CLARIFY THAT THE OCCURRENCE OF HUMAN TRAFFICKING ON THE PROPERTY OF ONE NOT ENGAGED IN OR BENEFITTING FROM SUCH HUMAN TRAFFICKING SHALL NOT, IN AND OF ITSELF, SUBJECT THE PROPERTY OWNER TO LIABILITY; TO AMEND SECTION 97-29-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CRIME OF PROMOTION OF PROSTITUTION; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO REVISE WHERE THE PROCEEDS OF FORFEITED ASSETS FROM HUMAN TRAFFICKING ARE DEPOSITED; TO AMEND SECTION 97-3-54.9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 97-3-54.8, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE "RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND"; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2623** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-21-67, Mississippi Code of 1972, is amended as follows:

41-21-67. (1) Whenever the affidavit provided for in Section 41-21-65 is filed with the chancery clerk, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for pre-evaluation screening and treatment by the appropriate community mental health center established under Section 41-19-31. The community mental health center will be designated as the first point of entry for pre-evaluation screening and treatment. If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-evaluation screening and examination as set forth in Section 41-21-69. The order may provide where the person shall be held before being taken for pre-evaluation screening and treatment. However, when the affidavit fails to set forth factual allegations and witnesses sufficient to support the need for treatment, the chancellor shall refuse to direct issuance of the writ. Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if \* \* \* the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of the commitment proceedings in court, unless funds for those purposes are made available by the state.

In any county in which a Crisis Intervention Team has been established under the provisions of Sections 41-21-131 through 41-21-143, the clerk, upon the direction of the chancellor, may require that the person be referred to the Crisis Intervention Team for appropriate psychiatric or other medical services before the issuance of the writ.

(2) Upon issuance of the writ, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, any nurse practitioner or physician assistant conducting the examination shall be independent from, and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the issuance of the writ, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(3) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(4) (a) If the chancellor determines that there is probable cause to believe that the respondent is mentally ill and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility. If the community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within an adjacent county served by the community mental health center. If the person evaluating the respondent finds that the respondent is mentally ill and in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health, and shall not be held in jail unless the court finds that there is no reasonable alternative.

(b) For indigent patients with no payor source, the county of residence of the respondent may bear the costs of treatment or placement by paying a negotiated fee as agreed to by the medical care service providers. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the county of residence an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate, and the county will not be liable for any cost associated with medical attention or placement for a respondent that exceeds the Mississippi Medicaid reimbursement rate for all medical care services, durable and nondurable goods, prescription drugs and medications required for the respondent.

(5) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis intervention center. The physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to be mentally ill shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 2. Section 41-21-73, Mississippi Code of 1972, is amended as follows:

41-21-73. (1) The hearing shall be conducted before the chancellor. However, the hearing may be held at the location where the respondent is being held. Within a reasonable period of time before the hearing, notice of same shall be provided the respondent and his attorney, which shall include: (a) notice of the date, time and place of the hearing; (b) a clear statement of the purpose of the hearing; (c) the possible consequences or outcome of the hearing; (d) the facts that have been alleged in support of the need for commitment; (e) the names, addresses and telephone numbers of the examiner(s); and (f) other witnesses expected to testify.

(2) The respondent must be present at the hearing unless the chancellor determines that the respondent is unable to attend and makes that determination and the reasons therefor part of the record. At the time of the hearing, the respondent shall not be so under the influence or suffering from the effects of drugs, medication or other treatment so as to be hampered in participating in the proceedings. The court, at the time of the hearing, shall be presented a record of all drugs, medication or other treatment that the respondent has received pending the hearing, unless the court determines that such a record would be impractical and documents the reasons for that determination.

(3) The respondent shall have the right to offer evidence, to be confronted with the witnesses against him and to cross-examine them and shall have the privilege against self-incrimination. The rules of evidence applicable in other judicial proceedings in this state shall be followed.

(4) If the court finds by clear and convincing evidence that the proposed patient is a person with mental illness or a person with an intellectual disability and, if after careful consideration of reasonable alternative dispositions, including, but not limited to, dismissal of the proceedings, the court finds that there is no suitable alternative to judicial commitment, the court shall commit the patient for treatment in the least restrictive treatment facility that can meet the patient's treatment needs. Treatment before admission to a state-operated facility shall be located as closely as possible to the patient's county of residence and the county of residence shall be responsible for that cost. Admissions to state-operated facilities shall be in compliance with the catchment areas established by the State Department of Mental Health. A nonresident of the state may be committed for treatment or confinement in the county where the person was found.

Alternatives to commitment to inpatient care may include, but shall not be limited to: voluntary or court-ordered outpatient commitment for treatment with specific reference to a treatment regimen, day treatment in a hospital, night treatment in a hospital, placement in the custody of a friend or relative, or the provision of home health services.

For persons committed as having mental illness or having an intellectual disability, the initial commitment shall not exceed three (3) months.

(5) No person shall be committed to a treatment facility whose primary problems are the physical disabilities associated with old age or birth defects of infancy.

(6) The court shall state the findings of fact and conclusions of law that constitute the basis for the order of commitment. The findings shall include a listing of less restrictive alternatives considered by the court and the reasons that each was found not suitable.

(7) A stenographic transcription shall be recorded by a stenographer or electronic recording device and retained by the court.

(8) Notwithstanding any other provision of law to the contrary, neither the State Board of Mental Health or its members, nor the State Department of Mental Health or its related facilities, nor any employee of the State Department of Mental Health or its related facilities, unless related to the respondent by blood or marriage, shall be assigned or adjudicated custody, guardianship, or conservatorship of the respondent.

(9) The county where a person in need of treatment is found is authorized to charge the county of the person's residence for the costs incurred while the person is confined in the county where such person was found subject to the provisions of Section 41-21-67 for medical treatment.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO LIMIT THE FINANCIAL RESPONSIBILITY OF THE BOARD OF SUPERVISORS FOR PAYMENT OF TREATMENT COSTS NEEDED BY CERTAIN MENTALLY ILL COUNTY RESIDENTS UNDER ORDER OF COMMITMENT WHO ARE INDIGENT TO A NEGOTIATED DISCOUNTED FEE OR, IN THE ABSENCE OF A NEGOTIATED FEE SCHEDULE, TO THE MEDICAID REIMBURSEMENT RATE; TO AMEND SECTION 41-21-73, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2341** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-11-65, Mississippi Code of 1972, is amended as follows:

93-11-65. (1) (a) In addition to the right to proceed under Section 93-5-23, Mississippi Code of 1972, and in addition to the remedy of habeas corpus in proper cases, and other existing remedies, the chancery court of the proper county shall have jurisdiction to entertain suits for the custody, care, support and maintenance of minor children and to hear and determine all such matters, and shall, if need be, require bond, sureties or other guarantee to secure any order for periodic payments for the maintenance or support of a child. \* \* \* If a legally responsible parent has health insurance available \* \* \* through an employer or organization that may extend benefits to the dependents of \* \* \* the parent, any order of support issued against \* \* \* the parent may require him or her to exercise the option of additional coverage in favor of \* \* \* any children \* \* \* he or she is legally responsible to support. Proceedings may be brought by or against a resident or nonresident of the State of Mississippi, whether or not having the actual custody of minor children, for the purpose of judicially determining the legal custody of a child. All actions herein authorized may be brought in the county where the child is actually residing, or in the county of the residence of the party who has actual custody, or of the residence of the defendant. Process shall be had upon the parties as provided by law for process in person or by publication, if they \* \* \* are nonresidents of the state or residents of another jurisdiction or are not found therein after diligent search and inquiry or are unknown after diligent search and inquiry; provided that the court or chancellor in vacation may fix a date in termtime or in vacation to which process may be returnable and shall have power to proceed in termtime or vacation. \* \* \* If the court \* \* \* finds that both parties are fit and proper persons to have custody of the children, and that either party is able to adequately provide for the care and maintenance of the children, the chancellor may consider the preference of a child of twelve (12) years of age or older as to the parent with whom the child would prefer to live in determining what would be in the best interest and welfare of the child. The chancellor shall place on the record the reason or reasons for which the award of custody was made and explain in detail why the wishes of any child were or were not honored.

(b) An order of child support shall specify the sum to be paid weekly or otherwise. In addition to providing for support and education, the order shall also provide for the support of the child prior to the making of the order for child support, and such other expenses as the court may deem proper.

(c) The court may require the payment to be made to the custodial parent, or to some person or corporation to be designated by the court as trustee, but if the child or custodial parent is receiving public assistance, the Department of Human Services shall be made the trustee.

(d) The noncustodial parent's liabilities for past education and necessary support and maintenance and other expenses are limited to a period of one (1) year next preceding the commencement of an action.

(2) \* \* \* Where the proof shows that both parents have separate incomes or estates, the court may require that each parent contribute to the support and maintenance of the children in proportion to the relative financial ability of each.

(3) Whenever the court has ordered a party to make periodic payments for the maintenance or support of a child, but no bond, sureties or other guarantee has been required to secure \* \* \* the payments, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, the court may, upon petition of the person to whom such payments are owing, or such person's legal representative, enter an order requiring that bond, sureties or other security be given by the person obligated to make such payments, the amount and sufficiency of which shall be approved by the court. The obligor shall, as in other civil actions, be served with process and shall be entitled to a hearing in such case.

(4) When a charge of abuse or neglect of a child first arises in the course of a custody or maintenance action pending in the chancery court pursuant to this section, the chancery court may proceed with the investigation, hearing and determination of \* \* \* the abuse or neglect charge as a part of its hearing and determination of the custody or maintenance issue as between the parents, as provided in Section 43-21-151, notwithstanding the other provisions of the Youth Court Law. The proceedings in chancery court on the abuse or neglect charge shall be confidential in the same manner as provided in youth court proceedings, and the chancery court shall appoint a guardian ad litem in such cases, as provided under Section 43-21-121 for youth court proceedings, who shall be an attorney. In determining whether any portion of a guardian ad litem's fee shall be assessed against any party or parties as a cost of court for reimbursement to the county, the court shall consider each party's individual ability to pay. Unless the chancery court's jurisdiction has been terminated, all disposition orders in such cases for placement with the Department of Human Services shall be reviewed by the court or designated authority at least annually to determine if continued placement with the department is in the best interest of the child or the public.

(5) Each party to a paternity or child support proceeding shall notify the other within five (5) days after any change of address. In addition, the noncustodial and custodial parent shall file and update, with the court and with the state case registry, information on that party's location and identity, including social security number, residential and mailing addresses, telephone numbers, photograph, driver's license number, and name, address and telephone number of the party's employer. This information shall be required upon entry of an order or within five (5) days of a change of address.

(6) In any case subsequently enforced by the Department of Human Services pursuant to Title IV-D of the Social Security Act, the court shall have continuing jurisdiction.

(7) In any subsequent child support enforcement action between the parties, upon sufficient showing that diligent effort has been made to ascertain the location of a party, due process requirements for notice and service of process shall be deemed to be met with respect to the party upon delivery of written notice to the most recent residential or employer address filed with the state case registry.

(8) (a) The duty of support of a child terminates upon the emancipation of the child. Unless otherwise provided for in the underlying child support judgment, emancipation shall occur when the child:

- (i) Attains the age of twenty-one (21) years, or
- (ii) Marries, or
- (iii) Joins the military and serves on a full-time basis, or

(iv) Is convicted of a felony and is sentenced to incarceration of two (2) or more years for committing such felony; \* \* \*

(b) Unless otherwise provided for in the underlying child support judgment, the court may determine that emancipation has occurred and no other support obligation exists when the child:

(i) Discontinues full-time enrollment in school having attained the age of eighteen (18) years, unless the child is disabled, or

(ii) Voluntarily moves from the home of the custodial parent or guardian, establishes independent living arrangements, obtains full-time employment and discontinues educational endeavors prior to attaining the age of twenty-one (21) years, or

(iii) Cohabits with another person without the approval of the parent obligated to pay support; \* \* \*

(c) The duty of support of a child who is incarcerated but not emancipated shall be suspended for the period of the child's incarceration.

(9) (a) Notwithstanding the presumption of emancipation under subsection (8) of this section, support for an adult child who is incapable of self-support by reason of a physical or mental disability as determined by the Social Security Administration or the court; if the disability existed during the adult child's minority shall be presumed to continue past the child's anticipated age of majority;

(b) Under this subsection, the court may:

(i) Order that the duty to support a child continues past the anticipated age of majority if the minor child has a disability which was present during the child's minority that prevents the child from living independently unless the child is a long-term patient in a facility owned or operated by the State of Mississippi;

(ii) Order, modify or leave in place previous orders regarding custody, visitation, payment of medical expenses or any other matters regarding the health, maintenance, education and welfare of the child with a disability; and

(iii) Consider the adult child's receipt of and eligibility for public benefits and community services and resources in determining the award of support;

(c) The presumption of continued support created by this subsection (9) shall be rebuttable by the introduction of evidence that the adult child is capable of self-support.

(\* \* \*10) A determination of emancipation does not terminate any obligation of the noncustodial parent to satisfy arrearage existing as of the date of emancipation; the total amount of periodic support due prior to the emancipation plus any periodic amounts ordered paid toward the arrearage shall continue to be owed until satisfaction of the arrearage in full, in addition to the right of the person for whom the obligation is owed to execute for collection as may be provided by law.

(\* \* \*11) Upon motion of a party requesting temporary child support pending a determination of parentage, temporary support shall be ordered if there is clear and convincing evidence of paternity on the basis of genetic tests or other evidence, unless the court makes written findings of fact on the record that the award of temporary support would be unjust or inappropriate in a particular case.

(\* \* \*12) Custody and visitation upon military temporary duty, deployment or mobilization shall be governed by Section 93-5-34.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT FOR A CHILD WITH A DISABILITY MAY CONTINUE PAST THE AGE OF MAJORITY; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2451** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The provisions of this act shall be known and may be cited as the "Mississippi Equal Pay for Equal Work Act".

SECTION 2. For the purposes of this act, the following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Employee" means any individual who is employed to work forty (40) or more hours a week and who is employed by an employer, including individuals employed by the state or any of its political subdivisions or instrumentalities of subdivisions.

(b) "Employer" means any person who employs five (5) or more employees.

(c) "Wage" means and includes all compensation paid by an employer or his or her agent for the performance of service by an employee, including the cash value of all compensation paid in any medium other than cash.

(d) "Rate" with reference to wages means the basis of compensation for services by an employee for an employer and includes compensation based on time spent in the performance of such services, on the number of operations accomplished, or on the quality produced or handled.

(e) "Unpaid wages" means the difference between the wages actually paid to an employee and the wages required to be paid to an employee as provided in this act.

(f) "Skill" means and shall be measured by factors such as experience, ability, education and training that are required to perform a job.

(g) "Effort" means the amount of physical or mental exertion needed to perform a job.

(h) "Responsibility" means the degree of accountability required to perform the job.

(i) "Working Conditions" means and includes the following two (2) factors:

(i) The physical surroundings of a job including, but not limited to, temperature, fumes and ventilation; and

(ii) The hazards of the job.

SECTION 3. (1) No employer may pay an employee a wage at a rate less than the rate at which an employee of the opposite sex in the same establishment is paid for equal work on a job, the performance of which requires equal skill, education, effort and responsibility, and which is performed under similar working conditions, except where payment is made pursuant to differential based on:

(a) A seniority system;

(b) A merit system;

(c) A system which measures earnings by quantity or quality of production;

or

(d) Any other factor other than sex. "Any other factor other than sex" shall include, but not be limited to, the following factors:

(i) The salary history or continuity of employment history demonstrated by the employee as compared to employees of the opposite sex in the same establishment;

(ii) The extent to which there was competition with other employers for the employee's services as compared to employees of the opposite sex in the same establishment; and

(iii) The extent to which the employee attempted to negotiate for higher wages as compared to employees of the opposite sex in the same establishment.

(2) (a) The provisions of this act may be enforced by private action in a civil suit in the circuit court in the county in Mississippi where the cause of action occurred.

(b) If an employer is found to have violated the provisions of subsection (1) of this section, the employee shall be awarded reasonable remedies, which may include attorney's fees, prejudgment interest, back pay, liquidated damages and one hundred percent (100%) of the difference of unpaid wages.

(3) An employer who is paying a wage differential in violation of this act shall not, in order to comply with this act, reduce the wage rate of any employee.

(4) No employer may discharge, discriminate or in any way retaliate against any employee by reason of any action taken by the employee to invoke or assist in any manner the enforcement of this act.

SECTION 4. (1) A civil action brought under this act may be commenced no later than two (2) years from the day the employee knew or should have known his or her employer was in violation of this act.

(2) If an employee brings a claim under the Equal Pay Act of 1963, a separate action may not be maintained under this act. If an employee brings a claim under this act, then later initiates a claim under the Equal Pay Act of 1963, the action brought under this act shall be dismissed with prejudice. An employee who seeks relief under this act must first waive any right to relief under the Equal Pay Act of 1963.

(3) For any action under this act, published precedents of the United States Supreme Court, the United States Court of Appeals for the Fifth Circuit and federal district courts embracing the circuit court in which any action under this act is pending, deciding cases under the Equal Pay Act of 1963, after which this act is patterned, shall be considered mandatory authority and shall be followed by the circuit court in which the action is pending, until there is a contrary ruling interpreting this act by the Mississippi Supreme Court or the Mississippi Court of Appeals.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE THE MISSISSIPPI EQUAL PAY ACT; TO PROVIDE DEFINITIONS FOR "EMPLOYEE", "EMPLOYER", "WAGE", "RATE", AND "UNPAID WAGES"; TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF THE OPPOSITE SEX IN THE SAME ESTABLISHMENT IS PAID FOR EQUAL WORK ON A JOB, THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL, EFFORT AND RESPONSIBILITY, AND WHICH IS PERFORMED UNDER SIMILAR WORKING CONDITIONS; TO PROVIDE REMEDIES; TO PROVIDE THE TIME IN WHICH A CIVIL ACTION MUST BE FILED; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2461** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 607 by deleting "its passage" and inserting in lieu thereof: "July 1, 2022, and shall stand repealed on June 30, 2022"

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Senator Wiggins called up the following House Amendment to **S. B. No. 2509** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-23-9, Mississippi Code of 1972, is amended as follows:

49-23-9. (1) In addition to the authority set out in this chapter, the commission shall have authority to promulgate rules and regulations regarding the configuration and location of outdoor advertising signs provided for in Section 49-23-5. At a minimum, the rules and regulations shall conform to the national standards promulgated pursuant to

Title 23 of the United States Code and the standards set out in an agreement entered into under Section 49-23-27.

(2) (a) For signs erected prior to July 1, 2003, the maximum size of any outdoor sign or other advertising device shall be one thousand two hundred (1,200) square feet;

(b) For sign structures erected on or after July 1, 2003, the maximum area for any one (1) sign face shall be six hundred seventy-two (672) square feet, the maximum height shall be fourteen (14) feet and the maximum length shall be forty-eight (48) feet, inclusive of any border and trim on the sign face, but excluding any embellishment on, and cut-out extension of, the sign face, the base or apron, supports and other structural members. \* \* \* The height of sign structures erected on or after April 15, 2008, or any replacements thereof shall not exceed forty (40) feet above the level of the road grade unless the grade of the land adjacent to the road is higher than the level of the road grade, then the height of the sign structure may exceed forty (40) feet above the level of the road grade but shall not exceed forty (40) feet above the grade of the site where the sign is placed. Any embellishment on or cut-out extension of any sign face shall not exceed twenty percent (20%) of the square footage of such sign face.

(3) The area of any sign face shall be measured by the smallest square, rectangle, triangle or circle or combination thereof which will encompass the entire sign.

(4) Sign structures erected on or after July 1, 2003, may contain one (1) or two (2) signs per face and may use only a side-by-side, back-to-back or V-type configuration and no other; provided, however, that if two (2) signs are used facing the same direction, the aggregate total area shall not exceed six hundred seventy-two (672) square feet.

(5) All illuminated outdoor signs or other advertising devices shall be so illuminated as to adhere to the customary practices of the industry in Mississippi and in conformance with national standards. No lighting devices shall be used which in any way imitate any traffic control device, railroad sign or signal, or highway directional signs.

(6) All outdoor signs and other advertising devices located within one-half (1/2) mile of an intersection of two (2) or more primary highways, or a primary highway and the Great River Road, or an interchange on the interstate system shall be erected and/or maintained with a minimum spacing between structures of five hundred (500) feet, unless separated by another commercial building or structure, other than outdoor advertising, in which case outdoor advertising may be permitted on one or more sides of building or buildings. The minimum spacing requirement of five hundred (500) feet between structures shall not apply to signs in existence on April 15, 2008.

(7) No two (2) signs shall be spaced less than five hundred (500) feet apart, except as to signs in existence on April 15, 2008, which shall not be removed by Sections 49-23-1 through 49-23-29. This spacing limitation shall apply to areas within incorporated cities, towns, villages and in zoned and unzoned industrial or commercial areas.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

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

AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS CONCERNING THE MAXIMUM LIMITS ON THE HEIGHT OF OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2620** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 84 by inserting the following after "2022": ", and shall stand repealed on June 30, 2022"

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Senator Parker moved that the rules be suspended to move to calendar item 23, **S. B. No. 2723**, and the motion prevailed.

Senator Parker called up the following House Amendment to **S. B. No. 2723** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development (also known as "Accelerate Mississippi") and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) \*\*\* Four (4) representatives of businesses in the state appointed by the Lieutenant Governor;

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(\*\*\*d) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(\*\*\*e) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(\*\*\*f) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

( \*\* \*g) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

( \*\* \*h) The membership of the board shall reflect the diversity of the State of Mississippi.

( \*\* \*i) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

( \*\* \*j) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts

will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this chapter;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The \* \* \* four (4) business representatives currently serving on the state board appointed by the Lieutenant Governor;

\* \* \*

( \* \* \*d) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this chapter, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development \* \* \* shall \* \* \* administer and oversee the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual report with the Governor, Secretary of State, President of the Senate, Secretary of the Senate, Speaker of the House, and Clerk of the House not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The report shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; and

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

and

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project.

(c) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into

by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(12) The Office of Workforce Development shall be required to submit a separate program budget with the budget request for the Mississippi Department of Employment Security as provided in Section 27-103-129, and the office shall have a separate line-item budget in the appropriation bill for the Mississippi Department of Employment Security.

SECTION 2. Section 71-5-353, Mississippi Code of 1972, is amended as follows:

71-5-353. (1) (a) Each employer shall pay unemployment insurance contributions equal to five and four-tenths percent (5.4%) of taxable wages paid by him each calendar year, except as may be otherwise provided in Section 71-5-361 and except that each newly subject employer shall pay unemployment insurance contributions at the rate of one percent (1%) of taxable wages, for his first year of liability, one and one-tenth percent (1.1%) of taxable wages for his second year of liability, and one and two-tenths percent (1.2%) of taxable wages for his third and subsequent years of liability unless the employer's experience-rating record has been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the rate for a year is determined; thereafter the employer's contribution rate shall be determined in accordance with the provisions of Section 71-5-355.

(b) Notwithstanding the newly subject employer contribution rate provided for in paragraph (a) of this subsection, the contribution rate of all newly subject employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only. The contribution rate of all newly subject employers shall be reduced by three one-hundredths of one percent (.03%) for calendar year 2014 only. For purposes of this chapter, "newly subject employers" means employers whose unemployment insurance experience-rating record has not been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the contribution rate for a year is determined.

(2) (a) (i) There is hereby created in the Treasury of the State of Mississippi special funds to be known as the "Mississippi Workforce Enhancement Training Fund," \* \* \* the "Mississippi Works Fund" and the "Accelerate Mississippi Administration Fund" which consist of funds collected pursuant to subsection (3) of this section. Monies in each of the special funds shall be expended only upon appropriation by the Legislature.

(ii) Funds collected shall initially be deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and \* \* \* later appropriate amounts shall be transferred to the Mississippi Workforce Investment and Training Fund Holding Account described in Section 71-5-453. In the event any employer pays an amount insufficient to cover the total contributions due, the amounts due shall be satisfied in the following order:

1. Unemployment contributions;
2. Mississippi Workforce Enhancement Training contributions, \* \* \* Accelerate Mississippi contributions and \* \* \* Mississippi Works contributions, known collectively as the Mississippi Workforce Investment and Training contributions, on a pro rata basis;
3. Interest and damages; then
4. Legal and processing costs.

The amount of unemployment insurance contributions due for any period will be the amount due according to the actual computations unless the employer is participating

in the MLPP. In that event, the amount due is the MLPP amount computed by the department.

The cost of collection and administration of the Mississippi Workforce Enhancement Training contribution, the \*\*\* Accelerate Mississippi contribution and the Mississippi Works contribution shall be allocated based on a plan approved by the United States Department of Labor (USDOL). The \*\*\* Office of Workforce Development shall pay the cost of collecting the Mississippi Workforce Enhancement Training contributions, \*\*\* the \*\*\* Accelerate Mississippi contributions and \*\*\* the Mississippi Works contributions. Payments shall be made semiannually with the cost allocated to each based on a USDOL approved plan on a pro rata basis, for periods ending in June and December of each year. Payment shall be made by each organization to the department no later than sixty (60) days after the billing date. Cost shall be allocated under the USDOL's approved plan and in the same ratio as each contribution type represents to the total authorized by subparagraph (ii)2 of this paragraph to be collected for the period.

(b) Mississippi Workforce Enhancement Training contributions and \*\*\* Accelerate Mississippi contributions shall be distributed \*\*\* for calendar years \*\*\* after 2014 as follows, ninety-three and seventy-five one-hundredths percent (93.75%) shall be distributed to the Mississippi Workforce Enhancement Training Fund and the remainder shall be distributed to the \*\*\* Accelerate Mississippi Administration Fund.

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(c) All contributions collected for the State Workforce Enhancement Training Fund, the \*\*\* Accelerate Mississippi Administration Fund and the Mississippi Works Fund will be initially deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and \*\*\* later transferred to the Workforce Investment and Training Holding Account and will be held by the Mississippi Department of Employment Security in such account for a period of not less than thirty (30) days. After such period, the Mississippi Workforce Enhancement Training contributions shall be transferred to the \*\*\* Mississippi Workforce Enhancement Training Fund, \*\*\* the \*\*\* Accelerate Mississippi contributions shall be transferred to the Accelerate Mississippi Administration Fund, and the Mississippi Works contributions shall be transferred to the \*\*\* Mississippi Works \*\*\* Fund in the same ratio as each contribution type represents to the total authorized by paragraph (a)(ii)2 of this subsection to be collected for the period and within the time frame determined by the department; however, except in cases of extraordinary circumstances, these funds shall be transferred within fifteen (15) days. Interest earnings or interest credits on deposit amounts in the Workforce Investment and Training Holding Account shall be retained in the account to pay the banking costs of the account. If after the period of twelve (12) months interest earnings less banking costs exceeds Ten Thousand Dollars (\$10,000.00), such excess amounts shall be transferred to the respective accounts within thirty (30) days following the end of each calendar year on the basis described in paragraph (b) of this subsection. Interest earnings and/or interest credits for the \*\*\* Accelerate Mississippi funds shall be used for the payment of banking costs and excess amounts shall be used in accordance with the rules and regulations of the State Workforce Investment Board expenditure policies.

(d) All enforcement procedures for the collection of delinquent unemployment contributions \*\*\* shall be the responsibility of the department under Sections 71-5-363 through 71-5-383, which shall be applicable in all respects for collections of delinquent unemployment insurance contributions designated for the Unemployment Compensation Fund, the Mississippi Workforce Enhancement Training Fund, the \*\*\* Accelerate Mississippi Administration Fund and the Mississippi Works Fund.

(e) (i) Except as otherwise provided for in this subparagraph (i), all monies deposited into the Mississippi Workforce Enhancement Training Fund \*\*\* shall be directed by the Mississippi Office of Workforce Development \*\*\* in accordance with the Workforce Training Act of 1994 (Section 37-153-1 et seq.) and under policies approved by the Mississippi Office of Workforce Development for the following purposes: to provide training in collaboration with \*\*\* individual community and junior colleges to employers and employees in order to enhance employee productivity. Such training may be subject to a minimal administrative fee to be paid from the Mississippi Workforce Enhancement Training Fund as established by the Office of Workforce Development. The initial priority of these funds shall be for the benefit of existing businesses located within the state. Employers may request training for existing employees and/or newly hired employees from the Mississippi Office of Workforce Development. The office \*\*\* will be responsible for approving the training. A portion of the funds collected for the Mississippi Workforce Enhancement Training Fund shall be used for the development of performance measures to measure the effectiveness of the use of the Mississippi Workforce Enhancement Training Fund dollars. These performance measures shall be uniform for all training projects and shall be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. Nothing in this section or elsewhere in law shall be interpreted as giving the Office of Workforce Development or State Workforce Investment Board authority to direct the Mississippi Community College Board or individual community or junior colleges on how to expend other funds, aside from funds appropriated to the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, appropriated or received for workforce training. The Mississippi Office of Workforce Development, Mississippi Community College Board, individual community or junior colleges, State Workforce Investment Board and other agencies implementing or coordinating state-funded workforce development programs under state law shall cooperate with each other to promote effective workforce training in Mississippi, under the direction of the office. Any subsequent changes to these performance measures shall also be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. A performance report for each training project and community college, based upon these measures, shall be submitted annually to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature.

(ii) Except as otherwise provided in this paragraph (e), all funds deposited into the \*\*\* Accelerate Mississippi Administration Fund shall be used for administration of State Workforce Investment Board business \*\*\* and the Office of Workforce Development \*\*\*.

(iii) All funds deposited into the Mississippi Department of Employment Security Mississippi Works Fund shall be disbursed exclusively by the Executive Director of the Mississippi Department of Employment Security, in accordance with the rules and regulations promulgated by the Office of Workforce Development in support of workforce training activities approved by the Mississippi Office of Workforce Development in support of economic development activities. Funds allocated by the executive director under this subparagraph (iii) shall only be \*\*\* used for the training of unemployed persons, for immediate training needs for the net new jobs created by an employer, for the retention of jobs or to create a work-ready applicant pool of Mississippians with credentials and/or postsecondary education in accordance with the state's Workforce Investment and Opportunity Act plan. The Executive Director of the Office of Workforce Development shall give priority to the training of unemployed persons. \*\*\* Not more than Five Hundred Thousand Dollars (\$500,000.00) may be allocated annually for the training needs of any one (1) employer. The Mississippi Office of Workforce Development, in collaboration with the Mississippi Public Community College System and its partners, shall be the primary entity to facilitate training. \*\*\* Training conducted \*\*\* using these Mississippi Works funds may be subject to a minimal administrative fee to be paid from the Mississippi Works Fund as authorized by the Mississippi Office of Workforce Development. All costs associated with the administration of these funds shall be reimbursed to the Mississippi Department of Employment Security from the Mississippi Works Fund.

(iv) 1. The Department of Employment Security shall be the fiscal agent for the receipt and disbursement of all funds in the \*\*\* Accelerate Mississippi Administration Fund, subject to the administrative oversight of the Office of Workforce Development.

2. In managing the \*\*\* Accelerate Mississippi Administration Fund, the Office of Workforce Development, in coordination with the Mississippi Department of Employment Security as fiscal agent, shall ensure that any funds expended for contractual services rendered to the Office of Workforce Development shall be paid only to service providers who have been selected on a competitive basis. Any contract for services entered into using funds from the \*\*\* Accelerate Mississippi Administration Fund shall contain the deliverables stated in terms that allow for the assessment of work performance against measurable performance standards and shall include milestones for completion of each deliverable under the contract. For each contract for services entered into by the Office of Workforce Development, the office shall develop a quality assurance surveillance plan that specifies quality control obligations of the contractor as well as measurable inspection and acceptance criteria corresponding to the performance standards contained in the contract's statement of work.

3. Any commodities procured for the office shall be procured in accordance with the provisions of Section 31-7-13.

\*\*\*

(3) (a) (i) \*\*\* Mississippi Workforce Enhancement Training contributions, \*\*\* Accelerate Mississippi contributions and Mississippi Works contributions shall be collected at the following rates:

\*\*\*

\*\*\*1. For calendar years \*\*\* after 2016, at a rate of twenty one-hundredths percent (.20%), based upon taxable wages, of which fifteen one-hundredths percent (.15%) shall be the Workforce Enhancement Training contribution, one-hundredths of one percent (.01%) shall be the \*\*\* Accelerate Mississippi contribution and four one-hundredths percent (.04%) shall be the Mississippi Works contribution. The Mississippi Works contribution shall be collected for calendar years in which the general experience ratio, adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%), results in a general experience rate of less than two-tenths percent (.2%). In all other years the Mississippi Works contribution shall not be in effect.

(\*\*\*) (ii) The Mississippi Workforce Enhancement Training Fund contribution, the \*\*\* Accelerate Mississippi contribution and the Mississippi Works contribution shall be in addition to the general experience rate plus the individual experience rate of all employers but shall not be charged to reimbursing or rate-paying political subdivisions or institutions of higher learning, or reimbursing nonprofit organizations, as described in Sections 71-5-357 and 71-5-359.

(b) All Mississippi Workforce Enhancement Training contributions, \*\*\* Accelerate Mississippi contributions and Mississippi Works contributions collected shall be deposited initially into the Mississippi Department of Employment Security bank account for clearing contribution collections and shall within two (2) business days be transferred to the Workforce Investment and Training Holding Account. Any Mississippi Workforce Enhancement Training Fund and/or \*\*\* Accelerate Mississippi Administration Fund and/or Mississippi Works Fund transactions from the Mississippi Department of Employment Security bank account for clearing contribution collections that are deposited into the Workforce Investment and Training Fund Holding Account and are not honored by a financial institution will be transferred back to the Mississippi Department of

Employment Security bank account for clearing contribution collections out of funds in the Mississippi Workforce Investment and Training Fund Holding Account.

(c) Suspension of the Workforce Enhancement Training Fund contributions required pursuant to this chapter shall occur if the insured unemployment rate exceeds an average of five and five-tenths percent (5.5%) for the three (3) consecutive months immediately preceding the effective date of the new rate year following such occurrence and shall remain suspended throughout the duration of that rate year. Such suspension shall continue until such time as the three (3) consecutive months immediately preceding the effective date of the next rate year that has an insured unemployment rate of less than an average of four and five-tenths percent (4.5%). Upon such occurrence, reactivation shall be effective upon the first day of the rate year following the event that lifts suspension and shall be in effect for that year and shall continue until such time as a subsequent suspension event as described in this chapter occurs.

(d) Notwithstanding any other provision contained herein, contribution collections for the \*\*\* Accelerate Mississippi Administration Fund, Mississippi Works Fund and Mississippi Workforce Enhancement Training Fund shall not be suspended, under any circumstances, for tax rate year 2021, and the resulting contribution rate of twenty one-hundredths percent (.20%) shall be added to the employer's general and individual experience rate to obtain the total unemployment insurance rate for 2021.

(4) All collections due or accrued prior to any suspension of the Mississippi Workforce Enhancement Training Fund will be collected based upon the law at the time the contributions accrued, regardless of when they are actually collected.

SECTION 3. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section

71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar

year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criteria divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied

by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or State Workforce Investment contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and

4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty

(30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 4. Section 71-5-453, Mississippi Code of 1972, is amended as follows:

71-5-453. The department shall be the treasurer and custodian of the fund, and shall administer such fund in accordance with the directions of the department, and shall issue its warrants upon it in accordance with such regulations as the department shall prescribe. The department shall maintain within the fund three (3) separate accounts: (a) a clearing account, (b) an unemployment trust fund account, and (c) a benefit payment account. All monies payable to the fund, upon receipt thereof by the department, shall be immediately deposited in the clearing account. Refunds payable pursuant to Section 71-5-383 may be paid from the clearing account by the department. Transfers pursuant to Section 71-5-114 of all interest, penalties and damages collected shall be made to the Special Employment Security Administration Fund as soon as practicable after the end of each calendar quarter. Workforce Enhancement Training contributions, \* \* \* Accelerate Mississippi contributions and Mississippi Works contributions shall be deposited into the Workforce Investment and Training Holding Account as described in this section. All other monies in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the Unemployment Trust Fund account for the State of Mississippi, established and maintained pursuant to Section 904 of the Social Security Act, as amended, any provisions of law in this state relating to the deposit, administration, release or disbursement of monies in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all monies requisitioned from this state's account in the Unemployment Trust Fund. Except as herein otherwise provided, monies in the clearing and benefit accounts may be deposited by the department, in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The department shall be liable for the faithful performance of its duties in connection with the Unemployment Compensation Fund under this chapter. An Workforce Investment and Training Holding Account shall be established by and maintained under the control of the Mississippi Department of Employment Security. Contributions collected pursuant to the provisions in this chapter for the Workforce Enhancement Training

Fund, \* \* \* Accelerate Mississippi Administration Fund and the Mississippi Works Fund shall be transferred from the clearing account into the Workforce Investment and Training Holding Account on the same schedule and under the same conditions as funds transferred to the Unemployment Compensation Fund. Such funds shall remain on deposit in the holding account for a period of thirty (30) days. After such period, Workforce Enhancement Training contributions shall be transferred to the \* \* \* Mississippi Workforce Enhancement Training Fund, Accelerate Mississippi contributions shall be transferred to the Accelerate Mississippi Administration Fund, and Mississippi Works contributions shall be transferred to the Mississippi Works Fund. Such transfers shall occur within fifteen (15) days after the funds have resided in the Workforce Investment and Training Holding Account for thirty (30) days. One (1) such transfer shall be made monthly, but the department, in its discretion, may make additional transfers in any month. In the event such funds transferred are subsequently determined to be erroneously paid or collected, or if deposit of such funds is denied or rejected by the banking institution for any reason, or deposits are unable to clear drawer's account for any reason, the funds must be reimbursed by the recipient of such funds within thirty (30) days of mailing of notice by the department demanding such refund, unless funds are available in the Workforce Investment and Training Holding Account. In that event such amounts shall be immediately withdrawn from the Workforce Investment and Training Holding Account by the department and redeposited into the clearing account.

SECTION 5. Section 43-17-1, Mississippi Code of 1972, is amended as follows:

43-17-1. (1) The State of Mississippi hereby accepts all of the mandatory provisions and benefits, with the exception of those provisions under which the state may exercise its options, of Title I of an act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled: "The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193)," and known as the Temporary Assistance to Needy Families (TANF) program.

(2) The Department of Human Services shall have all necessary authority to cooperate with the federal government in the administration of Public Law 104-193 and all subsequent federal amendments thereto, to administer any legislation pursuant thereto enacted by the State of Mississippi, and to administer the funds provided by the federal government and the State of Mississippi under the provisions of Section 43-17-1 et seq., for providing temporary assistance for needy families with minor children. The Department of Human Services shall have full authority to formulate state plans consistent with state law as necessary to administer and operate federal grant funds which provide temporary assistance for needy families with minor children under Title IV-A of the federal Social Security Act. The Department of Human Services shall identify in any state plan submitted to implement the TANF program those requirements or restrictions, including persons excluded from program participation which are required under federal law, and those program requirements or restrictions which the federal law authorizes but does not require.

(3) Any funds received by the State of Mississippi under the provisions of Public Law 104-193 shall be subject to appropriation by the Legislature and consistent with the terms and conditions required under such appropriation.

(4) The purpose of the Mississippi Temporary Assistance to Needy Families (TANF) program shall be to:

(a) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives when such care is beneficial and may be monitored on a random basis by the Department of Human Services or the State Department of Health;

(b) End the dependence of needy families on government benefits by promoting job preparation, work and marriage through, among other things, job placement, job training and job retention;

(c) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies;

(d) Encourage the formation and maintenance of two-parent families; and

(e) Prevent program fraud and abuse.

(5) The Department of Human Services shall develop outcome and output indicators for each program established under the authority of this section. These measures shall provide legislators and administrators with information which measures the success or failure of the department in implementing the programs implemented under the authority of this section. The department shall annually report to the Legislature the outputs and outcomes of these programs, with the first report due by December 15, 1997. Such reports shall include recommendations for making programs more effective or efficient which can be effected in accordance with federal law.

(6) Assistance may be granted under this chapter to any dependent child and a caretaker relative who are living in a suitable family home meeting the standards of care and health and work requirements fixed by the laws of this state, and the rules and regulations of the State Department of Human Services.

(7) The Department of Human Services shall collaborate with the Office of Workforce Development on TANF programs related to job placement, job training and job retention.

SECTION 6. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The board of directors of the nonprofit corporation shall be composed of the following eleven (11) members who shall be appointed by the Governor with the advice and consent of the Senate: one (1) representative of the manufacturing industry, one (1) representative of the agriculture industry, one (1) representative of the banking and finance industry, one (1) representative of the labor industry, one (1) representative from the marketing industry and six (6) members from the state at large. In addition, the State Commissioner of Corrections and the President of Mississippi Delta Community College shall be ex officio members of the board of directors with full voting privileges. In making initial appointments, three (3) members shall be appointed for a term of two (2) years; four (4) members shall be appointed for a term of three (3) years; and four (4) members shall be appointed for a term of four (4) years; to be designated by the Governor at the time of appointment; and all succeeding terms shall be for four (4) years from the expiration date of the previous term. Initial appointments shall be made within thirty (30) days after passage of Sections 47-5-531 through 47-5-575. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections and the President of Mississippi Delta Community College shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized

and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 7. Subject to appropriation, there shall be created a three-year virtual statewide career and technical education pilot program designed to offer public school students career pathways that incorporate live, teacher-led virtual sessions, use project-based learning models and help prepare students for certification exams. The virtual statewide career and technical education pilot program shall allow students access through virtual office visits with professionals in a variety of fields and have the capacity to connect students with colleges and businesses. The virtual statewide career and technical education pilot program may be offered to students through a virtual career and technical education consortium through which the Office of Workforce Development, in collaboration with the State Department of Education, work with individual school districts to provide the program. All courses offered through the virtual statewide career and

technical education pilot program shall be approved in the same manner as in-person career and technical courses are currently approved. The Joint Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a performance review and audit and develop a report to the 2026 Regular Session of the Legislature on or before January 1, 2026, on the educational effectiveness, cost-effectiveness and return on investment to the State of Mississippi of the virtual statewide career and technical education pilot program funded under this section, with recommendations on the expansion of the pilot program.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN APPOINTMENTS TO THE STATE WORKFORCE INVESTMENT BOARD; TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO CREATE THE "ACCELERATE MISSISSIPPI ADMINISTRATION FUND"; TO REVISE THE WAY IN WHICH MONIES IN THE MISSISSIPPI WORKS FUND MAYBE SPENT; TO PROVIDE THAT THE OFFICE OF WORKFORCE DEVELOPMENT SHALL HAVE A SEPARATE BUDGET PROGRAM WITHIN THE BUDGET REQUEST OF AND A LINE-ITEM APPROPRIATION IN THE DEPARTMENT OF EMPLOYMENT SECURITY'S APPROPRIATION BILL; TO AMEND SECTIONS 71-5-355 AND 71-5-453, MISSISSIPPI CODE OF 1972, TO DESIGNATE DECEMBER 31 AS THE DATE FOR CALCULATING THE EXPOSURE CRITERION FOR CALENDAR YEARS 2020 AND 2021; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE OFFICE OF WORKFORCE DEVELOPMENT ON TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAMS RELATED TO JOB PLACEMENT, JOB TRAINING AND JOB RETENTION; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 TO ESTABLISH EDUCATION, TRAINING AND WORKFORCE DEVELOPMENT PROGRAMS IN COLLABORATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT AND OTHER RELEVANT STATE AND FEDERAL AGENCIES; TO CREATE A THREE-YEAR VIRTUAL STATEWIDE CAREER AND TECHNICAL EDUCATION PILOT PROGRAM DESIGNED TO OFFER PUBLIC SCHOOL STUDENTS CAREER PATHWAYS THAT INCORPORATE LIVE, TEACHER-LEAD VIRTUAL SESSIONS, USE PROJECT-BASED LEARNING MODELS AND HELP PREPARE STUDENTS FOR CERTIFICATION EXAMS; AND FOR RELATED PURPOSES.

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Senator Fillingane moved that the rules be suspended for the consideration en bloc of calendar items 14, 15, 18, 19 and 21, and the motion prevailed.

Senator Fillingane called up the following House Amendment to **S. B. No. 2245** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-29-61, Mississippi Code of 1972, is amended as follows:

97-29-61. (1) (a) Any person who enters upon real property, whether the original entry is legal or not, and thereafter pries or peeps through a window or other opening in a dwelling or other building structure for the lewd, licentious and indecent purpose of spying upon the occupants thereof, shall be guilty of a felonious trespass.

(b) Any person who looks through a window, hole or opening, or otherwise views by means of any instrumentality, including, but not limited to, a periscope, telescope, binoculars, drones, camera, motion-picture camera, camcorder or mobile phone, into the interior of a bedroom, bathroom, changing room, fitting room, dressing room, spa, massage room or therapy room or tanning booth, or the interior of any other area in which the occupant has a reasonable expectation of privacy, with the intent to invade the privacy of a person or persons inside and without the consent or knowledge of every person present, for the lewd, licentious and indecent purpose of spying upon the occupant or occupants thereof, shall be guilty of a felony.

(2) (a) Except as provided in paragraph (b) of this subsection, a person who \* \* \* is over the age of \* \* \* eighteen (18) at the time of the offense \* \* \* and is convicted of a violation of subsection (1) of this section shall be imprisoned in the custody of the Department of Corrections not more than five (5) years.

(b) When one or more occupants spied upon is a child under sixteen (16) years of age, a person who was over the age of twenty-one (21) at the time of the offense who is convicted of a violation of subsection (1) of this section shall be imprisoned in the custody of the Department of Corrections not more than ten (10) years.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2246** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall only apply to search warrants issued in relation to computer crime investigations for sex offenses against children who are less than eighteen (18) years old involving a computer defined in Section 7-5-59(1)(a).

(2) If circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge who is authorized to issue search warrants may issue a warrant

based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(3) The person who is requesting the warrant shall prepare a document to be known as a "duplicate original warrant" and shall read such duplicate original warrant verbatim to the issuing judge. The judge shall enter what is so read on a document to be known as the "original warrant." The issuing judge may direct that the warrant be modified.

(4) If the judge is satisfied that the circumstances are such as to make it reasonable to dispense with a written affidavit and the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(5) When a telephone caller informs the judge that the purpose of the telephone call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for the warrant. If a voice recording device is available, the judge shall record by means of such device all of the call after the caller informs the judge that the purpose of the call is to request a warrant. Otherwise, a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.

(6) The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(7) The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

SECTION 2. (1) In any municipality in which Highway 6 and Highway 7 intersect and in which a university is located, an application for a warrant or signature utilized by the judicial branch of state government for a violation of the Implied Consent Law shall not be denied legal effect or enforceability solely because it is in electronic form. Any such application, signature or record in electronic form shall have the full effect of law.

(2) If a provision of law for a violation of the Implied Consent Law requires the application for any warrant to be in writing, an electronic record shall satisfy such provision of law.

(3) If a provision of law for a violation of the Implied Consent Law requires a signature, an electronic signature satisfies such provision of law.

(4) Any application used to attach a digital signature to any warrant or affidavit for a violation of the Implied Consent Law must have security procedures in place that ensure the authenticity of the digital signature. The application must also be able to keep an electronic record of the warrant or affidavit, including the time and date of when the signature was attached. The application must also include encryption measures to ensure secure access of the application.

(5) Unless otherwise agreed to by a sender of a warrant application and the judge, an electronic record is received when:

(a) The record enters an information-processing system that the local court rules have designated and approved for the purpose of receiving electronic applications for warrants and from which the recipient is able to retrieve the electronic record; and

(b) It is in a form capable of being processed by the system.

(6) In any instance where an affidavit is submitted to a judge electronically, the electronic signature of the affiant shall satisfy the constitutional requirement that the testimony of the affiant be made under oath, provided that such signature is made under penalty of perjury and in compliance with subsection (4) of this section. If the requirements of subsection (4) of this section are met, it shall not be necessary for the oath to be made orally for the affidavit to have legal effect.

(7) This section shall stand repealed from and after July 1, 2024.

SECTION 3. The clerk of the court with jurisdiction of any cause of action must issue a subpoena, signed but otherwise in blank, to a party who requests it. That party must complete it before service. An attorney also may issue and sign a subpoena if the attorney is authorized to practice law in the issuing court; and if the attorney has entered an appearance in the cause of action before issuing the subpoena.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS FOR A VIOLATION OF THE IMPLIED CONSENT LAW; TO AUTHORIZE AN ATTORNEY TO ISSUE A SUBPOENA IF THAT ATTORNEY IS AUTHORIZED TO PRACTICE LAW IN THE ISSUING COURT; TO REQUIRE THAT AN ATTORNEY ENTER AN APPEARANCE IN THE CAUSE OF ACTION BEFORE HE OR SHE ISSUES A SUBPOENA IN THE ACTION; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2543** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary

to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

- (a) Office of Public Safety Planning;
- (b) Office of Mississippi Highway Safety Patrol;
- (c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);
- (d) Office of \* \* \* Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;
- (e) Office of Law Enforcement Officers' Training Academy;
- (f) Office of Support Services;
- (g) Office of Narcotics, which shall be known as the Bureau of Narcotics;
- (h) Office of Homeland Security; \* \* \*
- (i) Office of Capitol Police \* \* \*;
- (j) Office of Driver Service Bureau; and
- (k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest

persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

(7) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 2. Section 41-29-107, Mississippi Code of 1972, is amended as follows:

41-29-107. (1) There is created within the Mississippi Department of Public Safety an office to be known as the Mississippi Bureau of Narcotics. The office shall have a director who shall be appointed by the Commissioner of Public Safety. The commissioner may assign to the appropriate offices of the department such powers and duties deemed appropriate to carry out the lawful functions of the Mississippi Bureau of Narcotics.

(2) The Commissioner of Public Safety is empowered to employ or appoint necessary agents. The commissioner may also employ such secretarial, clerical and administrative personnel, including a duly licensed attorney, as necessary for the operation of the bureau, and shall have such quarters, equipment and facilities as needed. The salary and qualifications of the attorney authorized by this section shall be fixed by the director, but the salary shall not exceed the salary authorized for an assistant attorney general who performs similar duties.

(3) The director and agents so appointed shall be citizens of the United States and of the State of Mississippi, and of good moral character. The agents shall be not less than twenty-one (21) years of age at the time of such appointment. In addition thereto, those appointed shall have satisfactorily completed at least two (2) years of college studies. However, two (2) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at a school operated by the Bureau of Narcotics and Dangerous Drugs, United States Justice Department, shall satisfy one (1) year of such college studies, and four (4) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at such federal bureau school as stated heretofore shall fully satisfy the two (2) years of college requirement.

During the period of the first twelve (12) months after appointment, any \*\*\* agent of the bureau shall be subject to dismissal at the will of the director. After twelve (12) months' service, no \*\*\* agent of the bureau shall be subject to dismissal \*\*\* or otherwise have their salary adversely affected except for cause, and any such action against an agent shall be subject to and proceed under the laws, rules and regulations of the State Personnel Board.

(4) The Commissioner of Public Safety may assign members of the Mississippi Highway Safety Patrol, regardless of age, to the bureau; however, when any highway patrolman or other employee, agent or official of the Mississippi Department of Public Safety is assigned to duty with, or is employed by, the bureau, he shall not be subject to assignment or transfer to any other office or department within the Mississippi Department of Public Safety except by the commissioner. Any highway patrolman assigned to duty

with the bureau shall retain his status as a highway patrolman, but shall be under the supervision of the director. For purposes of seniority within the Highway Safety Patrol and for purposes of retirement under the Mississippi Highway Safety Patrol Retirement System, highway patrolmen assigned to the bureau will be credited as if performing duty with the Highway Safety Patrol. The commissioner may assign employees of the Highway Safety Patrol to the Mississippi Bureau of Narcotics and may assign agents of the bureau to the Highway Safety Patrol; however, any employees so assigned must meet all established requirements for the duties to which they are assigned.

(5) The Commissioner of Public Safety may enter into agreements with bureaus or departments of other states or of the United States for the exchange or temporary assignment of agents for special undercover assignments and for performance of specific duties.

(6) The Commissioner of Public Safety may assign agents of the bureau to such duty and to request and accept agents from such other bureaus or departments for such duty.

\* \* \*

SECTION 3. Section 41-61-75, Mississippi Code of 1972, is amended as follows:

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) \* \* \* (a) When a medical examiner, physician or pathologist \* \* \* is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee \* \* \* and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(b) The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

SECTION 4. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

- (a) Violent death, including homicidal, suicidal or accidental death.
- (b) Death caused by thermal, chemical, electrical or radiation injury.
- (c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.
- (d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.
- (e) Death that has occurred unexpectedly or from an unexplained cause.
- (f) Death of a person confined in a prison, jail or correctional institution.
- (g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.
- (h) Death of a person where the body is not claimed by a relative or a friend.
- (i) Death of a person where the identity of the deceased is unknown.
- (j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.
- (k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.
- (l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.
- (m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audio-video communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

( \*\* \*5) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars (\$300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars (\$300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 5. Section 41-61-77, Mississippi Code of 1972, is amended as follows:

41-61-77. (1) The Department of Public Safety shall establish and maintain a central office for the Mississippi Forensics Laboratory and the State Medical Examiner with appropriate facilities and personnel for postmortem medicolegal examinations. District offices, with appropriate facilities and personnel, may also be established and

maintained if considered necessary by the department for the proper management of postmortem examinations.

The facilities of the central and district offices and their staff services may be available to the medical examiners and designated pathologists in their investigations.

(2) In order to provide proper facilities for investigating deaths as authorized in Sections 41-61-51 through 41-61-79, the State Medical Examiner may arrange for the use of existing public or private laboratory facilities. The State Medical Examiner may contract with qualified persons to perform or to provide support services for autopsies, studies and investigations not inconsistent with other applicable laws. Such laboratory facilities may be located at the University of Mississippi Medical Center or any other suitable location. The State Medical Examiner may be an affiliate or regular faculty member of the Department of Pathology at the University of Mississippi Medical Center and may serve as a member of the faculty of other institutions of higher learning. He shall be authorized to employ, with the approval of the Commissioner of Public Safety, such additional scientific, technical, administrative and clerical assistants as are necessary for performance of his duties. Such employees in the Mississippi Forensics Laboratory and the Office of the State Medical Examiner shall be subject to the rules, regulations and policies of the Mississippi State Personnel Board in their employment. The Department of Public Safety shall have salary-setting authority and authority to set minimum qualifications for the employees of the Mississippi Forensics Laboratory and the Office of the State Medical Examiner.

(3) The State Medical Examiner shall be authorized to employ qualified pathologists as deputy state medical examiners as are necessary to carry out the duties of his office. The deputy state medical examiners shall be licensed to practice medicine and, either board-certified in forensic pathology by the American Board of Pathology or be a physician who is board certified in anatomic pathology by the American Board of Pathology. The State Medical Examiner may delegate specific duties to competent and qualified medical examiners within the scope of the express authority granted to him by law or regulation. Employees of the Office of the State Medical Examiner shall have the authority to enter any political subdivisions of this state for the purpose of carrying out medical investigations.

SECTION 6. Section 45-2-1, Mississippi Code of 1972, is amended as follows:

45-2-1. (1) Whenever used in this section, the term:

(a) "Covered individual" means a law enforcement officer or firefighter, including volunteer firefighters, as defined in this section when employed by an employer as defined in this section; it does not include employees of independent contractors.

(b) "Employer" means a state board, commission, department, division, bureau or agency, or a county, municipality or other political subdivision of the state, which employs, appoints or otherwise engages the services of covered individuals.

(c) "Firefighter" means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies, who is assigned to firefighting activity, and is required to respond to alarms and perform emergency actions at the location of a fire, hazardous materials or other emergency incident.

(d) "Law enforcement officer" means any lawfully sworn officer or employee of the state or any political subdivision of the state whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime, whether the officer is on regular duty on full-time status, an auxiliary or reserve officer, or is serving on a temporary or part-time status.

(e) "Cause of death" means any cause of death that would be covered under the Public Safety Officers' Benefits Act of 1976 or the Hometown Heroes Survivors Benefits Act of 2003, generally codified at 42 USCS Chapter 46.

(2) (a) The Department of Public Safety shall make a payment, as provided in this section, in the amount of One Hundred Thousand Dollars (\$100,000.00) when a covered individual, while engaged in the performance of the person's official duties, dies or receives accidental or intentional bodily injury that results in the loss of the covered individual's life and such death is the result of a covered cause of death, provided that the death is not the result of suicide and that the bodily injury is not intentionally self-inflicted. Upon specific appropriation by the Legislature therefor, the Department of Public Safety may pay certain claims for death benefits that it finds to be the result of unforeseen or unprecedented circumstances if sufficient funds exist at the time such a claim for death benefits is made.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits and is exempt from the claims and demands of creditors of the covered individual.

(d) A person who is a beneficiary of a life insurance policy under subsection (5) of this section shall be ineligible for payment from the fund.

(3) (a) There is established in the State Treasury a special fund to be known as the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund. The trust fund shall be funded by an initial appropriation of Two Hundred Thousand Dollars (\$200,000.00), and shall be comprised of any additional funds made available by the Legislature or by donation, contribution, gift or any other source.

(b) The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the funds of the Public Employees' Retirement System under Section 25-11-121, and those investments shall be subject to the limitations prescribed by Section 25-11-121.

(c) Unexpended amounts remaining in the trust fund at the end of the state fiscal year shall not lapse into the State General Fund, and any income earned on amounts in the trust fund shall be deposited to the credit of the trust fund.

(4) The Department of Public Safety shall be responsible for the management of the trust fund and the disbursement of death benefits authorized under this section.

(5) (a) As an alternative to the fund created in this section, the Commissioner of the Department of Public Safety may establish a life insurance policy in the amount of One Hundred Thousand Dollars (\$100,000.00) for covered individuals.

(b) The Commissioner of the Department of Public Safety may use funds from the "Uninsured Motorist Identification Fund" established by Section 63-16-13 to pay life insurance premiums for covered individuals.

(c) The payment from the life insurance policy provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered

individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(6) The Department of Public Safety shall adopt rules and regulations necessary to implement and standardize the payment of death benefits under this section, to administer the trust fund created by this section and to carry out the purposes of this section.

SECTION 7. Section 45-2-31, Mississippi Code of 1972, is amended as follows:

45-2-31. (1) As used in this section, the term "covered individual" means the directors and assistant directors of local emergency management organizations established under Section 33-15-17, and coroners and deputy coroners.

(2) (a) The Department of Public Safety shall make a payment, as provided in this section, in the amount of One Hundred Thousand Dollars (\$100,000.00) when a covered individual, while engaged in the performance of the person's official duties, is accidentally or intentionally killed, provided that the killing is not the result of suicide and that the bodily injury is not intentionally self-inflicted. Upon specific appropriation by the Legislature therefor, the Department of Public Safety may pay certain claims for death benefits that it finds to be the result of unforeseen or unprecedented circumstances as long as sufficient funds exist at the time such a claim for death benefits is made.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits and is exempt from the claims and demands of creditors of the covered individual.

(d) A person who is a beneficiary of a life insurance policy under subsection (5) of this section shall be ineligible for payment from the fund.

(3) (a) There is established in the State Treasury a special fund to be known as the "Other Safety Officials Death Benefits Trust Fund." The trust fund shall be funded by monies made available by the Legislature by appropriations as needed, or by donation, contribution, gift or any other source.

(b) The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the funds of the Public Employees' Retirement System under Section 25-11-121, and those investments shall be subject to the limitations prescribed by Section 25-11-121.

(c) Unexpended amounts remaining in the trust fund at the end of the state fiscal year shall not lapse into the State General Fund, and any income earned on amounts in the trust fund shall be deposited to the credit of the trust fund.

(4) The Department of Public Safety shall be responsible for the management of the trust fund and the disbursement of death benefits authorized under this section.

(5) (a) As an alternative to the payment from the fund created in this section, the Commissioner of the Department of Public Safety may establish a life insurance policy in the amount of One Hundred Thousand Dollars (\$100,000.00) for covered individuals.

(b) The Commissioner of the Department of Public Safety may use funds from the "Uninsured Motorist Identification Fund" established by Section 63-16-13 to pay life insurance premiums for covered individuals.

(c) The payment from the life insurance policy provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(6) The Department of Public Safety shall adopt rules and regulations necessary to implement and standardize the payment of death benefits under this section, to administer the trust fund created by this section and to carry out the purposes of this section.

SECTION 8. Section 97-35-27, Mississippi Code of 1972, which is the provision that requires the registration of convicted felons with the chief of police of the city in which the felon resides or the sheriff of the county in which the felon resides, shall stand repealed.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIO-VISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THE COMMISSIONER OF PUBLIC SAFETY WITH THE AUTHORITY TO ESTABLISH THE MINIMUM QUALIFICATIONS AND SALARIES FOR EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTIONS 45-2-1 AND 45-2-31, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ALTERNATIVE SOURCE OF FUNDING TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS FUND AND THE OTHER SAFETY OFFICIALS DEATH BENEFITS TRUST FUND; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE REGISTRATION OF

CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2545** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-71, Mississippi Code of 1972, is amended as follows:

97-17-71. (1) For the purposes of this section, the following terms shall have the meanings ascribed in this section:

(a) "Railroad materials" means any materials, equipment and parts used in the construction, operation, protection and maintenance of a railroad.

(b) "Copper materials" means any copper wire, bars, rods or tubing, including copper wire or cable or coaxial cable of the type used by public utilities, common carriers or communication services providers, whether wireless or wire line, copper air conditioner evaporator coil or condenser, aluminum copper radiators not attached to a motor vehicle, or any combination of these.

(c) "Aluminum materials" means any aluminum cable, bars, rods or tubing of the type used to construct utility, communication or broadcasting towers, aluminum utility wire and aluminum irrigation pipes or tubing. "Aluminum materials" does not include aluminum cans that have served their original economic purpose.

(d) "Dealer-to-dealer transaction(s)" means any transaction of regulated metals, regardless of compensation, between registered scrap metal dealers.

( \*\* \*e) "Law enforcement officer" means any person appointed or employed full time by the state or any political subdivision thereof, or by the state military department as provided in Section 33-1-33, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal traffic laws of this state or the ordinances of any political subdivision thereof.

( \*\* \*f) "Metal property" means materials as defined in this section as railroad track materials, copper materials and aluminum materials and electrical, communications or utility brass, metal covers for service access and entrances to sewers and storm drains, metal bridge pilings, irrigation wiring and other metal property attached to or part of center pivots, grain bins, stainless steel sinks, catalytic converters not attached to a motor vehicle and metal beer kegs. Metal property does not include ferrous materials not listed in this section.

( \*\* \*g) "Person" means an individual, partnership, corporation, joint venture, trust, limited liability company, association or any other legal or commercial entity.

( \*\* \*h) "Personal identification card" means any government issued photographic identification card including a valid identification card issued by a federally recognized Indian tribe that contains a color photograph of the card holder and the card holder's legal name, residence address and date of birth.

( \*\* \*i) "Photograph" or "photographically" means a still photographic image, including images captured in digital format, that are of such quality that the persons and objects depicted are clearly identifiable.

( \*\* \*j) "Purchase transaction" means a transaction in which \*\* \* metal property is acquired whether the person acquiring the metal property gives consideration for the metal property or not. For purposes of this act, the words "purchase" and "purchased" mean a purchase transaction.

( \*\* \*k) "Purchaser" means a person who \*\* \* acquires metal property, whether the person gives consideration for the metal property or not.

( \*\* \*l) "Record" or "records" means a paper, electronic or other method of storing information.

(m) "Registered business entity" means a business entity created by statute, registered and in good standing with its state of incorporation or formation, and having a federal Employer Identification Number (EIN). This term does not include any sole proprietorship, fictitious business name, or nonstatutory general partnership.

(n) "Scrap metal" means any metal property that is acquired by a scrap metal dealer in a purchase transaction.

( \*\* \*o) "Scrap metal dealer" means any person who is engaged, from a fixed location or otherwise, \*\* \* acquiring by purchase transaction, metal property that has served its original economic purpose, whether or not the person is engaged in the business of performing the manufacturing process by which metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value. Any person who falls under this definition must register as a scrap metal dealer pursuant to this act and its rules.

(2) Every scrap metal dealer or other purchaser shall keep an accurate and legible record in which he shall enter the following information for each purchase transaction:

(a) The name, address and age of the person from whom the metal property is purchased as obtained from the seller's personal identification card;

(i) If a person other than the seller delivers the metal property to the purchaser, the purchaser shall enter the name, address, and age of the person who delivers the metal property, as obtained from the personal identification card of the person delivering the metal property. If the person delivering the metal property is the employee of the scrap metal dealer purchasing the property, the purchaser is not required to enter the name, address, and age of the person who delivers the metal property.

(ii) If the seller is a registered business entity, and a person other than the seller delivers the metal property to the purchaser, in addition to the information required by this paragraph, the purchaser shall enter the name, principal business address, state of incorporation or formation of the entity, the federal Employer Identification Number (EIN) of the entity, and the name and telephone number of a contact person for the seller.

(b) The date and place of each acquisition of the metal property;

(c) The weight, quantity or volume and a general physical description of the type of metal property, such as wire, tubing, extrusions or casting, \*\*\* acquired in a purchase transaction;

(d) The amount of consideration given in a purchase transaction for the metal property. If no consideration is given, a record of the origin of the regulated metal;

(e) The vehicle license tag number, state of issue and the make and type of the vehicle used to deliver the metal property to the purchaser;

\*\*\*

(\*\*\*) A signed statement from the person receiving consideration in the purchase transaction stating that he or she is the rightful owner of the metal property or is entitled to sell the metal property being sold. Signed statements as required by this section may be collected and recorded on paper, by photographic copy, or other alternative formats as set forth in the rules promulgated by the Secretary of State;

(\*\*\*) A scanned copy or a photocopy of the personal identification card of the person receiving consideration, or delivering the metal property in the purchase transaction; \*\*\*

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(\*\*\*) A photograph, videotape or similar likeness of the person receiving consideration or any person other than the seller who delivers the metal property to the purchaser in which the person's facial features are clearly visible and in which the metal property the person is selling or delivering is clearly visible.

Such records shall be maintained by the scrap metal dealer or purchaser for not less than two (2) years from the date of the purchase transaction, and such records shall be made available to any law enforcement officer or Secretary of State examiner during usual and customary business hours. Any photograph of metal property taken and maintained pursuant to this subsection shall be admissible in any civil or criminal proceeding.

(3) \*\*\* The purchaser shall \*\*\* photographically capture the metal property \*\*\* as it exists when it is acquired by the purchaser. The time and date shall be digitally recorded on the photograph, and the identity of the person taking the photograph shall be recorded. The purchaser shall permit any law enforcement officer or Secretary of State examiner to make an inspection of the metal property \*\*\* , if the metal property is still in the purchaser's possession, and of all photographs of the metal property. Any photograph of metal property taken and maintained pursuant to this subsection shall be admissible in any civil or criminal proceeding.

(4) During the usual and customary business hours of a scrap metal dealer \*\*\* , a law enforcement officer or Secretary of State examiner, after proper identification as a law enforcement officer or Secretary of State examiner, shall have the right to inspect all purchased metal property and all records pertaining to the purchase of regulated metals in the possession of the scrap metal dealer or purchaser.

(5) (a) Whenever a law enforcement officer has reasonable cause to believe that any item of metal property in the possession of a scrap metal dealer \*\*\* has been stolen, a law enforcement officer who has an affidavit from the alleged rightful owner of the property identifying the property with specificity, including any identifying markings, may issue and deliver a written hold notice to the scrap metal dealer \*\*\* . The hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the hold notice. Upon receipt of the notice, the scrap metal dealer \*\*\* may not process or remove the metal property identified in the notice from the

place of business of the scrap metal dealer \* \* \* for fifteen (15) calendar days after receipt of the notice, unless sooner released by a law enforcement officer.

(b) No later than the expiration of the fifteen-day period, a law enforcement officer, after receiving additional substantive evidence beyond the initial affidavit, may issue and deliver a second written hold notice, which shall be an extended hold notice. The extended hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the extended hold notice. Upon receipt of the extended hold notice, the scrap metal dealer \* \* \* may not process or remove the items of metal property identified in the notice from the place of business of the scrap metal dealer \* \* \* for fifteen (15) calendar days after receipt of the extended hold notice, unless sooner released by a law enforcement officer.

(c) At the expiration of the hold period or, if extended in accordance with this subsection, at the expiration of the extended hold period, the hold is automatically released, then the scrap metal dealer \* \* \* may dispose of the metal property unless other disposition has been ordered by a court of competent jurisdiction.

(d) If the scrap metal dealer \* \* \* contests the identification or ownership of the metal property, the party other than the scrap metal dealer \* \* \* claiming ownership of any metal property in the possession of a scrap metal dealer \* \* \*, provided that a timely report of the theft of the metal property was made to the proper authorities, may bring a civil action in the circuit court of the county in which the scrap metal dealer or purchaser is located. The petition for the action shall include the means of identification of the metal property utilized by the petitioner to determine ownership of the metal property in the possession of the scrap metal dealer \* \* \*.

(e) When a lawful owner recovers stolen metal property from a scrap metal dealer \* \* \* who has complied with this section, and the person who sold the metal property to the scrap metal dealer \* \* \* is convicted of a violation of this section, or theft by receiving stolen property under Section 97-17-70, the court shall order the convicted person to make full restitution to the scrap metal dealer \* \* \*, including, without limitation, attorney's fees, court costs and other expenses.

(6) \* \* \* For dealer-to-dealer transactions, records required to be kept include:

(a) \* \* \* Name and address of selling dealer,

(b) \* \* \* Date and place of each acquisition of the metal property,

(c) \* \* \* The weight, quantity, or volume and a general description of the type of metal property, and

(d) \* \* \* The amount or type of consideration given for the metal property by the purchasing dealer.

\* \* \*

Such records shall be maintained by the scrap metal dealer for not less than two (2) years from the date of the purchase transaction, and such records shall be made available to any law enforcement officer or Secretary of State examiner during usual and customary business hours.

(7) It shall be unlawful for any person to give a false statement of ownership or to give a false or altered identification or vehicle tag number and receive money or other consideration from a scrap metal dealer or other purchaser in return for metal property.

(8) \* \* \*. Unless the seller is a registered business entity, able to provide the information set forth in this section, a scrap metal dealer shall not enter into any cash transactions in payment for the purchase of metal property.

(9) If a person acquiring metal property fails to maintain the records or to hold such materials \* \* \* as requested by a law enforcement officer under this act, such failure shall be prima facie evidence that the person receiving the metal property received it knowing it to be stolen in violation of Section 97-17-70.

\* \* \*

(\* \* \*10) It shall be unlawful for a scrap metal dealer or other purchaser to knowingly purchase or possess a metal beer keg, or a metal syrup tank generally used by the soft drink industry, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut or otherwise alter scrap metal. However, it shall not be unlawful to purchase or possess a metal syrup tank generally used by the soft drink industry if the scrap metal dealer or other purchaser obtains a bill of sale at the time of purchase from a seller if the seller is a manufacturer of such tanks, a soft drink company or a soft drink distributor.

(\* \* \*11) It shall be unlawful to sell to a scrap metal dealer any bronze vase and/or marker, memorial, statue, plaque, or other bronze object used at a cemetery or other location where deceased persons are interred or memorialized, or for any such dealer to purchase those objects, unless the source of the bronze is known and notice is provided to the municipal or county law enforcement agency where the dealer is located. The notice shall identify all names, letters, dates and symbols on the bronze and a photograph of the bronze shall be attached thereto. Written permission from the cemetery and the appropriate law enforcement agency must be received before any type of bronze described in this subsection may be purchased, processed, sold or melted.

(\* \* \*12) (a) It shall be unlawful for any scrap metal dealer to purchase any manhole cover and other similar types of utility access covers, including storm drain covers, or any metal property clearly identified as belonging to a political subdivision of the state or a municipality, unless that metal property is purchased from the political subdivision, the municipal utility or the manufacturer of the metal. Any purchaser who purchases metal property in bulk shall be allowed twenty-four (24) hours to determine if any metal property prohibited by this subsection is included in a bulk purchase. If such prohibited metal property is included in a bulk purchase, the purchaser shall notify law enforcement no later than twenty-four (24) hours after the purchase.

(b) It shall be unlawful for a person to sell, or any scrap metal dealer to purchase, any copper telecommunication wire in any form or any metal property clearly identified as belonging to a telecommunications company, unless that metal property is purchased from (i) an electrician or contractor to whom either a license has been issued by a municipality or county in this state or a current certificate of responsibility has been issued by the State Board of Public Contractors; or (ii) a person who holds a demolition permit issued by a municipality or county in this state. It shall be unlawful for a person to sell, or a scrap metal dealer to purchase, copper telecommunication wire that has been burned to remove the insulation, unless the seller provides certification, on a form as issued by the Secretary of State and signed by a firefighter who is currently in compliance with the certification requirements of the Mississippi Fire Personnel Minimum Standards and Certification Board or a certified law enforcement officer, that the source of the copper telecommunication wire was from a building destroyed by fire.

(\* \* \*13) It shall be unlawful for a scrap metal dealer or other purchaser to purchase metal property from a person younger than eighteen (18) years of age.

(\* \* \*14) Metal property may not be purchased, acquired or collected between the hours of 9:00 p.m. and 6:00 a.m.

( \*\* \*15) Except as provided in this subsection, any person willfully or knowingly violating the provisions of this \*\* \* act shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) per offense, unless the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), in which case the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed five (5) years, fined not more than Ten Thousand Dollars (\$10,000.00), or both. Any person found guilty of stealing metal property or receiving metal property, knowing it to be stolen in violation of Section 97-17-70, shall be ordered to make full restitution to the victim, including, without limitation, restitution for property damage that resulted from the theft of the property.

( \*\* \*16) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds Five Thousand Dollars (\$5,000.00) but less than Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not less than one (1) year, but not to exceed ten (10) years, fined not more than \*\* \* Fifteen Thousand Dollars (\$15,000.00), or both.

( \*\* \*17) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not less than three (3) years, but not to exceed twenty (20) years, fined not more than \*\* \* Twenty Thousand Dollars (\$20,000.00), or both.

( \*\* \*18) This section shall not be construed to repeal other criminal laws. Whenever conduct proscribed by any provision of this section is also proscribed by any other provision of law, the provision which carries the more serious penalty shall be applied.

( \*\* \*19) This section shall apply to all businesses regulated under this section without regard to the location within the State of Mississippi.

( \*\* \*20) This \*\* \* act shall take precedence over any and all local ordinances governing purchase transactions of metal property. If any municipal or county ordinance, rule or regulation conflicts with the provisions of this act, the provisions of this act shall preempt the municipal or county ordinance, rule or regulation.

SECTION 2. Section 97-17-71.1, Mississippi Code of 1972, is amended as follows:

97-17-71.1. (1) (a) From and after \*\* \* sixty (60) days after the passage of this act, it shall be unlawful for any scrap metal dealer or any person who purchases scrap metal, deals in scrap metal, or otherwise engages in the scrap metal business to fail to register with the Secretary of State. All registrations under this section shall expire two (2) years from the date of the registration or the renewal thereof.

(b) The Secretary of State may promulgate and adopt such rules and regulations as are reasonably necessary to carry out the provisions of this section and

establish such registration and renewal fees as are adequate to cover the administrative costs associated with the registration program.

(c) The Secretary of State may deny, suspend, revoke or refuse to renew any registration following notice to the applicant or registrant in accordance with the promulgated rules and an opportunity for a hearing for any failure to comply with this section, or for other good cause.

(2) A violation of this section is a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) but not to exceed One Thousand Dollars (\$1,000.00) for the first offense. Any person who shall be guilty of any subsequent violations of this section requiring registration shall be guilty of a felony offense and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed three (3) years, fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) (a) To register or renew registration, the registrant must declare, under penalty of perjury, whether such registrant has ever been \* \* \* convicted of any felony offense, or any misdemeanor offense involving fraud, dishonesty, or deceit within five (5) years preceding the date of application. If the registrant is a business entity, the registrant shall make the same declarations on behalf of every owner of the business who participates in the operation or management of the business.

(b) (i) An applicant who has been convicted of a violation \* \* \* may be prohibited from registering under this section for five (5) years from the date of conviction.

(ii) Any false statement submitted to the Secretary of State for the purpose of unlawfully registering under this section shall be punished as perjury in the manner provided in Section 97-9-61, and a person so convicted shall be disqualified for life from registering as a scrap metal dealer under this section.

(4) The Secretary of State shall immediately report any suspected criminal violation accompanied by all relevant records to the Office of Attorney General and the appropriate district attorney for further proceedings.

(5) It is unlawful for a person to make or cause to be made, in a record or statement that is used or obtained in an examination, action, proceeding, or filed under this chapter, a

statement that, at the time and in light of the circumstances under which it is made, is false or misleading in a material respect, or, in connection with the statement, to omit to state a material fact necessary to make the statement made, in light of the circumstances under which it was made, not false or misleading.

(\* \* \*6) The Secretary of State shall have the authority to:

(a) Conduct and carry out criminal background history verification of the information provided by the applicant or registrant and to require the submission of information and forms from the applicant or registrant in order to accomplish the registration duties imposed by this section;

(b) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted;

(\* \* \*c) Issue a cease and desist order, with a prior hearing, against the scrap metal dealer or other purchaser alleged to be in violation of this section, directing the person or persons to cease and desist from further illegal activity. In the instance of an immediate cease and desist order, the Secretary of State shall hold an administrative hearing on the alleged violations within ten (10) business days;

( \*\* \*d) (i) Issue an order against any scrap metal dealer or other purchaser for any violation of this section, imposing an administrative penalty up to a maximum of One Thousand Dollars (\$1,000.00) for each offense. Each violation shall be considered a separate offense in a single proceeding or a series of related proceedings. Any administrative penalty, plus reimbursement for all costs and expenses incurred in the investigation of the violation and any administrative proceedings, shall be paid to the Secretary of State;

(ii) For the purpose of determining the amount or extent of a sanction, if any, to be imposed under paragraph (c)(i) of this subsection, the Secretary of State shall consider, among other factors, the frequency, persistence and willfulness of the conduct constituting a violation of this section or any rule or order hereunder; the number of persons adversely affected by the conduct; and the resources of the person committing the violation;

( \*\* \*e) Bring an action in chancery court to enjoin the acts or practices complained of to enforce compliance with this section or any rule promulgated or order entered hereunder. Upon a proper showing, a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. In addition, upon a proper showing by the Secretary of State, the court may enter an order of rescission or restitution directed to any person who has engaged in any act constituting a violation of any provision of this section or any rule or order hereunder, or the court may impose a civil penalty up to a maximum of One Thousand Dollars (\$1,000.00) for each offense, provided that each violation shall be considered as a separate offense in a single proceeding or a series of related proceedings. The court may not require the Secretary of State to post a bond.

( \*\* \*7) Any person aggrieved by a final order of the Secretary of State may obtain a review of the order in the Chancery Court of the First Judicial District of Hinds County, Mississippi, by filing in the court, within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be forthwith served upon the Secretary of State and thereupon the Secretary of State shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part.

SECTION 3. Section 97-17-71.2, Mississippi Code of 1972, is amended as follows:

97-17-71.2. (1) It is an offense for a scrap metal dealer \* \* \* to pay cash to a person who presents an air conditioner evaporator coil or condenser, in whole or in part, for sale as scrap \* \* \*.

(2) Scrap metal described in subsection (1) may only be sold for scrap by an authorized agent, representative or employee of one (1) of the following:

(a) A licensed HVAC contractor who acquired the evaporator coil or condenser in the performance as a contractor as defined in Section 31-3-1;

(b) A company meeting all local or municipal requirements to obtain a permit from that jurisdiction to repair, replace and install HVAC units containing copper evaporator coils or condensers;

(c) Where the jurisdiction does not require a permit to repair, replace and install HVAC units containing copper evaporator coils or condensers, by a company holding a privilege license indicating the business as that of an HVAC installer or repairer; or

(d) A company holding a privilege license indicating the business as that of an HVAC installer or repairer.

(3) The person offering an air conditioner evaporator coil or condenser for sale as scrap on behalf of a company listed in subsection (2) shall have in the person's possession documentation that the company for whom it is being sold is a company described in subsection (2), and that the person selling the evaporator coil or condenser is an authorized agent, representative or employee of that company.

(4) Payment for scrap metal described in subsection (1) must be made by check or money order, \* \* \* and the name of the company or the individual meeting the requirements of must be the payee on the check.

\* \* \*

(\* \* \*5) Nothing in this section shall be construed to preclude a person violating this section from also being prosecuted for any other applicable criminal offense.

(6) Any purchase of any air conditioner evaporator coil or condenser, as described in this section, in whole or in part, is subject to the record keeping requirements required by this section.

SECTION 4. The following shall be codified as Section 97-17-71.3, Mississippi Code of 1972:

97-17-71.3. (1) Any person purchasing a used or defective, detached catalytic converter, in whole or in part, must be registered as a scrap metal dealer pursuant to this act.

(2) Registered scrap metal dealers may only purchase catalytic converters from:

(a) A new, used, or wholesale motor vehicle dealer or motor vehicle manufacturer as defined in, and licensed with the Motor Vehicle Commission as provided in Section 63-17-1, et seq.;

(b) A National Institute for Automotive Service Excellence ("ASE") certified mechanic or ASE certified automotive repair facility, or in the event the mechanic or repair facility is not ASE certified, satisfactory alternative proof as set forth in the rules promulgated by the Secretary of State;

(c) A registered business entity, able to provide the information set forth in Section 97-17-71, that purchases vehicles as scrap or to be dismantled or destroyed and has complied with the requirements of Section 63-21-39 for each vehicle from which a catalytic converter has been obtained;

(d) A person who possesses documentation that the catalytic converter in the individual's possession is the result of a replacement of a catalytic converter from a vehicle registered in that individual's name. The documentation must include the motor vehicle registration and a receipt showing the replacement of the catalytic converter on the same automobile; or

(e) Another scrap metal dealer registered pursuant to this act that has acquired the catalytic converter from one (1) of the other approved sellers set forth in paragraphs (a) through (e) in this subsection.

(3) The person offering a catalytic converter for sale on behalf of a company listed in subsection (2) shall have in the person's possession documentation that the company for whom it is being sold is a company described in subsection (2), and that the person

selling the catalytic converter is an authorized agent, representative or employee of that company.

(4) Payment for scrap metal described in subsection (1) must be made by check or money order, and the name of the company or individual meeting the requirements of subsection (2)(a) through (e) as set forth in this act.

(5) Nothing in this section shall be construed to preclude a person violating this section from also being prosecuted for any other applicable criminal offense.

(6) Any purchase of any catalytic converter is subject to the record keeping requirements of this section as set forth above. In addition, the purchaser must keep for two (2) years the documentary proof that the seller meets the criteria set forth above for sellers.

(7) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified, and labeled for reuse in accordance with applicable U.S. Environmental Protection Agency Clean Air Act regulations, as may from time to time, be amended.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF PURCHASE TRANSACTIONS FOR SCRAP METAL; TO REVISE DEFINITIONS BY ADDING CERTAIN TERMS; TO REQUIRE RECORD KEEPING FOR DEALER-TO-DEALER TRANSACTIONS; TO REGULATE DELIVERY OF METAL PROPERTY BY A PERSON OTHER THAN THE SELLER WHO DELIVERS METAL PROPERTY; TO AMEND SECTIONS 97-17-71.1 AND 97-17-71.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO CREATE NEW SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO REGULATE THE PURCHASE OF CATALYTIC CONVERTERS; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2587** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-9-7, Mississippi Code of 1972, is amended as follows:

63-9-7. (1) Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared in Chapters 3, 5, or 7 of this title, to be a crime, whether individually or in connection with one or more other persons or as a principal, agent, or accessory, shall be guilty of such offense. Every person who falsely,

fraudulently, forcibly, or \* \* \* willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of said chapter is likewise guilty of such offense.

(2) (a) A moving violation under this title, against a holder of a commercial driver's license who is operating a vehicle that does not require the possession of a commercial driver's license to operate at the time of the violation, shall be treated as if the moving violation were against a person who only holds a regular driver's license under Section 63-1-47.

(b) A moving violation under this title, against a holder of a commercial driver's license where the box on the State of Mississippi Uniform Traffic Ticket that would indicate that the violation was pursuant to the Commercial Driver's License Law is not marked or designated, shall be treated as if the moving violation were against a person who only holds a regular driver's license under Section 63-1-47.

(c) This subsection shall not apply to any violation under Chapter 11 of this title.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO AMEND SECTION 63-9-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN MOVING VIOLATIONS UNDER TITLE 63 AGAINST THE HOLDER OF THE COMMERCIAL DRIVER'S LICENSE SHALL BE TREATED AS IF THE MOVING VIOLATION WAS AGAINST A PERSON WHO ONLY HOLDS A REGULAR DRIVER'S LICENSE; TO EXEMPT MOVING VIOLATIONS UNDER CHAPTER 11 OF TITLE 63 FROM THIS REQUIREMENT; AND FOR RELATED PURPOSES.

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Senator Horhn entered a motion to reconsider the vote whereby **H. B. No. 1509** passed the Senate as amended.

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

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

The motion prevailed, and at 10:46 AM, the Senate stood in recess.

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The Senate resumed business at 10:58 AM, pursuant to recess, with President Hosemann presiding.

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Senator Polk moved that the Senate stand in recess until 11:20 AM.

The motion prevailed, and at 11:00 AM, the Senate stood in recess.

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The Senate resumed business at 11:20 AM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 1529:** Income tax; revise definition of gross income and authorize deduction for certain expenses. Title Sufficient. Do Pass.

HARKINS, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. B. No. 1509**, and the motion prevailed.

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

Senator Kirby moved to table the motion to reconsider the vote whereby **H. B. No. 1509** passed the Senate as amended.

The foregoing motion prevailed.

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Senator Harkins moved that the rules be suspended for the immediate consideration of **H. B. No. 1529**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**H. B. No. 1529:** Income tax; revise definition of gross income and authorize deduction for certain expenses.

YEAS AND NAYS On H. B. No. 1529. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On motion of Senator Sparks, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1529.

Senator Boyd moved that the rules be suspended to move to calendar item 35, **S. B. No. 2419**, and the motion prevailed.

Senator Boyd called up the following House Amendment to **S. B. No. 2419** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-106-60, Mississippi Code of 1972:

37-106-60. (1) This section shall be known as the Nursing Education Incentive Program.

(2) There is created a forgivable loan program for study in nursing to become a licensed practical nurse or a registered nurse or for advanced study in nursing by licensed registered nurses. Forgivable loans are established and shall be allocated to students who: (a) are accepted and enrolled in an accredited nursing program approved by the board; (b) complete an application by the deadline established by the board; and (c) enter into contract with the board, obligating themselves to pursue to completion the course of study agreed upon, and following the completion of the course of study, to practice nursing in the State of Mississippi for not less than five (5) years.

(3) Repayment and conversion terms shall be the same as outlined in Section 37-106-53, except that the following provisions shall apply instead of subsection (1)(b) of that section: In lieu of payment in full of both principal and interest, a loan recipient under this section may elect to repay by entry into service employment as provided in subsection (2)(c) of this section. Repayment under this option shall convert the loan to an interest-free scholarship and discharge the same, on the basis of one fifth (1/5) of the total loan amount for each full year of service, or the appropriate proportion of the total outstanding balance of principal and interest, all as established by rule and regulation of the board. If at any time before the repayment in full of the total obligation the recipient abandons or abrogates repayment by this service option, the provisions of Section 37-106-53(1)(c) shall apply.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO CREATE NEW SECTION 37-106-60, MISSISSIPPI CODE OF 1972, TO CREATE THE NURSING EDUCATION INCENTIVE PROGRAM; TO PROVIDE THAT THE PROGRAM IS FOR STUDY IN NURSING TO BECOME A LICENSED PRACTICAL NURSE OR A REGISTERED NURSE OR FOR ADVANCED STUDY IN NURSING BY LICENSED REGISTERED NURSES; TO PROVIDE THAT THE LOANS MAY BE REPAYED BY PRACTICING NURSING IN THE STATE OF MISSISSIPPI FOR NOT LESS THAN FIVE YEARS AFTER COMPLETION OF THE COURSE OF STUDY; AND FOR RELATED PURPOSES.

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Senator Parker moved that the rules be suspended to move to calendar item 46, **S. B. No. 2820**, and the motion prevailed.

Senator Parker called up the following House Amendment to **S. B. No. 2820** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The State Department of Health shall establish a grant program for hospitals for expansions of the hospital facilities that increase the capacity of the hospital because of the need for more capacity to provide treatment and care for the greater number of patients who have COVID-19. Grants provided under the program may be used by hospitals for hospital expansions that are made on or after the effective date of this act or as reimbursement for the expenses incurred by hospitals for expansions that were made before the effective date of this act.

(2) Under the grant program, the department shall receive applications from hospitals that describe in detail how the funds will be used by the hospitals, how receipt of the funds will improve the ability of the hospitals to provide treatment and care for patients who have COVID-19, and any other information as required by the department. An application for grants under the program shall be submitted at such time, be in such form, and contain such information as the board prescribes.

(3) The department shall adopt such rules and regulations as necessary for the administration of the grant program. The department shall operate and administer the grant program from funds appropriated by the Legislature from the Coronavirus State Fiscal Recovery Fund for that purpose.

SECTION 2. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting

those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

- (i) Open-heart surgery services;
- (ii) Cardiac catheterization services;
- (iii) Comprehensive inpatient rehabilitation services;
- (iv) Licensed psychiatric services;
- (v) Licensed chemical dependency services;
- (vi) Radiation therapy services;
- (vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;
- (viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);
- (ix) Home health services;
- (x) Swing-bed services;
- (xi) Ambulatory surgical services;
- (xii) Magnetic resonance imaging services;
- (xiii) [Deleted]
- (xiv) Long-term care hospital services;
- (xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical

equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no

prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on

participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State

Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has

failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time

after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and
2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond

age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County,

provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after March 25, 2021, the department may issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or

chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need. In issuing any new certificate of need for any child/adolescent psychiatric or child/adolescent chemical dependency beds, either by new construction or conversion of beds of another category, the department shall give preference to beds which will be located in an area of the state which does not have such beds located in it, and to a location more than sixty-five (65) miles from existing beds. Upon receiving 2020 census data, the department may amend the State Health Plan regarding child/adolescent psychiatric and child/adolescent chemical dependency beds to reflect the need based on new census data.

(i) [Deleted]

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the

certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits

or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to ensure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the

conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11, or from expansions of hospital facilities that are funded or reimbursed by the grant program established under Section 1 of this act. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ESTABLISH A GRANT PROGRAM FOR HOSPITALS FOR EXPANSIONS OF THE HOSPITAL FACILITIES THAT INCREASE THE CAPACITY OF THE HOSPITAL BECAUSE OF THE NEED FOR MORE CAPACITY TO PROVIDE TREATMENT AND CARE FOR THE GREATER NUMBER OF PATIENTS WHO HAVE COVID-19; TO PROVIDE THAT GRANTS UNDER THE PROGRAM MAY BE USED BY HOSPITALS FOR HOSPITAL EXPANSIONS THAT ARE MADE ON OR AFTER THE EFFECTIVE DATE OF THIS ACT OR AS REIMBURSEMENT FOR THE EXPENSES INCURRED BY HOSPITALS FOR EXPANSIONS THAT WERE MADE BEFORE THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO EXEMPT EXPANSIONS OF HOSPITALS THAT ARE FUNDED OR REIMBURSED BY THE GRANT PROGRAM FROM THE PROVISIONS OF THE HEALTH CARE CERTIFICATE OF NEED LAW; AND FOR RELATED PURPOSES.

Senator Chassaniol moved that the rules be suspended to move to calendar item 48, **S. B. No. 2849**, and the motion prevailed.

Senator Chassaniol called up the following House Amendment to **S. B. No. 2849** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry and its nonprofit museums. American

Rescue Plan Act funds are specifically targeted toward assisting in the recovery of the tourism and hospitality sectors. The funds provided in this act are necessary expenditures related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to support the travel and hospitality economy of Mississippi.

SECTION 2. (1) Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Fifty-two Million Dollars (\$52,000,000.00) from the Coronavirus State Fiscal Recovery Fund to the Mississippi Tourism Recovery Fund - Round 2 created by Section 3 of this act.

(2) Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the Coronavirus State Fiscal Recovery Fund to the Mississippi Nonprofit Museums Recovery Fund - Round 2 created by Section 5 of this act.

SECTION 3. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of this act.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Tourism Recovery Fund - Round 2," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Monies in the fund shall be disbursed by the Department of Finance and Administration to assist destination marketing organizations in paying costs for marketing activities as provided in this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocations of monies provided under this paragraph (a) as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the

destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Forty-two Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$42,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Four Hundred Thousand Dollars (\$400,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after the effective date of this act, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

(iii) The destination marketing organization will obligate all funds by December 31, 2024 and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act determines that (a) the Department of Finance and Administration or recipient has expended or otherwise used any of the funds appropriated to the Department of Finance and Administration under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Finance and Administration or recipient, then the Department of Finance and Administration or recipient, as the case may be, that expended or otherwise

used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Destination Development Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Monies in the fund shall be disbursed by the Department of Finance and Administration for the following purposes that support increased tourist visitation:

- (a) Planning assistance;
- (b) Enhancing outdoor venues and parks;
- (c) Downtown revitalization;
- (d) Improving public health amenities at tourism

attractions and museums including displays and installations, signage, public health enhancements, and public green spaces;

(e) Enhancing recreational offerings that specifically support additional tourist visitation; and

(f) Improving wayfinding signage to direct travelers to support local tourist attractions and businesses.

SECTION 5. (1) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Nonprofit Museums Recovery Fund - Round 2," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Monies in the fund shall be disbursed by the Department of Finance and Administration to assist nonprofit museums in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such museums for health and safety purposes related to the Coronavirus Disease 19.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

(3) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act determines that (a) the Department of Finance and Administration or recipient has expended or otherwise used any of the funds appropriated to the Department of Finance and Administration under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Finance and Administration or recipient, then the Department of Finance and Administration or recipient, as the case may be, that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE "MISSISSIPPI TOURISM RECOVERY FUND - ROUND 2" AND THE "MISSISSIPPI NONPROFIT MUSEUMS RECOVERY FUND - ROUND 2," CREATED BY THIS ACT; TO CREATE THE "MISSISSIPPI TOURISM RECOVERY FUND - ROUND 2" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO PROVIDE FOR THE MANNER IN WHICH THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DISTRIBUTE FUNDS TO DESTINATION MARKETING ORGANIZATIONS UNDER THIS ACT; TO CREATE THE "MISSISSIPPI DESTINATION DEVELOPMENT FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO SUPPORT INCREASED TOURIST VISITATION; TO CREATE THE "MISSISSIPPI NONPROFIT MUSEUMS RECOVERY FUND- ROUND 2" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO NONPROFIT MUSEUMS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ADVERTISING AND OTHER FORMS OF PROMOTING AND PUBLICIZING NONPROFIT MUSEUMS AND MUSEUM RELATED ACTIVITIES, AND REPAIRS AND RENOVATIONS OF AND UPGRADES AND IMPROVEMENTS TO SUCH MUSEUMS FOR HEALTH AND SAFETY PURPOSES RELATED TO THE CORONAVIRUS DISEASE 19; AND FOR RELATED PURPOSES.

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Senator Hopson moved that the rules be suspended to move to calendar item 78, **S. B. No. 2780**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2780** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures,

providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the

Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive

director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. Section 27-104-321, Mississippi Code of 1972, is brought forward as follows:

27-104-321. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus State Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit

into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 8. Section 27-71-29, Mississippi Code of 1972, is brought forward as follows:

27-71-29. All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the General Fund, except for fees charged by the department for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be earmarked for use by the department for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall lapse into the General Fund. "Net proceeds" in this section means the total of all fees collected by the department to defray the costs of shipping less the actual costs of shipping.

SECTION 9. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Capital Projects Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus Capital Projects Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Capital Projects Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus Capital Projects Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Capital Projects Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 10. During fiscal year 2022, the State Fiscal

Officer shall transfer to the Capital Expense Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
General Fund	2999000000	\$1.00
Treasurer's Office –		
Abandoned Property	3317800000	\$1.00
TOTAL		\$2.00

SECTION 11. During fiscal year 2022, the State Fiscal Officer shall transfer the sum of Six Hundred Twenty-three Dollars (\$623.00) from the Secretary of State Help

Mississippi Vote Fund (Fund No. 3311M00000) to the State General Fund (Fund No. 2999000000).

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-104-321, MISSISSIPPI CODE OF 1972, WHICH CREATES THE CORONAVIRUS STATE FISCAL RECOVERY FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-71-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE PAYMENT OF ALCOHOLIC BEVERAGE TAXES INTO THE STATE TREASURY, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS CAPITAL PROJECTS FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE SPENT UPON APPROPRIATION BY THE LEGISLATURE AND SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS CAPITAL PROJECTS FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE FOR CERTAIN TRANSFERS TO THE GENERAL FUND DURING FISCAL YEAR 2022; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND AND THE STATE GENERAL FUND DURING FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

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Senator Hopson moved that the rules be suspended to move to calendar item 84, **S. B. No. 2822**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2822** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Department of Environmental Quality (department) shall establish a grant program to be known as the ARPA Wastewater Infrastructure Grant Program to assist political subdivisions, utility authorities and nonprofit utilities in the construction of eligible wastewater and stormwater infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by ARPA.

(2) There is created in the State Treasury a special fund to be known as the American Rescue Plan Act (ARPA) Wastewater Infrastructure Fund (the "ARPA Wastewater Infrastructure Fund"), which will consist of funds made available by the

Legislature from federal ARPA funds. Monies in the fund shall be used by the department, upon appropriation of the Legislature, to make grants under the ARPA Wastewater Infrastructure Grant Program for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, twenty percent (20%) of the funds appropriated to the ARPA Wastewater Infrastructure Fund be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through the American Rescue Plan Act.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant. Any assistance provided under this section for a project shall be subject to a grantee cost-sharing requirement of not less than twenty percent (20%). However, the cost-sharing requirement for a small municipality (a municipality with a population of ten thousand (10,000) or less, according to the most recent federal decennial census, at the time the application is submitted) and a limited population county (a county with a population of thirty thousand (30,000) or less, according to the most recent federal decennial census) shall be not less than five percent (5%). The grantee share may be provided in the form of in-kind contributions.

(7) The department shall have all powers necessary to implement and administer the ARPA Wastewater Infrastructure Grant Program established under this section. Of the funds appropriated to the ARPA Wastewater Infrastructure Fund, up to ten percent (10%) shall be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the ARPA Wastewater Infrastructure Grant Program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the ARPA Wastewater Infrastructure Grant Program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 2. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Drinking Water Infrastructure Grant Program to assist political subdivisions, utility authorities and nonprofit utilities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by ARPA.

(2) There is created in the State Treasury a special fund to be known as the American Rescue Plan Act (ARPA) Drinking Water Infrastructure Fund (the "ARPA Drinking Water Infrastructure Fund"), which will consist of funds made available by the Legislature from federal ARPA funds. Monies in the fund shall be used by the department, upon appropriation of the Legislature, to make grants under the ARPA Drinking Water Infrastructure Grant Program for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, twenty percent (20%) of the funds appropriated to the ARPA Drinking Water Infrastructure Fund be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through the American Rescue Plan Act.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant. Any assistance provided under this section for a project shall be subject to a grantee cost-sharing requirement of not less than twenty percent (20%). However, the cost-sharing requirement for a small municipality (a municipality with a population of ten thousand (10,000) or less, according to the most recent federal decennial census, at the time the application is submitted) and a limited population county (a county with a population of thirty thousand (30,000) or less, according to the most recent federal decennial census) shall be not less than five percent (5%). The grantee share may be provided in the form of in-kind contributions.

(7) The department shall have all powers necessary to implement and administer the ARPA Drinking Water Infrastructure Grant Program established under this section. Of the funds appropriated to the ARPA Drinking Water Infrastructure Fund, up to ten percent (10%) shall be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the ARPA Drinking Water Infrastructure Grant Program, for any contract under the purview of the Public Procurement Review

Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the ARPA Drinking Water Infrastructure Grant Program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 3. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program to assist rural water associations in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by ARPA.

(2) There is created in the State Treasury a special fund to be known as the American Rescue Plan Act (ARPA) Rural Water Associations Infrastructure Fund (the "ARPA Rural Water Associations Infrastructure Fund"), which will consist of funds made available by the Legislature from federal ARPA funds. Monies in the fund shall be used by the department, upon appropriation of the Legislature, to make grants under the ARPA Rural Water Associations Infrastructure Grant Program for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, twenty percent (20%) of the funds appropriated to the ARPA Rural Water Associations Infrastructure Fund be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through the American Rescue Plan Act.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(7) The department shall have all powers necessary to implement and administer the ARPA Rural Water Associations Infrastructure Grant Program established under this section. Of the funds appropriated to the ARPA Rural Water Associations Infrastructure Fund, up to ten percent (10%) shall be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the ARPA Rural Water Associations Infrastructure Grant Program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 4. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an

officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be

accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, \* \* \* any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, \* \* \* any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, any personal or professional services contract entered into by the Department of Environmental Quality in carrying out its responsibilities under the ARPA Wastewater Infrastructure Grant Program through June 30, 2026, any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Drinking Water Infrastructure Grant Program through June 30, 2026, and any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required

under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid

unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise,

the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

AN ACT TO PROVIDE THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA WASTEWATER INFRASTRUCTURE GRANT PROGRAM TO ASSIST POLITICAL SUBDIVISIONS, UTILITY AUTHORITIES AND NONPROFIT UTILITIES IN THE CONSTRUCTION OF ELIGIBLE WASTEWATER AND STORMWATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA WASTEWATER INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY ASSISTANCE PROVIDED FOR A PROJECT UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO A GRANTEE COST-SHARING REQUIREMENT OF NOT LESS THAN TWENTY PERCENT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL

ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA DRINKING WATER INFRASTRUCTURE GRANT PROGRAM TO ASSIST POLITICAL SUBDIVISIONS, UTILITY AUTHORITIES AND NONPROFIT UTILITIES IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA DRINKING WATER INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY ASSISTANCE PROVIDED FOR A PROJECT UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO A GRANTEE COST-SHARING REQUIREMENT OF NOT LESS THAN TWENTY PERCENT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM TO ASSIST RURAL WATER ASSOCIATIONS IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE FUND, WHICH SHALL BE USED BY THE DEPARTMENT TO MAKE GRANTS UNDER THE GRANT PROGRAM; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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Senators Michel, Blount, Bryan, McMahan, Hopson, Norwood, Frazier and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Joshua Cory Harrison of Madison, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Jeanette Sanders Feltus of Natchez, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Gladly Mae Black of Winona, MS.

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Senators Chassaniol and Michel moved that when the Senate adjourns, it adjourn in memory of Thomas Walter Tardy, III of Madison, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Loretta DeFoe West of Madison, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 14, 2022.

The motion prevailed, and at 11:31 AM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 843:** County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation.

**H. B. No. 972:** Bottom land leasing for oyster production; create a pilot program for.

**H. B. No. 1098:** Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2431:** Procedure for the purchase of textbooks by the State Board of Education; revise provisions of.

**S. B. No. 2481:** Memorial highways; designate segment of MS-488 in Leake County as Hunky Cross Highway in memory of Austin Morrow & others.

**S. B. No. 2520:** Memorial highways; designate segment of Mississippi Highway 45 for Senator John White.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements.

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to.

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement and clarify use of reverse auction.

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.

**S. B. No. 2423:** Teacher license; allow supplemental endorsement and revise provisions of issuance.

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office.

**S. B. No. 2536:** Offender registry; create registry of individuals whose crimes involve public funds.

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service.

**S. B. No. 2818:** MS Department of Health and MS Department of Revenue; provide exemptions for operation under Medical Cannabis Act.

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

**S. B. No. 2887:** School Boards; allow to purchase electric vehicles for student transportation.

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 158:** AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES FOR THE PURPOSES OF THE STATUTE REGULATING THE OPERATION OF OFF-ROAD VEHICLES; AND FOR RELATED PURPOSES.

**H. B. No. 365:** AN ACT TO ESTABLISH THE MISSISSIPPI RURAL HOSPITAL LOAN PROGRAM IN THE STATE DEPARTMENT OF HEALTH TO PROVIDE LOANS TO RURAL HOSPITALS TO ASSIST THE HOSPITALS IN PROVIDING NEEDED DIRECT HEALTH CARE SERVICES; TO CREATE A SPECIAL FUND TO BE KNOWN AS THE RURAL HOSPITAL OPERATIONS AND FACILITIES REVOLVING LOAN FUND, WHICH SHALL BE ADMINISTERED BY THE DEPARTMENT AND EXPENDED FOR THE SOLE PURPOSE OF PROVIDING LOANS TO RURAL HOSPITALS UNDER THE PROVISIONS OF THIS ACT; TO PROVIDE THAT THE DEPARTMENT SHALL DETERMINE THE TERMS AND CONDITIONS OF EACH LOAN, AND TO SPECIFY

CERTAIN REQUIREMENTS AND CONDITIONS FOR THE LOANS; TO REQUIRE THE DEPARTMENT TO MAKE ANNUAL REPORTS TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ABOUT EACH OUTSTANDING LOAN ISSUED; AND FOR RELATED PURPOSES.

**H. B. No. 720:** AN ACT TO PROVIDE THE MINIMUM REQUIREMENTS THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY MUST MEET RELATED TO ITS ACTIVITIES CONCERNING FRAUD PREVENTION, DETECTION AND RECOVERY; TO REQUIRE THE DEPARTMENT TO FOCUS UPON THE PREVENTION AND DETECTION OF FRAUD WITH RESPECT TO THE PAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS AND THE COLLECTION OF TAX CONTRIBUTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 920:** AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO CREATE THE INMATE INCENTIVE TO WORK PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE PAYMENT TO ELIGIBLE INMATES HOUSED IN STATE CORRECTIONAL FACILITIES; TO CREATE A SPECIAL FUND ENTITLED "THE INMATE INCENTIVE TO WORK PROGRAM FUND", WHICH SHALL BE FUNDED BY A PORTION OF THE INMATE WELFARE FUND; TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 927:** AN ACT TO AMEND SECTION 41-21-201, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS TESTED FOR IN THE COMPREHENSIVE NEWBORN SCREENING PROGRAM TO INCLUDE THOSE CONDITIONS THAT ARE LISTED ON THE RECOMMENDED UNIFORM SCREENING PANEL (RUSP); TO REQUIRE THE STATE BOARD OF HEALTH TO ENSURE THAT EACH CONDITION LISTED ON THE RUSP IS INCLUDED IN THE NEWBORN SCREENING PROGRAM WITHIN THREE YEARS AFTER BEING ADDED TO THE RUSP; TO PROVIDE THAT IF THE DEPARTMENT DOES NOT INCLUDE A RUSP-LISTED CONDITION IN THE NEWBORN SCREENING PROGRAM WITHIN THREE YEARS, THE DEPARTMENT SHALL PROVIDE A REPORT ON THE STATUS AND REASONS FOR THE DELAY TO THE HOUSE AND SENATE PUBLIC HEALTH COMMITTEES ONCE A YEAR AFTER THE THREE-YEAR PERIOD; TO AMEND SECTION 41-21-203, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1017:** AN ACT TO AMEND SECTION 9-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE TWO OR MORE COUNTIES TO APPOINT ONE PERSON TO SERVE AS CLERK OF THE JUSTICE COURT SYSTEM FOR THE COUNTIES; TO PROVIDE THAT SUCH CLERK SHALL BE PAID AN AMOUNT MUTUALLY AGREED UPON AND ADOPTED BY RESOLUTION OF THE RESPECTIVE BOARDS OF SUPERVISORS; TO PROVIDE THAT SUCH COUNTIES MAY ALSO JOINTLY APPOINT OTHER EMPLOYEES OF THE JUSTICE COURT SYSTEM; AND FOR RELATED PURPOSES.

**H. B. No. 1056:** AN ACT TO ENACT INTO LAW THE PROFESSIONAL COUNSELING COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-30-3, 73-30-5, 73-30-7, 73-30-9, 73-30-21, 73-30-23 AND 73-30-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1073:** AN ACT TO AMEND SECTION 65-21-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF LAW TO PRESCRIBE THE DESIGN OF BRIDGES AND CULVERTS ON PUBLIC ROADS; AND FOR RELATED PURPOSES.

**H. B. No. 1093:** AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) TO CONDUCT A REVIEW OF THE EFFECTIVENESS OF THE MISSISSIPPI DEVELOPMENT AUTHORITY'S EFFORT FUNDED THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND IN 2024 AND EVERY FOUR YEARS THEREAFTER; TO AMEND SECTION 57-1-64, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1130:** AN ACT TO AMEND SECTION 49-15-28, MISSISSIPPI CODE OF 1972, TO SEPARATE THE COMBINATION SEAFOOD DEALER AND PROCESSOR

LICENSE INTO TWO LICENSES; TO PROVIDE THAT EACH LICENSE SHALL BE ONE HUNDRED DOLLARS; TO PROVIDE THAT A SEAFOOD DEALER SHALL NOT OPERATE AS A SEAFOOD PROCESSOR BUT THAT A SEAFOOD PROCESSOR MAY OPERATE AS A SEAFOOD DEALER; TO PROVIDE EXEMPTIONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 1486:** AN ACT TO AMEND SECTION 63-1-208, MISSISSIPPI CODE OF 1972, TO REVISE THE COMMERCIAL DRIVER'S LICENSE QUALIFICATION STANDARDS TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO PROVIDE FOR WAIVERS FOR CERTAIN TESTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2004:** AN ACT TO AMEND SECTION 29-1-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE SECTION PRESCRIBING WHO MAY PURCHASE PUBLIC LAND IN MISSISSIPPI; AND FOR RELATED PURPOSES.

**S. B. No. 2018:** AN ACT TO AMEND SECTION 81-1-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONDUCT PERIODIC JOINT-BANK EXAMINATIONS WITH THE FEDERAL RESERVE; AND FOR RELATED PURPOSES.

**S. B. No. 2039:** AN ACT TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE PROVISIONS RELATING TO THE REGISTRATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES BY THE MISSISSIPPI REAL ESTATE COMMISSION; AND FOR RELATED PURPOSES.

**S. B. No. 2832:** AN ACT TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR MISSISSIPPI STATE UNIVERSITY MAY BE USED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 547:** A CONCURRENT RESOLUTION RECOGNIZING THE SERVICE AND LEGACY OF WORLD WAR II HERO AND POW OLIN PICKENS OF

NESBIT, MISSISSIPPI, AND EXTEND THE BEST WISHES OF THE LEGISLATURE ON HIS 100TH BIRTHDAY.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON FORESTRY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 29:** Howard Lee Jones, III, Natchez, Mississippi, State Board of Registration for Foresters to represent the state at large, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 30:** John Beecher Mitchell, Sr., Corinth, Mississippi, State Board of Registration for Foresters to represent the Northeast Forestry Commission District, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 97:** Charles Bradley (Brad) Campbell, Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, unexpired balance of a five year term ending June 30, 2023. Do Advise and Consent.

**S. N. No. 98:** Jerome Marvin (Jerry) Foxworth, III, Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, unexpired balance of a five year term ending June 30, 2024. Do Advise and Consent.

**S. N. No. 99:** Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, unexpired balance of a five year term ending June 30, 2022. Do Advise and Consent.

**S. N. No. 100:** Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, five year term beginning July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

MCCAUGHN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Joshua Cory Harrison, Jeanette Sanders Feltus, Gladys Mae Black, Thomas Walter Tardy, III and Loretta DeFoe West.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 10, 2022

**S. C. R. No. 576:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COAHOMA COMMUNITY COLLEGE WOMEN'S BASKETBALL COACH STEPHANIE MURPHY UPON BEING NAMED THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE (MACCC) "COACH OF THE YEAR."

By Senator(s) Jackson (11th), Simmons (12th)

**S. C. R. No. 577:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NUMBER 1 RANKED RAYMOND HIGH SCHOOL "RANGERS" BOYS BASKETBALL TEAM AND COACH TONY TADLOCK FOR WINNING THE 2022 MHSAA 4A CHAMPIONSHIP.

By Senator(s) Butler (36th), Blount

SEVENTIETH DAY, MONDAY, MARCH 14, 2022

The Senate met at 4:00 PM pursuant to adjournment, President Pro Tempore Kirby presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Carter. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Carter.

The invocation was delivered by Dr. Chip Henderson, Senior Pastor, Pinelake Church, Flowood, MS.

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

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

**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

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

MESSAGE FROM THE HOUSE

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

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.

**S. B. No. 2034:** Intestacy; revise provisions for venue.

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violation to the State Auditor.

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments.

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 37:** A CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF MAY 1-7, 2022, AS "TARDIVE DYSKINESIA (TD) AWARENESS WEEK" THROUGHOUT THE STATE OF MISSISSIPPI TO PROMOTE THE IMPORTANCE OF EFFECTIVELY DIAGNOSING AND TREATING THE DISORDER.

**H. C. R. No. 47:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF RETIRED BRIGADIER GENERAL MARTHA JO LESLIE.

**H. C. R. No. 48:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP AND SERVICE OF CHIEF M.E. "GENE" WALDROP UPON HIS 50 YEARS OF POLICE SERVICE IN THE STATE OF MISSISSIPPI.

**H. C. R. No. 49:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE RANGERS FOOTBALL TEAM AND COACH BENJY PARKER FOR WINNING CONSECUTIVE STATE CHAMPIONSHIP TITLES IN THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE.

**H. C. R. No. 50:** A CONCURRENT RESOLUTION COMMENDING MS. BRITTNEY REESE AND CONGRATULATING HER UPON HER SUCCESSES AS A UNITED STATES OLYMPIC GOLD AND SILVER MEDALIST.

**H. C. R. No. 51:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE CHEER TEAM AND COACH BRANDON CASEY FOR WINNING THE 2022 OPEN SMALL CO-ED NATIONAL CHAMPIONSHIP.

**H. C. R. No. 53:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING DR. SAM POLLES UPON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

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

**H. B. No. 1097:** AN ACT TO AMEND SECTION 31-8-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY AND THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY TO ENTER INTO LEASE AGREEMENTS FOR FACILITIES THAT WILL BE UTILIZED AS FIRE STATIONS FOR TERMS THAT ARE NOT TO EXCEED TWENTY YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 1098:** AN ACT TO AMEND SECTION 19-5-177, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE BOARD OF COMMISSIONERS OF CERTAIN FIRE PROTECTION DISTRICTS FROM IMPOSING FEES IF THE BOARD OF SUPERVISORS OF A COUNTY HAS LEVIED A SPECIAL TAX FOR A FIRE PROTECTION DISTRICT; TO AMEND SECTION 19-5-195, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1113:** AN ACT TO DESIGNATE THE INTERSECTION OF MISSISSIPPI HIGHWAY 18 AND U.S. HIGHWAY 45 LOCATED IN CLARKE COUNTY, MISSISSIPPI, AS THE "PFC DAMIAN LAQUASHA HEIDELBERG MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 1331:** AN ACT TO AMEND SECTIONS 23-15-213 AND 23-15-211, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ELECTION COMMISSIONERS SHALL ONLY BE REQUIRED TO TAKE THE SKILL ASSESSMENT ONCE EVERY FOUR YEARS TO BECOME CERTIFIED BY THE SECRETARY OF STATE INSTEAD OF EVERY YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1341:** AN ACT TO AMEND SECTION 21-8-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNCIL MEMBERS ELECTED TO REPRESENT WARDS MUST BE RESIDENTS OF THEIR WARDS FOR TWO YEARS AT THE TIME OF QUALIFICATION FOR AN ELECTION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

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

**H. B. No. 175:** AN ACT TO AMEND SECTION 69, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF HAZLEHURST, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A COMMUNITY CENTER/EMERGENCY STORM SHELTER AND RELATED FACILITIES, MAY BE USED; AND FOR RELATED PURPOSES.

**H. B. No. 252:** AN ACT TO AMEND SECTION 25-11-121, MISSISSIPPI CODE OF 1972, TO INCREASE FROM 10% TO 20% THE MAXIMUM PERCENTAGE OF INVESTMENTS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM THAT ARE IN THE FORM OF A SEPARATE ACCOUNT MANAGED BY A SECURITIES AND EXCHANGE COMMISSION REGISTERED INVESTMENT ADVISORY FIRM RETAINED AS AN INVESTMENT MANAGER BY THE BOARD OF TRUSTEES OF THE SYSTEM OR A LIMITED PARTNERSHIP OR COMMINGLED FUND APPROVED BY THE BOARD OF TRUSTEES; AND FOR RELATED PURPOSES.

**H. B. No. 475:** AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONTRACTS FOR CONSTRUCTION AND MAINTENANCE PROJECTS AT THE STATE INSTITUTIONS WHICH ARE FUNDED BY STATE GENERAL OBLIGATION BONDS; AND FOR RELATED PURPOSES.

**H. B. No. 483:** AN ACT TO AMEND SECTION 57-1-303, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE CERTAIN MONIES IN THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING LOAN FUND FOR ORDINARY AND NECESSARY GENERAL SUPPORT OF THE AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 492:** AN ACT TO AMEND SECTION 43-13-407, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON CERTAIN PROVISIONS RELATING TO THE HEALTH CARE EXPENDABLE FUND; AND FOR RELATED PURPOSES.

**H. B. No. 503:** AN ACT TO DESIGNATE A CERTAIN INTERSECTION ON INTERSTATE 22 IN LEE COUNTY, MISSISSIPPI, AS THE "SHERIFF HAROLD RAY PRESLEY MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 504:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "KOREAN WAR VETERANS HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 505:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF INTERSTATE 22 LOCATED IN LEE COUNTY, MISSISSIPPI, AS THE "VIETNAM VETERANS WAY"; AND FOR RELATED PURPOSES.

**H. B. No. 980:** AN ACT TO CREATE A NEW SECTION WITHIN ARTICLE 3, CHAPTER 29, TITLE 41, MISSISSIPPI CODE OF 1972, TO PROVIDE AN AUTOMATIC DEFENSE TO PROSECUTION FOR ANY CHARGE THAT IS BROUGHT WITHIN TWO YEARS OF A FEDERAL DECLASSIFICATION OF A CONTROLLED SUBSTANCE THAT IS THE SUBJECT OF THE OFFENSE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2481:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 488 LOCATED IN LEAKE COUNTY, MISSISSIPPI, AS THE "HUNKY CROSS HIGHWAY IN MEMORY OF AUSTIN MORROW AND OTHERS THAT HAVE LOST THEIR LIVES"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 84 LOCATED IN FRANKLIN COUNTY, MISSISSIPPI, AS THE "MARK 'PEANUT' YOUNGBLOOD MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 334 IN OXFORD, MISSISSIPPI, AS THE "LEONARD E. THOMPSON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 30 IN OXFORD, MISSISSIPPI, AS THE "NATHAN HODGES, JR., MEMORIAL HIGHWAY"; TO AMEND SECTION 9, CHAPTER 450, LAWS OF 2020, AS AMENDED BY SECTION 1, CHAPTER 365, LAWS OF 2021, TO REVISE THE DESCRIPTION OF THE SEGMENT OF MISSISSIPPI HIGHWAY 42 IN GREENE COUNTY, MISSISSIPPI, DESIGNATED AS THE "DEPUTY U.S. MARSHAL JAKE GREEN AND GREENE COUNTY DEPUTY LAWRENCE DUNNAM MEMORIAL HIGHWAY, EOW APRIL 1, 1921"; AND FOR RELATED PURPOSES.

**S. B. No. 2520:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 45 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "SENATOR JOHN WHITE MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

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

**S. B. No. 2113:** AN ACT TO CREATE NEW SECTION 37-13-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING, COMMUNITY/JUNIOR COLLEGE, SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DIRECT OR COMPEL STUDENTS TO AFFIRM THAT ANY SEX, RACE, ETHNICITY, RELIGION OR NATIONAL ORIGIN IS INHERENTLY SUPERIOR, OR THAT INDIVIDUALS SHOULD BE ADVERSELY TREATED BASED ON SUCH CHARACTERISTICS; TO PROVIDE THAT NO DISTINCTION OR CLASSIFICATION OF STUDENTS SHALL BE MADE ON ACCOUNT OF RACE OTHER THAN THE REQUIRED COLLECTION OR REPORTING OF DEMOGRAPHIC INFORMATION; TO PROVIDE THAT NO COURSE OF INSTRUCTION SHALL BE TAUGHT THAT AFFIRMS SUCH PRINCIPLES; TO PROVIDE THAT NO FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF EDUCATION, ANY ENTITY UNDER THE DEPARTMENT'S JURISDICTION, SCHOOL DISTRICTS, CHARTER SCHOOLS, COMMUNITY/JUNIOR COLLEGES, THE MISSISSIPPI COMMUNITY COLLEGE BOARD, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING OR PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR ANY PURPOSE THAT WOULD VIOLATE THIS ACT; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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**MESSAGE FROM THE HOUSE**

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

**S. B. No. 2885:** Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on.

Andrew Ketchings, Clerk of the House of Representatives

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

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

**S. B. No. 2431:** AN ACT TO AMEND SECTIONS 37-43-21 AND 37-43-23, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT ANY TEXTBOOK SUPPLIER WITH WHOM THE STATE BOARD OF EDUCATION HAS CONTRACTED TO PROVIDE ALL OF THE STATE'S TEXTBOOKS SHALL MAINTAIN A DEPOSITORY IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT SUCH SUPPLIER MAY HAVE A DEPOSITORY WITHIN THE STATE OR IN A REGIONAL AREA LOCATED IN REASONABLE PROXIMITY TO THE STATE; TO AMEND SECTION 37-43-31, MISSISSIPPI CODE OF 1972, TO CLARIFY INTERNAL REFERENCES AND CORRECT GRAMMATICAL ERRORS; TO AMEND SECTIONS 37-43-33 AND 37-43-59,

MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 37-43-1, 37-43-2, 37-43-17, 37-43-19, 37-43-24, 37-43-25, 37-43-27, 37-43-29, 37-43-39, 37-43-41, 37-43-43, 37-43-45, 37-43-47, 37-43-51 AND 37-43-57, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO REPEAL SECTIONS 37-43-37, 37-43-49, 37-43-53 AND 37-43-55, MISSISSIPPI CODE OF 1972, WHICH ARE VARIOUS OBSOLETE PROVISIONS OF THE MISSISSIPPI TEXTBOOK LAW; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 192:** AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENT FOR CERTAIN LICENSE PLATES FOR DISABLED VETERANS FROM ONE HUNDRED PERCENT PERMANENT SERVICE-CONNECTED DISABILITY TO SEVENTY-FIVE PERCENT PERMANENT SERVICE-CONNECTED DISABILITY; AND FOR RELATED PURPOSES.

**H. B. No. 1135:** AN ACT TO AMEND SECTION 17-17-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ADVANCED PLASTIC RECYCLING," "DEPOLYMERIZATION," "GASIFICATION," "PYROLYSIS," "SOLVOLYSIS," "ADVANCED PLASTIC RECYCLING FACILITY," "POST-USE POLYMER" AND "RECOVERED FEEDSTOCK" FOR PURPOSES RELATING TO SOLID WASTE DISPOSAL; TO BRING FORWARD SECTIONS 17-17-205 AND 17-17-305, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 843:** AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OFFER SUPPLEMENTAL COMPENSATION TO EMPLOYEES WHO DECLINE COVERAGE UNDER THEIR GROUP INSURANCE; AND FOR RELATED PURPOSES.

**H. B. No. 1002:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 28 LOCATED IN COPIAH COUNTY, MISSISSIPPI, AS THE "CARROLL V. HOOD MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1131:** AN ACT TO AMEND SECTION 29-1-37, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES, AMONG OTHER THINGS, THE SECRETARY OF STATE TO SELL STATE-FORFEITED TAX LAND BY ONLINE AUCTION, TO AUTHORIZE THE SECRETARY OF STATE TO ENTER INTO AGREEMENTS WITH ONLINE PROVIDERS TO CONDUCT SUCH SALES BY ONLINE AUCTION; AND FOR RELATED PURPOSES.

**H. B. No. 1529:** AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "GROSS INCOME" UNDER THE STATE INCOME TAX LAW TO EXCLUDE AMOUNTS RECEIVED AS GRANTS UNDER THE SHUTTERED VENUE OPERATORS GRANT PROGRAM AND RESTAURANT REVITALIZATION FUND AUTHORIZED BY THE ECONOMIC AID TO HARD-HIT SMALL BUSINESSES, NONPROFITS, AND VENUES ACT, AND AMENDED BY THE FEDERAL AMERICAN RESCUE PLAN ACT; TO EXCLUDE AMOUNTS RECEIVED AS GRANTS UNDER THE MISSISSIPPI AGRICULTURE STABILIZATION ACT; TO

AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INCOME TAX DEDUCTIONS FOR OTHERWISE DEDUCTIBLE EXPENSES THAT WERE ALLOWED AS DEDUCTIONS UNDER SECTION 57-121-7; TO AUTHORIZE INCOME TAX DEDUCTIONS FOR OTHERWISE DEDUCTIBLE EXPENSES IF PAYMENT FOR SUCH EXPENSES IS MADE WITH THE GRANT OR LOAN PROGRAM OF THE SHUTTERED VENUE OPERATORS GRANT PROGRAM AND RESTAURANT REVITALIZATION FUND AUTHORIZED BY THE ECONOMIC AID TO HARD-HIT SMALL BUSINESSES, NONPROFITS, AND VENUES ACT, AND AMENDED BY THE FEDERAL AMERICAN RESCUE PLAN ACT OR THE MISSISSIPPI AGRICULTURE STABILIZATION ACT; TO AMEND SECTION 57-121-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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INTRODUCTIONS FOR FRIDAY, MARCH 11, 2022

**S. C. R. No. 578:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE CHEER TEAM AND COACH BRANDON CASEY FOR WINNING CONSECUTIVE NATIONAL CHAMPIONSHIP TITLES IN THE UCA/UDA NATIONAL CHEER COMPETITION.

By Senator(s) Boyd, Jackson (11th), Parker, Blackwell, McLendon, Whaley, Suber

**S. C. R. No. 579:** Rules

A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2022, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.

By Senator(s) Boyd, England

**S. C. R. No. 580:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE FOOTBALL TEAM AND COACH BENJY PARKER FOR WINNING CONSECUTIVE STATE CHAMPIONSHIP TITLES IN THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE.

By Senator(s) Boyd, Jackson (11th), Parker, Blackwell, McLendon, Whaley, Suber

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MESSAGE FROM THE ARCHIVES AND HISTORY BD  
January 31, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Kimberly L. Campbell, Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

Elizabeth (Betsey) Hamilton, New Albany, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

Julius Carter (Carter) Burns, Natchez, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

Katie Blount  
ARCHIVES AND HISTORY BD

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The executive nominations in the foregoing message were referred to committees as follows:

Kimberly L. Campbell, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028, Accountability, Efficiency, Transparency.

Elizabeth (Betsey) Hamilton, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028, Accountability, Efficiency, Transparency.

Julius Carter (Carter) Burns, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028, Accountability, Efficiency, Transparency.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Miriam Necaize Graves of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Paulette Louise Breland of Kiln, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Larry Smith of Jackson, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Patsy O. Webb of Saffalo, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Clara Dunn of Philadelphia, MS.

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Senator Williams moved that when the Senate adjourns, it adjourn in memory of Ronald Duncan of Starkville, MS.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 15, 2022.

The motion prevailed, and at 4:10 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. Title Sufficient. Do Pass As Amended.

**H. B. No. 1530:** Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Title Sufficient. Do Pass As Amended.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes. Title Sufficient. Do Pass As Amended.

**H. B. No. 1685:** Pregnancy Resource Act; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1687:** Children's Promise Act; revise certain provisions. Title Sufficient. Do Pass As Amended.

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

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

**H. B. No. 1600:** Appropriation; Education, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1601:** Appropriation; Educational Television, Authority for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1602:** Appropriation; Library Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1607:** Appropriation; Mississippi Broadband Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1609:** Appropriation; Public Service Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1610:** Appropriation; Public Utilities Staff. Title Sufficient. Do Pass As Amended.

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1629:** Appropriation; Attorney General. Title Sufficient. Do Pass As Amended.

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1625:** Appropriation; District attorneys and staff. Title Sufficient. Do Pass As Amended.

**H. B. No. 1627:** Appropriation; State Public Defender, Office of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services. Title Sufficient. Do Pass As Amended.

**H. B. No. 1593:** Appropriation; Insurance, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1594:** Appropriation; Fire Academy. Title Sufficient. Do Pass As Amended.

**H. B. No. 1596:** Appropriation; Real Estate Commission and Appraiser Licensing and Certification Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1613:** Appropriation; Medicaid, Division of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1611:** Appropriation; Human Services, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1614:** Appropriation; Health, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1599:** Appropriation; Archives and History, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1598:** Appropriation; Arts Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1624:** Appropriation; Marine Resources, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1620:** Appropriation; Port Authority, State. Title Sufficient. Do Pass As Amended.

**H. B. No. 1618:** Appropriation; Pat Harrison Waterway District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1622:** Appropriation; Yellow Creek State Inland Port Authority. Title Sufficient. Do Pass As Amended.

**H. B. No. 1630:** Appropriation; Transportation, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1583:** Appropriation; Barber Examiners, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1584:** Appropriation; Cosmetology, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1587:** Appropriation; Nursing, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1588:** Appropriation; Nursing Home Administrators, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1589:** Appropriation; Optometry, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1590:** Appropriation; Physical Therapy Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1591:** Appropriation; Psychology, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1585:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1581:** Appropriation; Athletic Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1582:** Appropriation; Auctioneers Commission. Title Sufficient. Do Pass.

**H. B. No. 1592:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Title Sufficient. Do Pass As Amended.

**H. B. No. 1615:** Appropriation; Foresters, Board of Registration for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1616:** Appropriation; Forestry Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1608:** Appropriation; Oil and Gas Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22. Title Sufficient. Do Pass As Amended.

**H. B. No. 1597:** Appropriation; Legislative expenses. Title Sufficient. Do Pass As Amended.

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System. Title Sufficient. Do Pass As Amended.

**H. B. No. 1631:** Appropriation; additional for various state agencies for FY22 & FY23. Title Sufficient. Do Pass As Amended.

**H. B. No. 1550:** Appropriation; add'l to DFA for phased construction of new DPS headquarters; add'l to DOH for Office Against Interpersonal Violence. Title Sufficient. Do Pass As Amended.

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act. Title Sufficient. Do Pass As Amended.

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs. Title Sufficient. Do Pass As Amended.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs. Title Sufficient. Do Pass As Amended.

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters. Title Sufficient. Do Pass As Amended.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities. Title Sufficient. Do Pass As Amended.

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan. Title Sufficient. Do Pass As Amended.

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:45 PM in memory of Miriam Necaise Graves, Paulette Louise Breland, Larry Smith, Patsy O. Webb, Clara Dunn and Ronald Duncan.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, MARCH 14, 2022**S. B. No. 3203:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO PROVIDE SERVICES, COMMODITIES AND EQUIPMENT AND TO CONTRIBUTE FUNDS TO NONPROFIT ORGANIZATIONS THAT PROVIDE RECREATIONAL AND/OR SPORTS OPPORTUNITIES TO THE YOUTH OF THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. R. No. 39:** Rules

A RESOLUTION COMMEMORATING AND CELEBRATING THE QUADRENNIAL SERVICE OF BISHOP C. JAMES KING, JR., OF THE FOURTH EPISCOPAL DISTRICT OF THE CHRISTIAN METHODIST EPISCOPAL CHURCH AND COMMENDING HIS CHRISTIAN LEADERSHIP.

By Senator(s) Frazier

**S. R. No. 40:** Rules

A RESOLUTION COMMENDING THE DISTINGUISHED SERVICE TO THE CITIZENS OF MISSISSIPPI OF Dr. MICHAEL "MIKE" J. MCGREVEY ON THE OCCASION OF HIS RETIREMENT AS DEPUTY EXECUTIVE DIRECTOR AND CHIEF FINANCIAL OFFICER OF THE MISSISSIPPI DEVELOPMENT AUTHORITY.

By Senator(s) McCaughn

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## SEVENTY-FIRST DAY, TUESDAY, MARCH 15, 2022

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Carter. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Carter.

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The invocation was delivered by Dr. Randy Rinehart, Pastor, Parkway Baptist Church, Houston, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 160:** AN ACT TO BE KNOWN AS THE "TRAVEL INSURANCE ACT OF 2022" WHICH REVISES THE "LIMITED LINES TRAVEL INSURANCE ACT"; TO AMEND SECTION 83-83-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE ACT; TO CREATE NEW SECTION 83-83-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THE SCOPE AND PURPOSES OF THE ACT; TO AMEND SECTION 83-83-3, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 83-83-5, MISSISSIPPI CODE OF 1972, TO UPDATE THE REQUIREMENTS OF LIMITED LINES TRAVEL INSURANCE PRODUCERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-6, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PREMIUM TAX REQUIREMENTS OF TRAVEL INSURERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-8, MISSISSIPPI CODE OF 1972, TO SET FORTH HOW TRAVEL PROTECTION PLANS MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-9, MISSISSIPPI CODE OF 1972, TO UPDATE THE POLICIES UNDER THE ACT; TO CREATE NEW SECTION 83-83-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THE REQUIREMENTS FOR TRAVEL ADMINISTRATORS UNDER THE ACT; TO AMEND SECTION 83-83-13, MISSISSIPPI CODE OF 1972, TO CLARIFY PERMISSIBLE SALES PRACTICES UNDER THE ACT; TO CREATE NEW SECTION 83-83-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 590:** AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO REMOVE CONDUCT OF RELIGIOUS INSTITUTIONS AND GROUPS OR CORPORATIONS WHICH FORM AN INTEGRAL PART OF RELIGIOUS INSTITUTIONS THAT IS PRIMARILY SUPPORTED BY PREVIOUS DONORS FROM WHAT THE TERM "CHARITABLE ORGANIZATION" DOES NOT INCLUDE; TO AMEND SECTION 79-11-511, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHARITABLE ORGANIZATION, PERSON, PROFESSIONAL FUNDRAISER, FUNDRAISING COUNSEL OR PROFESSIONAL SOLICITOR, THAT SOLICITS CONTRIBUTIONS IN THE STATE OF MISSISSIPPI, SHALL BE SUBJECT TO NOTICE OR DEMAND AS PROVIDED IN SECTION 79-35-13, MISSISSIPPI CODE OF 1972, AND SHALL BE SUBJECT TO SERVICE OF PROCESS AS PROVIDED BY THE MISSISSIPPI RULES OF CIVIL PROCEDURE; AND FOR RELATED PURPOSES.

**H. B. No. 616:** AN ACT TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITY OF ANY MUNICIPALITY TO SECURE ABANDONED OR DILAPIDATED BUILDINGS ONCE PROPERTY IS ADJUDICATED TO BE A MENACED PROPERTY AND THE OWNER HAS FAILED TO CLEAN THE PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 683:** AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATE PAROLE BOARD; AND FOR RELATED PURPOSES.

**H. B. No. 732:** AN ACT TO PROVIDE LEGISLATIVE INTENT REGARDING COMPLIANCE WITH THE NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020 TO ASSURE THAT ALL MISSISSIPPIANS RECEIVE A CONSISTENT LEVEL OF 9-8-8 AND CRISIS BEHAVIORAL HEALTH SERVICES NO MATTER WHERE THEY LIVE, WORK OR TRAVEL IN THE STATE; TO CREATE THE STUDY COMMISSION ON THE 9-8-8 COMPREHENSIVE BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM; TO PROVIDE FOR THE MEMBERS OF THE STUDY COMMISSION; TO PROVIDE THAT THE STUDY COMMISSION SHALL ASSESS AND DEVELOP RECOMMENDATIONS FOR CRISIS RESPONSE SERVICES AND FOR ADEQUATELY FUNDING THE CRISIS RESPONSE SERVICES SYSTEM STATEWIDE TO SUPPORT THE SUSTAINABILITY OF CALL CENTERS AND CRISIS SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 933:** AN ACT TO AMEND SECTION 79-11-751, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT BOARD APPROVAL FOR TRANSFERS OF FUNDS GREATER THAN \$10,000.00 IS NOT REQUIRED TO BE IN WRITTEN FORM; TO AMEND SECTION 79-11-753, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AT ALL REGULARLY SCHEDULED MEETINGS, THE BOARD OF A HOMEOWNERS ASSOCIATION IS ONLY REQUIRED TO REVIEW THE LATEST ACCOUNT STATEMENTS PREPARED BY THE FINANCIAL INSTITUTIONS WHERE THE ASSOCIATION HAS ITS OPERATING AND RESERVE ACCOUNTS; TO REMOVE THE DEFINITION FOR REMOTE COMMUNICATION; TO AMEND SECTION 79-11-757, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT BOARD APPROVAL FOR TRANSFERS OF FUNDS GREATER THAN \$10,000.00 IS NOT REQUIRED TO BE IN WRITTEN FORM; TO AMEND SECTION 79-11-759, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HOMEOWNERS ASSOCIATIONS MAY MAINTAIN COMPARABLE INSURANCE COVERAGE FOR ITS DIRECTORS AND OFFICERS AS AN ALTERNATIVE TO FIDELITY BOND COVERAGE; TO PROVIDE THAT THE MANAGING AGENT IS SOLELY RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE PROVISIONS OF THIS ACT; TO PROVIDE THAT ANY BANK OR SAVINGS ASSOCIATION WITH WHOM A TRUST FUND ACCOUNT IS OPENED SHALL BE HELD HARMLESS FROM ANY LIABILITIES, COSTS, EXPENSES, OR FEES INCURRED BY SUCH BANK OR SAVINGS ASSOCIATION AS A RESULT OF ANY ACTION BROUGHT UNDER THIS ACT; TO BRING FORWARD SECTION 79-11-755, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 972:** AN ACT TO CREATE A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO LEASE CERTAIN AREAS OF BOTTOM LAND FOR OYSTER PRODUCTION TO OYSTER AND/OR SEAFOOD PROCESSORS WHO ONLY OPERATE IN THE WATERS ADJACENT TO HANCOCK COUNTY; TO PROVIDE THE PRICE AND LENGTH OF THE LEASE; TO PROVIDE THAT FUNDS DERIVED FROM THE LEASE SHALL BE DEPOSITED INTO THE SEAFOOD FUND TO FURTHER OYSTER PRODUCTION IN THIS STATE, WHICH INCLUDES PLANTINGS OF OYSTERS AND CULTCH MATERIALS; TO AMEND SECTION 49-15-36, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

**H. B. No. 990:** AN ACT TO DESIGNATE A CERTAIN BRIDGE ON INTERSTATE 20 FRONTAGE ROAD LOCATED IN WARREN COUNTY, MISSISSIPPI, AS THE "MARGARET GILMER MEMORIAL BRIDGE"; AND FOR RELATED PURPOSES.

**H. B. No. 1057:** AN ACT TO AMEND SECTION 49-15-27, MISSISSIPPI CODE OF 1972, TO REVISE THE ACREAGE OF BOTTOM AUTHORIZED TO BE LEASED BY THE DEPARTMENT OF MARINE RESOURCES FOR OYSTER CULTIVATING AND GATHERING; AND FOR RELATED PURPOSES.

**H. B. No. 1067:** AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IMPUTATION OF INCOME SHALL NOT BE BASED UPON A STANDARD AMOUNT IN LIEU OF FACT-GATHERING FOR CHILD SUPPORT CALCULATIONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 1132:** AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO ADD 350 HIGH STREET, 401 NORTH LAMAR STREET, AND 455 NORTH LAMAR STREET, TO THE LIST OF STATE PROPERTIES LOCATED IN THE CITY OF JACKSON THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION IS REQUIRED TO EXERCISE GENERAL SUPERVISION AND CARE OVER AND KEEP IN GOOD CONDITION; TO REQUIRE THE DEPARTMENT TO SOLICIT AND APPROVE OR DISAPPROVE ANY LEASE, USE OR RENTAL AGREEMENT FOR A CHARGE OR OTHER CONSIDERATION FOR CERTAIN SPACE NOT EXCEEDING THREE THOUSAND SQUARE FEET IN ANY INDIVIDUAL BUILDING, WITH A PRIVATE ENTRY WHO WILL PROVIDE FOOD AND/OR CATERING SERVICES FOR STATE EMPLOYEES, VISITORS AND THE GENERAL PUBLIC; TO REQUIRE THAT THE DEPARTMENT SELECT THE ENTITY FOR SUCH LEASE, CONTRACT, OR RENTAL AGREEMENT USING A COMPETITIVE PROCESS THAT IS PUBLICLY ADVERTISED; TO REQUIRE THAT THE DEPARTMENT DEMONSTRATE THAT ANY SUCH AGREEMENT ENTERED INTO WILL NEITHER RESULT IN A NET COST TO THE STATE, NOR IMPAIR OR IMPEDE THE FUNCTION OF STATE AGENCIES AT SUCH LOCATION; AND FOR RELATED PURPOSES.

**H. B. No. 1328:** AN ACT TO AMEND SECTION 43-3-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI INDUSTRIES FOR THE BLIND TO ENTER INTO AGREEMENTS AND CONTRACTS WITH DIFFERENT ENTITIES AND AGREE TO THE TERMS OF INDEMNIFICATION, THE LAW OF ANOTHER STATE OR JURISDICTION OR OTHER SUCH TERMS IF IT DETERMINES THAT THE AGREEMENTS AND CONTRACTS WOULD BE IN ITS BEST INTERESTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 546:** Encouraging further economic activity between Mississippi and Taiwan. Title Sufficient. Do Be Adopted.

**S. C. R. No. 563:** Condemn the invasion of Ukraine and sever all connections with the Russian Federation. Title Sufficient. Do Be Adopted.

**S. C. R. No. 561:** Commend Simpson Academy "Cougars" Boys Basketball Team for winning 5A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 562:** Designate April 2022 as the "Month of the Military Child" and April 20 as "Purple Up! for Military Kids Day" in Mississippi. Title Sufficient. Do Be Adopted.

**S. C. R. No. 564:** Recognize 30th Anniversary Celebration of Parents for Public Schools (PPS). Title Sufficient. Do Be Adopted.

**S. C. R. No. 565:** Commend Jackson Prep "Patriots" Boys Basketball Team for winning MAIS State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 566:** Commend Dean of Mississippi College School of Law Patricia Bennett on retirement. Title Sufficient. Do Be Adopted.

**S. C. R. No. 567:** Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning MAIS 5A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 568:** Recognize legacy of Dr. James Oliver, M.D., as the first African American to graduate from University of Mississippi School of Medicine. Title Sufficient. Do Be Adopted.

**S. C. R. No. 569:** Commend Meridian High School "Lady Wildcats" Girls Basketball Team for winning first State Championship in school history. Title Sufficient. Do Be Adopted.

**S. C. R. No. 570:** Commend Jackson Prep "Lady Patriots" Girls Basketball Team for winning MAIS Overall State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 571:** Commend Northwest Rankin "Lady Cougars" Girls Soccer Team for Class 6A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 572:** Commend Biggersville Girls and Boys Basketball Teams and Coach Cliff Little for two State Championships on same day. Title Sufficient. Do Be Adopted.

**S. C. R. No. 573:** Commend Lake High School "Lady Hornets" Girls Basketball Team and Coach Maurice Bowie for winning the MHSAA 2A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 574:** Commend Choctaw Central "Lady Warriors" Basketball Team for winning Class 4A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 575:** Commend Clinton High School "Arrows" Boys Basketball Team for consecutive 6A State Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 576:** Commend CCC Women's Basketball Coach Stephanie Murphy as MACCC "Coach of the Year." Title Sufficient. Do Be Adopted.

**S. C. R. No. 577:** Commend Raymond High School "Rangers" Boys Basketball Team for winning 4A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 578:** Commend Northwest Community College Cheer Team for National Titles. Title Sufficient. Do Be Adopted.

**S. C. R. No. 579:** Declare that March 21, 2022, is "World Down Syndrome Day in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 580:** Commend Northwest Community College Football Team for consecutive State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 37:** Recognize D'Iberville Chief of Police Wayne H. Payne for his law enforcement service and retirement. Title Sufficient. Do Be Adopted.

**S. R. No. 38:** Paying tribute to the life and legacy of Dr. Gustavus Adolphus "Sonny" Rush III. Title Sufficient. Do Be Adopted.

**H. C. R. No. 54:** Raleigh High School Lions Football Team; commend upon winning South State MHSAA Class 3A Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 55:** Former Representative Michael Weston Janus; commend laudable career and public service of upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 57:** Ole Miss Rebels All Girl Cheerleading Team; commend team and coaching staff on winning 2022 UCA Division 1A. Title Sufficient. Do Be Adopted.

**H. C. R. No. 58:** Colonel Stanley A. Martin; commend service upon retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 59:** Roger "Big John" Earl Robinson; mourn loss and commemorate life and service of upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 60:** Simpson Academy Cougars Boys Basketball Team; commend for winning the MHSAA Class 5A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1600:** Appropriation; Education, Department of.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 277,950,843.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 76,688,587.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they

lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 18,967,201.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....

\$ 2,117,035,934.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,490,642,565.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division.....\$ 1,963,185,280.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....

\$ 21,693,254.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program.....\$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING .....\$ 2,229,990,731.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment..... \$ 6,805,774.00

Educable Child ..... \$ 7,000,000.00

Grants to school districts for

capital facilities and buses ..... \$ 16,000,000.00

Instructional materials..... \$ 20,000,000.00

Students with Special Needs ..... \$ 1,800,000.00

Implementing Performance-Based Data

Collection and Accreditation

Model..... \$ 274,937.00

Testing \$ 6,125,670.00

Mississippi School for Math and

Science.....	\$ 125,000.00
Mississippi School for Fine Arts. ....	\$ 125,000.00
Early Learning Collaboratives .....	\$ 8,210,526.00
Early Learning Coaches .....	\$ 1,500,000.00
Math Coaches .....	\$ 5,000,000.00
WorkKeys, Advanced Placement, dual credit, International Baccalaureate, Cambridge, diploma endorsements.....	\$ 1,000,000.00
Mississippi Student Information System .....	\$ 7,649,540.00
Vocational Technical Grants .....	\$ 1,000,000.00
Mississippi School for the Deaf and Blind .....	\$ 1,207,037.00
<b>TOTAL</b>	<b>\$ 83,823,484.00</b>

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division.....  
 \$ 5,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program.....  
 .....\$ 225,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	307
	Part Time .....	3
Time-Limited:	Full Time .....	160
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Special Education	
Number of Special Education Teachers (FTE)	6,188
Number of Gifted Education Teachers	805
Percent Increase of Children with	
Disabilities in General Education Early	
Childhood Programs while Decreasing the	
Percent in Self-Contained Special	
Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General	
Administration	26,532,257.00
Percent of Total Budget Spent on General	
Administration	18.58
Create a Public-Facing Data System for	
All Stakeholders (%)	100.00
Create a User-Friendly Website for the	

Public & School Districts to Access Data to Make Decisions (%)	100.00
Create a Roadmap to Improve the Mississippi Student Information System (%)	100.00
Number of Research Results Published to Support Improved Student Outcomes & Teacher Effectiveness	9
<b>Graduation &amp; Career Readiness</b>	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	88.00
<b>Early Childhood Education</b>	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target Score on Kindergarten Readiness Post-Test	68.88
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.00
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,022
<b>Teacher Tng &amp; Professional Dev</b>	
Reduce the Proportion of Inexperienced & Non-Certified Teachers in Schools That Are High Poverty (%)	80.00
Reduce the Proportion of Inexperienced & Non-Certified Teachers in Schools That Are High Minority (%)	31.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers & Leaders	51.08

Percent Increase of Teacher Candidates		
Passing Licensure Exams on the First Attempt		25.00
Increase the Number of Licensed, Diverse Teachers & Leaders		24
Elementary Education		
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup		80.00
Secondary Education		
Increase the Number of Students Participating in & Passing Advanced Placement (AP), International Baccalaureate (IB) & Cambridge Exams in Each Subgroup		37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)		11.00
Assessment & Development		
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup		50.07
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup		49.93
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment		72.00

School Performance

Percent of Schools Rated "C" or Higher	77.00
Percent of Districts Rated "C" or Higher	72.90
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	65.63
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	64.43
Percent of Students Participating in Dual Credit in Each Subgroup	50.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D & F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	76.00
Increase the Growth of D & F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	70.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	55

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	48
	Part Time .....	0
Time-Limited:	Full Time .....	5
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

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

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

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers .....	\$ 1,200,000.00.
Dubard School .....	\$ 650,000.00.
Dyslexia Program .....	\$ 500,000.00.
Jobs for MS Graduates, Inc. ....	\$ 600,000.00.
Stride \$ 600,000.00.	
Amplify Data Coaching .....	\$ 800,000.00.
Magnolia Speech School .....	\$ 800,000.00.
Principal Corp.....	\$ 200,000.00.
Sight Savers .....	\$ 300,000.00.
Teach for America .....	\$ 1,250,000.00.
Teacher Corp .....	\$ 200,000.00.
Children's Center for Comm & Develop .....	\$ 750,000.00.
Vision Screening Research .....	\$ 225,000.00.
Algebra Nation .....	\$ 800,000.00.
Mississippi Construction Education Program .....	\$ 212,500.00.
T. K. Martin Center .....	\$ 75,000.00.
ACT Preparation Courses.....	\$ 350,000.00.
Total	\$ 9,512,500.00.

SECTION 14. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 15. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum

that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 16. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2023 shall be Six Thousand Five Hundred Thirty-two Dollars and Twenty Cents (\$6,532.20).

SECTION 17. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 18. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget requests for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 19. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Six Hundred Thousand Dollars (\$600,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 20. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 21. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 22. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 23. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 24. Of the funds appropriated in Section 1, not less than Six Million Three Hundred Twenty-one Thousand Nine Hundred Twenty-seven Dollars (\$6,321,927.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 25. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 26. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2023.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Twenty Million Dollars (\$20,000,000.00) from the Public School Building Fund shall be used for the Mississippi Adequate Education Program.

SECTION 28. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 29. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 30. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2022, and ending June 30, 2023. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2023.

SECTION 31. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2022.

SECTION 32. Any school district receiving funds through Save the Children and Stride may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 33. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed three percent

(3%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 34. Of the funds appropriated in Section 1(a) and Section 2(a), Sixteen Million Dollars (\$16,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2023 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51.

SECTION 35. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment.

SECTION 36. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 37. Of the funds appropriated in Section 1(a), Two Million Six Hundred Sixty-seven Thousand Three Hundred Thirty-seven Dollars (\$2,667,337.00) shall be used for the Mississippi School of the Arts and Three Million Eight Hundred Eighty-two Thousand Eight Hundred Ninety-four Dollars (\$3,882,894.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Thirty-three Thousand Six Hundred Sixty-nine Dollars (\$1,333,669.00) shall be paid to the school no later than July 10, 2022, and One Million Three Hundred Thirty-three Thousand Six Hundred Sixty-nine Dollars (\$1,333,669.00) shall be paid no later than January 10, 2023. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 38. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 39. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Nine Million Nine Hundred Ninety Thousand One Hundred Seventy-six Dollars (\$9,990,176.00) from Section 1(a), One Million Two Hundred Seven Thousand Thirty-seven Dollars (\$1,207,037.00) from Section 4(a), and Two Million One Hundred Fifty-nine Thousand Seven Hundred Twenty-five Dollars (\$2,159,725.00) from Section 2(a).

SECTION 40. Of the funds appropriated in Section 1(a), an amount not to exceed One Hundred Seventy-seven Million Two Hundred Thirty-seven Thousand Four Hundred Eighty-one Dollars (\$177,237,481.00) shall be allocated for the purpose of providing funds to each public school district in the state for an annual salary increase as prescribed in the Minimum Salary Schedule in Sections 37-19-7 and 37-21-7, for the 2022-2023 school year, and school years thereafter.

SECTION 41. Of the funds appropriated in this act, an amount not to exceed Four Million Six Hundred Eighty Thousand Four Hundred Fourteen Dollars (\$4,680,414.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 42. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Fund, as authorized in HB 1387, 2021 Regular Session, to provide upgrades for the Mississippi Student Information System for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 43. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 44. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 45. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1600 was adopted.

YEAS AND NAYS On H. B. No. 1600. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 4, 5, 6, 7, 10, 11, 12, 13, 14 and 15, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1607:** Appropriation; Mississippi Broadband Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi Broadband Commission, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 0.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Mississippi Broadband Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BROADBAND COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1607 was adopted.

YEAS AND NAYS On H. B. No. 1607. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

**H. B. No. 1609:** Appropriation; Public Service Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,730,625.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	50
	Part Time .....	3
Time-Limited:	Full Time .....	5
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual

personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

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

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

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Utility Regulatory Services	
Number of Utility Docket Cases	240
Number of Utility Complaints	4,560
Electric Complaints as a Percent of Total	48.00
Telecommunication Complaints as a Percent of Total	32.00
Water Complaints as a Percent of Total	10.00
Gas Complaints as a Percent of Total	8.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential	

Customers, by Utility Type:	
Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per	
Kilowatt Hour in MS for Residential	
Customers, by Utility Type: Electric	
Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for	
Residential Customers in MS as a Percent	
of the April 2016 National Average,	
12.43 Cents/kWh - Investor Owned	
Utilities	86.89
Average Price of Electricity for	
Residential Customers in MS as a Percent	
of the April 2016 National Average,	
12.43 Cents/kWh - Electric Cooperative	
	95.14
Average Monthly Residential Electric	
Usage in MS (kWh)	1,200
Average Monthly Residential Electric	
Usage in MS as a Percent of the 2015	
National Average, 909 kWh	
	135.00
Number of Pipeline Inspections	630
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 66,372.00.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Telephone "No-Call"	
Number of No-Call Complaints	15,425
Average Cost per No-Call Complaint	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2022. On or before August 1, 2022, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1609 was adopted.

YEAS AND NAYS On H. B. No. 1609. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1610:** Appropriation; Public Utilities Staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

..... \$ 2,101,016.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Utilities Application Fund, for the purpose of defraying the expenses of the staff for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$151,425.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	24
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

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

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

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1610 was adopted.

YEAS AND NAYS On H. B. No. 1610. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 49,361,027.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	18
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

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

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

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

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. It is the intention of the Legislature that the Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars (\$10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1623 was adopted.

YEAS AND NAYS On H. B. No. 1623. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughtman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
...\$ 1,561,559.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	9
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1626 was adopted.

YEAS AND NAYS On H. B. No. 1626. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**H. B. No. 1625:** Appropriation; District attorneys and staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 25,670,279.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 811,633.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Two Hundred Seventy-seven Thousand Dollars (\$1,277,000.00).

SECTION 5. Of the funds appropriated in Section 1, office expenses and such funds for salaries shall be provided as authorized in Section 25-3-35(6), Mississippi Code of 1972, to fund the salary for one (1) full-time legal assistant in the Sixth Circuit Court District as authorized in Section 25-31-5(2)(f), Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget requests for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1625 was adopted.

YEAS AND NAYS On H. B. No. 1625. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1627:** Appropriation; State Public Defender, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 3,373,928.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	25
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....	FY2023
Performance Measures	Target

Capital Defense	.....	Percent of Trial Cases Opened Less Than
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One Year .....	75.00
.....Percent Change in Running Average of	
Reversals Due to Ineffective Assistance	
.....	
of Counsel .....	0.10
.....Average of Reversals Due to Ineffective	
Assistance of Counsel.....	7.90

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1627 was adopted.

YEAS AND NAYS On H. B. No. 1627. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 6,893,072.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 937,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	70
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 26,334,713.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors

and circuit judges for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	109
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Of the funds appropriated and allocated herein, Eight Million Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided for the purpose of employing support staff in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per judge.

SECTION 7. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 11,206,376.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 27,262,972.00.

SECTION 9. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	30
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

SECTION 10. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 151,809.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 11. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	2
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

SECTION 12. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..\$ 4,540,468.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..\$ 1,588,856.00.

SECTION 14. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	58
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 340,572.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	3
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 17. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 18. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 19. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Twelve Thousand Five Hundred Dollars (\$2,012,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 22. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 23. Of the funds appropriated under the provisions of this act, One Million Eight Hundred Seventy-five Thousand Dollars (\$1,875,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 24. Of the funds appropriated in Section 7, Six Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 25. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in HB 484, 2012 Regular Session, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of HB 484, 2012 Regular Session.

SECTION 26. Of the funds appropriated in Section 7, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts .....	\$ 6,500,000.00
Civil Legal Assistance .....	\$ 200,000.00

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1628 was adopted.

YEAS AND NAYS On H. B. No. 1628. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1593:** Appropriation; Insurance, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 11,989,094.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 130,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	132
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed

Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	150,000
Average Cost per License Issued	25.00
Number of Agent's C/A's Issued	575,000

Average Cost per Agent C/A Issued	24.00
Number of Requests for Assistance	13,000
Average Cost per Customer I/C Addressed	53.00
Number of Fire Marshal Investigations	538
Cost per Fire Marshal Investigation	550.00
Number of Fire Marshal Inspections	8,000
Average Cost per Fire Marshal Inspection	60.00

## Liquefied Compressed Gas

Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0
Number of Inspections	8,000
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business

administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 11. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 12. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 130,000.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of the Rural Fire Truck Acquisition Fund and/or the Supplementary Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,360,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Rural Fire Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,000,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 15. With the funds appropriated herein, the Mississippi Department of Insurance is authorized to make payment for expenses incurred during Fiscal Year 2020 and 2021 as follows:

Vendor	Fiscal Year	Amount
Wise Carter Child & Caraway	2020	\$ 960.00
Wise Carter Child & Caraway	2021	\$ 150.00
Mike Chaney	2020	\$ 379.99

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1593 was adopted.

YEAS AND NAYS On H. B. No. 1593. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1594:** Appropriation; Fire Academy.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 5,043,005.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	59
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the

Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Training	
Number of Students Trained	14,000
Average Cost per Student Trained	479.74

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1594 was adopted.

YEAS AND NAYS On H. B. No. 1594. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson moved that the rules be suspended to move to calendar item 2, **H. B. No. 1601**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1601:** Appropriation; Educational Television, Authority for.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational

Television for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 4,070,646.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 7,166,280.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	80
	Part Time .....	0
Time-Limited:	Full Time .....	9
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 4. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records

shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 7. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Content Operations	
Number of Locally Produced TV Programs	150
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	4,500
Number of New Programs Produced & Broadcast Related to Fit to Eat Programming	13
Percent Increase in Visitors Viewing the Healthy Living Related Items on MPB Site	31.00
Percent of Radio Broadcasts & TV Alerts During Times of Emergency	100.00
Education Services	

Percent Increase in Users Using MPB	
Education Online Resources for Pre-K Children & Families	15.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30
Number of Teachers Taking e-Learning Courses	1,200
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	400
Percent Increase of Visitors to the MPB Education Website	20.00
Number of Rotary Clubs Sponsoring with MPB	20
Number of Early Childhood Educators Attending MPB Resource Workshops Involving PBS & MPB Programs/Content	250
Number of Childcare Centers Using PBS Content	30
Number of Parents Participating in Parents Are Teachers Too (PATT) Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability (%)	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach Events Including Virtual Engagements	125
Number of State Agency Partners	40
New Grant Dollars Acquired	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 11. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 12. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars (\$2,000,000.00).

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1601 was adopted.

YEAS AND NAYS On H. B. No. 1601. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 3, **H. B. No. 1602**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1602:** Appropriation; Library Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 9,746,666.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

\$ 2,789,465.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	48
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 4. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,350
Library Services	
Number of Continuing Education Workshops	
Held per Year	30
Percent Increase of Citizens Informed by	
Acquiring Needed Information Through	
Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille,	
Audio, Etc	4,000
Number of Children Participating in	

Statewide Summer Library Prg	120,000
Number of Items Borrowed & Loaned on the Interlibrary Loan System	13,000
Number of Items Available for Use Statewide on the Interlibrary Loan System	5,000,000
Number of Searches on MAGNOLIA	40,000,000
Number of Items Available for Use at MLC (Primary Resource Library)	100,000

A reporting of the degree to which the performance targets

set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. It is the intention of the Legislature that no less than One Million Dollars (\$1,000,000.00) shall be expended for the Magnolia Database.

SECTION 8. Of the funds appropriated herein, Four Million Seventy-eight Thousand Thirty-one Dollars (\$4,078,031.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1602 was adopted.

YEAS AND NAYS On H. B. No. 1602. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Carter. Total--1.

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

Senator Hopson moved that the rules be suspended to move to calendar item 8, **H. B. No. 1605**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator DeLano offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 5,941,051.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 65,494,667.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department

shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2023.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	489
	Part Time .....	0
Time-Limited:	Full Time .....	48
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Support Services	
Number of Hunting & Fishing Licenses Sold	460,000
Number of Registrations of Boats	50,000
Percent Change in License Sales	1.00
Percent Change in Boat Registration	1.00
Fisheries	
Number of Fish Stocked for Public Waters	2,000,000
Number of Customers of DWFP Lakes	65,000
Number of Participants in Aquatic Education	6,500
Number of Access Facilities Built or Maintained (Boat Ramps)	0
Wildlife	
MDWFP Mgmt for Hunters & Non-Consumptive Users (Man-Days)	100,000
Research Projects Conducted to Sustain Healthy & Abundant Wildlife Populations	6
Acres of Forest Inventory	500
Acres of Prescribed Burning, Waterfowl Management, & Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	30,000
Percent Change in Number of Research Projects Conducted to Sustain Healthy &	

Abundant Wildlife Populations	50.00
Percent Change in Number of Private Land Acres Influenced	-30.00
Percent Change in the Number of Forest Inventories Conducted	0.00
Law Enforcement	
Hunter Education (Participants)	11,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	75,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	40
Number of Boating Fatalities	0
Cost per Student for Hunter Education	48.00
Percent Increase in Shooting Sports Program	10.00
Percent Change in Number of Boating Accidents	50.00
Percent Change in Boating Related Fatalities	50.00
Percent Change in Public Contacts per Officer/per Day	0.00
Special Projects	
Improve Use of Special Funds (%)	0.20
Motor Vehicle Fund	
Number of Vehicles Purchased	40
Number of Used Vehicles Sold	40
Percent Change in Number of Vehicles in the Fleet in Order to Maintain Efficient & Reliable Fleet of Vehicles	1.00
Parks	
Overnight Accommodation (Cabins/Motels)	160,000
Overnight Accommodations (Camping)	750,000
Day Use Services (Persons)	400,000

Percent Change in Day Use Services	0.00
Percent Change in the Prior Year of Occupancy Rate of Cabins	0.00

Museum

Statewide Education Programming (Participants)	110,000
Total Public Programming (Persons)	210,000
Number of Visitors to Exhibits	70,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that Understand the Importance of Natural Resource Conservation	15.00
Percent Change of Visitors to Exhibits	5.00
Percent Change in the Number of Natural Heritage Records	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 16. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 17. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 18. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 19. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 20. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 21. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 22. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services".

SECTION 23. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 24. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 25. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1605 was adopted.

YEAS AND NAYS On H. B. No. 1605. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 9, **H. B. No. 1629**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1629:** Appropriation; Attorney General.

Senator Norwood offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 26,635,923.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 6,204,571.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	88
	Part Time .....	0
Time-Limited:	Full Time .....	229
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Supportive Services	
Cost of Support Services as Percent of	
Budget, 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education	
Training Presentation by Participants	95.00
Ratings of CRIMES System Training	
Presentation by Participants	90.00
Litigation	
Minimum Affirmations of Criminal	
Convictions (%) 2011-2012 Baseline:	
90.00%	85.00
Minimum Affirmations of Death Penalty	
Appeals (%) 2011-2012 Baseline: 83.33%	80.00
Minimum Denial of Relief in Federal	
Habeas Corpus (%) 2011-2012 Baseline:	
86.96%	95.00

Minimum Pos Results of Civil Cases (%)		
2011-2012 Baseline: 96.00%		94.00
Percent Change of Affirmations of		
Criminal Convictions Attained		0.00
Percent Change of Death Penalty Review		
Cases Affirmed		6.00
Percent of Change of Appeals for Relief		
in Federal Habeas Corpus Cases Denied		3.00
Percent Change of Positive Results from		
Civil Cases		1.00
Opinions		
Percent Assigned to Attys in 3 Days or		
Less, 2011-2012 Baseline: 100.00%		100.00
Percent of Opinions Completed in 30 Days		
or Less, 2011-2012 Baseline: 76.00%		25.00
Percent Change of Opinion Requests		
Assigned to Attorneys within 3 Days or		
Less		0.00
Percent Change of Opinion Requests		
Completed within 30 Days or Less		5.00
State Agency Contracts		
Percent of Good & Excellent Ratings for		
Legal Services, 2011-2012 Baseline:		
94.00%		100.00
Percent Change of Good/Excellent Ratings		
for Legal Services		0.00
Insurance Integrity Enforcement		
Minimum Positive Results of Workers'		
Compensation Cases (%) 2011-2012		
Baseline: 90.00%		99.00
Minimum Positive Results of Insurance		
Cases (%) 2011-2012 Baseline: 90.00%		99.00

Percent Change of Positive Results of		
Workers' Compensation Insurance Fraud		5.00
Percent Change of Positive Results of		
Other Insurance Cases		0.00
Other Mandated Programs		
Medicaid Fraud Convictions vs		
Dispositions (%) 2011-2012 Baseline:		
100.00%		85.00
Medicaid Abuse Convictions vs		
Dispositions (%) 2011-2012 Baseline:		
95.00%		95.00
Minimum Defendants Convicted after		
Indictments (PID) (%) 2011-2012		
Baseline: 96.00%		90.00
Response to Consumer Complaints (Days)		
2011-2012 Baseline: 3.14%		5
Average Number of Days to Respond to		
Consumer Complaints		5
Percent Change of Medicaid Fraud		
Convictions vs Dispositions		5.00
Percent Change of Medicaid Abuse		
Convictions vs Dispositions		5.00
Percent Change of Defendants Convicted		
After Indictment		0.00
Crime Victims Compensation		
Percent of Claims Processed in 12 Weeks		
or Less, 2011-2012 Baseline: 67.97%		80.00
Percent Change of Claims Processed Timely		0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state

match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 9. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 12. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation .....	\$ 1,901,332.00
Vulnerable Persons Training, Invest and Prosecution Trust .....	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability Benefits Trust .....	\$ 133,666.00
Cyber Crime Unit .....	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers .....	\$ 554,489.00
Crime Victims Compensation Admin .....	\$ 347,547.00
Motorcycle Officer Training .....	\$ 62,763.00
District Attorney Operations .....	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 13. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1629 was adopted.

YEAS AND NAYS On H. B. No. 1629. On motion of Senator Norwood, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Bryan. Total--1.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1596:** Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 1,751,368.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED HEADCOUNT:

Permanent: 16  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	460,579.00.
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SECTION 4. Of the funds appropriated under the provisions of Section 3, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED HEADCOUNT:

Permanent: 4  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for "Personal Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Mississippi Real Estate Commission and the Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1596 was adopted.

YEAS AND NAYS On H. B. No. 1596. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 17-20, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1613:** Appropriation; Medicaid, Division of.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 837,071,754.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 366,702,314.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 5,187,873,061.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty ..... \$ 9,000,000.00.  
Medical Program Matching Funds ..... \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	946
	Part Time .....	9
Time-Limited:	Full Time .....	22
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
<b>Administrative Services</b>	
Admin as a Percent of Total Budget	3.74
Third Party Liability Cost Avoided (\$Thou)	1,288,062.00
Percent of Clean Claims Processed within	
30 Days of Receipt	99.50
Percent of Clean Claims Processed within	
90 Days of Receipt	100.00
Percent of Applications Processed within	
Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	6,954,827.00
Number of Providers Submitting	
Electronic Claims	31,500
Turnover Rate of Employees (%)	15.00
<b>Medical Services</b>	
Costs of Emergency Room Visits	176,165,636.00
Number of Emergency Room Visits	632,631
Medicaid Recipients - Enrolled (Persons)	710,000
Child Physical Exams (Ages 0-20)	303,356
Adult Physical Exams (21-Older)	2,948

Number of Fraud & Abuse Cases Investigated	250
Number of Medicaid Providers	34,844
Number of Medicaid Beneficiaries	
Assigned to a Managed Care Company	450,000
Percent of MSCAN Diabetic Members Aged	
17-75 Receiving HBA1c Test	88.87
Percent of MSCAN Members with	
Persistent Asthma are Appropriately	
Prescribed Medication	52.52
Rate of EPSDT Well Child Screening (%)	75.00
Percent Change in Number of Recipients	
Enrolled from Last Year	-2.06
Percent Change in Number of Providers	
from Last Year	-10.00
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	47,000
Percent of CHIP Applications Processed	
within Std. of Promptness	90.00
Home & Comm Based Waiver Prg	
Elderly & Disabled - Persons Served	19,580
Elderly & Disabled - Funded Slots	19,163
Elderly & Disabled - Total Authorized Slots	21,900
Assisted Living - Persons Served	900
Assisted Living - Funded Slots	874
Assisted Living - Total Authorized Slots	1,100
Independent Living - Persons Served	3,500
Independent Living - Funded Slots	3,443
Independent Living - Total Authorized Slots	5,725
Traumatic Brain Injury - Persons Served	1,050
Traumatic Brain Injury - Funded Slots	1,050
Traumatic Brain Injury - Total	
Authorized Slots	1,050

Intellectual Disability - Persons Served	3,250
Intellectual Disability - Funded Slots	3,250
Intellectual Disability - Total	
Authorized Slots	4,150
Percent Change in Persons on Waiting	
List (E&D)	10.00
Percent Change in Persons on Waiting	
List (AL)	10.00
Percent Change in Persons on Waiting	
List (IL)	10.00
Percent Change in Persons on Waiting	
List (TBI)	10.00
Percent Change in Persons on Waiting	
List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as

determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided for five (5) slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation. The Division shall develop eligibility criteria for these additional slots.

SECTION 12. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2023, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2023 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
- b. Medication Management for People with Asthma (MMA) or successive measure.
- c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
- d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 13. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 14. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 15. Of the funds appropriated herein, no more than Ten Thousand Nine Hundred Forty-six Dollars and Six Cents (\$10,946.06) may be used to pay invoices from Fiscal Year 2020 for expenses to the Sovereign States Drug Consortium for Medicaid supplemental drug rebate group purchasing services.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1613 was adopted.

YEAS AND NAYS On H. B. No. 1613. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Carter. Total--1.

Voting Present--Hill. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1611:** Appropriation; Human Services, Department of.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 183,151,817.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,795,772,760.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, it is the intent of the Legislature that any amount of funds and positions may be transferred between the Department of Human Services and the Department of Child Protection Services in order to comply with agreements made by the State of Mississippi with the United States District Court in reference to the Olivia Y., et al. lawsuit.

DEPARTMENT OF HUMAN SERVICES

FUNDING:

General Funds .....	\$ 71,003,239.00.
Special Funds .....	\$ 1,675,732,557.00.
Total .....	\$ 1,746,735,796.00.

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	1,470
	Part Time .....	1
Time-Limited:	Full Time .....	516
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

DIVISION OF CHILD PROTECTION SERVICES

FUNDING:

General Funds .....	\$	112,148,578.00
Special Funds .....	\$	120,040,203.00
Total .....	\$	232,188,781.00

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	1,517
	Part Time .....	0
Time-Limited:	Full Time .....	417
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Human Services and Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as

maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2022. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services and the Department of Child Protection Services are authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	
Disqualification Hearings & Fair	
Hearings Conducted Timely	99.00

Percent of Monitoring Reviews Conducted	
within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	28,975
Community Services - Age 60 + (Persons Served)	203,297
Number of Congregate Meals	491,685
Number of Home Delivered Meals	2,201,105
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting List	5.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50
Total Collections (\$)	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG & LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Household Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of	

Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	690,000.00
Food Assistance	
Number of Average Monthly Households	225,000
Supplement Nutrition Assistance Program	
- SNAP (\$)	716,413,100.00
Percent of Mississippi Households	
Receiving SNAP Benefits	22.51
Tanf Work Program	
Number of Average Monthly TANF Households	4,600
Number of Average Monthly Persons Served	
in TANF Work Program	1,107
TANF Work Program Participation Rate (%)	60.00
Number of Persons Employed Through the	
TANF Work Program for the Year	720
Number of Households Receiving TANF	
Benefits During the Year	4,600
Percent of Households Receiving TANF	
During the Year	49.00
Percent of TANF Participants in Job	
Training who Enter Employment	30.00
Percent of TANF Participants in Job	
Training who Enter Employment at a	
Salary Sufficient to be Ineligible for	
TANF	19.00
Percent of TANF Participants in Job	
Training who Remain Employed for: One	
Year After Leaving the Program	75.00

Percent of TANF Participants in Job	
Training who Remain Employed for: Five	
Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served, Division of	
Family & Children's Services	75,611
Number of Clients Served, Aging & Adult	
Services	21,178
Number of Clients Served, Youth Services	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Number of Volunteers - Community	
Services/Institution	0
Number of Children Placed in Alternative	
Placement	0
Percent of Children Diverted from	
Institutional Care	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2023, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2022.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 17. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 18. Of the funds appropriated by this act, pursuant to HB 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 19. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

.....(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

.....(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....(i) A listing of all costs incurred by the subgrantee during the previous month;

.....(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

.....(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

.....(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1398, 2021 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,204,943.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated

for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1398, 2021 Regular Session to provide for computer expenses for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 5,000,000.00.

SECTION 22. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1611 was adopted.

YEAS AND NAYS On H. B. No. 1611. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to

the Department of Rehabilitation Services for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 26,581,929.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 212,487,630.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal  
funds ..... \$ 2,782,590.00.  
Independent Living Program which  
includes the State Attendant  
Care Program..... \$ 854,903.00.  
Deaf and hard of hearing ..... \$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, the following positions are authorized:  
AUTHORIZED POSITIONS:

Permanent:	Full Time .....	960
	Part Time .....	8
Time-Limited:	Full Time .....	206
	Part Time .....	1

The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Disability Determination Services	
Number of Dispositions	90,000
Processing Time (Days)	115
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	2,000
Number of Persons Rehabilitated	275
Independent Living (Number Served)	735
Percent Change in Persons Employed	
Compared to Total Persons Served	13.00

## Vocational Rehabilitation

Number of Clients Served	15,000
Number of Clients Rehabilitated	2,525
Percent Change of Persons Employed	
Compared to Total Persons Served	16.00
Persons Employed with Pay Rate Greater	
Than Federal or State Minimum Wage	2,415
Persons with Significant Disabilities	
Leaving VR with Competitive, Self, or	
BEP Employment, Wage = or > Than Minimum	1,125

## Spinal Cord &amp; Head Injury Program

Number of Clients Served	1,000
Percent Change in Number of Spinal Cord	
& Brain Injuries per Year	3.00

## Special Disability Programs

Number of Clients Served	3,000
Percent Change in Persons Receiving HCBW	
Services Compared to Waiting List	56.00
Ratio of Cost to HCBW Services per	
Person Compared to an Institutional	
Setting	38.00

## Support Services

Percent of Total Budget	1.96
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A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 10. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1612 was adopted.

YEAS AND NAYS On H. B. No. 1612. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1614:** Appropriation; Health, Department of.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 33,788,021.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by

or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 503,092,663.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Nine Million One Hundred Seventy-eight Thousand Seven Hundred Eighty-three Dollars (\$9,178,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Maternal and Child Health Care  
Program ..... \$ 1,242,943.00  
Health Department Programs..... \$ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer  
Institute..... \$ 4,250,000.00  
Department of Education - Mary Kirkpatrick Haskell –  
Mary Sprayberry Public School  
Nurse Program ..... \$ 3,060,000.00  
Attorney General's Office - Alcohol and  
Tobacco Enforcement Unit ..... \$ 680,000.00  
University of Mississippi Medical Center –  
A Comprehensive Tobacco (ACT)  
Center ..... \$ 595,000.00  
Mississippi Health Care Alliance - ST Elevated  
Myocardial Infarction Program (STEMI)..... \$ 382,500.00

Mississippi Qualified Health Center Grant Program .....	\$ 3,400,000.00
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 212,500.00
Mississippi Health Department Programs.....	\$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, Five Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars (\$558,795.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) .....	\$ 139,700.00.
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 139,700.00.
Mississippi Qualified Health Center Grant Program.....	\$ 55,880.00.
Mississippi Health Department Programs.....	\$ 223,515.00.

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	864
	Part Time .....	4
Time-Limited:	Full Time .....	1,373
	Part Time .....	4

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure

that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2023 Target
Health Services	
..... State Infant Mortality Rate (per 1,000	
Live Births).....	8.20
..... Percent of Women who Received Prenatal	
Care in First Trimester .....	76.90
..... Percent of Live Births Delivered Prior	
to 37 Weeks of Gestation .....	13.60
..... Teenage Live Birth Rate Age 15-19 Years	
(per 1,000 Women Age 15-19).....	27.10
..... Percent of Newborns with Positive &	
Inconclusive Genetic Screens who	
Received Recommended Follow-Up .....	100.00
..... Percent of Adults who are Obese (Body	
Mass Index of 30 or More, Regardless of	
Sex).....	40.80
Health Protection	
..... Percent of Mississippi Population	
Receiving Water from a Public Water	
Supply.....	92.00
..... Percent of Mississippi Population	
Receiving Optimally Fluoridated Water .....	59.00
..... Transfer Time of Level III & IV Trauma	
Centers to Appropriate Facilities for	
Treatment (Minutes).....	130.00
Communicable Disease	

.....Primary & Secondary Syphilis: Case Rate				
per 100,000..... 32.44				
Tuberculosis:	Number	of		Cases
41				
Tuberculosis:	Case	Rate	per	100,000
1.40				
HIV	Disease:	Number	of	Cases
400				
HIV	Disease:	Case	Rate	per 100,000
13.48				
.....Rate of Two Year Old Children Fully				
Immunized (National Immunization Survey):				
.....				
4:3:1:3:3:1:4 Series - 19 to 35 Months)				85.00
Tobacco Control				
.....Percent of Current Smokers among Public				
.....				
Middle School Students				3.00
.....Percent of Current Smokers among Public				
.....				
High School Students				6.50
.....Percent of Current Smokers among Adults				
.....				
18 Years & Older				21.00
Public Health Emerg Prep/resp				
..... Time Required for Command Staff to				
.....				
Report to Emergency Operations Center in				
.....				
Response to a National or Man-Made				
.....				
Disaster (Minutes)				20
Admin & Support Services				
..... Percent of Mississippi Population Living				
.....				
in an Area Designated as a Health				
.....				
Professional Shortage Area: Mental				
.....				
Health				65.00
..... Percent of Mississippi Population Living				
.....				
in an Area Designated as a Health				
.....				
Professional Shortage Area: Dental				54.00
..... Percent of Mississippi Population Living				
.....				
in an Area Designated as a Health				
.....				
Professional Shortage Area: Primary Care				54.00
Mississippi Medical Cannabis Program				
..... Number of Conditions Added to the List				
.....				
of Debilitating Medical Conditions				0
Number	of	Qualifying	Patients	Approved
0				

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Number	of	Designated	Caregivers	Approved
0				
..... Number of Registry Identification Cards				
Revoked	.....0			
..... Total Number of Patients with a Registry				
..... Identification Card.....0				
Number	of	Licensed	Medical	Practitioners
0				
..... Number of Licensed Cannabis Cultivation				
Facilities	.....0			
..... Number of Licensed Cannabis Processing				
Facilities	.....0			
..... Number of Licensed Cannabis Testing				
Facilities	.....0			
..... Number of Licensed Cannabis Waste				
Disposal Entities	.....0			
..... Number of Licensed Cannabis				
Transportation Entities	.....0			
Percent	of	Applications	Approved	
0.00				

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 34,342,704.00.

SECTION 12. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2022. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 13. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 14. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 15. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 16. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,000,000.00.

SECTION 17. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 18. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 19. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2022. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 20. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 21. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2022. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 22. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 23. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 24. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 25. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 26. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 28. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 29. Of the funds appropriated in Section 2, an amount not to exceed Three Million Two Hundred Forty Thousand Dollars (\$3,240,000.00) may be used to purchase accumulated compensatory time incurred before June 30, 2023, by employees who are activated under emergency orders in response to the COVID-19 pandemic.

SECTION 30. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 31. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1614 was adopted.

YEAS AND NAYS On H. B. No. 1614. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughtman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1599:** Appropriation; Archives and History, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 9,635,657.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 7,611,142.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	143
	Part Time .....	3
Time-Limited:	Full Time .....	8
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be

published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1386, 2021 Regular Session to provide for the de la Pointe-Krebs House for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 220,820.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1386, 2021 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 15. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1386, 2021 Regular Session to provide for the purpose of funding Historic Site Preservation grants for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,000,000.00.

SECTION 17. With the funds appropriated herein, the Department of Archives and History is authorized to make payment for expenses incurred during Fiscal Years 2019 through 2022 as follows:

VendorFiscal Amount	Year
City of Jackson, Mississippi.....	2020/2021
\$ 1,748.72	
City of Jackson, Mississippi.....	2020/2021/2022
\$ 1,851.20	
City of Jackson, Mississippi.....	2019/2020/2021/2022
\$ 4,159.09	

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1599 was adopted.

YEAS AND NAYS On H. B. No. 1599. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter. Total--1.

Voting Present--Blount. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 22-26, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1598:** Appropriation; Arts Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,249,411.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 1,587,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	9
	Part Time .....	0
Time-Limited:	Full Time .....	2
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of Four Hundred Ninety Thousand Dollars (\$490,000.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion

of arts programs in public schools .....	\$100,000.00
Miscellaneous grants and programs.....	\$ 350,000.00
Whole Schools Initiative .....	\$ 40,000.00

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1598 was adopted.

YEAS AND NAYS On H. B. No. 1598. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 10,768,959.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023...  
\$ 249,778,171.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	214
	Part Time .....	0
Time-Limited:	Full Time .....	193
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual

personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties that Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00

Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00
Percent of Contaminated Sites That Have Completed Remediation	5.00
Percent of Waters That Have Acceptable Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified in a Timely Manner	70.00
Percent of NPDES Majors Inspected per Year	50.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the National Incident Management System	70.00
Construction Grants	
Percent of SRF Loan Recipients in Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits Issued/Modified	95.00
Percent of Surface Water Use Permits Issued/Modified	95.00
Percent of Water Use Reported	80.00

Percent of High Hazard Dams with	
Emergency Action Plans	80.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities	
in Compliance with Regulatory	
Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive

Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 10. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 13. It is the intent of the Legislature that from the funds available to the Department of Environmental Quality, the agency may purchase and pay premiums on property damage insurance on its motor vehicles, boats, trailers, motors, and other equipment assigned to the South Regional Office.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

**AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.**

Committee Amendment No. 1 to H. B. No. 1604 was adopted.

YEAS AND NAYS On H. B. No. 1604. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 265,638.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ... \$ 110,192.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED POSITIONS:**

Permanent:	Full Time .....	5
	Part Time .....	1
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1394, 2021 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 25,000.00.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1606 was adopted.

YEAS AND NAYS On H. B. No. 1606. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1624:** Appropriation; Marine Resources, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for

the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,257,684.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 91,320,449.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	87
	Part Time .....	0
Time-Limited:	Full Time .....	74
	Part Time .....	0

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the

same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 11,455,247.00.

Of the funds appropriated within this section, One Million Two Hundred Thousand Dollars (\$1,200,000) shall be designated for bond repayment.

Department of Marine Resources Programs:

Total Public Access Projects	\$ 5,127,624.00
Total Management Projects	\$ 5,127,623.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2022. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 8. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 2, Forty Million Six Hundred Fifty-three Thousand One Hundred Seventy-eight Dollars (\$40,653,178.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2023:

- (a) To assist the University of Southern Mississippi with the Ocean Enterprise Project ..... \$ 4,390,075.00
- (b) To assist the City of Biloxi with the East Biloxi Boardwalk ..... \$ 1,192,850.00
- (c) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment ..... \$ 978,300.00
- (d) To assist the Department of Marine Resources with the Coffee Creek Outfall ..... \$ 1,979,408.00
- (e) To assist the Department of Marine Resources with the Coffee Creek water Quality ..... \$ 102,241.00
- (f) To assist the Department of Wildlife, Fisheries and Parks with the Buccaneer State Park..... \$ 1,919,748.00
- (g) To assist the City of Biloxi with the Bayview Avenue Boardwalk..... \$ 1,016,944.00
- (h) To assist the City of Bay St. Louis with the Ward 6 Boat Launch, Public Water Access and Restroom Facility ..... \$ 271,951.00
- (i) To assist the Department of Marine Resources with the Infinity Science Center ..... \$ 465,651.00
- (j) To assist Mississippi State University with the IMMS Evaluation Study ..... \$ 422,238.00
- (k) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control..... \$ 1,114,506.00
- (l) To assist the University of Southern Mississippi with the Aquaculture Depth

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Control Unit .....	\$ 2,744.00
(m) To assist the Department of Marine	
Resources with GOMESA project management, development and mitigation .....	\$ 138,055.00
(n) To assist the Department of Marine	
Resources with an oyster plant.....	\$ 2,000,000.00
(o) To assist the Department of Marine	
Resources with the Shellfish Water Quality Testing .....	\$ 3,637.00
(p) To assist the Department of Marine	
Resources with artificial reef Construction .....	\$ 752,794.00
(q) To assist the Department of Marine	
Resources with the oyster clutch .....	\$ 3,475.00
(r) To assist the Department of Environmental	
Quality with water quality .....	\$ 990,185.00
(s) To assist Hancock County with Water	
Sewer Force Crossing .....	\$ 206,940.00
(t) To assist the Department of Marine	
Resources with Bonnet Carre Response .....	\$ 200,666.00
(u) To assist Jackson County with a Watershed	
Development Plan .....	\$ 450,000.00
(v) To assist the City of Diamondhead with	
Marsh Erosion Prevention.....	\$ 495,000.00
(w) To assist the City of Diamondhead with	
Sewer Improvements.....	\$ 831,600.00
(x) To assist the City of Pass Christian with	
Sanitary Sewer Pump Station Repairs .....	\$ 967,575.00
(y) To assist Hancock County with Atlantic	
Street Sewer Improvements .....	\$ 2,721,150.00
(z) To assist the City of Long Beach with	
Small Craft Harbor SE Bulkhead Improvements .....	\$ 2,188,000.00
(aa) To assist the Kiln Utility District with	

the Jordan River Shores Sewer Force Main	
Relocation .....	\$ 410,000.00
(bb) To assist the City of Biloxi with	
the Point Cadet Living Shoreline.....	\$ 800,000.00
(cc) To assist the Department of Marine	
Resources for Oyster Restoration and	
Enhancement .....	\$ 675.00
(dd) To assist the Department of Marine	
Resources with MS Reef Fish Monitoring and	
Assessment.....	\$ 112,031.00
(ee) To assist Hancock County Utility	
Authority with Oak Harbor Sewer Improvements.....	\$ 2,811,548.00
(ff) To assist Hancock County Port and Harbor	
Commission with Port Bienville Conservation	
Management .....	\$ 510,200.00
(gg) To assist the City of Gautier with Water	
Quality and Infrastructure Sanitary Sewer.....	\$ 2,573,466.00
(hh) To assist the City of Pascagoula with	
Buena Vista Area Drainage .....	\$ 915,000.00
(ii) To assist the City of Pass Christian with	
Gravity Sewer System Improvements Phase I .....	\$ 1,744,319.00
(jj) To assist the City of Pascagoula with	
Point Park Pier Repair/Improvements .....	\$ 510,000.00
(kk) To assist the Department of Marine	
Resources with the Railroad Corner Beneficial	
Use Site.....	\$ 236,860.00
(ll) To assist the University of Southern	
Mississippi with Collection of Fishery-Dependent	
information on Blue Crabs .....	\$ 244,223.00
(mm) To assist the National Oceans and	
Applications Research Center with the Cat	
Island Baseline Inventory of Seagrass Habitat .....	\$ 480,774.00

(nn) To assist the National Oceans and  
Applications Research Center with the Inventory

Of Wetlands Habitats ..... \$ 779,442.00

(oo) To assist the National Oceans and  
Applications Research Center with the Pelican

Key Baseline Hydrographic Survey ..... \$ 244,334.00

(pp) To assist Mississippi State University  
with the Evaluation and Monitoring of Marine  
Mammal and Sea Turtles after Bonnet Carre

Spillway Opening ..... \$ 2,474,573.00

SECTION 11. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2023 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. With the funds appropriated herein, the Department of Marine Resources is authorized to make payment for expenses incurred during Fiscal Year 2020 and Fiscal Year 2021 as follows:

Vendor Year	Fiscal Amount
University of Southern Mississippi	
2020	
\$ 795.66	
University of Southern Mississippi	
2020	
\$ 12,658.83	
University of Southern Mississippi	

2020

\$ 14,507.00

City of Bay St. Louis

2021

\$ 1,041.25

City of Bay St. Louis

2020

\$ 1,492.50

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1624 was adopted.

YEAS AND NAYS On H. B. No. 1624. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 530,601.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 24,911,796.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	8
	Part Time .....	0
Time-Limited:	Full Time .....	6
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose of funding a Beaver Control Cost Share program. The Mississippi Soil and Water Conservation Commission shall promulgate rules and regulations for the establishment and operation of the program on a fund matching basis with the county unit of government. Funds not expended or encumbered in a county may be transferred to another county during the fiscal year. Only those funds specifically appropriated for the Beaver Control Cost Share program shall be used in any such program.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1617 was adopted.

YEAS AND NAYS On H. B. No. 1617. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1620:** Appropriation; Port Authority, State.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 45,823,351.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars (\$135,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1620 was adopted.

YEAS AND NAYS On H. B. No. 1620. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1618:** Appropriation; Pat Harrison Waterway District.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 6,471,863.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1618 was adopted.

YEAS AND NAYS On H. B. No. 1618. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 29 and 30, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 19,672,067.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 107  
Time-Limited: 1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the

intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1619 was adopted.

YEAS AND NAYS On H. B. No. 1619. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughtman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 8,793,554.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	16
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1621 was adopted.

YEAS AND NAYS On H. B. No. 1621. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1622:** Appropriation; Yellow Creek State Inland Port Authority.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 13,314,302.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:	
Permanent:	17
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, Fifty Thousand Dollars (\$50,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1622 was adopted.

YEAS AND NAYS On H. B. No. 1622. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1630:** Appropriation; Transportation, Department of.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

\$ 1,126,828,230.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	2,903
	Part Time .....	5
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses .....	\$ 62,667,692.00
Construction.....	\$ 729,746,525.00
Maintenance .....	\$ 219,476,524.00
Debt Service .....	\$ 78,782,972.00
Aeronautics, Rails and other .....	\$ 36,154,517.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2023.

SECTION 6. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 7. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 8. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 9. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 10. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2022 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2022, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 11. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 13. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 16. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided

herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
<b>Maintenance</b>	
Number of Acres Mowed (First & Subsequent)	290,000
Percent Increase of Acreage Mowed	66.00
Slow the Expected Increases of Total	
Fatalities According to a 5 Year Rolling	
Average (697 or Less)	749
Percent Decrease in State-Maintained	
Lane Miles Needing Repair or	
Rehabilitation	1.50
Percent of Pavement Needs Met Annually	10.00
Percent on Interstate Lane-Miles with	
Acceptable Pavement Condition Rating	52.50
Percent of 4 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	72.00
Percent of 2 Lane Highway Lane-Miles	
With an Acceptable Pavement Condition	
Rating	57.50
Cost per Mile to Maintain State Highways	27,885.00
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	130
<b>Construction</b>	
Percent of Miles of State Maintained	
Highways that Meet MDOT Thresholds for	
Congestion	2.01
Number of Lane Miles of State Maintained	
Highways Requiring Additional Capacity	563
Cost per Mile to Construct State Highways	14,960,000.00

Administration & Other

Administration as a Percent of Total Budget	5.05
GO-MDOT-Total Number of Page Views	1,025,931
Percent Increase in Utilization of	
MDOTTRAFFIC.com Website	8.08

Bonded Debt Service

MDOT's Share of Annual Debt Service will	
not Exceed 3.75% of Annual Budget	0.90

Aeronautics & Rails

Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,800

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 17. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00).

SECTION 18. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars (\$5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division as authorized to be relocated in Senate Bill 2825, 2021 Regular Session.

SECTION 19. With the funds appropriated herein, the Department of Transportation is authorized to make payment for expenses incurred during Fiscal Years 2016 through 2021 as follows:

Year	Vendor	Fiscal Amount
	Automated Power, Inc.	
16		20
43.23		\$
	Belmont Equipment	
18		20
172.00		\$
	Entergy	
20		20
18.79		\$

	Entergy	20
20		\$
19.47		
	Entergy	20
20		\$
18.83		
	Entergy	20
20		\$
18.52		
	Home2Suites by Hilton	20
19		\$
282.00		
	Home2Suites by Hilton	20
19		\$
282.00		
	Home2Suites by Hilton	20
20		\$
188.00		
	Home2Suites by Hilton	20
20		\$
188.00		
	Jackson County Utility Authority	20
19		\$
5,250.00		
	Jackson County Utility Authority	20
19		\$
3,024.00		
	Jackson County Utility Authority	20
19		\$
146,139.91		
	Jackson County Utility Authority	20
19		\$
145,773.58		
	Jackson County Utility Authority	20
20		\$
10,080.00		

	Jackson County Utility Authority	20
20		\$
17,500.00		
	Tunica County, MS	20
21		\$
10,416.00		
	Vermeer Midsouth, Inc.	20
18		\$
188.03		
	Wolters Kluwer	20
18		\$
382.77		

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1630 was adopted.

YEAS AND NAYS On H. B. No. 1630. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:58 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with Senator Michel presiding.

Senator Hopson called up the following entitled bill:

**H. B. No. 1583:** Appropriation; Barber Examiners, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	316,890.00.
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SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	7
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville

Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2023 Target
Examination Number	420
of	
Examinations	Given
Licensure & Regulation	
.....Average Time of Processing In State	
Licenses (Number of Days).....	1
.....Average Time of Processing Out of State	
Licenses (Number of Days).....	3

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the State Board of Barber Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022. Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1583 was adopted.

YEAS AND NAYS On H. B. No. 1583. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1584:** Appropriation; Cosmetology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	977,331.00.
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SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	13
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures				FY2023 Target
Exam Administration				
Number	of	Students		Tested
1500				
Cost	per	Licensing		Examination
290.00				
School Coordination				
Number	of	School		Permits
42				
Establishment Inspections				
.....Percent of Establishments, by Type				
(Salons & Schools), That are Inspected				
.....				
Each Year	.....			80.00
.....Number of Average Violations per				
.....				
Inspection by Type	.....			5

Number	of	Documented	Complaints	Received
15				
..... Percent of Documented Complaints				
.....				
Resolved within Six Months .....				100.00
..... Percent of School Audits Resulting in				
.....				
Disciplinary Actions .....				67.00
Licensure & Information Support				
..... Percent of Completed Applications				
.....				
Processed within Ten Business Days, by				
.....				
Type (Practitioners, Instructors) .....				100.00
..... Number of Business Days from Date of				
.....				
Completed Applications of New Salon &				
.....				
School to Initial Inspection .....				14
..... Collect & Report the Percent of License				
.....				
Renewals Issued within Seven Business				
.....				
Days, Ten Business Days for Schools (%) .....				100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. It is the intent of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2021 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1584 was adopted.

YEAS AND NAYS On H. B. No. 1584. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 35 and 36, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 3,290,753.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	24
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals	
Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving	
Disciplinary Actions (%)	4.00
Number of Documented Complaints Received	300
Percent of Documented Complaints	
Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is provided for the Mississippi Physician Health Program.

SECTION 8. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 9. It is further the intention of the Legislature that, for Fiscal Year 2023, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1586 was adopted.

YEAS AND NAYS On H. B. No. 1586. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1587:** Appropriation; Nursing, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .. \$ 4,687,532.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	35
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022 and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1587 was adopted.

YEAS AND NAYS On H. B. No. 1587. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1588:** Appropriation; Nursing Home Administrators, Board of.

Senator Jackson (11th) offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 196,698.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	2
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1588 was adopted.

YEAS AND NAYS On H. B. No. 1588. On motion of Senator Jackson (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1589:** Appropriation; Optometry, Board of.

Senator Jackson (11th) offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 177,864.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the

Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1589 was adopted.

YEAS AND NAYS On H. B. No. 1589. On motion of Senator Jackson (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1590:** Appropriation; Physical Therapy Board.

Senator Jackson (11th) offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi State Board of Physical Therapy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 322,025.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE

MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR  
2023.

Committee Amendment No. 1 to H. B. No. 1590 was adopted.

YEAS AND NAYS On H. B. No. 1590. On motion of Senator Jackson (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1591:** Appropriation; Psychology, Board of.

Senator Jackson (11th) offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 157,807.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds appropriated in Section 1, Thirteen Thousand Dollars (\$13,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1591 was adopted.

YEAS AND NAYS On H. B. No. 1591. On motion of Senator Jackson (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughtman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1585:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Senator Jackson (11th) offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 253,816.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Five Thousand Five Hundred Dollars (\$5,500.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1585 was adopted.

YEAS AND NAYS On H. B. No. 1585. On motion of Senator Jackson (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1581:** Appropriation; Athletic Commission.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 139,641.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty Thousand Dollars (\$40,000.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1581 was adopted.

YEAS AND NAYS On H. B. No. 1581. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1582:** Appropriation; Auctioneers Commission.

YEAS AND NAYS On H. B. No. 1582. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1592:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of

defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 926,210.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent: 5  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds provided herein, Four Hundred Thousand Dollars (\$400,000.00) shall be provided in grants for ABET-accredited engineering programs and Board-approved surveying programs of any college or university in the State of Mississippi, after application to and subject to approval by the Board. The Board will develop guidelines for application, award, and disbursement of these grants. The Board will issue a written report to the Governor, Lt. Governor, and the chairs of the House and Senate Appropriations Committees as to how the grants were awarded.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1592 was adopted.

YEAS AND NAYS On H. B. No. 1592. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1615:** Appropriation; Foresters, Board of Registration for.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the State Board of Registration for Foresters for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 44,129.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1615 was adopted.

YEAS AND NAYS On H. B. No. 1615. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 46-50, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1616:** Appropriation; Forestry Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 14,289,905.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 11,855,334.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	289
	Part Time .....	0
Time-Limited:	Full Time .....	6
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the

Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	1.00
Number of Acres Burned Under a Prescribed Burn Program	17,750.00
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	

Forest Resource Development Program	
Acres Regenerated or Improved	35,000.00
Acres Monitored for Insect, Storm or Disease	19,800,000.00
Re-Inventory 20% of State's Forest Lands	
(% of Regions)	20.00
Percent Increase of Re-Inventory of	
State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties

under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2023.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Any person who was an employee of the Forestry Commission who was laid off during Fiscal Year 2006 shall be given first priority in any new employment by the commission.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1616 was adopted.

YEAS AND NAYS On H. B. No. 1616. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1608:** Appropriation; Oil and Gas Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

\$ 2,356,959.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	32
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1608 was adopted.

YEAS AND NAYS On H. B. No. 1608. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in House Bill No. 1391, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 61,994,666.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 421,011.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,478,879.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 258,293.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and House Bill 1667, 2019 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 109,974.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and Senate Bill 3049, 2019 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 758,646.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 2948, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 16,452,520.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493600000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 2948, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 45,821,531.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 9. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1603 was adopted.

YEAS AND NAYS On H. B. No. 1603. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1597:** Appropriation; Legislative expenses.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2023 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives..... \$ 4,202,366.00.  
For Contingent Fund for the

House of Representatives ..... \$ 7,561,411.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate..... \$ 1,834,387.00.  
For Contingent Fund for the Senate ..... \$ 5,890,526.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate..... \$ 893,170.00.  
For the expenses of the Joint Legislative

Budget Committee..... \$ 4,346,864.00.  
For the expenses of the Joint Legislative

Committee on Performance Evaluation

and Expenditure Review..... \$ 2,509,467.00.  
For the expenses of the Joint Legislative

Reapportionment Committee ..... \$ 698,373.00.  
For the expenses of the Joint Legislative

Code Committee..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

For the House of Representatives..... \$ 2,632,586.00.  
For the Senate ..... \$ 1,142,500.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 429,880.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board..... \$ 29,077.00.  
Interstate Cooperation..... \$ 324,453.00.  
National Conference of Commissioners  
on Uniform State Laws..... \$ 37,950.00.  
The Energy Council ..... \$ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 50,000.00.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 7. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1597 was adopted.

YEAS AND NAYS On H. B. No. 1597. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 18,390,790.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	163
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading, and operating the computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1595 was adopted.

YEAS AND NAYS On H. B. No. 1595. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1631:** Appropriation; additional for various state agencies for FY22 & FY23.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period July 1, 2021, and ending June 30, 2022 ..... \$ 1,068,068.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756...\$ 21,452.00.

(b) Pickett v. Mississippi Board of Animal Health, 2:18-cv-00214-KS-JCG (S.D. Miss.) \$ 211,616.00.

(c) IHS Pharmacy v. Mississippi Department of Corrections, Hinds County Circuit Court, Cause No. 17-572..... \$ 625,000.00.

(d) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Cause No. 2009-0457-CV ..... \$ 35,000.00.

(e) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150..... \$ 50,000.00.

(f) Harvill Payne Richardson v. State of Mississippi, Circuit Court of Harrison County, Mississippi, Second Judicial District, Cause No. A2402-2020-87. \$ 50,000.00.

(g) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi, Cause No. 2021-0026-CV1C..... \$ 50,000.00.

(h) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi, Cause No. 2021-0026-CV1C (statutory attorney's fees)..... \$ 25,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act and ending June 30, 2023 ..... \$ 1,750,000.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No.3:03cv251(L)(N)..... \$ 200,000.00.

(b) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.); Alexander, et al. v. Hall, et al., No. 4:30-CV-21-SA-JMV..... \$ 500,000.00.

(c) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss)..... \$ 100,000.00.

(d) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss).....\$ 200,000.00.

(e) Special Master as Required by Order of the Federal Court regarding United States v. State of Mississippi 3:16-cv-00622-CWR-FKB ( S.D. Miss)..... \$ 300,000.00.

(f) Flowers v. Evans, et al. 4:21-CV-NBB-JMV .....  
\$ 225,000.00.

(g) IRS v. State Agencies..... \$ 225,000.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of Coronavirus Local Fiscal Recovery Fund to the credit of the Department of Finance and Administration and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Finance and Administration for the period beginning July 1, 2021, and ending June 30, 2022..... \$ 8,046,958.00.

This additional appropriation is for the purpose of providing Coronavirus Local Fiscal Recovery Funds to nonentitlement units of local government in accordance with the provisions applicable to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses, of the Wireless Communication Commission for the period beginning July 1, 2021, and ending June 30, 2022..... \$ 606,242.00.

This additional appropriation is made for the purpose of defraying expenses of contractual obligations for system maintenance.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Joint Reapportionment Committee for the period beginning July 1, 2021, and ending June 30, 2022..... \$ 15,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses for legal services.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Institutions of Higher Learning – Office of Student Financial Aid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Institutions of Higher Learning – Office of Student Financial Aid for the period beginning July 1, 2021, and ending June 30, 2022..... \$ 3,500,000.00.

This additional appropriation is made for the purpose of administering a summer grant program using funds awarded through the second Governor's Emergency Educational Relief Fund.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office - Division of Medicaid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Governor's Office - Division of Medicaid for the period beginning July 1, 2021, and ending June 30, 2022.....  
\$ 466,786,240.00.

This additional appropriation is for the purpose of providing additional federal matching funds for mandated Medicaid medical services.

SECTION 8. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2022; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022; THE INSTITUTIONS OF

HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1631 was adopted.

YEAS AND NAYS On H. B. No. 1631. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Carter. Total--1.

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Senator Michel yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1550:** Appropriation; add'l to DFA for phased construction of new DPS headquarters; add'l to DOH for Office Against Interpersonal Violence.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds for the first phase of construction for the new Department of Public Safety headquarters building, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .....\$ 39,400,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the State Department of Health for the purpose of providing reimbursable grants as described in this section, for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 9,852,684.00.

The funds appropriated under this section shall be expended by the State Department of Health as a reimbursable grant to entities up to the difference between the 2021 and 2022 Victims of Crime Act (VOCA) grants awarded by the Department. In determining reimbursable expenses, the State Department of Health shall use allowable costs for VOCA funds as defined by the Office for Victims of Crime.

SECTION 3. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS FOR PHASED CONSTRUCTION OF A NEW DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS BUILDING FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH - OFFICE AGAINST INTERPERSONAL VIOLENCE FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1550 was adopted.

YEAS AND NAYS On H. B. No. 1550. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter. Total--1.

Voting Present--Blount. Total--1.

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On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1550.

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Senator Hopson called up the following entitled bill:

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums appropriated to the department, the following sum, or so much of it as may be necessary, is appropriated out of any money in the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund not otherwise appropriated, to the Mississippi Department of Public Safety for the purposes described in Section 45-2-1, for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 5,000,000.00.

SECTION 2. The funds appropriated under Section 1 of this act may only be spent on the payment of death benefits for which the cause of death is a death covered under the Safeguarding America's First Responders Act of 2020.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT SUCH FUNDS MAY ONLY BE SPENT ON THE PAYMENT OF DEATH BENEFITS FOR WHICH THE CAUSE OF DEATH IS A DEATH COVERED UNDER THE SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT OF 2020; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 778 was adopted.

YEAS AND NAYS On H. B. No. 778. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 54-63, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Mississippi Municipal-County Water Infrastructure Grant Program Fund" to the Department of Environmental Quality for the purpose described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 ..... \$ 400,000,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program" established in Senate Bill No. 2822, 2022 Regular Session. This program provides reimbursable grants to municipalities and counties for drinking water, wastewater, and stormwater projects that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Mississippi Rural Water Infrastructure Grant Program Fund" to the Department of Environmental Quality for the purpose described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 ..... \$ 350,000,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Rural Water Infrastructure (RWI) Grant Program" established in Senate Bill No. 2822, 2022 Regular Session. This program provides reimbursable grants to rural water associations and utility authorities for drinking water, wastewater, and stormwater projects that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 3. It is the intention of the Legislature that no funds appropriated under this act shall be used to pay employee premium payments.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the Department of Environmental Quality.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of (ARPA). In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, the State Fiscal Officer may issue warrants up to four-sevenths (4/7) of the funds which shall be paid upon the passage of this act and the remaining balance shall be paid upon the receipt of the Coronavirus State Fiscal Recovery Funds from the federal government; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI MUNICIPAL-COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FUND" AND THE "MISSISSIPPI RURAL WATER INFRASTRUCTURE GRANT PROGRAM FUND" TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" WHICH PROVIDES DRINKING WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE REIMBURSABLE GRANTS TO MUNICIPALITIES, COUNTIES, RURAL WATER ASSOCIATIONS, AND UTILITY AUTHORITIES, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1537 was adopted.

YEAS AND NAYS On H. B. No. 1537. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the ARPA Drinking Water Infrastructure Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Drinking Water Infrastructure Grant Program established under House Bill No. 1425, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 0.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the ARPA Rural Water Associations Infrastructure Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under House Bill No. 1421, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 0.00.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by Section 1 of this act shall be paid by the State Treasurer out of any money in the ARPA Drinking Water Infrastructure Fund not otherwise appropriated, and the money appropriated by Section 2 of this act shall be paid by the State Treasurer out of any money in the ARPA Rural Water Associations Infrastructure Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA DRINKING WATER

INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1425, 2022 REGULAR SESSION, AND THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1421, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1538 was adopted.

YEAS AND NAYS On H. B. No. 1538. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughtman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Mississippi Healthcare Workforce Development Program Fund" to the Mississippi Office of Workforce Development for the purpose described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 ..... \$ 12,000,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Healthcare Workforce Development Program" as established in House Bill No. 1006, 2022 Regular Session. This program provides grants that will be utilized to train nurses at Mississippi Community Colleges and Institutions of Higher Learning as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Mississippi Nursing Preceptor Grant Program Fund" to the Mississippi Office of Workforce Development for the purpose described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 \$ 17,000,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Nursing Preceptor Grant Program" as established in House Bill No. 1006, 2022 Regular Session. This program provides grants to Mississippi licensed hospitals and Mississippi licensed long-term care facilities for premium payments to nursing preceptors who train nursing students at Mississippi Community Colleges, as allowable under Section 9901

of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Mississippi Health Science Training Infrastructure Grant Program Fund" to the Mississippi Office of Workforce Development for the purpose described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 .....

\$ 20,000,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Health Science Training Infrastructure Grant Program" as established in Senate Bill No. 2721, 2022 Regular Session. This program provides reimbursable grants to any public or private Mississippi university or college's health science school to be used for allowable capital infrastructure to increase the number of health science students trained at the school(s), as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "office" means the Mississippi Office of Workforce Development.

(2) The office shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the office's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of (ARPA). In addition, the office shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds appropriated to the office under this act, the office shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the office or recipient has expended or otherwise used any of the funds appropriated to the office under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the office or recipient, then the office or recipient that

expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, the State Fiscal Officer may issue warrants up to five-sixths (5/6) of the funds which shall be paid upon the passage of this act and the remaining balance shall be paid upon the receipt of the Coronavirus State Fiscal Recovery Funds from the federal government; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI HEALTHCARE WORKFORCE DEVELOPMENT PROGRAM FUND," THE "MISSISSIPPI NURSING PRECEPTOR GRANT PROGRAM FUND" AND THE "MISSISSIPPI HEALTH SCIENCE TRAINING INFRASTRUCTURE GRANT PROGRAM FUND" TO THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT, ALSO KNOWN AS ACCELERATE MS, FOR THE PURPOSE OF ADMINISTERING THE "AMERICAN RESCUE PLAN ACT (ARPA) NURSE/HEALTH SCIENCE WORKFORCE DEVELOPMENT AND RETENTION ACT" WHICH WILL PROVIDE EDUCATIONAL TRAINING TO NURSES, PREMIUM PAYMENT TO PRECEPTORS WHO TRAIN NURSES AND CAPITAL INVESTMENTS NECESSARY TO TRAIN HEALTH SCIENCE STUDENTS DUE TO THE VITAL NEED FOR NURSES DURING THE COVID-19 PANDEMIC AND ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1517 was adopted.

YEAS AND NAYS On H. B. No. 1517. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of providing funding for the Community and Junior College Nursing Supplemental Funding Program established in House Bill No. 1006, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "board" means the Mississippi Community College Board.

(2) The board shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the board's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the board shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the board under this act, the board shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the board under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the board or recipient has expended or otherwise used any of the funds appropriated to the board under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the board or recipient, then the board or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR THE PURPOSE OF PROVIDING FUNDING FOR THE COMMUNITY AND JUNIOR COLLEGE NURSING SUPPLEMENTAL FUNDING PROGRAM ESTABLISHED IN HOUSE BILL NO. 1006, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1522 was adopted.

YEAS AND NAYS On H. B. No. 1522. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "Hospital Nursing and Respiratory Therapist Loan Repayment Program Fund" to the Board of Trustees of State Institutions of Higher Learning for the "Hospital Nurses and Respiratory Therapist Retention Loan Repayment Program" authorized by law in Senate Bill No. 2419, 2022 Regular Session, and administered by the Mississippi Office of Student Financial Aid, for the fiscal year beginning on July 1, 2021, and ending  
June 30, 2022 ..... \$ 6,000,000.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1 of this act, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) or so much thereof, shall be provided to the Mississippi Office of Student Financial Aid for administering the "Hospital Nurses and Respiratory Therapist Retention Loan Repayment Program."

SECTION 3. (1) As used in this section and Section 4 of this act, the term "office" means the Mississippi Office of Student Financial Aid.

(2) The office shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the office's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of (ARPA). In addition, the office shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the office under this act, the office shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the office or recipient has expended or otherwise used any of the funds appropriated to the office under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the office or recipient, then the office or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "HOSPITAL NURSING AND RESPIRATORY THERAPIST PROFESSIONAL LOAN REPAYMENT PROGRAM FUND" TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND ADMINISTRATION OF THE "HOSPITAL NURSES AND RESPIRATORY THERAPIST PROFESSIONAL

RETENTION LOAN REPAYMENT PROGRAM" BY THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1521 was adopted.

YEAS AND NAYS On H. B. No. 1521. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Health Care Workers Retention Act of 2022."

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purposes described in Section 3 of this act, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 0.00.

SECTION 3. (1) (a) Of the funds appropriated under Section 2 of this act, the following amount shall be expended by the department for providing funds to Mississippi licensed hospitals in Mississippi to provide premium pay to their licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health

emergency ..... \$ 0.00.

(b) In providing the funds to Mississippi licensed hospitals under paragraph (a) of this subsection, the department shall determine the maximum possible amount available to each Mississippi licensed hospital using a formula based on the total number of hospitalized COVID-19 patients that the Mississippi licensed hospital treated from January 1, 2021, through December 31, 2021, and the number of Mississippi licensed hospital beds in the hospital as of the most recent date known by the department. The formula should provide double the weight to the total number of hospitalized COVID-19 patients that the Mississippi licensed hospital treated from January 1, 2021, through December 31, 2021, as compared to the weight given to the number of Mississippi licensed hospital beds in the hospital as of the most recent date known by the department.

(2) (a) Of the funds appropriated under Section 2 of this act, the following amount shall be expended by the department for providing funds to Mississippi licensed long-term

care facilities to provide premium pay to their licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health emergency ..... \$ 0.00.

(b) In providing the funds to Mississippi licensed long-term care facilities under paragraph (a) of this subsection, the department shall determine the maximum possible amount available to each Mississippi licensed long-term care facility using a formula based on the total number of COVID-19 positive residents at the Mississippi licensed long-term care facility from January 1, 2021, through December 31, 2021, and the number of Mississippi licensed and staffed long-term care beds in the long-term care facility as of the most recent date known by the department. The formula should provide double the weight to the total number of COVID-19 positive residents that the Mississippi licensed long-term care facility treated from January 1, 2021, through December 31, 2021, as compared to the weight given to the number of Mississippi licensed and staffed long-term care beds in the long-term care facility as of the most recent date known by the department.

(3) (a) Of the funds appropriated under Section 2 of this act, the following amount shall be expended by the department for providing funds to Mississippi licensed ambulance services to provide premium pay to their licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health emergency..... \$ 0.00.

(b) In providing the funds to Mississippi licensed ambulance services under paragraph (a) of this subsection, the department shall determine the maximum possible amount available to each Mississippi licensed ambulance service based on the total number of ambulance runs, including transfers, as reported to the Mississippi EMS information system for the period January 1, 2021, through December 31, 2021.

(4) Of the funds appropriated under Section 2 of this act, the following amount shall be expended by the department for providing funds to eligible entities under subsections (1) through (3) of this section to provide premium pay to their licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health emergency in a manner that the department determines is the most equitable and efficient to supplement the funds provided under subsections (1) through (3) of this section and to effectuate the purposes of this act..... \$ 0.00.

(5) Of the funds appropriated under Section 2 of this act, the following amount shall be expended for defraying the expenses of the department in administering the funds approved and expended under this section ..... \$ 0.00.

(6) (a) As a condition of receiving premium pay under this section, each licensed/certified health care worker who accepts premium pay under this section shall receive premium pay in an amount not to exceed Five Thousand Dollars (\$5,000.00) within sixty (60) days after the effective date of this act.

(b) As a condition of receiving premium pay under this section, the recipient must execute a written agreement with his or her primary current employer to continue employment with his or her primary current employer or another eligible health care employer in the State of Mississippi for five (5) months following the receipt of such premium pay. The written agreement shall be developed and promulgated by the department and shall include a provision that the recipient may be required to repay to the State of Mississippi, to be deposited into the Coronavirus State Fiscal Recovery Fund, the amount of premium pay funds that he or she received if the terms of the agreement are not met. The written agreement with the department shall not revise or otherwise affect any other contractual relationship between the employer and employee.

(7) As a condition of receiving funds under this act, each employer shall provide a report to the department of the number and type of licensed/certified health care workers and premium pay amounts they intend to distribute, and must receive approval from the department that the requirements of this act, the American Rescue Plan Act of 2021 and any federal guidance regarding the Coronavirus State Fiscal Recovery Fund

are met before the employer may distribute the premium pay to their licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health emergency.

(8) None of the funds provided under this act may be used to provide premium pay to any licensed/certified health care workers who are working under a contract with a staffing agency to provide services for a limited duration of less than one (1) year in the State of Mississippi, such as travel nurses, as determined by the department.

(9) None of the funds provided under this act may be used to provide premium pay to any licensed/certified health care workers who have gross annual wages or salary from their primary current employer equal to or greater than One Hundred Fifty Thousand Dollars (\$150,000.00).

(10) If there are any unused or otherwise unspent funds under subsection (1), (2), (3) or (5) of this section, the department shall reallocate those funds to eligible entities under subsections (1) through (3) of this section, notwithstanding the maximum possible amount available to each eligible entity as determined under this section, to provide premium pay to their eligible licensed/certified health care workers who are primarily devoted to mitigating or responding to the current COVID-19 public health emergency. The department shall reallocate such funds in a manner that the department determines is the most equitable and efficient to effectuate the purposes of this act.

(11) For purposes of the Public Employees' Retirement System of Mississippi, the premium pay provided under this section shall not be considered earned compensation, as defined in Section 25-11-103(k).

(12) For the purposes of this act, the following terms shall be defined as follows:

(a) "Hospital" means any type of hospital licensed by the Mississippi Department of Health, including, but not limited to, specialty hospitals that are recognized as such by the department.

(b) "Long-term care facility" means a skilled nursing facility licensed in the State of Mississippi. "Long-term care facility" does not include extended care homes, intermediate care facilities, personal care homes, or boarding homes, except for any of those facilities operated by the Department of Mental Health.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of (ARPA). In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI HEALTH CARE WORKERS RETENTION ACT OF 2022"; TO MAKE AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED HOSPITALS TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED LONG-TERM CARE FACILITIES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE DEPARTMENT FOR PROVIDING FUNDS TO MISSISSIPPI LICENSED AMBULANCE SERVICES TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY; TO PROVIDE THAT A PORTION OF THE FUNDS SHALL BE EXPENDED BY THE STATE DEPARTMENT OF HEALTH FOR PROVIDING FUNDS TO ELIGIBLE ENTITIES UNDER THIS ACT TO PROVIDE PREMIUM PAY TO THEIR MISSISSIPPI

LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE PRIMARILY DEVOTED TO MITIGATING OR RESPONDING TO THE CURRENT COVID-19 PUBLIC HEALTH EMERGENCY TO BE DISTRIBUTED IN THE MANNER THAT THE DEPARTMENT DETERMINES IS THE MOST EQUITABLE AND EFFICIENT TO SUPPLEMENT THE FUNDS OTHERWISE PROVIDED AND TO EFFECTUATE THE PURPOSES OF THIS ACT; TO PROVIDE THAT MISSISSIPPI LICENSED/CERTIFIED HEALTH CARE WORKERS THAT QUALIFY FOR PREMIUM PAY UNDER THIS SECTION SHALL RECEIVE PREMIUM PAY WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS ACT SUBJECT TO THE RECIPIENT'S WRITTEN AGREEMENT TO CONTINUE EMPLOYMENT WITH THE RECIPIENT'S PRIMARY CURRENT EMPLOYER OR ANOTHER ELIGIBLE HEALTH CARE EMPLOYER IN THE STATE OF MISSISSIPPI FOR FIVE MONTHS FOLLOWING THE RECEIPT OF SUCH PREMIUM PAY; TO FURTHER PROVIDE THAT THE WRITTEN AGREEMENT SHALL BE DEVELOPED AND PROMULGATED BY THE DEPARTMENT AND INCLUDE A PROVISION THAT THE LICENSED/CERTIFIED HEALTH CARE WORKER MAY BE REQUIRED TO REPAY TO THE STATE OF MISSISSIPPI THE AMOUNT OF HIS OR HER PREMIUM PAY FUNDS IF THE TERMS OF THE AGREEMENT ARE NOT MET; TO PROVIDE CERTAIN REPORTING AND APPROVAL REQUIREMENTS UNDER THIS ACT; TO PROVIDE THAT NONE OF THE FUNDS PROVIDED UNDER THIS SECTION MAY BE USED TO PROVIDE PREMIUM PAY TO ANY LICENSED/CERTIFIED HEALTH CARE WORKERS WHO ARE WORKING UNDER A CONTRACT WITH A STAFFING AGENCY TO PROVIDE SERVICES IN THE STATE OF MISSISSIPPI FOR A LIMITED DURATION OF LESS THAN ONE YEAR, SUCH AS TRAVEL NURSES, AS DETERMINED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 764 was adopted.

YEAS AND NAYS On H. B. No. 764. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Mississippi Law Enforcement and Fire Fighters Premium Pay Fund not otherwise appropriated, to the Department of Public Safety for the purpose of providing funds to law enforcement officers and fire fighters as premium pay

for their heightened risk during the ongoing federal COVID-19 public health emergency, and reimbursing counties and municipalities that have already paid premium pay to their law enforcement officers and firefighters as provided in House Bill No. 1427, 2022 Regular Session, for the period beginning July 1, 2021, and ending June 30, 2022 .....\$ 15,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Mississippi Law Enforcement and Fire Fighters Premium Pay Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS AS PREMIUM PAY FOR THEIR HEIGHTENED RISK DURING THE ONGOING FEDERAL COVID-19 PUBLIC HEALTH EMERGENCY, AS PROVIDED IN HOUSE BILL NO. 1427, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1542 was adopted.

YEAS AND NAYS On H. B. No. 1542. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the "COVID-19 Destination Marketing Organization Grant Program Fund" to the Department of Finance and Administration for the purposes described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 ..... \$ 30,000,000.00.

This additional appropriation is for the purpose of administering the "COVID-19 Destination Marketing Organization Grant Program" established in Senate Bill No. 2849, 2022 Regular Session. This program provides grants to Destination Marketing Organizations that support the tourism industry which was negatively impacted by the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. It is the intention of the Legislature that no funds appropriated under this act shall be used to pay employee premium payments.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the

reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds granted to the Destination Marketing Organizations (DMO) under this act, each DMO shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department and provided to them under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, the State Fiscal Officer may issue warrants up to one-third (1/3) of the funds which shall be paid upon the passage of this act and the remaining balance shall be paid upon the receipt of the Coronavirus State Fiscal Recovery Funds from the federal government; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "COVID-19 DESTINATION MARKETING ORGANIZATION GRANT PROGRAM" TO PROVIDE GRANTS TO DESTINATION MARKETING ORGANIZATIONS THAT

SUPPORT THE TOURISM INDUSTRY WHICH WAS NEGATIVELY IMPACTED BY THE COVID-19 PANDEMIC AS ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1518 was adopted.

YEAS AND NAYS On H. B. No. 1518. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of administering the State and School Employees' Life and Health Insurance Plan for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF ADMINISTERING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR THE FISCAL YEAR 2023.

Committee Amendment No. 1 to H. B. No. 1664 was adopted.

YEAS AND NAYS On H. B. No. 1664. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022 \$ 366,900,000.00.

This additional appropriation under this section is for the purpose of completing capital projects at state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

(a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;

(b) Prevention, mitigation, or other services in congregate living facilities and other key settings;

(c) Ventilation system installation and improvements;

(d) Capital investments in public facilities to implement COVID-19 mitigation tactics;

(e) Improvements to state parks due to increased use;

(f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose is expressly stated in this act.

SECTION 4. It is the intention of the Legislature that no funds appropriated under this act shall be used to pay employee premium payments.

SECTION 5. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Fifty-six Million Six Hundred Fifty Thousand Dollars (\$256,650,000.00) or so much thereof, shall be provided for capital projects at state-owned buildings or grounds occupied by the following state agencies or for the following purposes as cited herein:

(a) Any state-owned building as deemed

necessary by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management..... \$ 26,500,000.00  
 (b) The Department of Corrections..... \$ 80,000,000.00  
 (c) The Department of Mental Health ..... \$ 65,000,000.00  
 (d) The Department of Human Services  
 Oakley Youth Development Center ..... \$ 5,150,000.00  
 (e) State Department of Health for necessary capital investment to assist in responding to the public health emergency..... \$ 24,250,000.00  
 (f) The State Fire Academy ..... \$ 750,000.00  
 (g) To the entity that oversees the operations of state parks for the purpose of eligible water, wastewater, and stormwater projects ..... \$ 22,500,000.00  
 (h) To the entity that oversees the operations of state parks for the purpose of improvements to state parks due to increased use and to promote tourism..... \$ 32,500,000.00

SECTION 6. Of the funds appropriated under the provisions of Section 1 of this act, Seventy-seven Million Five Hundred Thousand Dollars (\$77,500,000.00) or so much thereof, shall be provided for capital projects at state-owned buildings or grounds occupied by the following Universities:

(a) Alcorn State University including Alcorn State University Agricultural Research, Extension, and Land-Grant Programs..... \$ 7,500,000.00  
 (b) Delta State University ..... \$ 8,000,000.00  
 (c) Center for Education and Research ..... \$ 2,000,000.00  
 (d) Jackson State University..... \$ 10,250,000.00  
 (e) Mississippi State University (MSU) including Mississippi Agricultural and Forestry Experiment Station, Mississippi Cooperative Extension Service, Forest and Wildlife Research Center, and College of Veterinary Medicine at MSU \$ 12,100,000.00  
 (f) Mississippi University for Women..... \$ 7,300,000.00  
 (g) Mississippi Valley State University ..... \$ 9,500,000.00  
 (h) University of Mississippi..... \$ 5,850,000.00  
 (i) University of Southern Mississippi including the Gulf Park Campus ..... \$ 5,500,000.00  
 (j) University of Mississippi Medical Center ..... \$ 9,500,000.00

SECTION 7. Of the funds appropriated under the provisions of Section 1 of this act, Thirty-two Million Seven Hundred Fifty Thousand Dollars (\$32,750,000.00) or so much thereof, shall be provided for capital projects at state-owned buildings or grounds occupied by the following Community Colleges:

(a) Coahoma Community College ..... \$ 2,500,000.00  
 (b) Copiah-Lincoln Community College ..... \$ 2,500,000.00  
 (c) East Central Community College ..... \$ 1,000,000.00  
 (d) East Mississippi Community College ..... \$ 1,000,000.00  
 (e) Hinds Community College ..... \$ 3,650,000.00  
 (f) Holmes Community College..... \$ 1,000,000.00  
 (g) Itawamba Community College ..... \$ 1,000,000.00  
 (h) Jones Community College ..... \$ 2,750,000.00  
 (i) Meridian Community College ..... \$ 1,000,000.00  
 (j) Mississippi Delta Community College ..... \$ 3,750,000.00  
 (k) Mississippi Gulf Coast Community

College.....	\$ 3,400,000.00
(i) Northeast Mississippi Community	
College.....	\$ 3,250,000.00
(m) Northwest Mississippi Community	
College.....	\$ 2,700,000.00
(n) Pearl River Community College .....	\$ 1,250,000.00
(o) Southwest Mississippi Community	
College.....	\$ 2,000,000.00

SECTION 8. (1) As used in this section and Section 9 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 9. (1) As a condition of receiving and expending the funds appropriated to each entity listed in Sections 5, 6, and 7 under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 10. The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a listing of the projects intended to be funded through this appropriation, the amount of funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, the State Fiscal Officer may issue warrants up to one-half (1/2) of the funds which shall be paid upon the passage of this act and the remaining balance shall be paid upon the receipt of the Coronavirus State Fiscal Recovery Funds from the federal government; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1665 was adopted.

YEAS AND NAYS On H. B. No. 1665. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the Tax Relief Act of 2022.

SECTION 2. Section 27-7-5, Mississippi Code of 1972, is amended as follows:

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every

resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be:

(i) Through calendar year 2026, four percent (4%);

(ii) For calendar year 2027, three percent (3%);

(iii) For calendar year 2028, two percent (2%);

(iv) For calendar year 2029, one percent (1%);

(v) For calendar year 2030 and all taxable years thereafter, there shall be no tax levied on taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof; and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be:

(i) Through calendar year 2022, five percent (5%) \* \* \*;

(ii) For calendar year 2023, four and nine-tenths percent (4.9%);

(iii) For calendar year 2024, four and eight-tenths percent (4.8%);

(iv) For calendar year 2025, four and seven-tenths percent (4.7%);

(v) For calendar year 2026 and all taxable years thereafter, four and six-tenths percent (4.6%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 3. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and pre-cut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(n) Retail sales of food or drink for human consumption eligible for purchase with food stamps issued by the United States Department of Agriculture or other federal agency shall be taxed at the rate of five percent (5%). This paragraph shall not affect the sales tax exemption provided in Section 27-65-111(o).

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 4. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half

percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14,

2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through August 15, 2022, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2022, and each succeeding month thereafter, six and twenty-two one-hundredths percent (6-22/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and seventeen one-hundredths percent (3.17%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this

chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33, and twelve and seventy one-hundredths percent (12.70%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created

under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism

Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 5. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this \* \* \* article shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess

of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and three and seventeen one-hundredths percent (3.17%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twelve and seventy one-hundredths percent (12.70%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created

in Section 27-67-35(1). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, \* \* \* One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before September 15, 2022, and each succeeding month thereafter, five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and seven percent (7%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13; however, if in any month the total amount of the diversion calculated from the percentages in the preceding clause is less than One Million Six Hundred Sixty-six Thousand Six Hundred

Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67), then the amount deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (g) for that month shall be One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67).

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 6. (1) Each taxpayer who filed a 2021 Form 80-105 Mississippi income tax return shall receive a rebate of five percent (5%) of his 2021 tax liability; however, the rebate shall be no less than One Hundred Dollars (\$100.00) per taxpayer and no more than One Thousand Dollars (\$1,000.00) per tax return.

(2) A special fund, to be designated the "2022 Income Tax Rebate Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be appropriated by the Legislature and used by the Department of Revenue to pay taxpayers entitled to income tax rebates under this section. Before July 1, 2024, amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. On July 1, 2024, any unobligated amounts remaining in the special fund shall be transferred to the State General Fund.

(3) If the monies appropriated or transferred by the Legislature to the 2022 Income Tax Rebate Fund are found to be insufficient to fund the rebate authorized in this section, the State Fiscal Officer shall transfer to the 2022 Income Tax Rebate Fund out of the Capital Expense Fund any additional amount necessary to fund the rebate.

SECTION 7. Section 27-55-11, Mississippi Code of 1972, is amended as follows:

27-55-11. Any person in business as a distributor of gasoline or who acts as a distributor of gasoline, as defined in this article, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax equal to Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, and Fourteen and Four-tenths Cents (14.4¢) per gallon thereafter, on all gasoline and blend stock stored, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, use on the highways, storage, distribution, or for any purpose.

Any person in business as a distributor of aviation gasoline, or who acts as a distributor of aviation gasoline, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax equal to Six and Four-tenths Cents (6.4¢) per gallon on all aviation gasoline stored, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, storage, distribution or for any purpose.

The excise taxes collected under this section shall be paid and distributed in accordance with Section 27-5-101.

The tax herein imposed and assessed shall be collected and paid to the State of Mississippi but once in respect to any gasoline. The basis for determining the tax liability shall be the correct invoiced gallons, adjusted to sixty (60) degrees Fahrenheit at the refinery or point of origin of shipment when such shipment is made by tank car or by motor carrier. The point of origin of shipment of gasoline transported into this state by pipelines shall be deemed to be that point in this state where such gasoline is withdrawn from the pipeline for storage or distribution, and adjustment to sixty (60) degrees Fahrenheit shall there be made. The basis for determining the tax liability on gasoline shipped into this state in barge cargoes and by pipeline shall be the actual number of gallons adjusted to sixty (60) degrees Fahrenheit unloaded into storage tanks or other containers in this state, such gallonage to be determined by measurement and/or gauge of storage tank or tanks or by any other method authorized by the commission. The tank or tanks into which barge cargoes of gasoline are discharged, or into which gasoline transported by pipeline is discharged, shall have correct gauge tables listing capacity, such gauge tables to be prepared by some recognized calibrating agency and to be approved by the commission.

The tax levied herein shall accrue at the time gasoline is withdrawn from a refinery in this state except when withdrawal is by pipeline, barge, ship or vessel. The refiner shall pay to the commission the tax levied herein when gasoline is sold or delivered to persons who do not hold gasoline distributor permits. The refiner shall report to the commission all sales and deliveries of gasoline to bonded distributors of gasoline. The bonded distributor of gasoline who purchases, receives or acquires gasoline from a refinery in this state shall report such gasoline and pay the tax levied herein.

Gasoline imported by common carrier shall be deemed to be received by the distributor of gasoline, and the tax levied herein shall accrue, when the car or tank truck containing such gasoline is unloaded by the carrier.

With respect to distributors or other persons who bring, ship, have transported, or have brought into this state gasoline by means other than through a common carrier, the tax accrues and the tax liability attaches on the distributor or other person for each gallon of gasoline brought into the state at the time when and at the point where such gasoline is brought into the state.

The tax levied herein shall accrue on blend stock at the time it is blended with gasoline. The blender shall pay to the commission the tax levied herein when blend stock is sold or delivered to persons who do not hold gasoline distributor permits. The blender shall report to the commission all sales and deliveries of blend stock to bonded distributors of gasoline. The bonded distributor of gasoline who purchases, receives or acquires blend stock from a blender in this state shall report blend stock and pay the tax levied herein.

The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of gasoline or aviation gasoline taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for gasoline or aviation gasoline for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 8. Section 27-55-519, Mississippi Code of 1972, is amended as follows:

27-55-519. (1) Any person engaged in business as a distributor of special fuel or who acts as a distributor of special fuel, as defined in this article, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax on all special fuel stored, used, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, storage, distribution or for any purpose, adjusted to sixty (60) degrees Fahrenheit.

The excise tax shall become due and payable when:

(a) Special fuel is withdrawn from storage at a refinery, marine or pipeline terminal, except when withdrawal is by barge or pipeline.

(b) Special fuel imported by a common carrier is unloaded by that carrier unless the special fuel is unloaded directly into the storage tanks of a refinery, marine or pipeline terminal.

(c) Special fuel imported by any person other than a common carrier enters the State of Mississippi unless the special fuel is unloaded directly into the storage tanks of a refinery, marine or pipeline terminal.

(d) Special fuel is blended in this state unless such blending occurs in a refinery, marine or pipeline terminal.

(e) Special fuel is acquired tax free.

(2) The special fuel excise tax shall be as follows:

(a) Eighteen Cents (18¢) per gallon on undyed diesel fuel until the date specified in Section 65-39-35 and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter;

(b) Five and Three-fourths Cents (5.75¢) per gallon on all special fuel except undyed diesel fuel and special fuel used as fuels in aircraft; and

(c) Five and One-fourth Cents (5.25¢) per gallon on special fuel used as fuel in aircraft.

(3) The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of special fuel taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for special fuel for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 9. Section 27-55-521, Mississippi Code of 1972, is amended as follows:

27-55-521. (1) An excise tax at the rate of Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, Mississippi Code of 1972, and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter is levied on any person engaged in business as a distributor of special fuel or who acts as such who sells:

(a) Special fuel for use in performing contracts for construction, reconstruction, maintenance or repairs, where such contracts are entered into with the State of Mississippi, any political subdivision of the State of Mississippi, or any department, agency, institution of the State of Mississippi or any political subdivision thereof.

(b) Dyed diesel fuel or kerosene to a state or local governmental entity for use on the highways in a motor vehicle.

(c) Special fuel for use on the highway.

(2) An excise tax at the rate of Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, Mississippi Code of 1972, and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter is levied on any person who:

(a) Uses dyed diesel fuel or kerosene in a motor vehicle on the highways of this state in violation of Section 27-55-539.

(b) Purchases or acquires undyed diesel fuel or kerosene for nonhighway use and subsequently uses such diesel fuel or kerosene in a motor vehicle on the highways of this state.

(c) Purchases or acquires special fuel for use in performing contracts as specified in this section.

(3) The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of special fuel taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for special fuel for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 10. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

Through February 1, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

## (d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of

the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including

extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid,

accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

From and after February 2, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on

loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided,

in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the

twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract

entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 11. Sections 7 through 9 of this act shall take effect and be in force from and after its passage. Section 10 of this act shall take effect and be in force from and after January 1, 2020. The remainder of this act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE TAX RELIEF ACT OF 2022; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PHASE DOWN TO 4.6%, AT A RATE OF 0.1% PER YEAR OVER A FOUR-YEAR PERIOD BEGINNING IN CALENDAR YEAR 2023, THE 5% INCOME TAX ON TAXABLE INCOME IN EXCESS OF \$10,000.00; TO PHASE OUT, AT A RATE OF 1% PER YEAR OVER A FOUR-YEAR PERIOD BEGINNING IN CALENDAR YEAR 2027, THE 4% INCOME TAX ON TAXABLE INCOME IN EXCESS OF \$5,000.00 UP TO AND INCLUDING \$10,000.00, OR ANY PART THEREOF; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY SHALL BE TAXED AT THE RATE OF 5%; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE USE TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM USE TAX IF PURCHASED WITH FOOD STAMPS; TO PROVIDE THAT EACH TAXPAYER WHO FILED A 2021 FORM 80-105 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A REBATE OF 5% OF HIS 2021 TAX LIABILITY; TO SPECIFY THAT THE REBATE SHALL BE NO LESS THAN \$100.00 PER TAXPAYER AND NO MORE THAN \$1,000.00 PER TAX RETURN; TO CREATE THE 2022 INCOME TAX REBATE FUND AS A SPECIAL FUND IN THE STATE TREASURY, TO CONTAIN MONIES APPROPRIATED BY THE LEGISLATURE, TO BE USED BY THE DEPARTMENT OF REVENUE TO PAY TAXPAYERS ENTITLED TO INCOME TAX REBATES UNDER THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE 2022 INCOME TAX REBATE FUND OUT OF THE CAPITAL EXPENSE FUND ANY ADDITIONAL AMOUNT OVER THE AMOUNT PROVIDED BY THE LEGISLATURE AS NECESSARY TO FUND THE REBATE; TO AMEND SECTIONS 27-55-11, 27-55-519 AND 27-55-521, MISSISSIPPI CODE OF 1972, TO PROVIDE A SIX-MONTH SUSPENSION OF THE EXCISE TAX ON GASOLINE AND SPECIAL FUEL; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Senator Harkins offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the Tax Relief Act of 2022.

SECTION 2. Section 27-7-5, Mississippi Code of 1972, is amended as follows:

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every

resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be:

(i) Through calendar year 2026, four percent (4%);

(ii) For calendar year 2027, three percent (3%);

(iii) For calendar year 2028, two percent (2%);

(iv) For calendar year 2029, one percent (1%);

(v) For calendar year 2030 and all taxable years thereafter, there shall be no tax levied on taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof; and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be:

(i) Through calendar year 2022, five percent (5%) \* \* \*;

(ii) For calendar year 2023, four and nine-tenths percent (4.9%);

(iii) For calendar year 2024, four and eight-tenths percent (4.8%);

(iv) For calendar year 2025, four and seven-tenths percent (4.7%);

(v) For calendar year 2026 and all taxable years thereafter, four and six-tenths percent (4.6%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 3. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(n) Retail sales of food or drink for human consumption eligible for purchase with food stamps issued by the United States Department of Agriculture or other federal agency shall be taxed at the rate of five percent (5%). This paragraph shall not affect the sales tax exemption provided in Section 27-65-111(o).

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 4. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half

percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter through August 15, 2022, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2022, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college, and twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14,

2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through August 15, 2022, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2022, and each succeeding month thereafter, six and twenty-two one-hundredths percent (6-22/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and seventeen one-hundredths percent (3.17%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this

chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33, and twelve and seventy one-hundredths percent (12.70%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created

under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism

Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 5. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter through August 15, 2022, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this \* \* \* article shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess

of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and three and seventeen one-hundredths percent (3.17%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter through August 15, 2022, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33. On or before September 15, 2022, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twelve and seventy one-hundredths percent (12.70%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created

in Section 27-67-35(1). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, \* \* \* fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before September 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and twenty-one percent (21%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, \* \* \* One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before September 15, 2022, and each succeeding month thereafter, five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, except that imposed and levied as a result of Section 27-65-17(1)(n), and seven percent (7%) of the total use tax revenue collected during the preceding month under the provisions of this article imposed and levied as a result of Section 27-65-17(1)(n), shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13; however, if in any month the total amount of the diversion calculated from the percentages in the preceding clause is less than One Million Six Hundred Sixty-six Thousand Six Hundred

Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67), then the amount deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (g) for that month shall be One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67).

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 6. (1) Each taxpayer who filed a 2021 Form 80-105 Mississippi income tax return shall receive a rebate of five percent (5%) of his 2021 tax liability; however, the rebate shall be no less than One Hundred Dollars (\$100.00) per taxpayer and no more than One Thousand Dollars (\$1,000.00) per tax return.

(2) A special fund, to be designated the "2022 Income Tax Rebate Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be appropriated by the Legislature and used by the Department of Revenue to pay taxpayers entitled to income tax rebates under this section. Before July 1, 2024, amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. On July 1, 2024, any unobligated amounts remaining in the special fund shall be transferred to the State General Fund.

(3) If the monies appropriated or transferred by the Legislature to the 2022 Income Tax Rebate Fund are found to be insufficient to fund the rebate authorized in this section, the State Fiscal Officer shall transfer to the 2022 Income Tax Rebate Fund out of the Capital Expense Fund any additional amount necessary to fund the rebate.

SECTION 7. Section 27-55-11, Mississippi Code of 1972, is amended as follows:

27-55-11. Any person in business as a distributor of gasoline or who acts as a distributor of gasoline, as defined in this article, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax equal to Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, and Fourteen and Four-tenths Cents (14.4¢) per gallon thereafter, on all gasoline and blend stock stored, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, use on the highways, storage, distribution, or for any purpose.

Any person in business as a distributor of aviation gasoline, or who acts as a distributor of aviation gasoline, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax equal to Six and Four-tenths Cents (6.4¢) per gallon on all aviation gasoline stored, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, storage, distribution or for any purpose.

The excise taxes collected under this section shall be paid and distributed in accordance with Section 27-5-101.

The tax herein imposed and assessed shall be collected and paid to the State of Mississippi but once in respect to any gasoline. The basis for determining the tax liability shall be the correct invoiced gallons, adjusted to sixty (60) degrees Fahrenheit at the refinery or point of origin of shipment when such shipment is made by tank car or by motor carrier. The point of origin of shipment of gasoline transported into this state by pipelines shall be deemed to be that point in this state where such gasoline is withdrawn from the pipeline for storage or distribution, and adjustment to sixty (60) degrees Fahrenheit shall there be made. The basis for determining the tax liability on gasoline shipped into this state in barge cargoes and by pipeline shall be the actual number of gallons adjusted to sixty (60) degrees Fahrenheit unloaded into storage tanks or other containers in this state, such gallonage to be determined by measurement and/or gauge of storage tank or tanks or by any other method authorized by the commission. The tank or tanks into which barge cargoes of gasoline are discharged, or into which gasoline transported by pipeline is discharged, shall have correct gauge tables listing capacity, such gauge tables to be prepared by some recognized calibrating agency and to be approved by the commission.

The tax levied herein shall accrue at the time gasoline is withdrawn from a refinery in this state except when withdrawal is by pipeline, barge, ship or vessel. The refiner shall pay to the commission the tax levied herein when gasoline is sold or delivered to persons who do not hold gasoline distributor permits. The refiner shall report to the commission all sales and deliveries of gasoline to bonded distributors of gasoline. The bonded distributor of gasoline who purchases, receives or acquires gasoline from a refinery in this state shall report such gasoline and pay the tax levied herein.

Gasoline imported by common carrier shall be deemed to be received by the distributor of gasoline, and the tax levied herein shall accrue, when the car or tank truck containing such gasoline is unloaded by the carrier.

With respect to distributors or other persons who bring, ship, have transported, or have brought into this state gasoline by means other than through a common carrier, the tax accrues and the tax liability attaches on the distributor or other person for each gallon of gasoline brought into the state at the time when and at the point where such gasoline is brought into the state.

The tax levied herein shall accrue on blend stock at the time it is blended with gasoline. The blender shall pay to the commission the tax levied herein when blend stock is sold or delivered to persons who do not hold gasoline distributor permits. The blender shall report to the commission all sales and deliveries of blend stock to bonded distributors of gasoline. The bonded distributor of gasoline who purchases, receives or acquires blend stock from a blender in this state shall report blend stock and pay the tax levied herein.

The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of gasoline or aviation gasoline taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for gasoline or aviation gasoline for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 8. Section 27-55-519, Mississippi Code of 1972, is amended as follows:

27-55-519. (1) Any person engaged in business as a distributor of special fuel or who acts as a distributor of special fuel, as defined in this article, shall pay for the privilege of engaging in such business or acting as such distributor an excise tax on all special fuel stored, used, sold, distributed, manufactured, refined, distilled, blended or compounded in this state or received in this state for sale, storage, distribution or for any purpose, adjusted to sixty (60) degrees Fahrenheit.

The excise tax shall become due and payable when:

(a) Special fuel is withdrawn from storage at a refinery, marine or pipeline terminal, except when withdrawal is by barge or pipeline.

(b) Special fuel imported by a common carrier is unloaded by that carrier unless the special fuel is unloaded directly into the storage tanks of a refinery, marine or pipeline terminal.

(c) Special fuel imported by any person other than a common carrier enters the State of Mississippi unless the special fuel is unloaded directly into the storage tanks of a refinery, marine or pipeline terminal.

(d) Special fuel is blended in this state unless such blending occurs in a refinery, marine or pipeline terminal.

(e) Special fuel is acquired tax free.

(2) The special fuel excise tax shall be as follows:

(a) Eighteen Cents (18¢) per gallon on undyed diesel fuel until the date specified in Section 65-39-35 and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter;

(b) Five and Three-fourths Cents (5.75¢) per gallon on all special fuel except undyed diesel fuel and special fuel used as fuels in aircraft; and

(c) Five and One-fourth Cents (5.25¢) per gallon on special fuel used as fuel in aircraft.

(3) The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of special fuel taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for special fuel for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 9. Section 27-55-521, Mississippi Code of 1972, is amended as follows:

27-55-521. (1) An excise tax at the rate of Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, Mississippi Code of 1972, and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter is levied on any person engaged in business as a distributor of special fuel or who acts as such who sells:

(a) Special fuel for use in performing contracts for construction, reconstruction, maintenance or repairs, where such contracts are entered into with the State of Mississippi, any political subdivision of the State of Mississippi, or any department, agency, institution of the State of Mississippi or any political subdivision thereof.

(b) Dyed diesel fuel or kerosene to a state or local governmental entity for use on the highways in a motor vehicle.

(c) Special fuel for use on the highway.

(2) An excise tax at the rate of Eighteen Cents (18¢) per gallon until the date specified in Section 65-39-35, Mississippi Code of 1972, and Fourteen and Three-fourths Cents (14.75¢) per gallon thereafter is levied on any person who:

(a) Uses dyed diesel fuel or kerosene in a motor vehicle on the highways of this state in violation of Section 27-55-539.

(b) Purchases or acquires undyed diesel fuel or kerosene for nonhighway use and subsequently uses such diesel fuel or kerosene in a motor vehicle on the highways of this state.

(c) Purchases or acquires special fuel for use in performing contracts as specified in this section.

(3) The tax levied in this section shall be suspended for six (6) months from the effective date of this act. A retailer of special fuel taxed under this section may seek a refund from the distributor for any taxes paid to the distributor for special fuel for which the tax is suspended. The distributor may claim a refund for such taxes from the department pursuant to emergency regulations promulgated by the department.

SECTION 10. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

Through February 1, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of

the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including

extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid,

accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

From and after February 2, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on

loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided,

in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the

twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract

entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 11. Sections 7 through 9 of this act shall take effect and be in force from and after its passage. Section 10 of this act shall take effect and be in force from and after January 1, 2020. The remainder of this act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE TAX RELIEF ACT OF 2022; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PHASE DOWN TO 4.6%, AT A RATE OF 0.1% PER YEAR OVER A FOUR-YEAR PERIOD BEGINNING IN CALENDAR YEAR 2023, THE 5% INCOME TAX ON TAXABLE INCOME IN EXCESS OF \$10,000.00; TO PHASE OUT, AT A RATE OF 1% PER YEAR OVER A FOUR-YEAR PERIOD BEGINNING IN CALENDAR YEAR 2027, THE 4% INCOME TAX ON TAXABLE INCOME IN EXCESS OF \$5,000.00 UP TO AND INCLUDING \$10,000.00, OR ANY PART THEREOF; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY SHALL BE TAXED AT THE RATE OF 5%; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE USE TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM USE TAX IF PURCHASED WITH FOOD STAMPS; TO PROVIDE THAT EACH TAXPAYER WHO FILED A 2021 FORM 80-105 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A REBATE OF 5% OF HIS 2021 TAX LIABILITY; TO SPECIFY THAT THE REBATE SHALL BE NO LESS THAN \$100.00 PER TAXPAYER AND NO MORE THAN \$1,000.00 PER TAX RETURN; TO CREATE THE 2022 INCOME TAX REBATE FUND AS A SPECIAL FUND IN THE STATE TREASURY, TO CONTAIN MONIES APPROPRIATED BY THE LEGISLATURE, TO BE USED BY THE DEPARTMENT OF REVENUE TO PAY TAXPAYERS ENTITLED TO INCOME TAX REBATES UNDER THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE 2022 INCOME TAX REBATE FUND OUT OF THE CAPITAL EXPENSE FUND ANY ADDITIONAL AMOUNT OVER THE AMOUNT PROVIDED BY THE LEGISLATURE AS NECESSARY TO FUND THE REBATE; TO AMEND SECTIONS 27-55-11, 27-55-519 AND 27-55-521, MISSISSIPPI CODE OF 1972, TO PROVIDE A SIX-MONTH SUSPENSION OF THE EXCISE TAX ON GASOLINE AND SPECIAL FUEL; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 531 was adopted.

Senator Bryan moved to reconsider the vote whereby Substitute for Committee Amendment No. 1 to **H. B. No. 531** was adopted by the Senate.

The foregoing motion failed.

YEAS AND NAYS On H. B. No. 531. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Caughman, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Carter. Total--1.

Senator Horhn, who would have voted nay on H. B. No. 531, announced a pair with Senator Chassaniol, who would have voted yea.

Senator Harkins called up the following entitled bill:

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Eligible taxpayer" means any railroad that is classified by the United States Surface Transportation Board as a Class II or Class III railroad.

(b) "Eligible transferee" means any taxpayer having a liability for taxes under this chapter.

(c) "Qualified railroad reconstruction or replacement expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad infrastructure, including track, roadbed, bridges, industrial leads and sidings, and track-related structures owned or leased by a Class II or Class III railroad in Mississippi as of January 1, 2022.

(d) "Qualified new rail infrastructure expenditures" means gross expenditures for new construction of industrial leads, switches, spurs and sidings and extensions of existing sidings, for serving new customer locations or expansions in Mississippi, by a Class II or Class III railroad located in Mississippi.

(2) Subject to the provisions of this section, an eligible taxpayer making qualified railroad reconstruction or replacement expenditures shall be allowed a credit against the taxes imposed under this chapter. The credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified railroad reconstruction or replacement expenditures for the taxable year or the product of Five Thousand Dollars (\$5,000.00) multiplied by the number of miles of railroad track owned or leased within the State of Mississippi by the eligible taxpayer as of the close of the taxable year. For qualified new rail infrastructure expenditures, the credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified new rail infrastructure expenditures for the taxable year, capped at One Million Dollars (\$1,000,000.00) per new rail-served customer project. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the taxable year in which the credit was earned. The aggregate amount of credits that may be claimed by all taxpayers claiming a credit under this section during a calendar year shall not exceed Eight Million Dollars (\$8,000,000.00). In addition, an eligible taxpayer

may transfer by written agreement any unused tax credit to an eligible transferee at any time during the year in which the credit is earned and the five (5) years following the taxable year in which the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures are made. The eligible taxpayer and the eligible transferee must jointly file a copy of the written transfer agreement with the Department of Revenue within thirty (30) days of the transfer. The written agreement must contain the: (a) name, address, and taxpayer identification number of the parties to the transfer; (b) taxable year the eligible taxpayer incurred the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures; (c) amount of credit being transferred; and (d) taxable year or years for which the credit may be claimed by the eligible transferee.

SECTION 2. Section 1 of this act shall be codified as a new section in Title 27, Chapter 7, Mississippi Code of 1972.

SECTION 3. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 4. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

Through February 1, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing

tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation

associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

From and after February 2, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a

condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component

member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance

Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 5. Section 4 of this act shall take effect and be in force from and after January 1, 2020. The remainder of this act shall take effect and be in force from and after January 1, 2022, and shall stand repealed on December 31, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND FOR CERTAIN NEW RAIL INFRASTRUCTURE EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1108 was adopted.

YEAS AND NAYS On H. B. No. 1108. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Harkins called up the following entitled bill:

**H. B. No. 1530:** Bonds; authorize issuance for the Water Pollution Control Revolving Fund.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00); however, not more than Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00) of such bonds may be issued to match the annual CWSRF appropriations and not more than One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of such bonds may be issued to match the supplemental IIJA appropriations.

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same

effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall

become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, Section 16 of Chapter 492, Laws of 2020, \* \* \* Section 137 of Chapter 480, Laws of 2021, and Section 1 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a

period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

SECTION 3. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer

in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the

amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), and for calendar year 2022, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2022, and for each calendar year thereafter, of the amount of tax credits that may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, fifteen percent (15%) of the tax credits shall be available solely for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii)2; however, any such tax credits not allocated before April 1 of a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii)1 of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than five percent (5%) of such credits may be allocated for contributions to a single eligible charitable organization. However, for calendar year 2022, of the additional amount of tax credits authorized under this section, as amended by Chapter 480, Laws of 2021, for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, Two Million Dollars (\$2,000,000.00) of the tax credits shall be available solely for allocation for contributions to Magnolia Speech School; however, any such tax credits not allocated before April 1,

2022, may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,490,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO PROVIDE THAT NOT MORE THAN \$2,870,000.00 OF SUCH BONDS MAY BE ISSUED TO MATCH THE ANNUAL CLEAN WATER STATE REVOLVING FUND APPROPRIATIONS AND THAT NOT MORE THAN \$1,620,000.00 OF SUCH BONDS MAY BE ISSUED TO MATCH THE SUPPLEMENTAL INFRASTRUCTURE AND INVESTMENT JOBS ACT APPROPRIATIONS; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1530 was adopted.

YEAS AND NAYS On H. B. No. 1530. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Carter. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall apply to every section of this act that relates to the issuance of bonds unless otherwise provided in this act.

(2) As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

- (a) "State" means the State of Mississippi.
- (b) "Commission" means the State Bond Commission.

(3) The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (1) of the applicable section of this act. The proceeds of such bonds shall be disbursed from the special fund under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof. As used in this section, the "accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (a) the stated

initial value of such bond, plus (b) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(16) This act shall be deemed to be full and complete authority for the exercise of the powers granted in this act that relate to the issuance of bonds, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state that relates to the issuance of bonds.

SECTION 2. (1) (a) (i) A special fund, to be designated as the "2022 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,040,000.00

Preplanning for repair,  
 renovation, and  
 expansion of and upgrades  
 and improvements to the  
 David L. Whitney Complex  
 and Wellness Center; campus  
 safety and security project,  
 including open space  
 development, sprinkler  
 systems for dormitories,  
 security camera  
 installation, card access  
 systems, street lighting,  
 and emergency kiosks; and  
 repair, renovation and

upgrading of campus

infrastructure.....\$ 1,040,000.00

Repair and renovation of

and upgrades and

improvements to the Math

and Science Building.....\$ 4,000,000.00

Delta State University..... \$ 5,640,000.00

Repair, renovation and

replacement of and

upgrades and

improvements to HVAC systems

and related equipment and

infrastructure.....\$ 3,937,500.00

Repair and renovation

for ADA compliance

for the Bologna Performing

Arts Center.....\$ 1,702,500.00

Jackson State University..... \$ 12,000,000.00

Construction, furnishing

and equipping of a new

dining facility and

related facilities.....\$ 12,000,000.00

Mississippi State University..... \$ 14,680,000.00

Repair, renovation, construction,

acquisition of property, furnishing

and equipping of related

facilities to house the

College of Architecture,

Art and Design.....\$ 14,680,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... \$ 9,610,000.00

Repair and renovation

of and upgrades and

improvements to

Dorman Hall and

related facilities.....\$ 9,610,000.00

Mississippi University for Women ..... \$ 2,500,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,500,000.00

Mississippi Valley State University..... \$ 10,200,000.00

Repair, renovation,

furnishing and

equipping of the

Charles Lackey

Recreation Center.....\$ 10,200,000.00

University of Mississippi ..... \$ 5,500,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....\$ 4,500,000.00

Preplanning for

construction,

furnishing and

equipping of a

new building and

related facilities

to house the School	
of Accountancy.....\$	1,000,000.00
University of Mississippi Medical Center.....	\$ 8,000,000.00
Repair, renovation,	
and upgrading of	
campus buildings	
and facilities.....\$	8,000,000.00
University of Southern Mississippi .....	\$ 11,000,000.00
Construction, furnishing	
and equipping of a new	
science research facility...\$	11,000,000.00
IHL Education and Research Center .....	\$ 1,400,000.00
Repair and replacement of	
chillers and related	
equipment for the campus	
air conditioning and	
heating system.....\$	1,400,000.00
TOTAL .....	\$ 85,570,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for

a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Eighty-five Million Five Hundred Seventy Thousand Dollars (\$85,570,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 3. (1) (a) (i) A special fund, to be designated as the "2022 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1,625,092.00
Copiah-Lincoln .....	1,896,610.00
East Central.....	1,788,344.00

East Mississippi.....	2,069,283.00
Hinds.....	3,835,672.00
Holmes.....	2,710,687.00
Itawamba.....	2,451,082.00
Jones.....	2,302,608.00
Meridian.....	1,892,071.00
Mississippi Delta.....	1,705,028.00
Mississippi Gulf Coast.....	3,415,612.00
Northeast Mississippi.....	2,199,052.00
Northwest Mississippi.....	2,860,867.00
Pearl River.....	2,559,381.00
Southwest Mississippi.....	1,688,611.00
GRAND TOTAL.....	\$35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Thirty-five

Million Dollars (\$35,000,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 4. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

		AMOUNT
NAME	PROJECT	ALLOCATED
Alcorn State University .....		\$ 5,675,000.00
	Phase I of repair and	
	renovation of and	
	upgrades and improvements	
	to campus dormitories.....	\$ 5,675,000.00
Delta State University .....		\$ 10,800,000.00
	Renovation and expansion	
	of and upgrades,	

improvements and additions  
to the Robert E. Smith  
School of Nursing  
Building and related  
facilities.....\$ 7,800,000.00

Repair, renovation  
and upgrading of  
campus buildings  
and facilities.....\$ 3,000,000.00

Jackson State University ..... \$ 6,500,000.00

Phase III of repair,  
renovation and  
upgrading of campus  
buildings, facilities,  
and infrastructure.....\$ 6,000,000.00

Preplanning for  
construction, furnishing  
and equipping of a new  
dining facility and  
related facilities.....\$ 500,000.00

Mississippi State University ..... \$ 15,000,000.00

\* \* \* Repair, renovation,  
construction, acquisition  
of property, furnishing  
and equipping of \* \* \*  
related facilities to  
house the College of  
Architecture, Art  
and Design.....\$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... \$ 8,000,000.00

Repair and renovation of

and upgrades and

improvements to Dorman Hall

and related facilities.....\$ 8,000,000.00

Mississippi University for Women ..... \$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,750,000.00

Mississippi Valley State University..... \$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....\$ 500,000.00

University of Mississippi ..... \$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....\$ 12,000,000.00

University of Mississippi Medical Center..... \$ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 8,000,000.00

University of Southern Mississippi ..... \$ 10,750,000.00

Repair and renovation

of Hickman Hall and  
related facilities.....\$ 10,000,000.00

Preplanning and  
construction, furnishing  
and equipping of a new  
science research facility...\$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses..... \$ 5,800,000.00

Construction, furnishing  
and equipping of  
Executive Education  
and Conference Center  
and related facilities  
on the Gulf Park  
Campus.....\$ 4,800,000.00

Repair, renovation  
life safety, and  
ADA code upgrades,  
furnishing and equipping  
of campus buildings  
and facilities  
at the Gulf Coast  
Research Laboratory,  
Halstead Campus.....\$ 1,000,000.00

IHL Education and Research Center ..... \$ 600,000.00

Planning, repair, renovation,  
life safety and ADA code  
upgrades of buildings,  
facilities and infrastructure,

including the Paul B. Johnson

Tower, Edsel E. Thrash

Universities Center and

the Mississippi Public

Broadcasting Building.....\$ 600,000.00

TOTAL ..... \$ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act

as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the

Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 5. Sections 6 through 20, Chapter 521, Laws of 1995, as amended by Section 17, Chapter 503, Laws of 2003, as amended by Section 2, Chapter 477, Laws of 2004, as amended by Section 2, Chapter 456, Laws of 2006, as amended by Section 3, Chapter 492, Laws of 2008, as amended by Section 47, Chapter 533, Laws of 2010, as amended by Section 13, Chapter 480, Laws of 2011, as amended by Section 35, Chapter 569, Laws of 2013, as amended by Section 8, Chapter 452, Laws of 2018, as amended by Section 12, Chapter 454, Laws of 2019, as amended by Section 25, Chapter 492, Laws of 2020, are amended as follows:

Section 6. The board created in Section 41-3-16, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred by the board in constructing new water systems or repairing existing water systems described in Section 41-3-16. Upon the adoption of a resolution by the board declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the board shall deliver a certified copy of its resolution or resolutions to the State Bond Commission. Upon receipt of such resolution, the State Bond Commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the tax exempt or taxable bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The amount of bonds issued under Sections 6 through 20 of this act shall not exceed \* \* \* Forty-one Million Two Hundred Ninety-three Thousand Dollars (\$41,293,000.00), the proceeds of which shall be deposited in the revolving fund and Five Million Dollars (\$5,000,000.00), the proceeds of which shall be deposited in the emergency fund.

Section 7. The principal of and interest on the bonds authorized under Section 6 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the State Bond Commission.

Section 8. The bonds authorized by Section 6 of this act shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be affixed thereto, attested by the Secretary of the State Bond Commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had

been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 9. All bonds and interest coupons issued under the provisions of Sections 6 through 20 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by Sections 6 through 20 of this act, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 10. The State Bond Commission shall act as the issuing agent for the bonds authorized under Sections 6 through 20 of this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 6 through 20 of this act from the proceeds derived from the sale of the bonds. The State Bond Commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of Sections 6 through 20 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 11. The bonds issued under the provisions of Sections 6 through 20 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 12. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 6 through 20 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest on the bonds, on their due dates.

Section 13. Upon the issuance and sale of bonds under the provisions of Sections 6 through 20 of this act, the State Bond Commission shall transfer the proceeds of any sale or sales of bonds to the revolving fund and the emergency fund in the amounts specified in Section 6 of this act. After such transfer, all investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the revolving fund and the emergency fund, and shall be used only for the purposes established in Section 41-3-16. The proceeds of such bonds shall be disbursed solely upon the order

of the board created in Section 1 of this act under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 14. The bonds authorized under Sections 6 through 20 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 6 through 20 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 6 through 20 of this act shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

Section 15. The bonds authorized under the authority of Sections 6 through 20 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 16. Any holder of bonds issued under the provisions of Sections 6 through 20 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights granted under Sections 6 through 20 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 6 through 20 of this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 17. All bonds issued under the provisions of Sections 6 through 20 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 18. Bonds issued under the provisions of Sections 6 through 20 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 19. The proceeds of the bonds issued under the provisions of Sections 6 through 20 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 20. Sections 6 through 20 of this act shall be deemed to be full and complete authority for the exercise of the powers granted, but Sections 6 through 20 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 6. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this

section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-5-145, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 7. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) \* \* \* Fifty-six Million Fifty Thousand Dollars (\$56,050,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must

be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 8. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized

to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00); however, not more than Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00) of such bonds may be issued to match the annual CWSRF appropriations and not more than One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of such bonds may be issued to match the supplemental IJA appropriations.

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, Section 16 of Chapter 492, Laws of 2020, \* \* \* Section 137 of Chapter 480, Laws of 2021, and Section 8 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

SECTION 10. Section 18, Chapter 492, Laws of 2020, is amended as follows:

Section 18. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the grant program authorized in Section 19 of

this act. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Three Million Dollars (\$3,000,000.00). No bonds authorized under this section shall be issued after July 1, 2024.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Dam Safety Fund created pursuant to \* \* \* Section 19, Chapter 492, Laws of 2020. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Dam Safety Fund created in \* \* \* Section 19, Chapter 492, Laws of 2020. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. (1) The provisions of this section shall apply to every section of this act that relates to the issuance of bonds unless otherwise provided in this act.

(2) As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "State" means the State of Mississippi.

(b) "Commission" means the State Bond Commission.

(3) The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the

bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (1) of Section 12 of this act. The proceeds of such bonds shall be disbursed from the special fund under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be

legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof. As used in this section, the "accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (a) the stated initial value of such bond, plus (b) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(16) This act shall be deemed to be full and complete authority for the exercise of the powers granted in this act that relate to the issuance of bonds, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state that relates to the issuance of bonds.

SECTION 12. (1) (a) (i) A special fund, to be designated as the "2022 Tate County - Erosion Control and Repair Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Environmental Quality, to assist Tate County, Mississippi, in paying costs associated with ditch erosion control, repair and rehabilitation along and near the project described in Section 27-104-301(2)(mm), Mississippi Code of 1972, and on property located along and near such project, including, but not limited to, creation of detention areas along ditches, replacement of drainage structures along ditches, rock stabilization at downstream ends of ditches and reestablishing vegetative cover on all disturbed areas.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of

any part or all of the general obligation bonds authorized by this section, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 11(6) of this act. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 11 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 13. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Building Fund for the Arts created pursuant to Section 39-11-13, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Building Fund for the Arts created pursuant to Section 39-11-13, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Building Fund for the Arts created in Section 39-11-13, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-11-13, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall

become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 14. Section 39-11-13, Mississippi Code of 1972, is amended as follows:

39-11-13. (1) (a) A special fund, to be designated as the "Building Fund for the Arts," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any money designated for deposit therein from any source, including, but not limited to, any state general obligation bonds issued for the purposes described in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Money deposited into the fund shall be disbursed, in the discretion of the Mississippi Arts Commission, to provide grants to nonprofit organizations that are

qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code and units of local government to pay the costs of:

(i) Repair, upgrading, expansion, renovation or enhancement of existing buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities;

(ii) Construction of new buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities; or

(iii) The development, construction, equipping and furnishing of an entertainment and film center and museum and completion of a sound stage project.

Two Hundred Thousand Dollars (\$200,000.00) of the monies in the fund shall be used to provide grant funds for the establishment of a band and music program for a nonprofit organization in this state that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(c) The entity to which such grants are made shall provide matching funds from local, federal or private sources equal to forty percent (40%) of the proposed project cost in order to be eligible for a grant under this section.

(d) The maximum aggregate amount of monies in the special fund that may be used to provide grant funds to an entity or combination of entities under paragraph (b)(iii) of this subsection shall not exceed One Million Dollars (\$1,000,000.00), and no monies in the special fund may be used to provide grant funds under paragraph (b)(iii) of this subsection after July 1, 2003. The maximum aggregate amount of grant funds that may be provided to an entity or combination of entities under paragraph (b)(iii) of this subsection during a fiscal year shall not exceed Five Hundred Thousand Dollars (\$500,000.00).

(2) (a) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in the special fund are derived from proceeds of bonds issued under Sections 3 through 18 of Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of 2002, as amended by Chapter 519, Laws of 2003, as amended by Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by Chapter 538, Laws of 2006, as amended by Section 1 of Chapter 607, Laws of 2007, and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Mississippi Arts Commission shall provide an accounting of such unused monies to the State Bond Commission.

(b) [Repealed]

(3) The Mississippi Arts Commission is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of money deposited into the special fund shall be under the direction of the Mississippi Arts Commission, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration upon request of the Mississippi Arts Commission, which warrants shall be issued upon requisitions signed by the Executive Director of the Mississippi Arts Commission, or his or her designee.

(4) The Mississippi Arts Commission shall adopt necessary rules and regulations to govern the administration of the program described in subsection (1) of this section, including, but not limited to, rules and regulations governing applications for grants and rules and regulations providing for the distribution of grant funds. The Mississippi Arts

Commission shall comply with the provisions of the Mississippi Administrative Procedures Law.

SECTION 15. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear.

However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 16. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-701. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance

and sale of such bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Site Development Grant Fund created pursuant to Section 57-1-701. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment

and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Site Development Grant Fund created in Section 57-1-701. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

( \* \* \*c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property; \* \* \*

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned \* \* \*;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

( \* \* \*d) "MDA" means the Mississippi Development Authority.

( \* \* \*e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, \* \* \* Section 8 of Chapter 480, Laws of 2021, or Section 16 of this act may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

- (i) A description of the eligible expenditures for which assistance is requested;
- (ii) The amount of assistance requested;
- (iii) The amount and type of matching funds to be provided by the eligible entity; and
- (iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 18. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of \* \* \* Four Hundred Seven Million Five Hundred Thousand Dollars (\$407,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 19. Section 57-61-36, Mississippi Code of 1972, is amended as follows:

57-61-36. (1) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Fourteen Million Five Hundred Thousand Dollars (\$14,500,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants to municipalities through a Development Infrastructure Grant Fund to complete infrastructure related to new or expanded industry.

(2) [Repealed]

(3) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize the monies transferred from the Housing Development Revolving Loan Fund and not more than \* \* \* One Hundred Fourteen Million One Hundred Thousand Dollars (\$114,100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants or loans to municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements as determined by the Mississippi Development Authority, the purchase of equipment and in the purchase, construction or repair and renovation of public facilities. Any bonds previously issued for the Development Infrastructure Revolving Loan Program which have not been loaned or applied for are eligible to be administered as grants or loans. In making grants and loans under this section, the Mississippi Development Authority shall attempt to provide for an equitable distribution of such grants and loans among each of the congressional districts of this state in order to promote economic development across the entire state.

The requirements of Section 57-61-9 shall not apply to any grant made under this subsection. The Mississippi Development Authority may establish criteria and guidelines to govern grants made pursuant to this subsection.

(4) [Repealed]

(5) (a) The Mississippi Development Authority may establish a Capital Access Program and may contract with any financial institution to participate in the program upon such terms and conditions as the authority shall consider necessary and proper. The Mississippi Development Authority may establish loss reserve accounts at financial institutions that participate in the program and require payments by the financial institution and the borrower to such loss reserve accounts. All monies in such loss reserve accounts is the property of the Mississippi Development Authority.

(b) Under the Capital Access Program a participating financial institution may make a loan to any borrower the Mississippi Development Authority determines to be qualified under rules and regulations adopted by the authority and be protected against losses from such loans as provided in the program. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit claims for the reimbursement for losses incurred as a result of default on loans by qualified borrowers.

(c) Under the Capital Access Program a participating financial institution may make a loan that is secured by the assignment of the proceeds of a contract between the borrower and a public entity if the Mississippi Development Authority determines the loan to be qualified under the rules and regulations adopted by the authority. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit an application to the authority requesting that a loan secured pursuant to this paragraph be funded under the Capital Access Program.

(d) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority may utilize not more than One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making payments to loan loss reserve accounts established at financial institutions that participate in the Capital Access Program established by the Mississippi Development Authority; however, any portion of the bond proceeds authorized to be utilized by this paragraph that are not utilized for making payments to loss reserve accounts may be utilized by the Mississippi Development Authority to advance funds to financial institutions that participate in the Capital Access Program pursuant to paragraph (c) of this subsection.

(6) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Hundred Thousand Dollars (\$200,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the

purpose of assisting Warren County, Mississippi, in the continuation and completion of the study for the proposed Kings Point Levee.

(7) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of developing a long-range plan for coordinating the resources of the state institutions of higher learning, the community and junior colleges, the Mississippi Development Authority and other state agencies in order to promote economic development in the state.

(8) Notwithstanding any other provision of this chapter to the contrary, the Mississippi Development Authority shall use not more than One Hundred Fifty Thousand Dollars (\$150,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of providing assistance to municipalities that have received Community Development Block Grant funds for repair, renovation and other improvements to buildings for use as community centers. Assistance provided to a municipality under this subsection shall be used by the municipality to match such Community Development Block Grant funds. The maximum amount of assistance that may be provided to a municipality under this subsection shall not exceed Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(9) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Million Dollars (\$2,000,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting in paying the costs of constructing a new spillway and related bridge and dam structures at Lake Mary in Wilkinson County, Mississippi, including construction of a temporary dam and diversion canal, removing existing structures, removing and stockpiling riprap, spillway construction, dam embankment construction, road access, constructing bridges and related structures, design and construction engineering and field testing.

(10) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting the City of Holly Springs, Mississippi, in providing water and sewer and other infrastructure services in the Marshall, Benton and Tippah Counties area.

SECTION 20. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, \*\*\* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed \* \* \* Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars

(\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(w) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such

registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by

the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of

the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed \* \* \* Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e) and (f) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the

escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of

delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County,

Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority

Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 21. Section 65-4-25, Mississippi Code of 1972, is amended as follows:

65-4-25. The Mississippi Development Authority, acting through its executive director, is authorized, at one time or from time to time, to declare by resolution the necessity for issuance of negotiable general obligation bonds of the State of Mississippi to provide funds for the Economic Development Highway Fund established in Section 65-4-15, Mississippi Code of 1972. Upon the adoption of a resolution by the Executive Director of the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, the executive director shall deliver a certified copy of his resolution or resolutions to the State Bond Commission. Upon receipt of the resolution, the State Bond Commission, in its discretion, shall act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The principal amount of bonds issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not exceed \* \* \* Three Hundred Ninety-eight Million Five Hundred Thousand Dollars (\$398,500,000.00) in the aggregate. However, an additional amount of bonds may be

issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, in an amount not to exceed Seven Million Dollars (\$7,000,000.00), and the proceeds of any such additional bonds issued shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972. An additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, in an amount not to exceed One Million Dollars (\$1,000,000.00), the proceeds of which shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(v).

SECTION 22. Section 25, Chapter 533, Laws of 2010, as amended by Section 4, Chapter 30, Laws of 2010 Second Extraordinary Session, as amended by Section 1, Chapter 301, Laws of 2011, as amended by Section 6, Chapter 480, Laws of 2011, as amended by Section 1, Chapter 1, Laws of 2011 First Extraordinary Session, as amended by Section 8, Chapter 421, Laws of 2019, as amended by Section 14, Chapter 480, Laws of 2021, is amended as follows:

Section 25. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-221. Upon the adoption of a resolution by the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Five Hundred Fourteen Million Dollars (\$514,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Industry Incentive Financing Revolving Fund created pursuant to Section 57-1-221. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 23. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES;

TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR MISSISSIPPI STATE UNIVERSITY MAY BE USED; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2019, TO INCREASE FROM \$36,843,000 TO \$41,293,000 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,490,000 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO PROVIDE THAT NOT MORE THAN \$2,870,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE ANNUAL CLEAN WATER STATE REVOLVING FUND APPROPRIATIONS AND THAT NOT MORE THAN \$1,620,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE SUPPLEMENTAL INFRASTRUCTURE AND INVESTMENT JOBS ACT APPROPRIATIONS; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND"; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH DITCH EROSION CONTROL, REPAIR AND REHABILITATION IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE BUILDING FUND FOR THE ARTS; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$50,000,000 FOR THE ACE FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO, AND TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$80,000,000 TO \$83,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO EXTEND THE REPEALER ON THE PROVISIONS THAT AUTHORIZE THE STATE BOND COMMISSION TO NEGOTIATE THE SALE OF BONDS ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND

SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1663 was adopted.

YEAS AND NAYS On H. B. No. 1663. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Carter. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1665:** Pregnancy Resource Act; create.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of

the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual

dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than fifty percent (50%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,
2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their

ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), and for calendar year 2022, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2022, and for each calendar year thereafter, of the amount of tax credits that may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, fifteen percent (15%) of the tax credits shall be available solely for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii)2; however, any such tax credits not allocated before April 1 of a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii)1 of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five

percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than five percent (5%) of such credits may be allocated for contributions to a single eligible charitable organization. However, for calendar year 2022, of the additional amount of tax credits authorized under this section, as amended by Chapter 480, Laws of 2021, for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, Two Million Dollars (\$2,000,000.00) of the tax credits shall be available solely for allocation for contributions to Magnolia Speech School; however, any such tax credits not allocated before April 1, 2022, may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section.

SECTION 3. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws, insurance premium tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws, insurance premium tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 4. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

Through February 1, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free

bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation

associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

From and after February 2, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a

condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component

member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance

Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 5. Section 4 of this act shall take effect and be in force from and after January 1, 2020. The remainder of this act shall take effect and be in force from and after January 1, 2022, and shall stand repealed on December 31, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE PREGNANCY RESOURCE ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THAT CONTRIBUTIONS FOR WHICH TAX CREDITS ARE CLAIMED UNDER THIS ACT MAY NOT BE USED AS DEDUCTIONS FOR STATE TAX PURPOSES; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR THE TAX CREDIT AUTHORIZED BY THIS ACT; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1685 was adopted.

YEAS AND NAYS On H. B. No. 1685. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter. Total--1.

Voting Present--Horhn, Turner-Ford. Total--2.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1687:** Children's Promise Act; revise certain provisions.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.41, Mississippi Code of 1972, is amended as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,
2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting agency and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an

amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is

allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), and for calendar year 2022, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed \* \* \* Twenty Million Dollars (\$20,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. \* \* \* For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than \* \* \* three and one-half percent (3-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization. \* \* \*

SECTION 2. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

Through February 1, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a

reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market

value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there

shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance

Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

From and after February 2, 2022, this section shall read as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of

some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal

Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard

deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 3. Section 2 of this act shall take effect and be in force from and after January 1, 2020. The remainder of this act shall take effect and be in force from and after January 1, 2022, and shall stand repealed on December 31, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION DURING A CALENDAR YEAR; TO DELETE PROVISIONS THAT REQUIRE A CERTAIN PORTION OF TAX CREDITS THAT MAY BE ALLOCATED UNDER THIS SECTION TO BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO REVISE THE PERCENTAGE OF TAX CREDITS THAT MAY BE ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Senator Harkins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 36 by striking "3" and inserting in lieu thereof "4"

FURTHER, AMEND on line 88 by inserting "annually" before "provide"

FURTHER, AMEND on lines 88, 90 and 110 by inserting the following after "charitable organization":

or educational services charitable organization

FURTHER, AMEND on lines 93-94 by striking "The organization" and inserting in lieu thereof the following:

An eligible charitable organization or educational services charitable organization

FURTHER, AMEND on line 96 by inserting the following after "charitable organization's":

or educational services charitable organization's

FURTHER, AMEND by inserting the following below line 105:

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and other purposes described in this section;

FURTHER, AMEND on line 106 by striking "c" and inserting in lieu thereof "d"

FURTHER, AMEND on line 114 by inserting the following after "charitable organizations":

and educational services charitable organizations

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1687 was adopted.

Senator Boyd offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following language below line 53:

(c) "Education program" means a program operated by a Mississippi public school and exclusively serving one or more students with an educational plan developed under an individualized Education Program (IEP) pursuant to the individuals with Disabilities Education Act (IDEA).

AMEND by inserting the following language below line 195:

(10) In addition to all other credits authorized in this section, there shall be allowed a tax credit, under the same terms as provided in subsection (2)(a) of this section for contributions to eligible charitable organizations, for contributions to an education program in an aggregate amount not to exceed Five Million Dollars (\$5,000,000.00) during a calendar year.

FURTHER, AMEND the title to conform.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1687 was adopted.

Senators Hickman, Blount and Simmons D. T. (12th) offered the following AMENDMENT NO. 3 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 27-28 by striking the colon and the "(i)" and consolidating the lines.

AMEND by striking lines 38 through 53.

FURTHER, AMEND the title to conform.

Amendment No. 3 to Committee Amendment No. 1 to H. B. No. 1687 failed.

Committee Amendment No. 1 as amended to H. B. No. 1687 was adopted.

YEAS AND NAYS On H. B. No. 1687. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Blackmon, Blackwell, Boyd, Branning, Bryan, Butler K. (38th), Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Parks, Polk, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Barnett, Blount, Butler A. (36th), Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--11.

Absent and those not voting--Carter. Total--1.

Voting Present--Barrett, DeBar, Hopson, McLendon, McMahan, Seymour, Turner-Ford. Total--7.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) (a) For calendar year 2022, and for each calendar year thereafter, any partnership, S corporation or similar pass-through entity may elect to be taxed as an electing pass-through entity and pay the tax imposed under this chapter at the entity level. For the purposes of this section, the term "electing pass-through entity" means a partnership, S corporation or similar pass-through entity that has made an election pursuant to this section.

(b) A partnership, S corporation or similar pass-through entity desiring to be taxed as an electing pass-through entity shall submit the appropriate form to the Department of Revenue at any time during the tax year or on or before the fifteenth day of the third month following the close of that taxable year for which the entity elects to be taxed as an electing pass-through entity. This election shall be binding for that taxable year and all taxable years thereafter and shall not be revoked unless the electing pass-through entity submits the appropriate form to the department at any time during a subsequent taxable year or on or before the fifteenth day of the third month following the close of that taxable year for which the entity elects to no longer be taxed as an electing pass-through entity. Both the election to become an electing pass-through entity and the

revocation of that election shall be accomplished by a vote by or written consent of the members of the governing body of the entity as well as a vote by or written consent of the owners, members, partners or shareholders holding greater than fifty percent (50%) percent of the voting control of the entity, within the time prescribed in this subsection.

(c) Each owner, member, partner or shareholder of an electing pass-through entity shall report his or her pro rata or distributive share of the income of the electing pass-through entity but shall not be liable for the tax imposed under this chapter on such pro rata or distributive share of the income of the electing pass-through entity. Each owner, member, partner or shareholder of an electing pass-through entity shall be allowed a credit against the taxes imposed under this chapter in an amount equal to his or her pro rata or distributive share of tax paid by the electing pass-through entity with respect to the corresponding taxable year.

(2) The adjusted basis of the owners, members or partners of an electing pass-through entity in their ownership interests in the electing pass-through entity shall be calculated without regard to the election under this section.

SECTION 2. Section 27-7-25, Mississippi Code of 1972, is amended as follows:

27-7-25. (1) Individuals carrying on businesses in partnerships shall be liable for income tax only in their individual capacity, unless for federal purposes the partnership is taxable as a corporation. If so, then the partnership is also taxable as a corporation for state purposes and is subject to all of the corporate tax laws and regulations. The gross income of an individual partner shall be the gross income the partnership distributed on the same basis as net income or earnings may be distributed. If the preceding exception applies, then the partner will be treated as a shareholder in a corporation.

There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year.

The net income of the partnership shall be computed in the same manner and on the same basis as provided for individuals, provided no personal exemption shall be granted and, provided further, that husband and wife partnerships shall not be recognized for the purpose of this article, unless it can be proven that husband and wife have each contributed capital out of their separate estates, and not by gift, from one to the other.

In the case of partnerships, each partner that would otherwise be required to include more than twelve (12) months of income in a single taxable year may elect to include such excess in income in one (1) year or ratably over a period of four (4) taxable years.

In the event the individual partners fail to report and pay the taxes imposed according to this section, then the partnership and the general partners shall be jointly and severally liable for said tax liability and shall be assessed accordingly. However, the partnership and/or general partner shall not be liable if the partnership withholds five percent (5%) of the net gain or profit of the partnership for the tax year and remits the same to the commissioner. Such amounts paid to the commissioner shall be deemed to be payments of estimated tax of the partners and shall be allocated pro rata to the partners' taxpayer accounts. The commissioner may allow, or require, block or composite filing by a partnership, or withholding on a nonresident partner.

Magnetic media reporting may be required in a manner to be determined by the commissioner.

Partnership returns shall be filed in such manner and at such time as prescribed by law.

(2) For a partnership that has made an election under Section 1 of this act to be taxed as an electing pass-through entity, the partnership shall pay income tax as provided for in Section 1 of this act.

SECTION 3. Section 27-7-5, Mississippi Code of 1972, is brought forward as follows:

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 4. Section 27-7-15, Mississippi Code of 1972, is brought forward as follows:

27-7-15. (1) For the purposes of this article, except as otherwise provided, the term "gross income" means and includes the income of a taxpayer derived from salaries, wages, fees or compensation for service, of whatever kind and in whatever form paid, including income from governmental agencies and subdivisions thereof; or from professions, vocations, trades, businesses, commerce or sales, or renting or dealing in property, or reacquired property; also from annuities, interest, rents, dividends, securities, insurance premiums, reinsurance premiums, considerations for supplemental insurance contracts, or the transaction of any business carried on for gain or profit, or gains, or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items of income shall be included in the gross income for the taxable year in which received by the taxpayer. The amount by which an eligible employee's salary is reduced pursuant to a salary reduction agreement authorized under Section 25-17-5 shall be excluded from the term "gross income" within the meaning of this article.

(2) In determining gross income for the purpose of this section, the following, under regulations prescribed by the commissioner, shall be applicable:

(a) Dealers in property. Federal rules, regulations and revenue procedures shall be followed with respect to installment sales unless a transaction results in the shifting of income from inside the state to outside the state.

(b) Casual sales of property.

(i) Prior to January 1, 2001, federal rules, regulations and revenue procedures shall be followed with respect to installment sales except they shall be applied and administered as if H.R. 3594, the Installment Tax Correction Act of 2000 of the 106th Congress, had not been enacted. This provision will generally affect taxpayers, reporting on the accrual method of accounting, entering into installment note agreements on or after December 17, 1999. Any gain or profit resulting from the casual sale of property will be recognized in the year of sale.

(ii) From and after January 1, 2001, federal rules, regulations and revenue procedures shall be followed with respect to installment sales except as provided in this subparagraph (ii). Gain or profit from the casual sale of property shall be recognized in the year of sale. When a taxpayer recognizes gain on the casual sale of property in which the gain is deferred for federal income tax purposes, a taxpayer may elect to defer the payment of tax resulting from the gain as allowed and to the extent provided under regulations prescribed by the commissioner. If the payment of the tax is made on a deferred basis, the tax shall be computed based on the applicable rate for the income

reported in the year the payment is made. Except as otherwise provided in subparagraph (iii) of this paragraph (b), deferring the payment of the tax shall not affect the liability for the tax. If at any time the installment note is sold, contributed, transferred or disposed of in any manner and for any purpose by the original note holder, or the original note holder is merged, liquidated, dissolved or withdrawn from this state, then all deferred tax payments under this section shall immediately become due and payable.

(iii) If the selling price of the property is reduced by any alteration in the terms of an installment note, including default by the purchaser, the gain to be recognized is recomputed based on the adjusted selling price in the same manner as for federal income tax purposes. The tax on this amount, less the previously paid tax on the recognized gain, is payable over the period of the remaining installments. If the tax on the previously recognized gain has been paid in full to this state, the return on which the payment was made may be amended for this purpose only. The statute of limitations in Section 27-7-49 shall not bar an amended return for this purpose.

(c) Reserves of insurance companies. In the case of insurance companies, any amounts in excess of the legally required reserves shall be included as gross income.

(d) Affiliated companies or persons. As regards sales, exchanges or payments for services from one to another of affiliated companies or persons or under other circumstances where the relation between the buyer and seller is such that gross proceeds from the sale or the value of the exchange or the payment for services are not indicative of the true value of the subject matter of the sale, exchange or payment for services, the commissioner shall prescribe uniform and equitable rules for determining the true value of the gross income, gross sales, exchanges or payment for services, or require consolidated returns of affiliates.

(e) Alimony and separate maintenance payments. The federal rules, regulations and revenue procedures in determining the deductibility and taxability of alimony payments shall be followed in this state.

(f) Reimbursement for expenses of moving. There shall be included in gross income (as compensation for services) any amount received or accrued, directly or indirectly, by an individual as a payment for or reimbursement of expenses of moving from one (1) residence to another residence which is attributable to employment or self-employment.

(3) In the case of taxpayers other than residents, gross income includes gross income from sources within this state.

(4) The words "gross income" do not include the following items of income which shall be exempt from taxation under this article:

(a) The proceeds of life insurance policies and contracts paid upon the death of the insured. However, the income from the proceeds of such policies or contracts shall be included in the gross income.

(b) The amount received by the insured as a return of premium or premiums paid by him under life insurance policies, endowment, or annuity contracts, either during the term or at maturity or upon surrender of the contract.

(c) The value of property acquired by gift, bequest, devise or descent, but the income from such property shall be included in the gross income.

(d) Interest upon the obligations of the United States or its possessions, or securities issued under the provisions of the Federal Farm Loan Act of 1916, or bonds issued by the War Finance Corporation, or obligations of the State of Mississippi or political subdivisions thereof.

(e) The amounts received through accident or health insurance as compensation for personal injuries or sickness, plus the amount of any damages received for such injuries or such sickness or injuries, or through the War Risk Insurance Act, or any law for the benefit or relief of injured or disabled members of the military or naval forces of the United States.

(f) Income received by any religious denomination or by any institution or trust for moral or mental improvements, religious, Bible, tract, charitable, benevolent, fraternal, missionary, hospital, infirmary, educational, scientific, literary, library, patriotic, historical or cemetery purposes or for two (2) or more of such purposes, if such income be used exclusively for carrying out one or more of such purposes.

(g) Income received by a domestic corporation which is "taxable in another state" as this term is defined in this article, derived from business activity conducted outside this state. Domestic corporations taxable both within and without the state shall determine Mississippi income on the same basis as provided for foreign corporations under the provisions of this article.

(h) In case of insurance companies, there shall be excluded from gross income such portion of actual premiums received from an individual policyholder as is paid back or credited to or treated as an abatement of premiums of such policyholder within the taxable year.

(i) Income from dividends that has already borne a tax as dividend income under the provisions of this article, when such dividends may be specifically identified in the possession of the recipient.

(j) Amounts paid by the United States to a person as added compensation for hazardous duty pay as a member of the Armed Forces of the United States in a combat zone designated by Executive Order of the President of the United States.

(k) Amounts received as retirement allowances, pensions, annuities or optional retirement allowances paid under the federal Social Security Act, the Railroad Retirement Act, the Federal Civil Service Retirement Act, or any other retirement system of the United States government, retirement allowances paid under the Mississippi Public Employees' Retirement System, Mississippi Highway Safety Patrol Retirement System or any other retirement system of the State of Mississippi or any political subdivision thereof. The exemption allowed under this paragraph (k) shall be available to the spouse or other beneficiary at the death of the primary retiree.

(l) Amounts received as retirement allowances, pensions, annuities or optional retirement allowances paid by any public or governmental retirement system not designated in paragraph (k) or any private retirement system or plan of which the recipient was a member at any time during the period of his employment. Amounts received as a distribution under a Roth Individual Retirement Account shall be treated in the same manner as provided under the Internal Revenue Code of 1986, as amended. The exemption allowed under this paragraph (l) shall be available to the spouse or other beneficiary at the death of the primary retiree.

(m) National Guard or Reserve Forces of the United States compensation not to exceed the aggregate sum of Five Thousand Dollars (\$5,000.00) for any taxable year through the 2005 taxable year, and not to exceed the aggregate sum of Fifteen Thousand Dollars (\$15,000.00) for any taxable year thereafter.

(n) Compensation received for active service as a member below the grade of commissioned officer and so much of the compensation as does not exceed the maximum enlisted amount received for active service as a commissioned officer in the Armed Forces of the United States for any month during any part of which such members

of the Armed Forces (i) served in a combat zone as designated by Executive Order of the President of the United States or a qualified hazardous duty area as defined by federal law, or both; or (ii) was hospitalized as a result of wounds, disease or injury incurred while serving in such combat zone. For the purposes of this paragraph (n), the term "maximum enlisted amount" means and has the same definition as that term has in 26 USCS 112.

(o) The proceeds received from federal and state forestry incentive programs.

(p) The amount representing the difference between the increase of gross income derived from sales for export outside the United States as compared to the preceding tax year wherein gross income from export sales was highest, and the net increase in expenses attributable to such increased exports. In the absence of direct accounting, the ratio of net profits to total sales may be applied to the increase in export sales. This paragraph (p) shall only apply to businesses located in this state engaging in the international export of Mississippi goods and services. Such goods or services shall have at least fifty percent (50%) of value added at a location in Mississippi.

(q) Amounts paid by the federal government for the construction of soil conservation systems as required by a conservation plan adopted pursuant to 16 USCS 3801 et seq.

(r) The amount deposited in a medical savings account, and any interest accrued thereon, that is a part of a medical savings account program as specified in the Medical Savings Account Act under Sections 71-9-1 through 71-9-9; provided, however, that any amount withdrawn from such account for purposes other than paying eligible medical expense or to procure health coverage shall be included in gross income.

(s) Amounts paid by the Mississippi Soil and Water Conservation Commission from the Mississippi Soil and Water Cost-Share Program for the installation of water quality best management practices.

(t) Dividends received by a holding corporation, as defined in Section 27-13-1, from a subsidiary corporation, as defined in Section 27-13-1.

(u) Interest, dividends, gains or income of any kind on any account in the Mississippi Affordable College Savings Trust Fund, as established in Sections 37-155-101 through 37-155-125, to the extent that such amounts remain on deposit in the MACS Trust Fund or are withdrawn pursuant to a qualified withdrawal, as defined in Section 37-155-105.

(v) Interest, dividends or gains accruing on the payments made pursuant to a prepaid tuition contract, as provided for in Section 37-155-17.

(w) Income resulting from transactions with a related member where the related member subject to tax under this chapter was required to, and did in fact, add back the expense of such transactions as required by Section 27-7-17(2). Under no circumstances may the exclusion from income exceed the deduction add-back of the related member, nor shall the exclusion apply to any income otherwise excluded under this chapter.

(x) Amounts that are subject to the tax levied pursuant to Section 27-7-901, and are paid to patrons by gaming establishments licensed under the Mississippi Gaming Control Act.

(y) Amounts that are subject to the tax levied pursuant to Section 27-7-903, and are paid to patrons by gaming establishments not licensed under the Mississippi Gaming Control Act.

(z) Interest, dividends, gains or income of any kind on any account in a qualified tuition program and amounts received as distributions under a qualified tuition program shall be treated in the same manner as provided under the United States Internal Revenue Code, as amended. For the purposes of this paragraph (z), the term "qualified tuition program" means and has the same definition as that term has in 26 USCS 529.

(aa) The amount deposited in a health savings account, and any interest accrued thereon, that is a part of a health savings account program as specified in the Health Savings Accounts Act created in Sections 83-62-1 through 83-62-9; however, any amount withdrawn from such account for purposes other than paying qualified medical expenses or to procure health coverage shall be included in gross income, except as otherwise provided by Sections 83-62-7 and 83-62-9.

(bb) Amounts received as qualified disaster relief payments shall be treated in the same manner as provided under the United States Internal Revenue Code, as amended.

(cc) Amounts received as a "qualified Hurricane Katrina distribution" as defined in the United States Internal Revenue Code, as amended.

(dd) Amounts received by an individual which may be excluded from income as foreign earned income for federal income tax purposes.

(ee) Amounts received by a qualified individual, directly or indirectly, from an employer or nonprofit housing organization that are qualified housing expenses associated with an employer-assisted housing program. For purposes of this paragraph (ee):

(i) "Qualified individual" means any individual whose household income does not exceed one hundred twenty percent (120%) of the area median gross income (as defined by the United States Department of Housing and Urban Development), adjusted for household size, for the area in which the housing is located.

(ii) "Nonprofit housing organization" means an organization that is organized as a not-for-profit organization under the laws of this state or another state and has as one of its purposes:

1. Homeownership education or counseling;
2. The development of affordable housing; or
3. The development or administration of employer-assisted

housing programs.

(iii) "Employer-assisted housing program" means a separate written plan of any employer (including, without limitation, tax-exempt organizations and public employers) for the exclusive benefit of the employer's employees to pay qualified housing expenses to assist the employer's employees in securing affordable housing.

(iv) "Qualified housing expenses" means:

1. With respect to rental assistance, an amount not to exceed Two Thousand Dollars (\$2,000.00) paid for the purpose of assisting employees with security deposits and rental subsidies; and

2. With respect to homeownership assistance, an amount not to exceed the lesser of Ten Thousand Dollars (\$10,000.00) or six percent (6%) of the purchase price of the employee's principal residence that is paid for the purpose of assisting employees with down payments, payment of closing costs, reduced interest

mortgages, mortgage guarantee programs, mortgage forgiveness programs, equity contribution programs, or contributions to homebuyer education and/or homeownership counseling of eligible employees.

(ff) For the 2010 taxable year and any taxable year thereafter, amounts converted in accordance with the United States Internal Revenue Code, as amended, from a traditional Individual Retirement Account to a Roth Individual Retirement Account. The exemption allowed under this paragraph (ff) shall be available to the spouse or other beneficiary at the death of the primary retiree.

(gg) Amounts received for the performance of disaster or emergency-related work as defined in Section 27-113-5.

(hh) The amount deposited in a catastrophe savings account established under Sections 27-7-1001 through 27-7-1007, interest income earned on the catastrophe savings account, and distributions from the catastrophe savings account; however, any amount withdrawn from a catastrophe savings account for purposes other than paying qualified catastrophe expenses shall be included in gross income, except as otherwise provided by Sections 27-7-1001 through 27-7-1007.

(ii) Interest, dividends, gains or income of any kind on any account in the Mississippi Achieving a Better Life Experience (ABLE) Trust Fund, as established in Chapter 28, Title 43, to the extent that such amounts remain on deposit in the ABLE Trust Fund or are withdrawn pursuant to a qualified withdrawal, as defined in Section 43-28-11.

(jj) Subject to the limitations provided under Section 27-7-1103, amounts deposited into a first-time homebuyer savings account and any interest or other income earned attributable to an account and monies or funds withdrawn or distributed from an account for the payment of eligible costs by or on behalf of a qualified beneficiary; however, any monies or funds withdrawn or distributed from a first-time homebuyer savings account for any purpose other than the payment of eligible costs by or on behalf of a qualified beneficiary shall be included in gross income. For the purpose of this paragraph (jj), the terms "first-time homebuyer savings account," "eligible costs" and "qualified beneficiary" mean and have the same definitions as such terms have in Section 27-7-1101.

(kk) Amounts paid by an agricultural disaster program as compensation to an agricultural producer, cattle farmer or cattle rancher who has suffered a loss as the result of a disaster or emergency, including, but not limited to, the following United States Department of Agriculture programs:

(i) Livestock Forage Disaster Program;

(ii) Livestock Indemnity Program;

(iii) Emergency Assistance for Livestock, Honey Bees and Farm-raised Fish Program;

(iv) Emergency Conservation Program;

(v) Noninsured Crop Disaster Assistance Program;

(vi) Pasture, Rangeland, Forage Pilot Insurance Program;

(vii) Annual Forage Pilot Program;

(viii) Livestock Risk Protection Insurance Program; and

(ix) Livestock Gross Margin Insurance Plan.

(ll) Amounts received as advances and/or grants under the federal Coronavirus Aid, Relief, and Economic Security Act.

(mm) Any and all cancelled indebtedness provided for under the Coronavirus Aid, Relief, and Economic Security Act.

(nn) Amounts received as payments under Section 27-3-85.

(oo) Amounts received as grants under the 2020 COVID-19 Mississippi Business Assistance Act.

(pp) Amounts received as grants under Section 57-1-521.

(5) Prisoners of war, missing in action-taxable status.

(a) Members of the Armed Forces. Gross income does not include compensation received for active service as a member of the Armed Forces of the United States for any month during any part of which such member is in a missing status, as defined in paragraph (d) of this subsection, during the Vietnam Conflict as a result of such conflict.

(b) Civilian employees. Gross income does not include compensation received for active service as an employee for any month during any part of which such employee is in a missing status during the Vietnam Conflict as a result of such conflict.

(c) Period of conflict. For the purpose of this subsection, the Vietnam Conflict began February 28, 1961, and ends on the date designated by the President by Executive Order as the date of the termination of combatant activities in Vietnam. For the purpose of this subsection, an individual is in a missing status as a result of the Vietnam Conflict if immediately before such status began he was performing service in Vietnam or was performing service in Southeast Asia in direct support of military operations in Vietnam. "Southeast Asia," as used in this paragraph, is defined to include Cambodia, Laos, Thailand and waters adjacent thereto.

(d) "Missing status" means the status of an employee or member of the Armed Forces who is in active service and is officially carried or determined to be absent in a status of (i) missing; (ii) missing in action; (iii) interned in a foreign country; (iv) captured, beleaguered or besieged by a hostile force; or (v) detained in a foreign country against his will; but does not include the status of an employee or member of the Armed Forces for a period during which he is officially determined to be absent from his post of duty without authority.

(e) "Active service" means active federal service by an employee or member of the Armed Forces of the United States in an active duty status.

(f) "Employee" means one who is a citizen or national of the United States or an alien admitted to the United States for permanent residence and is a resident of the State of Mississippi and is employed in or under a federal executive agency or department of the Armed Forces.

(g) "Compensation" means (i) basic pay; (ii) special pay; (iii) incentive pay; (iv) basic allowance for quarters; (v) basic allowance for subsistence; and (vi) station per diem allowances for not more than ninety (90) days.

(h) If refund or credit of any overpayment of tax for any taxable year resulting from the application of this subsection (5) is prevented by the operation of any law or rule of law, such refund or credit of such overpayment of tax may, nevertheless, be made or

allowed if claim therefor is filed with the Department of Revenue within three (3) years after the date of the enactment of this subsection.

(i) The provisions of this subsection shall be effective for taxable years ending on or after February 28, 1961.

(6) A shareholder of an S corporation, as defined in Section 27-8-3(1)(g), shall take into account the income, loss, deduction or credit of the S corporation only to the extent provided in Section 27-8-7(2).

SECTION 5. Section 27-7-27, Mississippi Code of 1972, is brought forward as follows:

27-7-27. (1) The tax imposed under the income tax laws of the State of Mississippi shall apply to the income of estates of any kind or property held in trust except:

(a) That a trust forming part of a pension plan, stock bonus plan, disability or death benefit plan or profit-sharing plan of an employer for the exclusive benefit of some or all of his or its employees, or their beneficiaries, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees, or their beneficiaries, the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under the income tax laws of the State of Mississippi provided that the trust is irrevocable and no part of the trust corpus or income can be used for purposes other than for the exclusive benefit of employees, or their beneficiaries; but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds amounts paid in by him.

(b) That all trusts of real or personal property, or real and personal property combined, created under a retirement plan for which provision has been made under the laws of the United States of America exempting such trust from federal income tax, shall be exempt from income taxation by the State of Mississippi.

(2) Notwithstanding the provisions of subsection (1) of this section, a taxpayer shall include any Mississippi unrelated business taxable income in computing its taxable income under this chapter. As used in this subsection "Mississippi unrelated business taxable income" includes:

(a) "Unrelated business taxable income" as defined under the provisions of the Internal Revenue Code, as amended, and not otherwise inconsistent with other provisions of this chapter, and

(b) Any income attributable to an ownership interest in an S corporation.

(3) A trust required to include the activity of a disregarded entity for federal income tax purposes shall do likewise for the purpose of computing income for this state.

(4) Except as otherwise provided in this section, the gross and net income shall be determined in the same manner as is provided by law for any other taxpayer.

SECTION 6. Section 27-7-29, Mississippi Code of 1972, is brought forward as follows:

27-7-29. (a) Except as otherwise provided in subsection (b) of this section, all income received by the following organizations shall be exempt from taxation under this article:

(1) Fraternal beneficiary societies, orders or associations.

(2) Mutual savings banks, domestic or foreign when organized and operated on a nonprofit basis and for public purposes; and farm loan associations when organized and operated on a nonprofit basis and for public purposes.

(3) Cemetery corporations; religious, charitable, educational or scientific associations or institutions, including any community chest, funds or foundations, organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(4) Business leagues, labor organizations, agricultural or horticultural associations, chambers of commerce, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(5) Civic leagues and social clubs or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(6) Clubs organized and operated exclusively for pleasure, recreation and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(7) Farmers and fruit growers cooperatives or other like organizations organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses and on the basis of the quantity of produce furnished by them, and other nonprofit agricultural associations organized and operated under the provisions of the cooperative marketing laws of this state. Corporations that are treated as cooperatives for federal income tax purposes will be exempt from income taxation under this chapter to the same extent as provided for federal income tax purposes.

(8) Nonprofit cooperative electric power associations or corporations, or like associations, when organized and operated for public purposes and when no part of the income inures to the benefit of any private stockholder or individual.

(9) Any nonprofit corporation that is required to be organized and formed for the purpose of operating and managing the state's prison industries.

(b) Any Mississippi unrelated business taxable income shall be included in taxable income for any organization described in this section. As used in this subsection "Mississippi unrelated business taxable income" includes:

(1) "Unrelated business taxable income" as defined under the provisions of the Internal Revenue Code, as amended, and not otherwise inconsistent with other provisions of this chapter, and

(2) Any income attributable to an ownership interest in an S corporation.

SECTION 7. Section 27-7-33, Mississippi Code of 1972, is brought forward as follows:

27-7-33. (1) Every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this article, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income, if distributed, and the amount of the distributive share of each individual. The return shall contain an oath or be verified by a written declaration that it is made under the penalties of perjury.

(2) A partnership required to include the activity of a disregarded entity for federal income tax purposes shall do likewise for the purpose of computing income for this state.

(3) A partnership taxable year is required to be the same for Mississippi income tax purposes as determined for federal income tax purposes.

SECTION 8. Section 27-7-41, Mississippi Code of 1972, is brought forward as follows:

27-7-41. Except as otherwise provided in this section, returns of individuals, estates, trusts and partnerships shall be filed on or before the 15th day of the fourth month following the close of the fiscal year; or if the return is filed on the basis of a calendar year, it shall be filed on or before April 15 of each year. Except as otherwise provided in this section, returns of corporations shall be filed on or before the 15th day of the third month following the close of the fiscal year; or if the return is filed on the basis of a calendar year, it shall be filed on or before March 15 of each year. For tax years beginning after December 31, 2015, the date for filing a return under this section shall be the same as the date provided for filing the corresponding federal return.

If the date for filing any report, claim, tax return, statement, remittance, or other document falls upon a Saturday, Sunday or legal holiday, the filing shall be considered timely if performed on the next business day.

All returns shall be made to the commissioner.

SECTION 9. Section 27-8-7, Mississippi Code of 1972, is amended as follows:

27-8-7. (1) An S corporation shall not be subject to the tax imposed by Section 27-7-5; however, for an S corporation that has made an election under Section 1 of this act to be taxed as an electing pass-through entity, the S corporation shall be subject to and pay such tax as provided for in Section 1 of this act.

(2) For purposes of Section 27-7-15, each shareholder's pro rata share of the S corporation's income attributable to the state, and each resident shareholder's pro rata share of the S corporation's income not attributable to the state, shall be taken into account by the shareholder in the manner provided in Section 1366 of the Code.

(3) For purposes of determining the amounts taken into account by the shareholders of an S corporation under subsection (2) of this section, the amount of any tax imposed on the S corporation under the Code shall not reduce the S corporation's income attributable to the state and income not attributable to the state.

SECTION 10. Section 27-8-3, Mississippi Code of 1972, is brought forward as follows:

27-8-3. (1) For purposes of this chapter, the following terms shall have meanings ascribed below:

(a) "C corporation" means a corporation which is not an S corporation.

(b) "Code" means the Internal Revenue Code of 1986, as amended and as applicable to the taxable period; references to sections of the code shall be deemed to refer to corresponding provisions of prior and subsequent federal tax laws.

(c) "Income attributable to the state" means items of income, loss, deduction or credit of the S corporation apportioned to this state under Section 27-7-23(c)(2) or allocated to this state under Section 27-7-23(c)(3).

(d) "Income not attributable to the state" means all items of income, loss, deduction or credit of the S corporation other than income attributable to the state.

(e) "Post-termination transition period" means that period defined in Section 1377(b)(1) of the code.

(f) "Pro rata share" means the portion of any item attributable to an S corporation shareholder for a taxable period determined in the manner provided in, and subject to any election made under, Section 1377(a) or 1362(e), as the case may be, of the code.

(g) "S corporation" means a corporation for which a valid election under Section 1362(a) of the code is in effect.

(h) "Taxable period" means any taxable year or portion of a taxable year during which a corporation is an S corporation.

(2) Except as otherwise expressly provided or clearly appearing from the context, any term used in this chapter shall have the same meaning as when used in a comparable context in the code, or in any statute relating to federal income taxes, in effect for the taxable period. Due consideration shall be given in the interpretation of this chapter to applicable sections of the code in effect from time to time and to federal rulings and regulations interpreting such sections, provided such code, rulings and regulations do not conflict with the provisions of this chapter.

SECTION 11. Section 27-8-11, Mississippi Code of 1972, is brought forward as follows:

27-8-11. (1) The initial basis in the hands of a resident shareholder of an S corporation in the stock of the S corporation and any indebtedness of the S corporation to the shareholder shall be determined in the manner provided under the Code and shall be determined as of the date that is the latest to occur of (a) the date on which the shareholder last became a resident of this state, (b) the date on which the shareholder acquired the stock or the indebtedness of the corporation or (c) the effective date of the corporation's most recent S election under the Code. This date may be before January 1, 1994.

(2) The initial basis of a resident shareholder in the stock and indebtedness of an S corporation shall be adjusted after the date specified in subsection (1) of this section in the manner and to the extent required by Section 1011 of the Code except that, with respect to any taxable period during which the shareholder is a resident of this state,

(a) Any differences between state and federal taxable income shall be taken into account; and

(b) Any adjustments made pursuant to Section 1367 of the Code for a taxable period during which this state did not measure the income of a shareholder of an S corporation by reference to the S corporation's income shall not be taken into account.

(3) The initial basis in the hands of a nonresident shareholder of an S corporation in the stock of the S corporation and any indebtedness of the S corporation to the shareholder shall be zero as of the date that is the latest to occur of (a) the date on which the shareholder last became a nonresident of this state, (b) the date on which the shareholder acquired the stock or the indebtedness of the corporation or (c) the effective date of the corporation's most recent S election under the Code. This date may be before January 1, 1994.

(4) The initial basis of a nonresident shareholder in the stock and indebtedness of an S corporation shall be adjusted after the date specified in subsection (3) of this section

as provided in Section 1367 of the Code, except that such adjustments shall be limited to that portion of the income attributable to the state that is taken into account by the shareholder pursuant to Section 27-8-7(2). In computing income attributable to the state for purposes of the preceding sentence, any modification made for income exempt from federal or this state's taxation shall not be taken into account.

(5) The basis in the hands of a resident shareholder of an S corporation in the stock of the S corporation shall be reduced by the amount allowed as a loss or deduction pursuant to Section 27-8-13(4).

(6) The basis in the hands of a resident shareholder of an S corporation in the stock of the S corporation shall be reduced by the amount of any cash distribution which is not taxable to the shareholder as a result of the application of Section 27-8-17(2).

(7) For purposes of this section, any person acquiring stock or indebtedness of an S corporation by gift from a person who is a resident of this state at the time of the gift shall be considered to have acquired the stock or indebtedness at the time the donor acquired the stock or indebtedness.

SECTION 12. Section 27-8-15, Mississippi Code of 1972, is brought forward as follows:

27-8-15. For purposes of this chapter, if a shareholder of an S corporation is both a resident and nonresident of this state during any taxable period, the shareholder's pro rata share of the S corporation's income attributable to the state and income not attributable to the state for the taxable period shall be further prorated between the shareholder's periods of residence and nonresidence during the taxable period, in accordance with the number of days in each period.

SECTION 13. Section 27-8-19, Mississippi Code of 1972, is brought forward as follows:

27-8-19. (1) An S corporation which engages in activities in this state that would subject a C corporation to the requirement to file a return under Section 27-7-37 shall file with the State Tax Commission an annual return, in the form prescribed by the commission, on or before the due date prescribed for the filing of C corporation returns under Section 27-7-41. The return shall set forth the name, address and social security or federal identification number of each shareholder; the income attributable to the state and income not attributable to the state with respect to each shareholder as determined under this chapter; and such other information as the commission may prescribe by regulation. The S corporation shall furnish, on or before the day on which such return is filed, to each person who was a shareholder during the year a copy of such information shown on the return as the commission may prescribe by regulation. The S corporation also shall maintain the accumulated adjustments account described in Section 27-8-17(3)(b).

(2) The State Tax Commission shall permit S corporations to file composite returns and to make composite payments of tax on behalf of some or all of its nonresident shareholders. The commission may permit composite returns and payments to be made on behalf of resident shareholders.

(3) With respect to each of its nonresident shareholders and for each taxable period, an S corporation shall (a) timely file with the commission an agreement as provided in subsection (4) of this section or (b) make a payment to this state as provided in subsection (5) of this section. An S corporation that timely files an agreement as provided in subsection (4) of this section with respect to a nonresident shareholder for a taxable period shall be considered to have timely filed such an agreement for each subsequent taxable period. An S corporation that does not timely file such an agreement

for a taxable period shall not be precluded from timely filing such an agreement for subsequent taxable periods.

(4) The agreement referred to in subsection (3)(a) of this section is an agreement of a nonresident shareholder of the S corporation:

(a) To file a return and to make timely payment of all taxes imposed on the shareholder by this state with respect to the income of the S corporation; and

(b) To be subject to personal jurisdiction in this state for purposes of the collection of income taxes, together with related interest and penalties, imposed on the shareholder by this state with respect to the income of the S corporation.

The agreement will be considered to be timely filed for a taxable period and for all subsequent taxable periods if it is filed at or before the time the annual return for such taxable period is required to be filed.

In the event the S corporation fails to obtain an agreement of a nonresident shareholder as provided in subsection (3)(a) of this section or in the event a nonresident shareholder of an S corporation fails to file a return and to make timely payments of all taxes imposed on the shareholder by this state as provided in subsection (4)(a) of this section, the S corporation shall make a payment to the state as provided in subsection (5) of this section.

(5) The payment referred to in subsection (3)(b) and (4) of this section shall be in an amount equal to the highest marginal tax rate in effect under Section 27-7-5 multiplied by the shareholder's pro rata share of the income attributable to the state reflected on the corporation's return for the taxable period. An S corporation shall be entitled to recover a payment made pursuant to the preceding sentence from the shareholder on whose behalf the payment was made. Any such payment for a taxable period must be made at or before the time the annual return for such taxable period is required to be filed.

(6) Any amount paid by the corporation to this state under subsection (2) or (5) of this section shall be considered to be a payment by the shareholder on account of the income tax imposed on the shareholder for the taxable period under Section 27-7-5.

SECTION 14. Section 27-8-21, Mississippi Code of 1972, is brought forward as follows:

27-8-21. For purposes of Section 27-7-77, each resident shareholder shall be considered to have paid a tax imposed on the shareholder in an amount equal to the shareholder's pro rata share of any net income tax paid by the S corporation to a state which does not measure the income of shareholders of an S corporation by reference to the income of the S corporation. For purposes of the preceding sentence, the term "net income tax" means any tax imposed on or measured by a corporation's net income.

SECTION 15. Section 79-29-127, Mississippi Code of 1972, is brought forward as follows:

79-29-127. Domestic limited liability companies and foreign limited liability companies shall be classified as an entity for purposes of the income tax laws of this state in the same manner as they are classified for federal income tax purposes.

SECTION 16. Section 1 of this act shall be codified as a new section in Title 27, Chapter 7, Mississippi Code of 1972.

SECTION 17. This act shall take effect and be in force from and after January 1, 2022, and shall stand repealed on December 31, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ALLOW PARTNERSHIPS, S CORPORATIONS OR SIMILAR PASS-THROUGH ENTITIES TO ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITIES FOR STATE INCOME TAX PURPOSES AND PAY INCOME TAX AT THE ENTITY LEVEL; TO PROVIDE THE MANNER BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL REPORT HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF THE INCOME OF THE ELECTING PASS-THROUGH ENTITY BUT SHALL NOT BE LIABLE FOR INCOME TAX IMPOSED ON SUCH PRO RATA OR DISTRIBUTIVE SHARE; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL BE ALLOWED A CREDIT AGAINST INCOME TAXES IN AN AMOUNT EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF INCOME TAX PAID BY THE ELECTING PASS-THROUGH ENTITY WITH RESPECT TO THE CORRESPONDING TAXABLE YEAR; TO AMEND SECTION 27-7-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-7-5, 27-7-15, 27-7-27, 27-7-29, 27-7-33 AND 27-7-41, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE INCOME TAX LAW OF 1952, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-8-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-8-3, 27-8-11, 27-8-15, 27-8-19 AND 27-8-21, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI S CORPORATION INCOME TAX ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 79-29-127, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE REVISED MISSISSIPPI LIMITED LIABILITY COMPANY ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1691 was adopted.

YEAS AND NAYS On H. B. No. 1691. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Mrs. Willard Chambers of Jefferson County/Fayette, MS.

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Senators Parker, McLendon and Blackwell moved that when the Senate adjourns, it adjourn in memory of Joseph Baker of Southaven, MS.

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Senator Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Terry L. McKinney of Marks, MS.

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Senator Jackson (11th) moved that when the Senate adjourns, it adjourn in memory of Devorn Conley-Fairlee of Lambert, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Alison Swalm Prescott of St. Francisville, LA.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Millard DeLeon Nettles, Jr. of Natchez, MS.

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Senators Younger, Suber and Williams moved that when the Senate adjourns, it adjourn in memory of John F. "Bubba" Harrington of Sturgis, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Florence May Haynes McCullough and Mary Carlene McGill of Columbus, MS.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 16, 2022.

The motion prevailed, and at 4:29 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2993:** City of Starkville; extend repeal date on economic development, tourism/convention tax on restaurant sales. Title Sufficient. Do Pass.

**S. B. No. 2998:** Town of Sardis; extend repeal date on restaurant, hotel and motel tax for tourism. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 3181:** City of Grenada; extend repealer on tourism tax. Title Sufficient. Do Pass.

**S. B. No. 3200:** Washington County; extend the repeal date on the hotel and motel tax supporting a sports complex. Title Sufficient. Do Pass.

**H. B. No. 1525:** City of Richland; extend repealer on bar and restaurant tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1526:** City of Richland; extend date of repeal on hotel/motel; tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1547:** City of Starkville; extend repeal date on economic development, tourism/convention tax. Title Sufficient. Do Pass.

**H. B. No. 1549:** City of Charleston; authorize expenditure for asphalt to be used on certain county roads damaged due to needed city sewer repairs. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Willard Chambers, Joseph Baker, Terry L. McKinney, Alison Swalm Prescott, Millard DeLeon Nettles, Jr., Devorn Conley-Fairlee, John F. "Bubba" Harrington, Florence May Haynes McCullough and Mary Carlene McGill.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 15, 2022

**S. B. No. 3204:** Judiciary, Division B; Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OXFORD, MISSISSIPPI, TO ALLOW THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS FOR VIOLATIONS OF THE IMPLIED CONSENT LAW; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 3205:** Local and Private; Energy

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NEW ALBANY, MISSISSIPPI, TO EXPAND THE CITY'S NATURAL GAS DISTRIBUTION SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS; AND FOR RELATED PURPOSES.

By Senator(s) Chism

**S. B. No. 3206:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BYHALIA AREA ARTS COUNCIL; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Blackwell

**S. C. R. No. 581:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "LADY TIGERS" BASKETBALL TEAM AND HEAD COACH TOMEKIA REED FOR WINNING THE 2022 SWAC WOMEN'S BASKETBALL REGULAR SEASON TITLE AND FOR THEIR SECOND CONSECUTIVE SWAC TOURNAMENT CHAMPIONSHIP.

By Senator(s) Norwood, Frazier, Simmons (12th), Hickman, Jackson (11th), Butler (36th), Horhn, Butler (38th), Thomas, Simmons (13th), Jordan, Blount, Barnett

**S. R. No. 41:** Rules

A RESOLUTION COMMENDING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION FOR ITS OUTSTANDING ACCOMPLISHMENTS AND COMMEMORATING ITS CENTENNIAL ANNIVERSARY.

By Senator(s) DeBar

**S. R. No. 42:** Rules

A RESOLUTION COMMENDING THE OUTSTANDING JUDICIAL CAREER AND MILITARY SERVICE OF HONORABLE NORMAN L. GILLESPIE OF OXFORD, MISSISSIPPI, AND EXTENDING THE SYMPATHY OF THE MISSISSIPPI SENATE TO HIS SURVIVING FAMILY ON HIS PASSING.

By Senator(s) Boyd

**S. R. No. 43:** Rules

A RESOLUTION COMMENDING SISTER PAULA BLOUIN UPON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF ASSISI EARLY LEARNING CENTER.

By Senator(s) Michel, Harkins

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SEVENTY-SECOND DAY, WEDNESDAY, MARCH 16, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Carter. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Carter.

The invocation was delivered by Father Mike O'Brian, Pastor, Sacred Heart Catholic Church, Canton, MS.

Senator Moran led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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MESSAGE FROM THE GOVERNOR  
March 16, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2004:** Public lands; extend repealer on section prescribing who may purchase. (March 11, 2022, 2:03 PM)

**S. B. No. 2018:** MS Department of Banking and Consumer Finance conduct periodic joint-bank examinations; extend repealer. (March 11, 2022, 2:04 PM)

**S. B. No. 2039:** Real estate appraisal management companies; extend repealer on registration provisions. (March 11, 2022, 2:06 PM)

**S. B. No. 2832:** Bonds; revise uses of IHL bond proceeds for Mississippi State University College of Architecture, Art and Design. (March 11, 2022, 2:07 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 34:** Joseph Read Hendon, Ph.D., Ocean Springs, Mississippi, Gulf States Marine Commission as the Mississippi citizen representative, unexpired three year term effective May 28, 2021 and ending January 9, 2024. Do Advise and Consent.

MORAN, Chairman

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President Hosemann yielded the gavel to Senator Michel, who presided over the Senate.

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 548:** Mourn the passing of former Senator George Smith of Wiggins, Mississippi, and commend his public and charitable service.

YEAS AND NAYS On S. C. R. No. 548. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Fillingane, Hill, Horhn, Jackson (11th), McCaughn, McLendon, Moran, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 548**.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 551:** Mourn the passing of former Representative and Senator Delma Furniss of Rena Lara, MS, and commend his public and charitable service.

YEAS AND NAYS On S. C. R. No. 551. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Fillingane, Horhn, McCaughn, McLendon, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 551**.

Senator Kirby called up the following entitled nomination:

**S. N. No. 72:** Michael Barrie Nelson, Madison, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, four year term beginning November 29, 2021 and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 72 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Kirby called up the following entitled nomination:

**S. N. No. 79:** Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, remainder of a four year term beginning November 29, 2021 and ending June 30, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 79 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 546:** Encouraging further economic activity between Mississippi and Taiwan.

YEAS AND NAYS On S. C. R. No. 546. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Unanimous consent was granted to add Senators Barnett, Blount, Branning, Butler K. (38th), Caughman, DeBar, England, Fillingane, Hill, Hopson, Jackson (11th), McCaughn, McDaniel, McLendon, Norwood, Parker, Polk, Simmons D. T. (12th), Suber and Thomas as co-authors of **S. C. R. No. 546**.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 563:** Condemn the invasion of Ukraine and sever all connections with the Russian Federation.

Senators Bryan, Kirby, Williams and Blount offered the following AMENDMENT NO. 1.

AMEND on line 51 by inserting before the period the following:

, and to the Ukrainian Ambassador to the United States

Amendment No. 1 to S. C. R. No. 563 was adopted.

YEAS AND NAYS On S. C. R. No. 563. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Unanimous consent was granted to add Senators Barnett, Blackwell, Branning, Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hill, Jackson (11th), Jordan, McCaughn, McLendon, Norwood, Parker, Polk, Simmons D. T. (12th), Suber, Thomas and Thompson as co-authors of **S. C. R. No. 563**.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 561, S. C. R. No. 562, S. C. R. No. 564, S. C. R. No. 565, S. C. R. No. 566, S. C. R. No. 567, S. C. R. No. 568, S. C. R. No. 569, S. C. R. No. 570, S. C. R. No. 571, S. C. R. No. 572, S. C. R. No. 573, S. C. R. No. 574, S. C. R. No. 575, S. C. R. No. 576, S. C. R. No. 577, S. C. R. No. 578, S. C. R. No. 579, S. C. R. No. 580, S. R. No. 37, S. R. No. 38, H. C. R. No. 54, H. C. R. No. 55, H. C. R. No. 57, H. C. R. No. 58, H. C. R. No. 59 and H. C. R. No. 60 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 561:** Commend Simpson Academy "Cougars" Boys Basketball Team for winning 5A State Championship.

**S. C. R. No. 562:** Designate April 2022 as the "Month of the Military Child" and April 20 as "Purple Up! for Military Kids Day" in Mississippi.

**S. C. R. No. 564:** Recognize 30th Anniversary Celebration of Parents for Public Schools (PPS).

**S. C. R. No. 565:** Commend Jackson Prep "Patriots" Boys Basketball Team for winning MAIS State Championship.

**S. C. R. No. 566:** Commend Dean of Mississippi College School of Law Patricia Bennett on retirement.

**S. C. R. No. 567:** Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning MAIS 5A State Championship.

**S. C. R. No. 568:** Recognize legacy of Dr. James Oliver, M.D., as the first African American to graduate from University of Mississippi School of Medicine.

**S. C. R. No. 569:** Commend Meridian High School "Lady Wildcats" Girls Basketball Team for winning first State Championship in school history.

**S. C. R. No. 570:** Commend Jackson Prep "Lady Patriots" Girls Basketball Team for winning MAIS Overall State Championship.

**S. C. R. No. 571:** Commend Northwest Rankin "Lady Cougars" Girls Soccer Team for Class 6A State Championship.

**S. C. R. No. 572:** Commend Biggersville Girls and Boys Basketball Teams and Coach Cliff Little for two State Championships on same day.

**S. C. R. No. 573:** Commend Lake High School "Lady Hornets" Girls Basketball Team and Coach Maurice Bowie for winning the MHSAA 2A State Championship.

**S. C. R. No. 574:** Commend Choctaw Central "Lady Warriors" Basketball Team for winning Class 4A State Championship.

**S. C. R. No. 575:** Commend Clinton High School "Arrows" Boys Basketball Team for consecutive 6A State Championships.

**S. C. R. No. 576:** Commend CCC Women's Basketball Coach Stephanie Murphy as MACCC "Coach of the Year."

**S. C. R. No. 577:** Commend Raymond High School "Rangers" Boys Basketball Team for winning 4A State Championship.

**S. C. R. No. 578:** Commend Northwest Community College Cheer Team for National Titles.

**S. C. R. No. 579:** Declare that March 21, 2022, is "World Down Syndrome Day in Mississippi."

**S. C. R. No. 580:** Commend Northwest Community College Football Team for consecutive State Championships.

**S. R. No. 37:** Recognize D'Iberville Chief of Police Wayne H. Payne for his law enforcement service and retirement.

**S. R. No. 38:** Paying tribute to the life and legacy of Dr. Gustavus Adolphus "Sonny" Rush III.

**H. C. R. No. 54:** Raleigh High School Lions Football Team; commend upon winning South State MHSAA Class 3A Championship.

**H. C. R. No. 55:** Former Representative Michael Weston Janus; commend laudable career and public service of upon his passing.

**H. C. R. No. 57:** Ole Miss Rebels All Girl Cheerleading Team; commend team and coaching staff on winning 2022 UCA Division 1A.

**H. C. R. No. 58:** Colonel Stanley A. Martin; commend service upon retirement.

**H. C. R. No. 59:** Roger "Big John" Earl Robinson; mourn loss and commemorate life and service of upon his passing.

**H. C. R. No. 60:** Simpson Academy Cougars Boys Basketball Team; commend for winning the MHSAA Class 5A State Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 561, S. C. R. No. 562, S. C. R. No. 564, S. C. R. No. 565, S. C. R. No. 566, S. C. R. No. 567, S. C. R. No. 568, S. C. R. No. 569, S. C. R. No. 570, S. C. R. No. 571, S. C. R. No. 572, S. C. R. No. 573, S. C. R. No. 574, S. C. R. No. 575, S. C. R. No. 576, S. C. R. No. 577, S. C. R. No. 578, S. C. R. No. 579, S. C. R. No. 580, S. R. No. 37, S. R. No. 38, H. C. R. No. 54, H. C. R. No. 55, H. C. R. No. 57, H. C. R. No. 58, H. C. R. No. 59 and H. C. R. No. 60. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), McDaniel and McLendon as co-authors of **S. C. R. No. 561**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Caughman, Frazier, Jackson (11th), McCaughn, McDaniel, McLendon and Thomas as co-authors of **S. C. R. No. 562**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, Jackson (11th), McLendon, Norwood, Simmons D. T. (12th) and Thomas as co-authors of **S. C. R. No. 564**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Norwood and Simmons D. T. (12th) as co-authors of **S. C. R. No. 565**.

Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), DeBar, Hopson, Horhn, Jackson (11th), McCaughn, McDaniel, Norwood, Simmons D. T. (12th), Suber and Thomas as co-authors of **S. C. R. No. 566**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Jackson (11th) as co-authors of **S. C. R. No. 567**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Hill, Horhn, McCaughn, McDaniel, McLendon, Michel, Norwood, Simmons D. T. (12th) and Thomas as co-authors of **S. C. R. No. 568**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Frazier, McCaughn, Norwood and Simmons D. T. (12th) as co-authors of **S. C. R. No. 569**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th) and Frazier as co-authors of **S. C. R. No. 570**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Jackson (11th) as co-authors of **S. C. R. No. 571**.

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Unanimous consent was granted to add Senators Barnett, Branning and Butler K. (38th) as co-authors of **S. C. R. No. 572**.

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Unanimous consent was granted to add Senators Barnett, Branning and Butler K. (38th) as co-authors of **S. C. R. No. 573**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Jackson (11th) and McCaughn as co-authors of **S. C. R. No. 574**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Norwood and Simmons D. T. (12th) as co-authors of **S. C. R. No. 575**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th) and McCaughn as co-authors of **S. C. R. No. 576**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Norwood and Simmons D. T. (12th) as co-authors of **S. C. R. No. 577**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Jackson (11th), McCaughn, McLendon, Parker and Suber as co-authors of **S. C. R. No. 578**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Caughman, England, Jackson (11th), McCaughn, McDaniel, McLendon and Parker as co-authors of **S. C. R. No. 579**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Jackson (11th), McLendon, Parker and Suber as co-authors of **S. C. R. No. 580**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), England, Jackson (11th), McDaniel and McLendon as co-authors of **S. R. No. 37**.

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Unanimous consent was granted to add Senators Barnett, Branning, Jackson (11th) and McCaughn as co-authors of **S. R. No. 38**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2993:** City of Starkville; extend repeal date on economic development, tourism/convention tax on restaurant sales.

YEAS AND NAYS On S. B. No. 2993. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting--Carter. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2998:** Town of Sardis; extend repeal date on restaurant, hotel and motel tax for tourism.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2998. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter. Total--1.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan moved that the rules be suspended for the consideration en bloc of S. B. No. 3181, S. B. No. 3200, H. B. No. 1525, H. B. No. 1526 and H. B. No. 1547 and the motion prevailed.

Senator McMahan called up the following entitled Local and Private bills:

**S. B. No. 3181:** City of Grenada; extend repealer on tourism tax.

**S. B. No. 3200:** Washington County; extend the repeal date on the hotel and motel tax supporting a sports complex.

**H. B. No. 1525:** City of Richland; extend repealer on bar and restaurant tourism tax.

**H. B. No. 1526:** City of Richland; extend date of repeal on hotel/motel; tourism tax.

**H. B. No. 1547:** City of Starkville; extend repeal date on economic development, tourism/convention tax.

YEAS AND NAYS on consideration en bloc of S. B. No. 3181, S. B. No. 3200, H. B. No. 1525, H. B. No. 1526 and H. B. No. 1547. On motion of Senator McMahan, the rules were suspended, foregoing numbered bills on the Local and Private Calendar were considered engrossed, each read the third time and, agreeable to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Carter. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1549:** City of Charleston; authorize expenditure for asphalt to be used on certain county roads damaged due to needed city sewer repairs.

YEAS AND NAYS On H. B. No. 1549. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator McMahan called up the motion to reconsider the vote whereby **S. B. No. 3001** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 3001:** City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism.

The foregoing motion prevailed.

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Senator Michel yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

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Senator Harkins called up the following House Amendment to **S. B. No. 2769** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-31-1, Mississippi Code of 1972, is amended as follows:

27-31-1. The following shall be exempt from taxation:

(a) All cemeteries used exclusively for burial purposes.

(b) All property, real or personal, belonging to the State of Mississippi or any of its political subdivisions, except property of a municipality not being used for a proper municipal purpose and located outside the county or counties in which such municipality is located. A proper municipal purpose within the meaning of this section shall be any authorized governmental or corporate function of a municipality.

(c) All property, real or personal, owned by units of the Mississippi National Guard, or title to which is vested in trustees for the benefit of any unit of the Mississippi National Guard; provided such property is used exclusively for such unit, or for public purposes, and not for profit.

(d) All property, real or personal, belonging to any religious society, or ecclesiastical body, or any congregation thereof, or to any charitable society, or to any historical or patriotic association or society, or to any garden or pilgrimage club or association and used exclusively for such society or association and not for profit; not exceeding, however, the amount of land which such association or society may own as provided in Section 79-11-33. All property, real or personal, belonging to any foundation organized as a nonprofit corporation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and that receives, invests and administers private support for a state-supported institution of higher learning, a public community college or junior college located in the State of Mississippi or a nonprofit private university or college located in the State of Mississippi, as the case may be. For the sole purpose of applying the preceding sentence, all property, real or personal, belonging to an entity

that is wholly owned by and controlled by such a foundation shall be treated as belonging to the foundation. All property, real or personal, belonging to any rural waterworks system or rural sewage disposal system incorporated under the provisions of Section 79-11-1. All property, real or personal, belonging to any college or institution for the education of youths, used directly and exclusively for such purposes, provided that no such college or institution for the education of youths shall have exempt from taxation more than six hundred forty (640) acres of land; provided, however, this exemption shall not apply to commercial schools and colleges or trade institutions or schools where the profits of same inure to individuals, associations or corporations. All property, real or personal, belonging to an individual, institution or corporation and used for the operation of a grammar school, junior high school, high school or military school. All property, real or personal, owned and occupied by a fraternal and benevolent organization, when used by such organization, and from which no rentals or other profits accrue to the organization, but any part rented or from which revenue is received shall be taxed.

(e) All property, real or personal, held and occupied by trustees of public schools, and school lands of the respective townships for the use of public schools, and all property kept in storage for the convenience and benefit of the State of Mississippi in warehouses owned or leased by the State of Mississippi, wherein said property is to be sold by the Alcoholic Beverage Control Division of the Department of Revenue of the State of Mississippi.

(f) All property, real or personal, whether belonging to religious or charitable or benevolent organizations, which is used for hospital purposes, and nurses' homes where a part thereof, and which maintain one or more charity wards that are for charity patients, and where all the income from said hospitals and nurses' homes is used entirely for the purposes thereof and no part of the same for profit. All property, real or personal, belonging to a federally qualified health center where all the income from such center is used entirely for the purposes thereof and no part of the same for profit.

(g) The wearing apparel of every person; and also jewelry and watches kept by the owner for personal use to the extent of One Hundred Dollars (\$100.00) in value for each owner.

(h) Provisions on hand for family consumption.

(i) All farm products grown in this state for a period of two (2) years after they are harvested, when in the possession of or the title to which is in the producer, except the tax of one-fifth of one percent (1/5 of 1%) per pound on lint cotton now levied by the Board of Commissioners of the Mississippi Levee District; and lint cotton for five (5) years, and cottonseed, soybeans, oats, rice and wheat for one (1) year regardless of ownership.

(j) All guns and pistols kept by the owner for private use.

(k) All poultry in the hands of the producer.

(l) Household furniture, including all articles kept in the home by the owner for his own personal or family use; but this shall not apply to hotels, rooming houses or rented or leased apartments.

(m) All cattle and oxen.

(n) All sheep, goats and hogs.

(o) All horses, mules and asses.

(p) Farming tools, implements and machinery, when used exclusively in the cultivation or harvesting of crops or timber.

(q) All property of agricultural and mechanical associations and fairs used for promoting their objects, and where no part of the proceeds is used for profit.

(r) The libraries of all persons.

(s) All pictures and works of art, not kept for or offered for sale as merchandise.

(t) The tools of any mechanic necessary for carrying on his trade.

(u) All state, county, municipal, levee, drainage and all school bonds or other governmental obligations, and all bonds and/or evidences of debts issued by any church or church organization in this state, and all notes and evidences of indebtedness which bear a rate of interest not greater than the maximum rate per annum applicable under the law; and all money loaned at a rate of interest not exceeding the maximum rate per annum applicable under the law; and all stock in or bonds of foreign corporations or associations shall be exempt from all ad valorem taxes.

(v) All lands and other property situated or located between the Mississippi River and the levee shall be exempt from the payment of any and all road taxes levied or assessed under any road laws of this state.

(w) Any and all money on deposit in either national banks, state banks or trust companies, on open account, savings account or time deposit.

(x) All wagons, carts, drays, carriages and other horse-drawn vehicles, kept for the use of the owner.

(y) (i) Boats, seines and fishing equipment used in fishing and shrimping operations and in the taking or catching of oysters.

(ii) All towboats, tugboats and barges documented under the laws of the United States, except watercraft of every kind and character used in connection with gaming operations.

(z) (i) All materials used in the construction and/or conversion of vessels in this state;

(ii) Vessels while under construction and/or conversion;

(iii) Vessels while in the possession of the manufacturer, builder or converter, for a period of twelve (12) months after completion of construction and/or conversion; however, the twelve-month limitation shall not apply to:

1. Vessels used for the exploration for, or production of, oil, gas and other minerals offshore outside the boundaries of this state; or

2. Vessels that were used for the exploration for, or production of, oil, gas and other minerals that are converted to a new service for use outside the boundaries of this state;

(iv) 1. In order for a vessel described in subparagraph (iii) of this paragraph (z) to be exempt for a period of more than twelve (12) months, the vessel must:

a. Be operating or operable, generating or capable of generating its own power or connected to some other power source, and not removed from the service or use for which manufactured or to which converted; and

b. The manufacturer, builder, converter or other entity possessing the vessel must be in compliance with any lease or other agreement with any applicable port authority or other entity regarding the vessel and in compliance with all applicable tax laws of this state and applicable federal tax laws.

2. A vessel exempt from taxation under subparagraph (iii) of this paragraph (z) may not be exempt for a period of more than three (3) years unless the board of supervisors of the county and/or governing authorities of the municipality, as the case may be, in which the vessel would otherwise be taxable adopts a resolution or ordinance authorizing the extension of the exemption and setting a maximum period for the exemption.

(v) As used in this paragraph (z), the term "vessel" includes ships, offshore drilling equipment, dry docks, boats and barges, except watercraft of every kind and character used in connection with gaming operations.

(aa) Sixty-six and two-thirds percent (66-2/3%) of nuclear fuel and reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise, used or to be used in generation of electricity by persons defined as public utilities in Section 77-3-3.

(bb) All growing nursery stock.

(cc) A semitrailer used in interstate commerce.

(dd) All property, real or personal, used exclusively for the housing of and provision of services to elderly persons, disabled persons, mentally impaired persons or as a nursing home, which is owned, operated and managed by a not-for-profit corporation, qualified under Section 501(c)(3) of the Internal Revenue Code, whose membership or governing body is appointed or confirmed by a religious society or ecclesiastical body or any congregation thereof.

(ee) All vessels while in the hands of bona fide dealers as merchandise and which are not being operated upon the waters of this state shall be exempt from ad valorem taxes. As used in this paragraph, the terms "vessel" and "waters of this state" shall have the meaning ascribed to such terms in Section 59-21-3.

(ff) All property, real or personal, owned by a nonprofit organization that: (i) is qualified as tax exempt under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended; (ii) assists in the implementation of the national contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; (iii) engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal or tidal waters; and (iv) is used for the purposes of the organization.

(gg) If a municipality changes its boundaries so as to include within the boundaries of such municipality the project site of any project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxviii) or Section 57-75-5(f)(xxix), all real and personal property located on the project site within the boundaries of such municipality that is owned by a business enterprise operating such project, shall be exempt from ad valorem taxation for a period of time not to exceed thirty (30) years upon receiving approval for such exemption by the Mississippi Major Economic Impact Authority. The provisions of this paragraph shall not be construed to authorize a breach of any agreement entered into pursuant to Section 21-1-59.

(hh) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests (including, but not limited to, subleaseholds and subleasehold

interests), of or with respect to any and all property (real, personal or mixed) constituting all or any part of a facility for the manufacture, production, generation, transmission and/or distribution of electricity, and any real property related thereto, shall be exempt from ad valorem taxation during the period as the United States is both the title owner of the property and a sublessee of or with respect to the property; however, the exemption authorized by this paragraph (hh) shall not apply to any entity to whom the United States sub-subleases its interest in the property nor to any entity to whom the United States assigns its sublease interest in the property. As used in this paragraph, the term "United States" includes an agency or instrumentality of the United States of America. This paragraph (hh) shall apply to all assessments for ad valorem taxation for the 2003 calendar year and each calendar year thereafter.

(ii) All property, real, personal or mixed, including fixtures and leaseholds, used by Mississippi nonprofit entities qualified, on or before January 1, 2005, under Section 501(c)(3) of the Internal Revenue Code to provide support and operate technology incubators for research and development start-up companies, telecommunication startup companies and/or other technology startup companies, utilizing technology spun-off from research and development activities of the public colleges and universities of this state, State of Mississippi governmental research or development activities resulting therefrom located within the State of Mississippi.

(jj) All property, real, personal or mixed, including fixtures and leaseholds, of start-up companies (as described in paragraph (ii) of this section) for the period of time, not to exceed five (5) years, that the startup company remains a tenant of a technology incubator (as described in paragraph (ii) of this section).

(kk) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests, of or with respect to any and all property (real, personal or mixed) constituting all or any part of an auxiliary facility, and any real property related thereto, constructed or renovated pursuant to Section 37-101-41, Mississippi Code of 1972.

(ll) Equipment brought into the state temporarily for use during a disaster response period as provided in Sections 27-113-1 through 27-113-9 and subsequently removed from the state on or before the end of the disaster response period as defined in Section 27-113-5.

(mm) For any lease or contractual arrangement to which the Department of Finance and Administration and a nonprofit corporation are a party to as provided in Section 39-25-1(5), the nonprofit corporation shall, along with the possessory and leasehold interests and/or real and personal property of the corporation, be exempt from all ad valorem taxation, including, but not limited to, school, city and county ad valorem taxes, for the term or period of time stated in the lease or contractual arrangement.

(nn) All property, real or personal, that is owned, operated and managed by a not-for-profit corporation qualified under Section 501(c)(3) of the Internal Revenue Code, and used to provide, free of charge, (i) a practice facility for a public school district swim team, and (ii) a facility for another not-for-profit organization as defined under Section 501(c)(3) of the Internal Revenue Code to conduct water safety and lifeguard training programs. This section shall not apply to real or personal property owned by a country club, tennis club with a pool, or any club requiring stock ownership for membership.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO ANY FOUNDATION ORGANIZED AS A NONPROFIT CORPORATION THAT IS EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT RECEIVES, INVESTS AND ADMINISTERS PRIVATE SUPPORT FOR A STATE-SUPPORTED INSTITUTION OF HIGHER LEARNING, A PUBLIC COMMUNITY COLLEGE OR JUNIOR COLLEGE LOCATED IN THIS STATE OR A NONPROFIT PRIVATE UNIVERSITY OR COLLEGE LOCATED IN THIS STATE, OR BY ANY ENTITY WHOLLY OWNED AND WHOLLY CONTROLLED BY SUCH A FOUNDATION; TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO A FEDERALLY QUALIFIED HEALTH CENTER; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2769** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 2120** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

[Until July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in the driver's license division and the sworn officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

\* \* \*

Rank	Years of Experience		4
	Less than 4 Over 8	Over Over 12	

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Trooper	** *40,314			
Trooper FC			** *43,497	
Corporal	** *46,680			
Sergeant			** *49,862	
Rank		Years of Experience		
	Over 16	Over		20
	Over 24	Over 29		
Staff Sgt.	** *53,045			
Sr. Staff Sgt.		** *56,228		
Sgt. 1st Class	** *59,410	** *		

62,593

Rank		Years of Experience			
	Over 5	Over 10	Over		15
	Over 20	Over 25	Over 29		
Master Sgt.	** * ** * ** * ** * ** * ** *				
	56,228	59,410	62,593		
	65,776	68,959	72,141		
Lieutenant	** * ** * ** * ** * ** * ** *				
	65,776	68,959	72,141		
	75,324	78,507	81,689		
Captain	** * ** * ** * ** * ** * ** *				
		78,507	81,689		
	84,872	88,055	91,237		
Major	** * ** * ** * ** * ** * ** *				
			91,237		
	94,420	97,603	100,786		
Lt. Colonel	** * ** * ** * ** * ** * ** *				
			100,786		
	103,968	107,151	110,334		
Colonel	** * ** * ** * ** * ** * ** *				
	118,821	118,821	118,821	118,821	

Department of Public Safety/MS Bureau of Narcotics

Sworn Officers Salary Schedule

\* \* \*

Rank	Years of Experience		
	Less than 4 Over 8	Over Over 12	4

LE-Agent I	** *40,314		
LE-Agent II		** *43,497	
LE-Agent III	** *46,680		
LE-Agent IV		** *49,862	

Rank	Years of Experience		
	Over 16 Over 24	Over Over 29	20

LE-Agent V	** *53,045		
LE-Agent VI		** *56,228	

Rank	Years of Experience				
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Over 7 Over 12 Over 17 Over 22 Over 27 Over 32

Lieutenant	** * ** * ** * ** * ** *			
		65,776 75,324	68,959 78,507	72,141 81,689
Captain	** * ** * ** * ** *			
		0 84,872	78,507 88,055	81,689 91,237
Major	** * ** * ** * ** *			
			0 94,420	91,237 100,786
Lt. Colonel	** * ** * ** * ** *			
		103,968	107,151	100,786 110,334
Colonel	** * ** * ** * ** *			
		118,821	118,821	118,821 118,821

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector DPS-Highway Patrol Officer VII DPS-Investigator I DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer DPS-Dir. Corr. Intelligence DPS-Dist. Executive Officer DPS-Regional Supv. Driver. Serv. DPS-Branch Director LE-Dir/Training LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)

- (j) Major                               DPS-Bureau Director II
- (k) Lt. Colonel                       DPS-Deputy Administrator;  
  DPS-Chief of Staff
- (l) Colonel/Chief of Patrol Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I LE-Agent II LE-Agent III LE-Agent IV LE-Agent V LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II Office Director I
(e) Lt. Colonel	BN-Deputy Administrator
(f) Colonel	Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

SECTION 2. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

[From and after July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training

school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in the driver's license division and the sworn officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

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Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
Trooper	** *45,314	
Trooper FC		** *48,497
Corporal	** *51,680	
Sergeant		** *54,862

Rank	Years of Experience	
	Over 16 Over 24	Over 20 Over 29
Staff Sgt.	** *58,045	
Sr. Staff Sgt.		** *61,228
Sgt. 1st Class	** *64,410	
		** *67,593

Rank	Years of Experience					
	Over 5 Over 20	Over 10 Over 25	Over 15 Over 29			
Master Sgt.	***	***	***	***	***	***
	61,228	64,410	67,593	70,776	73,959	77,141
Lieutenant	***	***	***	***	***	***
	70,776	73,959	77,141	80,324	83,507	86,689
Captain		***	***	***	***	***
		83,507	86,689	89,872	93,055	96,237
Major			***	***	***	***
			96,237	99,420	102,603	105,786

Lt. Colonel	***	***	***	***
	105,786	108,968	112,151	115,334
Colonel	***	***	***	***
	123,821	123,821	123,821	123,821

Department of Public Safety/MS Bureau of Narcotics

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Sworn Officers Salary Schedule

Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
LE-Agent I	** *45,314	
LE-Agent II		** *48,497
LE-Agent III	** *51,680	
LE-Agent IV		** *54,862

Rank	Years of Experience	
	Over 16 Over 24	Over 20 Over 29
LE-Agent V	** *58,045	
LE-Agent VI		** *61,228

Rank	Years of Experience					
	Over 7	Over 12	Over 17	Over 22	Over 27	Over 32
Lieutenant	***	***	***	***	***	***
	70,776	73,959	77,141	80,324	83,507	86,689
Captain	***	***	***	***	***	***
	83,507	86,689	89,872	93,055	96,237	
Major	***	***	***	***	***	***
	96,237	99,420	102,603	105,786		
Lt. Colonel	***	***	***	***	***	***
	105,786	108,968	112,151	115,334		

Colonel

\* \* \* \* \*

123,821 123,821 123,821 123,821

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector DPS-Highway Patrol Officer VII DPS-Investigator I DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer DPS-Dir. Corr. Intelligence DPS-Dist. Executive Officer DPS-Regional Supv. Driver. Serv. DPS-Branch Director LE-Dir/Training LE-Dist. Investigator



Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

---

Senator Whaley called up the following House Amendment to **S. B. No. 2505** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend on line 173 by inserting ", and shall stand repealed on June 30, 2022" before the period.

---

Senator Whaley called up the following House Amendment to **S. B. No. 2506** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend on line 88 by inserting ", and shall stand repealed on June 30, 2022" before the period.

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Senator Harkins called up the following House Amendment to **S. B. No. 2772** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-10-601, Mississippi Code of 1972, is amended as follows:

57-10-601. (1) As used in this section:

(a) "Act" means the State Small Business Credit Initiative Act of 2010 ( \* \* \* 12 USC 5701 et seq. as amended).

(b) "State program" has the meaning ascribed to such term in the State Small Business Credit Initiative Act of 2010 ( \* \* \* 12 USC 5701 et seq. as amended).

(c) "MDA" means the Mississippi Development Authority.

(2) The MDA is designated as the agency to implement a state program and participate in the State Small Business Credit Initiative established under the act.

(3) The MDA is authorized and empowered to take any action necessary to establish and implement a state program that meets all the requirements of the act.

(4) The MDA is authorized and empowered to administer funds transferred to the state under the act.

(5) In addition to all other plenary power and authority, the MDA is authorized and empowered to form a private nonprofit entity that is exempt from federal income taxation, the purpose of which is to promote, aid and encourage economic development in this state or a locality or region of this state, and for other economic development purposes.

( \*\* \*6) The Executive Director of MDA \* \* \* shall promulgate and put into effect all reasonable rules and regulations that he or she may deem necessary to carry out the provisions of this section and comply with the act.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-10-601, MISSISSIPPI CODE OF 1972, WHICH DESIGNATES THE MISSISSIPPI DEVELOPMENT AUTHORITY AS THE AGENCY TO IMPLEMENT A STATE PROGRAM AND PARTICIPATE IN THE FEDERAL STATE SMALL BUSINESS CREDIT INITIATIVE ACT OF 2010, TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FORM A PRIVATE NONPROFIT ENTITY THAT IS EXEMPT FROM FEDERAL INCOME TAXATION, THE PURPOSE OF WHICH IS TO PROMOTE, AID AND ENCOURAGE ECONOMIC DEVELOPMENT IN THIS STATE OR A LOCALITY OR REGION OF THIS STATE, AND FOR OTHER ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

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Senator Whaley called up the following House Amendment to **S. B. No. 2010** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend on line 62 by inserting ", and shall stand repealed on June 30, 2022" before the period.

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Senator Younger called up the following House Amendment to **S. B. No. 2029** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend on line 24, by inserting the following before the period: ", and shall stand repealed on June 30, 2022".

Senator Barnett moved that the rules be suspended for the consideration en bloc of calendar items 61, 65, 74 and 80, and the motion prevailed.

Senator Barnett called up the following House Amendment to **S. B. No. 2437** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-539, Mississippi Code of 1972, is amended as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following \*\*\* meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(\*\*b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(\*\*c) "Department" means the State Department of Corrections.

(\*\*d) "Inmate" means any person incarcerated within any state correctional facility.

(\*\*e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(\*\*f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work Initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 2. The following shall be codified as Section 47-5-579, Mississippi Code of 1972:

47-5-579. (1) (a) The corporation is authorized to create a Pilot Work Initiative at the Central Mississippi Correctional Facility. The initiative shall be a limited to no more than twenty-five (25) inmates in the program at a time.

(b) The department shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to the work initiative established under this section.

(3) (a) The commissioner shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program with the department shall have priority in admission to the program.

(4) (a) The chief executive officer may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) In consultation with the department, the corporation shall adopt and publish rules and regulations to effectuate this section. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in initiative during his or her current term of confinement.

(6) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer.

(b) The inmate shall be required:

(i) To pay up to twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay up to ten percent (10%) of the inmate's wages to the corporation for administrative expenses to include transportation costs.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this sub-item shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to any of the remainder of the monies in the inmate's account after the requirements of paragraph (b) of this section to purchase incidental expenses.

(7) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2023, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the initiative established under this section and produce a report to the Legislature on their effectiveness by July 1, 2023. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, 2024.

SECTION 3. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a Work Initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

( \*\*3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

( \*\*4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

( \*\*5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

SECTION 4. Section 97-9-49, Mississippi Code of 1972, is amended as follows:

97-9-49. (1) (a) Whoever escapes or attempts by force or violence to escape from any jail in which he is confined, or from any custody under or by virtue of any process issued under the laws of the State of Mississippi by any court or judge, or from the custody of a sheriff or other peace officer pursuant to lawful arrest or from the assigned area of a work release program or work initiative, shall, upon conviction, if the confinement or custody is by virtue of an arrest on a charge of felony, or conviction of a felony, be punished by imprisonment in the penitentiary not exceeding five (5) years to commence at the expiration of his former sentence, or, if the confinement or custody is by virtue of an arrest of or charge for or conviction of a misdemeanor, be punished by imprisonment in the county jail not exceeding one (1) year to commence at the expiration of the sentence which the court has imposed or which may be imposed for the crime for which he is charged.

(b) Whoever escapes or attempts by force or violence to escape from any confinement for contempt of court, shall, upon conviction, be found guilty of a misdemeanor and sentenced to imprisonment not to exceed six (6) months in the county jail.

(2) Anyone confined in any jail who is entrusted by any authorized person to leave the jail for any purpose and who willfully fails to return to the jail within the stipulated time,

or after the accomplishment of the purpose for which he was entrusted to leave, shall be an escapee and shall be subject to the penalties provided in subsection (1).

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE CREATION OF A WORK INITIATIVE WITHIN THE MISSISSIPPI PRISON INDUSTRIES CORPORATION; AMEND SECTION 47-5-539, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF A WORK INITIATIVE FOR NO MORE THAN 25 INMATES; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE INITIATIVE; TO PROSCRIBE CERTAIN ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE INITIATIVE; TO PROHIBIT ANY INMATE SENTENCED FOR A SEX OFFENSE FROM PARTICIPATION IN THE PROGRAM; TO PROHIBIT ANY INMATE CONVICTED OF ESCAPE WITHIN THE PAST 5 YEARS FROM PARTICIPATION IN THE PROGRAM; TO REQUIRE THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SELECT INMATES FOR ADMISSION TO THE PROGRAM; TO REQUIRE THE CORPORATION, IN CONSULTATION WITH THE DEPARTMENT, TO ADOPT AND PROMULGATE RULES TO EFFECTUATE THIS SECTION; TO REQUIRE THE INMATE TO MAINTAIN A BANK ACCOUNT; TO ESTABLISH CERTAIN RULES CONCERNING THE INMATE'S DISBURSEMENT OF FUNDS; TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO COLLECT AND MAINTAIN DATA TO SHARE WITH PEER; TO REQUIRE PEER TO CONDUCT A REVIEW OF THE WORK INITIATIVE; TO AMEND SECTIONS 47-5-1251 AND 97-9-49, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Barnett called up the following House Amendment to **S. B. No. 2600** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created a study committee for the purpose of studying the challenges of monitoring the formerly incarcerated individuals in the pursuit of the reduction of recidivism through targeted support, supervision and skills attainment, and for recommending solutions. The committee shall be comprised of the following nine (9) members:

- (a) Three (3) members of the Senate, to be appointed by the Lieutenant Governor;
- (b) Three (3) members of the House, to be appointed by the Speaker of the House of Representatives;

(c) The Commissioner of the Department of Corrections, or a designee, as an ex officio nonvoting member;

(d) The Chairman of the Mississippi Parole Board, or a designee, as an ex officio nonvoting member; and

(e) The Executive Director of Accelerate Mississippi, or a designee, as an ex officio nonvoting member.

(2) Appointments to the study committee shall be made within thirty (30) days of the effective date of this act. At the first meeting, the committee shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records.

(3) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(4) The Commissioner of the Department of Corrections shall provide the staff and other support necessary for the study committee to perform its duties.

(5) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(6) The study committee shall be dissolved on or before January 1, 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE CHALLENGES OF MONITORING FORMERLY INCARCERATED INDIVIDUALS TO REDUCE RECIDIVISM THROUGH TARGETED SUPPORT, SUPERVISION AND SKILLS ATTAINMENT, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.

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Senator Barnett called up the following House Amendment to **S. B. No. 2273** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as a new section within Title 47 of Chapter 7, Mississippi Code of 1972:

47-7- . (1) Any employer of an offender may submit weekly time cards, proof of employment and the results of any required drug tests to the person who supervises an individual placed on parole by the Parole Board or placed on probation by the court in lieu of the meeting requirement described in Section 47-7-36.

(2) Any employer may withhold an amount from an offender's paycheck sufficient to cover the fees described in Section 47-7-49 and pay the amount to the department monthly.

(3) This section shall not apply to offenders who are self-employed.

(4) The board shall coordinate with the department to promulgate rules and regulations to administer this act.

SECTION 2. Section 47-7-36, Mississippi Code of 1972, is amended as follows:

47-7-36. (1) Any person who supervises an individual placed on parole by the Parole Board or placed on probation by the court shall set the times and locations for meetings that are required for parole or probation at such times and locations that are reasonably designed to accommodate the work schedule of an individual on parole or probation who is employed by another person or entity.

(2) To effectuate the provisions of this section, the parole officer or probation officer may utilize technology portals such as Skype, FaceTime or Google video chat, or any other technology portal that allows communication between the individual on parole or probation and the parole or probation officer, as applicable, to occur simultaneously in real time by voice and video in lieu of requiring a face-to-face in person meeting of such individual and the parole or probation officer, as applicable. For individuals who are self-employed, the provisions of this \* \* \* subsection shall only apply with the agreement of their supervising parole or probation officer.

(3) The Department of Corrections shall promulgate rules and regulations to implement the provisions of this section. The rules and regulations promulgated by the department shall include, but are not limited to, minimum standards and guidelines for the authorized technology and how it may be used as well as standards for determining the eligibility and suitability of an individual on parole or probation to meet his or her reporting requirements through the use of such technology. The eligibility and suitability standards shall include consideration of the severity of the individual's underlying criminal conviction and such individual's criminal history, supervision level, and past supervision history.

(4) This section shall not apply to offenders whose employers comply with the requirements of Section 1(1) of this act.

(5) The Department of Corrections shall allow any individual placed on probation or parole to have eight (8) hours per month reduced from his or her sentence if he or she attends a minimum of four (4) church services.

SECTION 3. Section 47-7-49, Mississippi Code of 1972, is amended as follows:

47-7-49. (1) Any offender on probation, parole, earned-release supervision, post-release supervision, earned probation or any other offender under the field supervision of the Community Services Division of the department shall pay to the department the sum of Fifty-five Dollars (\$55.00) per month by certified check or money order unless a hardship waiver is granted. An offender shall make the initial payment within sixty (60) days after being released from imprisonment unless a hardship waiver is granted. A hardship waiver may be granted by the sentencing court or the Department of Corrections. A hardship waiver may not be granted for a period of time exceeding ninety (90) days. The commissioner or his designee shall deposit Fifty Dollars (\$50.00) of each

payment received into a special fund in the State Treasury, which is hereby created, to be known as the Community Service Revolving Fund. Expenditures from this fund shall be made for: (a) the establishment of restitution and satellite centers; and (b) the establishment, administration and operation of the department's Drug Identification Program and the intensive and field supervision program. The Fifty Dollars (\$50.00) may be used for salaries and to purchase equipment, supplies and vehicles to be used by the Community Services Division in the performance of its duties. Expenditures for the purposes established in this section may be made from the fund upon requisition by the commissioner, or his designee.

Of the remaining amount, Three Dollars (\$3.00) of each payment shall be deposited into the Crime Victims' Compensation Fund created in Section 99-41-29, and Two Dollars (\$2.00) shall be deposited into the Training Revolving Fund created pursuant to Section 47-7-51. When a person is convicted of a felony in this state, in addition to any other sentence it may impose, the court may, in its discretion, order the offender to pay a state assessment not to exceed the greater of One Thousand Dollars (\$1,000.00) or the maximum fine that may be imposed for the offense, into the Crime Victims' Compensation Fund created pursuant to Section 99-41-29.

Any federal funds made available to the department for training or for training facilities, equipment or services shall be deposited into the Correctional Training Revolving Fund created in Section 47-7-51. The funds deposited in this account shall be used to support an expansion of the department's training program to include the renovation of facilities for training purposes, purchase of equipment and contracting of training services with community colleges in the state.

No offender shall be required to make this payment for a period of time longer than ten (10) years.

(2) The offender may be imprisoned until the payments are made if the offender is financially able to make the payments and the court in the county where the offender resides so finds, subject to the limitations hereinafter set out. The offender shall not be imprisoned if the offender is financially unable to make the payments and so states to the court in writing, under oath, and the court so finds.

(3) An offender's responsibilities under this section may be satisfied by an offender's employer under Section 1(2) of this act.

( \*\* \*4) This section shall stand repealed from and after June 30, \*\* \* 2026.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 47 OF CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN OFFENDER'S EMPLOYER TO SUBMIT TIMESHEETS, PROOF OF EMPLOYMENT AND REQUIRED DRUG TESTS TO THE PERSON WHO SUPERVISES AN OFFENDER'S PROBATION OR PAROLE IN LIEU OF IN-PERSON OR ELECTRONIC MEETINGS; TO AUTHORIZE AN OFFENDER'S EMPLOYER TO WITHHOLD STATUTORILY REQUIRED FEES FROM AN OFFENDER'S PAYCHECK AND PAY THE DEPARTMENT OF CORRECTIONS DIRECTLY; TO REQUIRE THE STATE PAROLE BOARD TO COORDINATE WITH THE DEPARTMENT OF CORRECTIONS TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THIS ACT; TO AMEND SECTION 47-7-36, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO IMPLEMENT CERTAIN RULES AND REGULATIONS REGARDING THE USE OF TECHNOLOGY

PORTALS BY THOSE WHO ARE ON PAROLE OR PROBATION AND PROBATION OFFICERS WHO SUPERVISE THOSE WHO ARE ON PAROLE OR PROBATION; TO CONFORM; TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Barnett called up the following House Amendment to **S. B. No. 2275** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 429, Laws of 2021, is amended as follows:

Section 1. (1) The Sheriff of Rankin and Jackson County is authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this act. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this act. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he or she has more than one (1) year remaining on his or her sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this act and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, \* \* \* 2024.

SECTION 2. Section 1 of this act shall be codified in Chapter 5, Title 47, Mississippi Code of 1972, and the corresponding Editor's Note shall be deleted.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO AUTHORIZE JACKSON COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM; TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES A PILOT WORK RELEASE PROGRAM; AND FOR RELATED PURPOSES.

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Senator Younger called up the following House Amendment to **S. B. No. 2479** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 75-46-1, Mississippi Code of 1972:

75-46-1. This chapter shall be known as the "Mississippi Grain Indemnity Act."

SECTION 2. The following shall be codified as Section 75-46-3, Mississippi Code of 1972:

75-46-3. As used in this act, the following terms shall have the meaning ascribed in this section, unless the context clearly requires otherwise:

(a) "Board" means the Mississippi Grain Indemnity Trust Fund Board.

(b) "Claimant" means a producer who:

(i) Has suffered either a "contract loss" or

"storage loss" as defined herein; and

(ii) Has a claim that has been determined by the board to meet all requirements of this chapter and any rules issued by the board under this chapter.

(c) "Commissioner" means the Commissioner of Agriculture and Commerce for the State of Mississippi or his designee.

(d) "Contract loss" means a loss to a claimant when a failed first purchaser licensee has not fully paid the claimant for grain sold to the licensee under any type of contract.

(e) "Department" means the Mississippi Department of Agriculture and Commerce.

(f) "Failed" or "failure" means:

(i) Inability of a first purchaser licensee to satisfy all obligations due to a claimant;

(ii) A declaration of insolvency of a first purchaser licensee by the licensee or by the commissioner;

(iii) Nonpayment of a first purchaser licensee's debts in the ordinary course of business unless there is a good faith dispute regarding the legitimacy of the debt;

(iv) Revocation or suspension of the first purchaser licensee's license by the State of Mississippi or the United States Department of Agriculture, if the licensee has outstanding indebtedness owed to claimants;

(v) Voluntary surrender of a first purchaser licensee's license to the State of Mississippi or the United States Department of Agriculture, if the licensee has outstanding indebtedness owed to claimants; or

(vi) Insolvency, or nonvoluntary or voluntary bankruptcy of a first purchaser licensee.

(g) "First purchaser licensee" means an entity that is the first entity to purchase grain or is paid to store grain produced in Mississippi from producers and is:

(i) Licensed by the State of Mississippi to store grain under Chapter 44, Title 75, Mississippi Code of 1972;

(ii) Licensed by the State of Mississippi to act as a grain dealer under Chapter 45, Title 75, Mississippi Code of 1972; or

(iii) Licensed by the United States under the United States Warehouse Act to store grain.

(h) "Fund" means the Mississippi Grain Indemnity Trust Fund.

(i) "Grain" means whole kernel corn for all purposes, grain sorghum, oats, soybeans and wheat. Grain does not include sweet corn, popcorn and any other corn for human consumption.

(j) "Mississippi Grain Indemnity Trust Fund" means the fund established as provided in this chapter.

(k) "Mississippi Grain Indemnity Trust Fund Board" means the board established under Section 75-46-5.

(l) "Person" means a natural person, trust, partnership, corporation or any other business entity.

(m) "Producer" means a person that is:

(i) An owner of land, a tenant on a farm, or an operator of a farm; and

(ii) Receives from a first purchaser licensee proceeds from the sale of grain produced by the owner, tenant, or operator.

(n) "Storage loss" means a loss to a claimant when a failed first purchaser licensee has not fully satisfied the licensee's storage obligations to the claimant, less any allowable charges that have not been paid by the claimant.

SECTION 3. The following shall be codified as Section 75-46-5, Mississippi Code of 1972:

75-46-5. (1) (a) There is hereby created the Mississippi Grain Indemnity Board, which is established for the purposes of providing money to pay agricultural producers for contract losses due to a failure of a grain dealer licensed by the State of Mississippi under Chapter 45, Title 75, Mississippi Code of 1972, and for contract and storage losses due to the failure of a grain warehouse operator licensed by the State of Mississippi under Chapter 44, Title 75, Mississippi Code of 1972, or by the United States Department of Agriculture under the United States Warehouse Act. The board shall consist of:

- (i) The commissioner who shall be the chairperson of the board;
- (ii) Two (2) members selected by the President of the Mississippi Farm Bureau;
- (iii) Two (2) members selected by the President of the Delta Council; and
- (iv) Two (2) members selected at-large by the commissioner who shall be active Mississippi grain farmers.

(b) Members of the initial board shall be appointed as follows:

- (i) The Delta Council shall appoint members for terms of one (1) and three (3) years;
- (ii) Mississippi Farm Bureau shall appoint members for two (2) and four (4) years; and
- (iii) The commissioner shall appoint members for one (1) and three (3) years.

Following the initial board, subsequent members appointed to the board shall serve a term of four (4) years with staggered expiration dates. Members of the board shall, while serving on business of the board, be entitled to receive as compensation a per diem, as provided by law, in addition to any actual and necessary expenses incurred in the performance of the official duties of the board. The commissioner may call a meeting of the board upon reasonable notice to the board members.

(2) There is created in the State Treasury a special fund to be designated the "Mississippi Grain Indemnity Trust Fund." Funds collected by or appropriated to the board shall be held in trust by the State Treasurer for use and benefit of the board, only to pay claimants and costs for the administration of this chapter. Claimants shall be accorded rights under this act. The fund shall consist of:

- (a) Money collected under this chapter;
- (b) Interest earned on any money in the fund;
- (c) Any funds appropriated by the Legislature or any other public or private source; and
- (d) Any bond proceeds or other financial obligation in

favor of the commissioner as provided in Sections 75-44-29 and 75-45-305.

(3) Amounts in the fund may be invested and reinvested at the discretion of the State Treasurer. Interest from these investments shall be deposited in the fund and shall be available for the same purposes as other monies deposited in the fund. The monies in the fund shall not be available for any purpose other than those specified in subsection (2) of this section.

(4) The fund shall operate on a fiscal year basis of July 1 to June 30. The board may accept and expend funds deposited into the fund and funds not expended at the end of the fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on such accounts shall be deposited to the credit of the fund.

(5) A producer's decision to participate in the trust fund and program described herein is voluntary.

SECTION 4. The following shall be codified as Section 75-46-7, Mississippi Code of 1972:

75-46-7. (1) The fund shall be administered by the board. All payments made to claimants under this chapter may only be made with board approval, and the board shall provide advice to the commissioner on the day-to-day operation of the fund. The board shall have the authority to contract with a third party to:

(a) Administer payments;

(b) Handle the accounting functions, including, but not limited to, financial reviews or audits, and financial filings or matters; and

(c) Any other matters the board deems appropriate.

(2) The commissioner shall be responsible for the day-to-day operation of the fund including the disbursement of payments approved by the board under subsection (1) of this section. Disbursements are allowed without specific appropriation by the Legislature.

SECTION 5. The following shall be codified as Section 75-46-9, Mississippi Code of 1972:

75-46-9. Beginning on July 1, 2022, producers of grain shall be charged an assessment equal to two-tenths percent (0.2%) of the price on all marketed grain that is sold to a first purchaser licensee.

SECTION 6. The following shall be codified as Section 75-46-11, Mississippi Code of 1972:

75-46-11. Assessments shall be collected by the first purchaser licensee and by any agent or representative of the licensee. The first purchaser licensee shall deduct the assessment from the purchase price of the grain and shall document the amount of the assessment that was deducted on an invoice provided to the producer. The first purchaser licensee shall submit monthly assessments to the department by the twentieth day of the following month.

SECTION 7. The following shall be codified as Section 75-46-13, Mississippi Code of 1972:

75-46-13. (1) Assessments shall be collected when the board has determined and announced that the amount in the fund is less than Eighteen Million Dollars (\$18,000,000.00). Assessments shall be required to be collected and submitted until the board determines that the amount in the fund is Twenty Million Dollars (\$20,000,000.00).

(2) If the amount in the fund is less than Eighteen Million Dollars (\$18,000,000.00) or the board has determined that the failure of a first purchaser licensee will likely result in the issuance of payments to claimants that will reduce the amount in the fund to less than Eighteen Million Dollars (\$18,000,000.00) at the end of the current fiscal year, assessments shall be required beginning July 1 of the following fiscal year.

(3) If the amount in the fund exceeds Twenty Million Dollars (\$20,000,000.00) at any time during a fiscal year when assessments are being collected, assessments shall continue until the end of such fiscal year without regard to the maximum amount authorized to be in the fund.

SECTION 8. The following shall be codified as Section 75-46-15, Mississippi Code of 1972:

75-46-15. (1) First purchaser licensees shall maintain a ledger of all assessments collected by the licensee that specifies the date of the collection, from whom the assessment was collected, and the amount of the assessment collected.

(2) At the request of the board, first purchaser licensees shall make ledgers and related records available to the commissioner or a designee of the commissioner. The commissioner shall only disclose information obtained from such ledgers and related records to the board, employees of the office of the commissioner, law enforcement officials of the State of Mississippi, law enforcement officials of the United States, as directed by any court order, and as required by the Mississippi Public Records Act of 1983.

SECTION 9. The following shall be codified as Section 75-46-17, Mississippi Code of 1972:

75-46-17. (1) Participation in the fund is voluntary. During any fiscal year in which assessments are collected under this chapter, a producer who does not desire to participate in the fund shall notify the commissioner by the preceding June 1 of such year that the producer has opted out of the fund by submission of a written notification on a form provided by the commissioner. The election to opt-out shall be effective for only one (1) crop year. A producer who opts out of the fund shall not be eligible to receive any payment with respect to grain produced during such crop year for a contract loss or storage loss resulting from the failure of a first purchaser licensee.

(2) A producer who opts out of the fund has the obligation to notify any first purchaser licensee of the election to opt out of the fund and the licensee may require the producer to provide a copy of the form referenced in subsection (1) of this section.

(3) If an assessment is collected by a first purchaser licensee from a producer who has opted out of the fund, the producer may obtain a refund of the amount paid to the commissioner in the manner established by the board.

SECTION 10. The following shall be codified as Section 75-46-19, Mississippi Code of 1972:

75-46-19. The commissioner shall be responsible for determining when a first purchaser licensee has failed. Upon making such a determination, the commissioner shall issue a legal notice in a paper of general circulation once a week for two (2) consecutive weeks in the county in which the first purchaser licensee operates setting forth the name of the failed first purchaser licensee and details on how a producer may file a claim for a payment from the fund. The commissioner shall take any other action the commissioner deems to be appropriate to provide notice to affected producers.

SECTION 11. The following shall be codified as Section 75-46-21, Mississippi Code of 1972:

75-46-21. (1) The commissioner shall issue rules the commissioner determines to be necessary to provide for a simple and timely process to receive and adjudicate claims submitted in response to the failure of a first purchaser licensee. These rules shall include requirements that provide:

(a) A claim must be on a form prescribed by the commissioner;

(b) A claim must be submitted not later than ninety (90) days after the announcement made by the commissioner under Section 75-46-19 of this act;

(c) A copy of any written agreement for the sale of grain to the failed first purchaser licensee by the producer must be included with the submitted form;

(d) For filing of an affidavit under penalty of perjury

setting forth the terms and conditions of any oral contract for the sale of grain to the failed first purchaser licensee by the producer; and

(e) A copy of any warehouse receipt, scale ticket or other similar document showing the delivery of grain by the producer to the failed first purchaser licensee must be included with the claim.

(2) The commissioner may extend the time for filing a claim upon a finding that extenuating circumstances exist that warrant an extension.

SECTION 12. The following shall be codified as Section 75-46-23, Mississippi Code of 1972:

75-46-23. (1) All claims submitted to the commissioner shall be reviewed by commissioner or designees of the commissioner. The commissioner or the designees shall make a preliminary determination regarding the eligibility for payment from the fund. If the preliminary determination provides that less than the full amount of the claimed loss should be paid, the determination shall set forth an explanation of why the lesser amount, if any, should be paid. The preliminary determination shall be provided to the board for a final determination of eligibility for payment from the fund.

(2) The board or the commissioner may request from a claimant additional information it determines necessary to adjudicate the claim and may provide an opportunity for the claimant to provide oral testimony to the board or to a designee of the board.

(3) If a claim is not approved for the full amount, the board shall provide a written explanation to the claimant setting forth the basis for the final determination of the eligible amount of the claim.

(4) Within thirty (30) days of the receipt of the final determination in which a claim has been denied in whole or only partially approved, claimant may file with the board a request for reconsideration of the claim.

(5) A claimant that does not agree with the determination of the board issued after reconsideration of the final determination may seek review of the determination issued by the board after its reconsideration of the final determination by filing an appeal with the circuit court located in the county of the producer's residence. The circuit court shall render a decision based on the administrative record prepared by the commissioner without a trial by jury. The circuit court's decision may then be appealed to the Mississippi

Supreme Court. Any such appeal to circuit court or to the Supreme Court shall be in accordance with existing laws and regulations governing such appeals.

(6) (a) The department shall have subpoena power for witnesses to attend hearings and for production of documents for any and all proceedings under the department's jurisdiction. The subpoenas shall be enforced by the chancery court of the residence of the witness.

(b) The department shall have the authority to make application for administrative inspection warrants and administrative search warrants for any and all proceedings under the department's jurisdiction. A judge or any state court of record, or any justice court judge within his jurisdiction, and upon proper oath or affirmation showing probable cause, may issue warrants for the purpose of conducting administrative inspections for the department. For purposes of the issuance of administrative inspection or search warrants, probable cause exists upon showing a valid public interest in the effective enforcement of matters under the department's jurisdiction. An administrative search warrant shall issue only upon an affidavit of a person having knowledge or information of the facts alleged, sworn to before the judge or justice court judge and establishing that the grounds for the application exist or that there is probable cause to believe they exist. The judge shall issue a warrant identifying the area, premises, building or conveyance to be searched, the purpose of the search, and, if appropriate, the type of property to be searched. When authorized by an administrative inspection or search warrant issued, an officer or employee of the department, upon presenting the warrant and appropriate credentials to the owner, operator, or agent in charge, may enter the premises for the purpose of conducting an administrative inspection.

SECTION 13. The following shall be codified as Section 75-46-25, Mississippi Code of 1972:

75-46-25. (1) Subject to Section 75-46-27, claims for storage losses shall be paid at one hundred percent (100%) of the amount of loss of the claimant less any amount received by the claimant from any other source. The value of the grain subject to the claim shall be the market price of the grain as determined by the board as of the date of failure of the first purchaser licensee. The board may adjust the value of the grain subject to the claim if there is sufficient evidence on a warehouse receipt, scale ticket or other similar document showing the quality of the grain.

(2) (a) Subject to Section 75-46-27, claims for contract losses shall be paid at one hundred percent (100%) of the amount of loss of the claimant less any amount received by the claimant from any other source including the sale of the grain to another entity. The board shall use the purchase price set forth in the contract for sale to determine the amount of loss and if purchase price is not clearly set forth in the contract, the board shall establish the price of grain to be used to determine the amount of the loss taking into account normal marketing practices in the area in which the first purchaser licensee conducted business.

(b) A claim for a contract loss shall not be approved by the board if the claimant engaged in conduct or practices that differ from generally accepted marketing practices within the grain industry to an extent the claimant's actions have substantially contributed to the claimant's loss.

(c) A failed first purchaser licensee may not file a

claim for payment from the fund for any loss associated with a grain warehouse owned in whole or in part by the licensee or an entity that is a grain dealer owned in whole or in part by the licensee.

(d) Payments from the fund shall be available for storage and contract losses incurred with respect to crops produced in the 2022 and subsequent crop years.

SECTION 14. The following shall be codified as Section 75-46-27, Mississippi Code of 1972:

75-46-27. If the total amount of eligible claims exceeds the amount of funds available to the board from the fund, the board shall make initial payments on a pro rata basis. Assessments subsequently collected and submitted to the fund shall not be used to make an additional payment for prior payments made at less than the full amount.

SECTION 15. The following shall be codified as Section 75-46-29, Mississippi Code of 1972:

75-46-29. The failure of a first purchaser licensee to timely collect and submit assessments required by Section 75-46-11 of this act shall be basis for the commissioner to revoke a license issued to the licensee under Sections 75-44-23 and 75-45-309.

SECTION 16. The following shall be codified as Section 75-46-31, Mississippi Code of 1972:

75-46-31. The commissioner shall establish a toll-free hotline and other information collection processes for the purposes of receiving information concerning the failure of a first purchaser licensee to make timely payments for the purchase of grain and information concerning any suspected fraudulent activity of a first purchaser licensee. Upon receipt of information from the hotline, the commissioner shall take such action as the commissioner determines to be appropriate including referral of the matter to the Attorney General. Information received through the hotline shall not be subject to disclosure to the public except as determined appropriate by the commissioner.

SECTION 17. The following shall be codified as Section 75-46-33, Mississippi Code of 1972:

75-46-33. All the board's books, records, accounts, and other papers shall be subject to inspection, copying and audit by the Office of the State Auditor at any time.

SECTION 18. The following shall be codified as Section 75-46-35, Mississippi Code of 1972:

75-46-35. The board may adopt any and all rules and regulations deemed necessary or desirable by the board to carry out the powers and duties of the board, including, but not limited to, the collection and receipt of assessments, the procedure for adjudicating the claims of loss by the producers, the refunding of assessment to producers and the subrogation of procedures' claims against a warehouse or dealer in return for payment from the trust fund.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE "MISSISSIPPI GRAIN INDEMNITY ACT"; TO CREATE NEW SECTION 75-46-1, MISSISSIPPI CODE OF 1972, TO NAME THE ACT AS SUCH; TO CREATE NEW SECTION 75-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR DEFINITIONS TO TERMINOLOGY USED IN THE ACT; TO CREATE NEW SECTION 75-46-5, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY BOARD, PROVIDE FOR ITS COMPOSITION AND THE INITIAL AND SUBSEQUENT TERMS OF BOARD MEMBERS; TO ESTABLISH THE MISSISSIPPI GRAIN INDEMNITY TRUST FUND AS A SPECIAL FUND IN THE STATE

TREASURY; TO STIPULATE THE USES OF MONIES DEPOSITED INTO THE FUND; TO CREATE NEW SECTION 75-46-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE BOARD, WHICH SHALL HAVE AUTHORITY TO CONTRACT WITH A THIRD PARTY TO ADMINISTER PAYMENTS AND HANDLE ALL ACCOUNTING FUNCTIONS RELATED TO THE FUND; TO CREATE NEW SECTION 75-46-9, MISSISSIPPI CODE OF 1972, TO REQUIRE GRAIN PRODUCERS TO PAY AN ASSESSMENT ON ALL MARKETED GRAIN SOLD TO A FIRST PURCHASER LICENSEE BEGINNING ON JULY 1, 2022; TO CREATE NEW SECTION 75-46-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ASSESSMENT TO BE COLLECTED BY THE FIRST PURCHASER LICENSEE OR ANY AGENT OR REPRESENTATIVE OF THE LICENSEE, WHO SHALL DEDUCT SUCH ASSESSMENT FROM THE PURCHASE PRICE; TO ESTABLISH THE DATE BY WHICH THE LICENSEES MUST SUBMIT ASSESSMENTS TO THE BOARD FOLLOWING ITS COLLECTION; TO CREATE NEW SECTION 75-46-13, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE ASSESSMENT COLLECTION PERIOD AND ESTABLISH AMOUNTS FOR THRESHOLD TRUST FUND BALANCES; TO CREATE NEW SECTION 75-46-15, MISSISSIPPI CODE OF 1972, TO REQUIRE FIRST PURCHASER LICENSEES TO MAINTAIN A LEDGER OF ALL ASSESSMENTS COLLECTED, WHICH SUCH RECORDS SHALL BE MADE AVAILABLE TO THE BOARD UPON REQUEST; TO LIMIT THE COMMISSIONER OF AGRICULTURE AND COMMERCE'S AUTHORITY TO DISCLOSE INFORMATION OBTAINED FROM THE LEDGER OF ASSESSMENTS; TO CREATE NEW SECTION 75-46-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PARTICIPATION IN THE FUND IS VOLUNTARY; TO REQUIRE NONPARTICIPANTS TO NOTIFY THE COMMISSIONER BY THE PRECEDING JUNE 1 OF SUCH YEAR THAT THE PRODUCER HAS OPTED OUT; TO PROVIDE THAT NONPARTICIPATION IN THE FUND DISQUALIFIES SUCH INDIVIDUALS FROM RECEIPT OF ANY PAYMENT FOR A CONTRACT OR STORAGE LOSS OF GRAIN PRODUCED DURING SUCH CROP DUE TO THE FAILURE OF A FIRST PURCHASER LICENSEE; TO PROVIDE ADDITIONAL NOTICE TO BE GIVEN TO THE FIRST PURCHASER LICENSEE; TO ALLOW A REFUND OF ASSESSMENTS PAID TO PRODUCERS WHO OPT OUT OF THE FUND; TO CREATE NEW SECTION 75-46-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER SHALL DETERMINE WHEN A FIRST PURCHASER LICENSEE HAS FAILED; TO PRESCRIBE PROCEDURES TO BE FOLLOWED BY THE COMMISSIONER UPON THE MAKING OF SUCH DETERMINATION OF FAILURE; TO CREATE NEW SECTION 75-46-21, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE PROCESS TO BE FOLLOWED FOR THE TIMELY ADJUDICATION OF CLAIMS ALLEGING FAILURE OF FIRST PURCHASER LICENSEES; TO CREATE NEW SECTION 75-46-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OR THE DESIGNEES TO MAKE A PRELIMINARY DETERMINATION OF ELIGIBILITY FOR PAYMENT FROM THE FUND RESULTING FROM SUBMITTED CLAIMS; TO PROVIDE THAT THE BOARD SHALL MAKE THE FINAL DETERMINATION ON PAYMENTS OF CLAIMS; TO AUTHORIZE THE BOARD TO SEEK ANY ADDITIONAL INFORMATION NECESSARY TO ADJUDICATE THE CLAIM; TO PRESCRIBE PROCEDURES TO BE FOLLOWED WHEN ONLY A PARTIAL PAYMENT OF CLAIM IS MADE; TO SPECIFY THE TIMELINE FOR CERTAIN RESPONSES AND ACTIONS BY THE BOARD AND CLAIMANT; TO PROVIDE CLAIMANTS WITH AN OPTION TO REQUEST A REVIEW OF THE BOARD'S FINAL ADJUDICATION OF THE CLAIM; TO PROVIDE FOR ADMINISTRATIVE PROCEDURES PROCESS FOR APPEALS OF THE BOARD'S FINAL ADJUDICATION; TO CREATE NEW SECTION 75-46-25, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE METHOD OF CALCULATING THE PAYMENT OF CLAIMS FOR STORAGE OR CONTRACT LOSSES SUFFERED; TO CREATE NEW SECTION 75-46-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD TO MAKE PAYMENTS OF CLAIMS ON A PRO RATA BASIS AT ANY TIME THE TOTAL AMOUNT OF ELIGIBLE CLAIMS EXCEEDS THE AMOUNT OF FUNDS AVAILABLE; TO CREATE NEW SECTION 75-46-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE COMMISSIONER WITH THE AUTHORITY TO REVOKE THE LICENSE OF A FIRST PURCHASER LICENSEE FOR FAILURE TO TIMELY COLLECT AND SUBMIT ASSESSMENTS TO THE BOARD; TO CREATE NEW SECTION 75-46-31, MISSISSIPPI

CODE OF 1972, TO REQUIRE THE COMMISSIONER TO ESTABLISH A TOLL-FREE HOTLINE AND OTHER INFORMATION COLLECTION PROCESSES FOR THE PURPOSES OF RECEIVING INFORMATION ON LICENSEE FAILURE TO PERFORM; TO CREATE NEW SECTION 75-46-33, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE INSPECTION OF THE BOARD'S RECORDS, ACCOUNTS AND OTHER DOCUMENTS BY THE OFFICE OF THE STATE AUDITOR; TO CREATE NEW SECTION 75-46-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO ADOPT ANY RULES AND REGULATIONS DEEMED NECESSARY TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

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Senator DeLano called up the following House Amendment to **S. B. No. 2530** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-53-201, Mississippi Code of 1972, is amended as follows:

25-53-201. (1) There is hereby established the Enterprise Security Program which shall provide for the coordinated oversight of the cybersecurity efforts across all state agencies, including cybersecurity systems, services and the development of policies, standards and guidelines.

(2) The Mississippi Department of Information Technology Services (MDITS), in conjunction with all state agencies, shall provide centralized management and coordination of state policies for the security of data and information technology resources, which such information shall be compiled by MDITS and distributed to each participating state agency. MDITS shall:

(a) Serve as sole authority, within the constraints of this statute, for defining the specific enterprise cybersecurity systems and services to which this statute is applicable;

(b) Acquire and operate enterprise technology solutions to provide services to state agencies when it is determined that such operation will improve the cybersecurity posture in the function of any agency, institution or function of state government as a whole;

(c) Provide oversight of enterprise security policies for state data and information technology (IT) resources including, the following:

(i) Establishing and maintaining the security standards and policies for all state data and IT resources state agencies shall implement to the extent that they apply; and

(ii) Including the defined enterprise security requirements as minimum requirements in the specifications for solicitation of state contracts for procuring data and information technology systems and services;

(d) Adhere to all policies, standards and guidelines in the management of technology infrastructure supporting the state data centers, telecommunications networks and backup facilities;

(e) Coordinate and promote efficiency and security with all applicable laws and regulations in the acquisition, operation and maintenance of state data, cybersecurity systems and services used by agencies of the state;

(f) Manage, plan and coordinate all enterprise cybersecurity systems under the jurisdiction of the state;

(g) Develop, in conjunction with agencies of the state, coordinated enterprise cybersecurity systems and services for all state agencies;

(h) Provide ongoing analysis of enterprise cybersecurity systems and services costs, facilities and systems within state government;

(i) Develop policies, procedures and long-range plans for the use of enterprise cybersecurity systems and services;

(j) Form an advisory council of information security officers from each state agency to plan, develop and implement cybersecurity initiatives;

(k) Coordinate the activities of the advisory council to provide education and awareness, identify cybersecurity-related issues, set future direction for cybersecurity plans and policy, and provide a forum for interagency communications regarding cybersecurity;

(l) Charge respective user agencies on a reimbursement basis for their proportionate cost of the installation, maintenance and operation of the cybersecurity systems and services; and

(m) Require cooperative utilization of cybersecurity systems and services by aggregating users.

(3) Each state agency's executive director or agency head shall:

(a) Be solely responsible for the security of all data and IT resources under its purview, irrespective of the location of the data or resources. Locations include data residing:

(i) At agency sites;

(ii) On agency real property and tangible and intangible assets;

(iii) On infrastructure in the State Data Centers;

(iv) At a third-party location;

(v) In transit between locations;

(b) Ensure that an agency-wide security program is in place;

(c) Designate an information security officer to administer the agency's security program;

(d) Ensure the agency adheres to the requirements established by the Enterprise Security Program, to the extent that they apply;

(e) Participate in all Enterprise Security Program initiatives and services in lieu of deploying duplicate services specific to the agency;

(f) Develop, implement and maintain written agency policies and procedures to ensure the security of data and IT resources. The agency policies and procedures are confidential information and exempt from public inspection, except that the information must be available to the Office of the State Auditor in performing auditing duties;

(g) Implement policies and standards to ensure that all of the agency's data and IT resources are maintained in compliance with state and federal laws and regulations, to the extent that they apply;

(h) Implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and IT resources;

(i) Ensure that internal assessments of the security program are conducted. The results of the internal assessments are confidential and exempt from public inspection, except that the information must be available to the Office of the State Auditor in performing auditing duties;

(j) Include all appropriate cybersecurity requirements in the specifications for the agency's solicitation of state contracts for procuring data and information technology systems and services;

(k) Include a general description of the security program and future plans for ensuring security of data in the agency long-range information technology plan;

(l) Participate in annual information security training designed specifically for the executive director or agency head to ensure that such individual has an understanding of:

(i) The information and information systems that support the operations and assets of the agency;

(ii) The potential impact of common types of cyber-attacks and data breaches on the agency's operations and assets;

(iii) How cyber-attacks and data breaches on the agency's operations and assets could impact the operations and assets of other state agencies on the Enterprise State Network;

(iv) How cyber-attacks and data breaches occur;

(v) Steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems; and

(vi) The annual reporting requirements required of the executive director or agency head.

(4) The Mississippi Department of Information Technology Services shall evaluate the opportunities for expanding the Enterprise Security Program and the coordinated oversight of cybersecurity efforts to include those governing authorities as defined in Section 25-53-3(f). The Mississippi Department of Information Technology Services shall develop a report on these opportunities. The Mississippi Department of Information Technology Services shall present this report to the Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees, Attorney General and the Chairman of the Senate Technology Committee by November 1, 2022.

(5) From and after July 1, 2022, all state agencies and governing authorities as defined in Section 25-53-3 shall report to the Mississippi Department of Information Technology Services any demand for payment or any payment made as a result of ransomware. These agencies and authorities shall report this information no later than the next business day upon discovery of the ransomware. The Mississippi Department of Information Technology Services shall record all information submitted from these agencies and authorities and develop a report on this information no later than the next business day upon receiving the report from the agency or governing authority. The Mississippi Department of Information Technology Services shall present this report to the Lieutenant Governor, Speaker of the House, Attorney General, Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees and the Chairman of the Senate Technology Committee. By November 1 of each year, the Mississippi Department of Information Technology Services shall provide a yearly summary of all ransomware incidents to the Lieutenant Governor, Speaker of the House, Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees and the Chairman of the Senate Technology Committee. For the purpose of this subsection, "ransomware" shall mean a computer contaminant, or lock placed or introduced without authorization into a computer, computer system, or computer network that restricts access by an authorized person to the computer, computer system, computer network, or any data therein under circumstances in which the person responsible for the placement or introduction of the ransomware demands payment of money or other consideration to remove the computer contaminant, restore access to the computer, computer system, computer network, or data, or otherwise remediate the impact of the computer contaminant or lock.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2022; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE;  
AND FOR RELATED PURPOSES.

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Senator Seymour called up the following House Amendment to **S. B. No. 2649** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 79 by striking the period and inserting in lieu thereof ", and shall stand repealed on June 30, 2022."

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Senator Parks moved that the rules be suspended for the consideration en bloc of calendar items 67, 103, 104 and 105, and the motion prevailed.

Senator Parks called up the following House Amendment to **S. B. No. 2698** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Trustees of State Institutions of Higher Learning, acting by and through the University of Southern Mississippi, may lease portions of the property administered by the Mississippi State Port Authority at Gulfport.

(2) The University of Southern Mississippi may enter into subleases with public and/or private entities for all or part of such property.

(3) The University of Southern Mississippi, acting with the approval of the Board of Trustees of State Institutions of Higher Learning, may negotiate all aspects of any lease and sublease of such property and any terms and ancillary agreements pertaining to any lease and sublease of such property as may be reasonably necessary to effectuate the intent and purposes of this section and to ensure a fair and equitable return to the state.

(4) Any lease and sublease as provided for in this section and approved and entered into by the University of Southern Mississippi shall not exceed a term of forty (40) years and shall not be cancelled by any successor boards on the basis of the binding successor doctrine.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE  
INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE

UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; AND FOR RELATED PURPOSES.

Senator Parks called up the following House Amendment to **S. B. No. 2893** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Jackson State University, with the approval of the Board of Trustees of State Institutions of Higher Learning, is authorized to enter into a ground lease, management and maintenance agreement, or an agreement to lease or sell part of its real property owned by the University's foundation, to a private entity, its successors and assigns, related to the ownership, leasing, renovating development, construction, furnishing, maintenance and equipping of facilities by the private entity for the housing of Jackson State University students, faculty, staff and visitors within such facilities and/or other commercial development on property located within and outside the campus of Jackson State University in the City of Jackson, Hinds County, Mississippi. Any ground lease, management and maintenance agreement authorized under this act shall not exceed a term of forty (40) years. The properties that shall be subject to an agreement authorized under this act are, more particularly described as follows:

Parcel No.	Owner	Location	Legal Description
143-43	Jackson State Univ Dev Foundation	West Pascagoula Street	BEG IN E 1/2 LOT 9 CLIFTON EST SY BEG INT S/L PASCAGOULA ST & W/L CLIFTON ST W 665.8 FT TO POB W 34 FT S 131.5 FT SW/LY 4.4 FT S 38.9 FT E 32 FT NE/LY 35 FT N 38.5 FT E
143-43-1	Jackson State Univ Dev	West Pascagoula Street	4 FT N 93 FT TO POB PT LOT 9 CLIFTON EST

	Foundation		SY 60.33 FT S/S PEARL
			ST X 210 FT N & S BEG
			202.17 FT W OF NE COR
			LOT 19 IN LOG 19
144-112	Jackson State	824 Canal	ALL LOT 33 & PT LOT
	Univ Dev	Street	34 BLK C BEARDS RE SY
	Foundation		BEG SW COR LOT 35 BLK
			C BEARDS RESY N 84 FT
			E 71.2 FT S 81.9 FT W
			69.3 FT TO POB BEING
144-112-1	Jackson State	834 Canal	ALL LOT 35 & PT LOT
	Univ Dev	Street	34 BLK C BEARDS
	Foundation		RE SY
144-120	Jackson State		LOT 9 BLK D
	University		BEARDS RE SY
	Development		
	Holdings LLC		
144-20	Jackson State	803 West	LOT 1 BLK 17 OLIN
	Univ Dev	Pearl	SURVEY LESS 5 FT OFF
	Foundation	Street	W/SIDE 44 FT E/S LOT
			2 & 5 FT OFF W/SIDE
			LOT 1 BLK
144-21	Jackson State	West Pearl	17 OLIN SURVEY
	Univ Dev	Street	BEG NW COR LOT 2 BLK
	Foundation		17 OLIN SY E 56 FT S
			104.5 FT W 56 FT N
			104.5 FT TO POB PT
			LOT 2 BLK
144-22-1	Jackson State	815 West	17 OLIN SY
	Univ Dev	Pearl	BEG NW COR BLK 17

SENATE JOURNAL  
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	Foundation	Street	OLIN SY E 135.6 FT S
			104.6 FT E 67.9 FT S
			104.5 FT W 124 FT N
			139.4 FT W 13.8 FT N
			10 FT W 71.3 FT N 60
			FT TO POB PT LOT 4 &
			PT LOT 3 BLK 17
			OLIN SY
144-23-1	Jackson State	821 West	LOT 3 BLK 17 OLIN SY
	Univ Dev	Pearl	BEG 119.6 FT S INT
	Foundation	Street	E/L POINDEXTER ST &
			S/L PEARL ST E 85 FT
			S 41.6 FT W 85 FT N
			41.6 FT
144-23-2	Jackson State	514 Poindexter	TO POB PT LOT 4 BLK
	Univ Dev	Street	17 OLIN SY BEG 60 FT
	Foundation		S NW COR BLK 17 OLIN
			SY E 71.3 FT S 10 FT
			E 13.8 FT S 50 FT W
			85 FT N 59.6 FT
144-23-3	Jackson State	508 Poindexter	TO POB PT LOT 4 BLK
	Univ Dev	Street	17 OLIN SY BEG SW COR
	Foundation		LOT 4 OLIN SY N 47.8
			FT E 85 FT S
144-25	Jackson State	827 Deterly	100 FT S END W 1/2
	Univ Dev	Alley	LOT 6 BLK 17 OLIN
	Foundation		SURVEY
144-27	Jackson State	826 West	BLK 17 OLIN SY 40
	Univ Dev	Pascagoula	FT E & W X 90 FT N &

	Foundation	Street	S BEG 15 FT W OF NE
144-28-1	Jackson State	821 Dudleys	COR LOT 7 BLK 17 OLIN
	Univ Dev	Alley	SURVEY 48 FT E & W X
	Foundation		94 FT N & S MID PT S
			1/2 LOT 7
144-30	Jackson State	Dudleys	SURVEY 50 FT E & W X
	Univ Dev	Alley	100 FT N & S IN SE
	Foundation		COR LOT 8
144-36	Jackson State	719 West	62.2 FT E/S LOT 3
	Univ Dev	Pearl	BLK 18 OLIN
	Foundation	Street	SURVEY
144-38	Jackson State	West Pearl	LOT 4 BLK 18
	Univ Dev	Street	OLIN
	Foundation		SURVEY
144-39	Jackson State	West	E 1/2 LOT 6 BLK 18
	Univ Dev	Pascagoula	OLIN SURVEY W 1/2
	Foundation	Street	LOT 6 LESS 60 FT S
			END BLK 18 OLIN SY
144-42-10	Jackson State	West	40.5 FT W/S LOT 9
	Univ Dev	Pascagoula	BLK B CHAPMAN SMYLIE
	Foundation	Street	SUBN LOT 10 BLK B
			CHAPMAN SMYLIE SUBN
			LESS TO ST
144-42-2	Jackson State	Minerva	20.4 FT S/S PEARL ST
	Univ Dev	Street	X 53 ST N & S IN
	Foundation		NW COR
144-42-5	Jackson State	Minerva	LOT 5 BLK B CHAPMAN
	Univ Dev	Street	SMYLIE SUB LESS
	Foundation		TO ST
144-42-8	Jackson State	426 Olin	48 FT S/S LOT 8 BLK B

	Univ Dev	Street	CHAPMAN SMYLIE SUBN
	Foundation		28 FT N/S LOT 8 BLK
			B CHAPMAN SMYLIE
SUBN			
144-42-9	Jackson State	Olin	LOT 2 & 10 FT E & W
	Univ Dev	Street	X 43.25 FT N & S E
	Foundation		OF & ADJ THIS LOT IN
			LOT 5 BLK A BEARDS
			RE SY

(2) The ownership of all property and any improvements and/or facilities thereon which are the subject of any management and maintenance agreement, lease agreement or other type of contract authorized in this act, if not already owned by Jackson State University, shall be transferred without cost to Jackson State University from the private entity at the conclusion of such agreement or other contract. The State of Mississippi shall retain all mineral rights to the real property leased and or sold under this section. The Department of Finance and Administration is authorized to correct any discrepancies in the property descriptions provided in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE JACKSON STATE UNIVERSITY TO ENTER INTO A GROUND LEASE, SALE, MANAGEMENT OR MAINTENANCE AGREEMENT WITH A PRIVATE ENTITY RELATED TO THE DEVELOPMENT OF LAND OWNED BY THE UNIVERSITY'S FOUNDATION; AND FOR RELATED PURPOSES.

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Senator Parks called up the following House Amendment to **S. B. No. 2690** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-97-101, Mississippi Code of 1972, is brought forward as follows:

37-97-101. This article shall be known and may be cited as the "Mississippi Intercollegiate Athletics Compensation Rights Act."

SECTION 2. Section 37-97-103, Mississippi Code of 1972, is amended as follows:

37-97-103. (1) As used in this article, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means anything of value, monetary or otherwise, including, but not limited to, cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law, and any other form of payment or remuneration, except as excluded under this article.

For the purposes of this article, "compensation" shall not mean or include the following:

(i) Tuition, room, board, books, fees and personal expenses that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member;

(ii) Federal Pell Grants and other state and federal grants or scholarships unrelated to, and not awarded because of a student-athlete's participation in intercollegiate athletics or sports competition;

(iii) Any other financial aid, benefits or awards that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member; or

(iv) The payment of wages and benefits to a student-athlete for work actually performed \* \* \* for services unrelated to a student-athlete's publicity rights or other intellectual or intangible property rights of a student-athlete under federal or state law.

(b) "Image" means a picture of the student-athlete.

(c) "Intercollegiate athletics program" means an intercollegiate athletics program played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(d) "Likeness" means a physical, digital or other depiction or representation of a student-athlete.

(e) "Name" means the first or last name, or the nickname, of a student-athlete when used in a context that reasonably identifies the student-athlete with particularity.

(f) "Name, Image and Likeness Agreement" means a contract or \* \* \* other arrangement between a student-athlete and a third-party \* \* \* regarding the \* \* \* use of the \* \* \* publicity of the student-athlete.

(g) "Publicity right" means any right \* \* \*:

(i) \* \* \* Associated with the name, image, \* \* \* likeness \* \* \*, publicity, reputation, fame or personal following of a student-athlete; or

(ii) Recognized under a federal or state law \* \* \* as permitting an individual to control and profit from the \* \* \* use of the name, image, \* \* \* likeness, publicity, reputation, fame or personal following of the individual.

(h) "Postsecondary educational institution" means a public university or community college or private university or college.

(i) "Social media compensation" means all forms of payment for engagement on social media received by a student-athlete as a result of the use of that student-athlete's \*\*\* publicity rights.

(j) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, intercollegiate athletics program at a postsecondary educational institution, including, without limitation, prospective student-athletes of an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(k) "Third-party \*\*\*" means any individual or entity or group of the same, acting independently or collectively, that \*\*\* enters into an agreement for the publicity rights \*\*\* of a student-athlete or group of student-athletes. The term "third-party \*\*\*" shall not include any national association for the promotion or regulation of collegiate athletics, athletics conference, or postsecondary educational institution.

SECTION 3. Section 37-97-105, Mississippi Code of 1972, is amended as follows:

37-97-105. (1) Except as provided in Section 37-97-107, a student-athlete may:

(a) Earn compensation, \*\*\* for the use of \*\*\* publicity rights of the student-athlete \*\*\*; and

(b) Obtain and retain a certified agent for any matter or activity relating to such compensation.

(2) No student-athlete may earn compensation in exchange for the student-athlete's athletic ability or participation in intercollegiate athletics or sports competition.

(3) Notwithstanding any other provision of applicable law or agreement to the contrary, a student-athlete shall not be deemed an employee or independent contractor of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program.

SECTION 4. Section 37-97-107, Mississippi Code of 1972, is amended as follows:

37-97-107. (1) Except as provided for under this article, a postsecondary educational institution shall not uphold any contract, rule, regulation, standard or other requirement that prevents a student-athlete of that institution from earning compensation \*\*\* for the use of the student's \*\*\* publicity rights. Any such contract, rule, regulation standard or other requirement shall be void and unenforceable against the postsecondary educational institution or the student-athlete. Compensation from the use of a student-athlete's \*\*\* publicity rights may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility. Nothing in this article is intended to alter any state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.

(2) Except as provided for in this article, an athletic association, conference or other group or organization with authority over intercollegiate athletic programs, including, but not limited to, the National Collegiate Athletic Association (NCAA) and the National Junior College Athletic Association (NJCAA), shall not prevent, or otherwise enforce a contract, rule, regulation, standard or other requirement that prevents, a student-athlete

of a postsecondary educational institution from earning compensation as a result of the use of the student-athlete's \*\*\* publicity rights.

(3) To protect the integrity of its educational mission and intercollegiate athletics program, a postsecondary educational institution may impose reasonable limitations on the dates and time that a student-athlete may participate in endorsement, promotional, social media or other activities related to the license or use of the student-athlete's \*\*\* publicity rights. Nothing in this article shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or institution-sponsored event. A student-athlete may not receive or enter into a contract for compensation for the use of his or her \*\*\* publicity rights in a way that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary institution, unless the institution has provided the student-athlete with written permission to do so prior to \*\*\* entering into the agreement or receipt of compensation. If permission is granted, the postsecondary educational institution, by agreement of all parties, may be compensated for the use in a manner consistent with market rates. A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any entity during an intercollegiate athletics competition or institution-sponsored event.

(4) An athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not enforce a contract, rule, regulation, standard or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program, or otherwise penalize the postsecondary educational institution or its intercollegiate athletic program, as a result of activities permitted by this article, including, without limitation, the compensation of a student-athlete for the use of the student-athlete's \*\*\* publicity rights.

(5) (a) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not \*\*\*:

( \*\* \*i) Enter into, or offer to enter into, a name, image and likeness agreement with a \*\*\* student-athlete; or

( \*\* \*ii) Provide a \*\*\* student-athlete or the student-athlete's family compensation in relation to the use of the student-athlete's \*\*\* publicity rights.

(b) A postsecondary educational institution may facilitate opportunities for student-athletes to engage with third-parties interested in entering into name, image, and likeness agreements, and may communicate with third-parties interested in providing name, image, and likeness agreements to student-athletes.

(6) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association shall not prevent a student-athlete from obtaining professional representation in relation to \*\*\* publicity rights, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by athlete agents or legal representation provided by attorneys. A student-athlete shall provide the postsecondary educational institution with written notice at least seven (7) days prior to entering into a representation agreement with any individual for the purpose of exploring or securing compensation for use of the student-athlete's \*\*\* publicity rights.

(7) Professional representation obtained by student-athletes must be from persons registered as athlete agents as provided in Section 73-42-1 et seq. of the Uniform Athlete Agent Act. Attorneys who provide legal representation to student-athletes must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar.

(8) Athlete agents representing student-athletes shall comply with the Uniform Athlete Agents Act, Section 73-42-1 et seq., Mississippi Code of 1972, and the federal Sports Agent Responsibility and Trust Act in 15 USC Sections 7801-7807 in their relationships with student-athletes.

(9) A grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits from the postsecondary educational institution in which a student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this article.

(10) Before any \*\*\* agreement for compensation for the use of a student-athlete's \*\*\* publicity rights is \*\*\* entered into, and before any compensation is provided to the student-athlete in advance of \*\*\* an agreement, the student-athlete shall disclose the \*\*\* agreement to a designated official of the postsecondary educational institution in which the student-athlete is enrolled in a manner prescribed by the institution.

(11) A third-party \*\*\* may not enter into, or offer to enter into, a name, image and likeness agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's \*\*\* publicity rights if a provision of the name, image and likeness agreement or the use of the student-athlete's \*\*\* publicity rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(12) No postsecondary educational institution, booster \*\*\* or third-party \*\*\* shall provide a \*\*\* student-athlete compensation or enter into a name, image and likeness agreement as an inducement for the student-athlete to attend or enroll in a specific institution or group of institutions. Compensation for a student-athlete's \*\*\* publicity rights may not be conditioned on athletic performance \* \* \* \* \*.

\* \* \*

(\*\*\*13) No student-athlete shall enter into a name, image, and likeness agreement or receive compensation from a third-party licensee for the endorsement or promotion of gambling, sports betting, controlled substances, marijuana, tobacco or alcohol \*\*\*, brand or products, alternative or electronic nicotine product or delivery system, performance-enhancing supplements, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution or that negatively impacts or reflects adversely on a postsecondary education institution or its athletic programs, including, without limitation, bringing about public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary educational institution.

(\*\*\*14) \*\*\* An agreement for the use of \*\*\* a student-athlete's \*\*\* publicity rights which is formed while the student-athlete is participating in an intercollegiate sport at a postsecondary educational institution may not extend beyond the student-athlete's participation in the sport at the institution.

(\*\*\*15) Nothing in this article shall be interpreted to modify any requirements or obligations imposed under Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.).

SECTION 5. Section 37-97-109, Mississippi Code of 1972, is brought forward as follows:

37-97-109. No postsecondary educational institution shall be subject to a claim for damages of any kind under this article, including, without limitation, a claim for unfair trade or competition or tortious interference. No postsecondary educational institution shall be subject to a claim for damages related to its adoption, implementation or enforcement of any contract, rule, regulation, standard or other requirement in compliance with this article. This article is not intended to and shall not waive or diminish any applicable defenses and immunities, including, without limitation, sovereign immunity applicable to postsecondary educational institutions.

SECTION 6. Section 73-42-1, Mississippi Code of 1972, is brought forward as follows:

73-42-1. This chapter may be cited as the "Uniform Athlete Agents Act."

SECTION 7. Section 73-42-3, Mississippi Code of 1972, is brought forward as follows:

73-42-3. In this chapter:

(a) "Agency contract" means an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract, an endorsement contract, compensation for the use of the student-athlete's name, image or likeness, or enrollment at any educational institution that offers an athletic scholarship to the student-athlete.

(b) "Athlete agent" means an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits, induces or solicits a student-athlete to enter into an agency contract. The term does not include a spouse, parent, sibling, grandparent or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. The term includes an individual who represents to the public that the individual is an athlete agent.

(c) "Athletic director" means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(d) "Contact" means a communication, direct or indirect, written or oral, between an athlete agent and a student-athlete, to recruit, induce or solicit the student-athlete to enter into an agency contract.

(e) "Endorsement contract" means:

(i) An agreement under which a student-athlete is employed or receives consideration or anything of value for the student-athlete's publicity, reputation, following, or fame obtained because of the student-athlete's athletic ability or performance; and

(ii) An agreement under which a student-athlete receives compensation, consideration or anything of value for the use of the student-athlete's name, image or likeness.

(f) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(g) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation, or any other legal or commercial entity.

(h) "Professional-sports-services contract" means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(i) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(j) "Registration" means registration as an athlete agent pursuant to this chapter.

(k) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(l) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, a sport for a professional sports team or in any intercollegiate sport at any educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 8. Section 73-42-5, Mississippi Code of 1972, is brought forward as follows:

73-42-5. (1) The Secretary of State shall administer this chapter.

(2) By engaging in the business of an athlete agent in this state, a nonresident individual appoints the Secretary of State as the individual's agent to accept service of process in any civil action related to the individual's business as an athlete agent in this state.

(3) The Secretary of State may:

(a) Conduct public or private investigations within or outside of this state which he considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate any provision of this chapter or a rule adopted under this chapter, or to aid in the enforcement of this chapter or in the adoption of rules and forms under this chapter;

(b) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as he may determine, as to all facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(c) Publish a record concerning an action, proceeding, or an investigation under, or a violation of, this chapter or a rule adopted under this chapter if he determines it is necessary or appropriate in the public interest.

(4) For the purpose of an investigation under this chapter, the Secretary of State or his designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Secretary of State considers relevant or material to the investigation.

SECTION 9. Section 73-42-7, Mississippi Code of 1972, is brought forward as follows:

73-42-7. (1) Except as otherwise provided in subsection (2), an individual may not act as an athlete agent in this state before being issued a certificate of registration under Section 73-42-11 or 73-42-15.

(2) Before being issued a certificate of registration, an individual may act as an athlete agent for all purposes except signing an agency contract if within seven (7) days after an initial act as an athlete agent, the individual submits an application to register as an athlete agent in this state.

(3) An agency contract resulting from conduct in violation of this section is void. The athlete agent shall return any consideration received under the contract to the individual or entity who tendered or paid the consideration.

SECTION 10. Section 73-42-9, Mississippi Code of 1972, is brought forward as follows:

73-42-9. (1) An applicant for registration shall submit an application for registration to the Secretary of State in a form prescribed by the Secretary of State. An application filed under this section is a public record. Except as otherwise provided in subsection (2), the application must be in the name of an individual, signed by the applicant under penalty of perjury and must state or contain:

(a) The name of the applicant and the address of the applicant's principal place of business;

(b) The name of the applicant's business or employer, if applicable;

(c) Any business or occupation engaged in by the applicant for the five (5) years next preceding the date of submission of the application;

(d) A description of the applicant's:

(i) Formal training as an athlete agent;

(ii) Practical experience as an athlete agent; and

(iii) Educational background relating to the applicant's activities as an athlete agent;

(e) The names and addresses of three (3) individuals not related to the applicant who are willing to serve as references;

(f) The name, sport and last known team for each individual for whom the applicant provided services as an athlete agent during the five (5) years next preceding the date of submission of the application;

(g) The names and addresses of all persons who are:

(i) With respect to the athlete agent's business if it is not a corporation, the partners, officers, associates, individuals or profit-sharers; and

(ii) With respect to a company or corporation employing the athlete agent, the officers, directors and any shareholder of the corporation or member with a five percent (5%) or greater interest;

(h) Whether the applicant or any other person named pursuant to paragraph (g) has been convicted of a crime that, if committed in this state, would be a felony or other crime involving moral turpitude, and identify the crime;

(i) Whether there has been any administrative or judicial determination that the applicant or any other person named pursuant to paragraph (g) has made a false, misleading, deceptive or fraudulent representation;

(j) Any instance in which the conduct of the applicant or any other person named pursuant to paragraph (g) resulted in the imposition of a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event on a student-athlete or educational institution;

(k) Any sanction, suspension or disciplinary action taken against the applicant or any other person named pursuant to paragraph (g) arising out of occupational or professional conduct;

(l) Whether there has been any denial of an application for, suspension or revocation of, or refusal to renew, the certification, registration or licensure of the applicant or any other person named pursuant to paragraph (g) as an athlete agent in any state;

(m) Any pending litigation against the applicant in the applicant's capacity as an agent;

(n) A list of all other states in which the applicant is currently licensed or registered as an athlete agent and a copy of each state's license or registration, as applicable; and

(o) Consent to submit to a criminal background check before being issued a certificate of registration. Any fees connected with the background check shall be assessed to the applicant.

(2) An individual who has submitted an application for, and received a certificate of, registration or licensure as an athlete agent in another state, may submit a copy of the application and a valid certificate of registration or licensure from the other state in lieu of submitting an application in the form prescribed pursuant to subsection (1), along with the information requested in paragraphs (l), (m), (n) and (o) of subsection (1). The Secretary of State shall accept the application and the certificate from the other state as an application for registration in this state if the application to the other state:

(a) Was submitted in the other state within the six (6) months next preceding the submission of the application in this state and the applicant certifies the information contained in the application is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(3) An athlete agent must notify the Secretary of State within thirty (30) days whenever the information contained in any application for registration as an athlete agent in this state changes in a material way or is, or becomes, inaccurate or incomplete in any respect. Events requiring notice shall include, but are not limited to, the following:

(a) Change in address of the athlete agent's principal place of business;

(b) Conviction of a felony or other crime involving moral turpitude by the athlete agent;

(c) Denial, suspension, refusal to renew, or revocation of a registration or license of the athlete agent as an athlete agent in any state; or

(d) Sanction, suspension or other disciplinary action taken against the athlete agent arising out of occupational or professional conduct.

SECTION 11. Section 73-42-11, Mississippi Code of 1972, is brought forward as follows:

73-42-11. (1) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual who complies with Section 73-42-9(1).

(2) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual whose application has been accepted under Section 73-42-9(2).

(3) The Secretary of State may refuse to issue a certificate of registration if he determines that the applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to serve as an athlete agent. In making the determination, the Secretary of State may consider whether the applicant has:

(a) Been convicted of a crime in another state that, if committed in this state, would be a felony or other crime involving moral turpitude;

(b) Made a materially false, misleading, deceptive or fraudulent representation as an athlete agent or in the application;

(c) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(d) Engaged in conduct prohibited by Section 73-42-27;

(e) Had a registration, licensure or certification as an athlete agent suspended, revoked, or denied or been refused renewal of registration, licensure or certification in any state;

(f) Engaged in conduct or failed to engage in conduct the consequence of which was that a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event was imposed on a student-athlete or educational institution; or

(g) Engaged in conduct that significantly adversely reflects on the applicant's trustworthiness or credibility.

(4) In making a determination under subsection (3), the Secretary of State shall consider:

(a) How recently the conduct occurred;

(b) The nature of the conduct and the context in which it occurred; and

(c) Any other relevant conduct of the applicant.

(5) An athlete agent may apply to renew a registration by submitting an application for renewal in a form prescribed by the Secretary of State. An application filed under this section is a public record. The application for renewal must be signed by the applicant under penalty of perjury and must contain current information on all matters required in an original registration.

(6) An individual who has submitted an application for renewal of registration or licensure in another state, in lieu of submitting an application for renewal in the form prescribed pursuant to subsection (5), may file a copy of the application for renewal and a valid certificate of registration from the other state. The Secretary of State shall accept the application for renewal from the other state as an application for renewal in this state if the application to the other state:

(a) Was submitted in the other state within the last six (6) months and the applicant certifies the information contained in the application for renewal is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(7) Except as provided in Section 33-1-39, a certificate of registration or a renewal of a registration is valid for two (2) years.

SECTION 12. Section 73-42-13, Mississippi Code of 1972, is brought forward as follows:

73-42-13. (1) After proper notice and an opportunity for a hearing, the Secretary of State may deny, suspend, revoke or refuse to renew a registration for conduct that would have justified denial of registration under Section 73-42-11(3) or for a violation of any provision of this chapter.

(2) (a) The Secretary of State shall appoint at least one (1) hearing officer for the purpose of holding hearings, compiling evidence and rendering decisions under this section and Section 73-42-11. The hearing officer shall fix the date for an adjudicatory hearing and notify the athlete agent involved. The hearing shall be held at a location to be designated by the hearing officer. Unless the time period is extended by the hearing officer, the hearing shall be held not less than fifteen (15) nor more than thirty (30) days after the mailing of notice to the athlete agent involved. At the conclusion of the hearing, the hearing officer shall make a recommendation regarding the registration of the athlete agent involved. The Secretary of State shall then take appropriate action by final order.

(b) Any athlete agent whose application for registration has been denied or not renewed, or whose registration has been revoked or suspended by the Secretary of State, within thirty (30) days after the date of such final order, shall have the right of a trial de novo on appeal to the circuit court of the county of residence of the athlete agent, the student-athlete, or the educational institution that issued an athletic scholarship to the student-athlete. If the secretary's final order is supported by substantial evidence and does not violate a state or federal law, then it shall be affirmed by the circuit court. Either party shall have the right of appeal to the Supreme Court as provided by law from any decision of the circuit court. No athlete agent shall be allowed to deliver services to a student-athlete domiciled or residing in Mississippi while any such appeal is pending.

(3) In addition to the reasons specified in subsection (1) of this section, the secretary shall be authorized to suspend the registration of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a registration for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a registration suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a registration suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the secretary in suspending the registration of a person when required by Section 93-11-157 are not actions from which an appeal may be taken under this section. Any appeal of a registration suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified

in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 13. Section 73-42-15, Mississippi Code of 1972, is brought forward as follows:

73-42-15. The Secretary of State may issue a temporary certificate of registration while an application for registration or renewal is pending.

SECTION 14. Section 73-42-17, Mississippi Code of 1972, is brought forward as follows:

73-42-17. (1) An application for registration or renewal of registration must be accompanied by a fee in the following amount:

(a) Two Hundred Dollars (\$200.00) for an initial application for registration.

(b) Two Hundred Dollars (\$200.00) for an application for registration based upon a certificate of registration or licensure issued by another state.

(c) Two Hundred Dollars (\$200.00) for an application for renewal of registration.

(d) Two Hundred Dollars (\$200.00) for an application for renewal of registration based upon an application for renewal of registration or licensure submitted in another state.

(2) In addition, the Secretary of State may impose a fee for the actual costs incurred by the Secretary of State's office for processing and administering one or more criminal history background checks.

SECTION 15. Section 73-42-19, Mississippi Code of 1972, is brought forward as follows:

73-42-19. (1) An agency contract must be in a record, signed by the parties.

(2) An agency contract must state or contain:

(a) The amount and method of calculating the consideration to be paid by the student-athlete for services to be provided by the athlete agent under the contract and any other consideration or anything of value that the athlete agent has received or will receive from any other source for entering into the contract or for providing the services;

(b) The name of any person not listed in the application for registration or renewal who will be compensated because the student-athlete signed the agency contract;

(c) A description of any expenses that the student-athlete agrees to reimburse;

(d) A description of the services to be provided to the student-athlete;

(e) The duration of the contract; and

(f) The date of execution.

(3) An agency contract must contain, in close proximity to the signature of the student-athlete, a conspicuous notice in boldface type in capital letters stating:

WARNING TO STUDENT-ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT-ATHLETE IN YOUR SPORT;

(2) BOTH YOU AND YOUR ATHLETE AGENT ARE REQUIRED TO TELL YOUR ATHLETIC DIRECTOR, IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO AN AGENCY CONTRACT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THE CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.

(4) An agency contract that does not conform to this section is voidable by the student-athlete.

(5) The athlete agent shall give a copy of the signed agency contract to the student-athlete at the time of signing.

SECTION 16. Section 73-42-21, Mississippi Code of 1972, is brought forward as follows:

73-42-21. (1) Before an athlete agent, or his or her employee or representative, may initiate a first contact, direct or indirect, with any of the individuals listed below, with the intent or for the purpose of soliciting the student-athlete or of procuring employment from the student-athlete, the athlete agent, or his or her employee or representative, must provide the educational institution at which the student-athlete is enrolled with written notification of the planned contact with these individuals:

(a) The student-athlete;

(b) The student-athlete's spouse, parent, foster parent, guardian, sibling, aunt, uncle, grandparent, child or first cousin; or the parent, foster parent, sibling, aunt, uncle, grandparent, child or first cousin of the student-athlete's spouse; or

(c) A representative of any of the individuals enumerated in paragraphs (a) and (b) of this subsection (1).

(2) Within seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student-athlete may participate, whichever occurs first, the athlete agent shall give notice of the existence of the agency contract to the athletic director of the educational institution at which the student-athlete is enrolled or at which the athlete agent has reasonable grounds to believe the student-athlete intends to enroll.

(3) Within seventy-two (72) hours after entering into an agency contract or before the next athletic event in which the student-athlete may participate, whichever occurs first, the student-athlete shall inform the athletic director of the educational institution at which the student-athlete is enrolled that he or she has entered into an agency contract.

SECTION 17. Section 73-42-23, Mississippi Code of 1972, is brought forward as follows:

73-42-23. (1) A student-athlete may cancel an agency contract by giving notice to the athlete agent of the cancellation within fourteen (14) days after the date the contract is signed.

(2) A student-athlete may not waive the right to cancel any agency contract.

(3) If a student-athlete cancels an agency contract, the student-athlete is not required to pay any consideration under the contract or to return any consideration received from the athlete agent to induce the student-athlete to enter into the contract.

SECTION 18. Section 73-42-25, Mississippi Code of 1972, is brought forward as follows:

73-42-25. (1) An athlete agent shall retain the following records for a period of five (5) years:

(a) The name and address of each individual represented by the athlete agent;

(b) Any agency contract entered into by the athlete agent; and

(c) Any direct costs incurred by the athlete agent in the recruitment or solicitation of a student-athlete.

(2) Records required by subsection (1) to be retained are open to inspection by the Secretary of State during normal business hours.

SECTION 19. Section 73-42-27, Mississippi Code of 1972, is brought forward as follows:

73-42-27. (1) An athlete agent may not engage in any of the following activities, within this state or otherwise, with the intent to induce a student-athlete to enter into an agency contract:

(a) Give any materially false or misleading information or make a materially false promise or representation;

(b) Furnish anything of value to a student-athlete before the student-athlete enters into the agency contract; or

(c) Furnish anything of value to any individual other than the student-athlete or another registered athlete agent.

(2) An athlete agent may not intentionally:

(a) Initiate contact with a student-athlete unless registered under this chapter;

(b) Refuse or willfully fail to retain or permit inspection of the records required by Section 73-42-25 or fail to provide the Secretary of State with any statements, documents, records or testimony required by the secretary under Section 73-42-5(3) and (4);

(c) Violate Section 73-42-7 by failing to register;

(d) Provide materially false or misleading information in an application for registration or renewal of registration;

(e) Predate or postdate an agency contract; or

(f) Fail to notify a student-athlete prior to the student-athlete's signing an agency contract for a particular sport that the signing by the student-athlete may make the student-athlete ineligible to participate as a student-athlete in that sport.

SECTION 20. Section 73-42-29, Mississippi Code of 1972, is brought forward as follows:

73-42-29. The commission of any act prohibited by Section 73-42-27 by an athlete agent is a felony punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment of not more than two (2) years, or both.

SECTION 21. Section 73-42-31, Mississippi Code of 1972, is brought forward as follows:

73-42-31. (1) An educational institution has a right of action against an athlete agent or a former student-athlete for damages caused by a violation of this act. In an action under this section, the court may award to the prevailing party costs and reasonable attorney's fees.

(2) Damages of an educational institution under subsection (1) include losses and expenses incurred because, as a result of the activities of an athlete agent or former student-athlete, the educational institution was injured by a violation of this chapter or was penalized, disqualified or suspended from participation in athletics by a national association for the promotion and regulation of athletics, by an athletic conference, or by reasonable self-imposed disciplinary action taken to mitigate sanctions.

(3) A right of action under this section does not accrue until the educational institution discovers or by the exercise of reasonable diligence would have discovered the violation by the athlete agent or former student-athlete.

(4) Any liability of the athlete agent or the former student-athlete under this section is several and not joint.

(5) This chapter does not restrict rights, remedies or defenses of any person under law or equity.

SECTION 22. Section 73-42-33, Mississippi Code of 1972, is brought forward as follows:

73-42-33. The Secretary of State may assess a civil penalty against an athlete agent not to exceed Twenty-five Thousand Dollars (\$25,000.00) for a violation of this chapter.

SECTION 23. Section 73-42-34, Mississippi Code of 1972, is brought forward as follows:

73-42-34. (1) If the Secretary of State determines that a person has engaged in or is engaging in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, or that a person has materially aided or is materially aiding in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, then the secretary may:

(a) Issue an order directing the person to cease and desist from engaging in the act, practice, or course of business, or to take other action necessary or appropriate to comply with this chapter or any rule adopted or order issued under this chapter;

(b) Issue an order imposing an administrative penalty against an athlete agent who violated any provision of this chapter or any rule adopted or order issued under this chapter; and

(c) Take any other action authorized under the provisions of this chapter.

(2) An order issued under subsection (1) of this section is effective on the date of its issuance. Upon the order's issuance, the Secretary of State shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or other administrative remedy to be imposed under subsection (1) of this section, a statement of the costs of investigation that the secretary will seek to recover, a statement of the reasons for the order, and a statement notifying the person of his or her right to a hearing under Section 73-42-13. If a person subject to the order does not request a hearing in writing within thirty (30) days of the date of the order and none is ordered by the hearing officer, then the order, including the imposition of a civil penalty or requirement for payment of the costs of investigation, shall become final as to that person by operation of law.

(3) In a final order, the secretary may charge the actual cost of an investigation or proceeding for a violation of this chapter or a rule adopted or order issued under this chapter.

(4) If a petition for judicial review of a final order is not filed in accordance with Section 73-42-37, or the petition is denied by the court, the secretary may file a certified copy of the final order with the clerk of a court in the jurisdiction where enforcement will be sought. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(5) If a person does not comply with an order issued under this section, the secretary may petition a court of competent jurisdiction to enforce the order and collect administrative civil penalties and costs imposed under the final order. The court may not require the secretary to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person did not comply with the order, the court may adjudge the person in civil contempt of the order. The court may grant any relief the court determines is just and proper in the circumstances.

(6) Any person aggrieved by a final order of the secretary may obtain a review of the order in the circuit court of the county of residence of the athlete agent, the student-athlete, or the public or private college, university, community or junior college in the state that issued an athletic scholarship to the student-athlete, by filing within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be served upon the secretary, and the secretary shall certify and file with the court a copy of the record and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part. The findings of the secretary as to the facts, if supported by competent material and substantial evidence, are conclusive. The beginning of proceedings under this subsection does not operate as a stay of the secretary's order, unless specifically ordered by the court.

SECTION 24. Section 73-42-35, Mississippi Code of 1972, is brought forward as follows:

73-42-35. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 25. Section 73-42-37, Mississippi Code of 1972, is brought forward as follows:

73-42-37. The provisions of this chapter modify, limit and supersede the federal Electronic Signatures in Global and National Commerce Act, 15 USCS Section 7001, et seq., except that those provisions do not modify, limit, or supersede Section 101(c) of that act, 15 USCS Section 7001(c), and do not authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 USCS Section 7003(b).

SECTION 26. Section 73-42-39, Mississippi Code of 1972, is brought forward as follows:

73-42-39. The Secretary of State may promulgate rules and regulations necessary to administer, carry out and enforce this chapter and to define terms whether or not used in this chapter, but those definitions may not be inconsistent with this chapter.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITIONS OF CERTAIN TERMINOLOGY RELATED TO NAME, IMAGE AND LIKENESS AGREEMENTS FOR STUDENT-ATHLETES; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ABILITY OF A STUDENT-ATHLETE TO EARN COMPENSATION FOR THE USE OF HIS OR HER PUBLICITY RIGHTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF POSTSECONDARY EDUCATIONAL INSTITUTIONS REGARDING RESTRICTIONS ON COMPENSATION FOR THE USE OF A STUDENT-ATHLETE'S PUBLICITY RIGHTS; TO FURTHER RESTRICT ASSOCIATIONS OR ORGANIZATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS FROM PENALIZING A POSTSECONDARY EDUCATIONAL INSTITUTION OR ITS INTERCOLLEGIATE ATHLETIC PROGRAM FOR COMPLIANCE WITH PROVISIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT; TO PERMIT POSTSECONDARY EDUCATIONAL INSTITUTIONS TO FACILITATE OPPORTUNITIES FOR STUDENT-ATHLETES TO ENGAGE THIRD-PARTIES INTERESTED IN ENTERING INTO NAME, IMAGE AND LIKENESS AGREEMENTS; TO REMOVE THE PROHIBITION ON A STUDENT-ATHLETE ENTERING INTO A NAME, IMAGE AND LIKENESS AGREEMENT BEFORE ENROLLING AT A POSTSECONDARY EDUCATIONAL INSTITUTION; TO BRING FORWARD SECTIONS 37-97-101 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH ARE THE SHORT TITLE AND THE POSTSECONDARY EDUCATIONAL INSTITUTION LIMITATION OF LIABILITY PROVISIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI UNIFORM AGENTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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Senator Parks called up the following House Amendment to **S. B. No. 2700** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-101-15, Mississippi Code of 1972, is amended as follows:

37-101-15. (a) The Board of Trustees of State Institutions of Higher Learning shall succeed to and continue to exercise control of all records, books, papers, equipment, and supplies, and all lands, buildings, and other real and personal property belonging to or assigned to the use and benefit of the board of trustees formerly supervising and controlling the institutions of higher learning named in Section 37-101-1. The board shall have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions, except where otherwise specifically provided by law.

(b) The board shall have general supervision of the affairs of all the institutions of higher learning, including the departments and the schools thereof. The board shall have the power in its discretion to determine who shall be privileged to enter, to remain in, or to graduate therefrom. The board shall have general supervision of the conduct of libraries and laboratories, the care of dormitories, buildings, and grounds; the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; and all other matters incident to the proper functioning of the institutions. The board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the board may establish.

(c) The board shall exercise all the powers and prerogatives conferred upon it under the laws establishing and providing for the operation of the several institutions herein specified. The board shall adopt such bylaws and regulations from time to time as it deems expedient for the proper supervision and control of the several institutions of higher learning, insofar as such bylaws and regulations are not repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established. The board shall have power and authority to prescribe rules and regulations for policing the campuses and all buildings of the respective institutions, to authorize the arrest of all persons violating on any campus any criminal law of the state, and to have such law violators turned over to the civil authorities.

(d) For all institutions specified herein, the board shall provide a uniform system of recording and of accounting approved by the State Department of Audit. The board shall annually prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding year which must be prepared and in readiness for at least thirty (30) days before the convening of the regular session of the Legislature. All relationships and negotiations between the State Legislature and its various committees and the institutions named herein shall be carried on through the board of trustees. No official, employee or agent representing any of the separate institutions shall appear before the Legislature or any committee thereof except upon the written order of the board or upon the request of the Legislature or a committee thereof.

(e) For all institutions specified herein, the board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective institutions. Each report to the Legislature shall show how the money appropriated to the several institutions has been expended, beginning and ending with the fiscal years of the institutions, showing the name of each teacher, officer, and employee, and the salary paid

each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance. If any property belonging to the state or the institution is used for profit, the reports shall show the expense incurred in managing the property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and shall show the money on hand at the beginning of the fiscal period of the institution next preceding each session of the Legislature and the necessary amount of expense to be incurred from said date to January 1 following. The board shall keep the annual expenditures of each institution herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the Governor and by written consent of a majority of the senators and of the representatives it may exceed the income. The board shall require a surety bond in a surety company authorized to do business in this state of every employee who is the custodian of funds belonging to one or more of the institutions mentioned herein, which bond shall be in a sum to be fixed by the board in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said institutions.

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four (4) years. The board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the board to permit the executive head of each institution to nominate for election by the board all subordinate employees of the institution over which he presides. It shall be the policy of the board to elect all officials for a definite tenure of service and to reelect during the period of satisfactory service. The board shall have the power to make any adjustments it thinks necessary between the various departments and schools of any institution or between the different institutions.

(g) The board shall keep complete minutes and records of all proceedings which shall be open for inspection by any citizen of the state.

(h) The board shall have the power to enter into an energy performance contract, energy services contract, on a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as prescribed in Section 31-7-14.

(i) The Board of Trustees of State Institutions of Higher Learning, for and on behalf of Jackson State University, is hereby authorized to convey by donation or otherwise easements across portions of certain real estate located in the City of Jackson, Hinds County, Mississippi, for right-of-way required for the Metro Parkway Project.

(j) In connection with any international contract between the board or one (1) of the state's institutions of higher learning and any party outside of the United States, the board or institution that is the party to the international contract is hereby authorized and empowered to include in the contract a provision for the resolution by arbitration of any controversy between the parties to the contract relating to such contract or the failure or refusal to perform any part of the contract. Such provision shall be valid, enforceable and irrevocable without regard to the justiciable character of the controversy. Provided, however, that in the event either party to such contract initiates litigation against the other with respect to the contract, the arbitration provision shall be deemed waived unless asserted as a defense on or before the responding party is required to answer such litigation.

(k) The Board of Trustees of State Institutions of Higher Learning ("board"), on behalf of any institution under its jurisdiction, shall purchase and maintain business property insurance and business personal property insurance on all university-owned buildings and/or contents as required by federal law and regulations of the Federal

Emergency Management Agency (FEMA) as is necessary for receiving public assistance or reimbursement for repair, reconstruction, replacement or other damage to those buildings and/or contents caused by the Hurricane Katrina Disaster of 2005 or subsequent disasters. The board is authorized to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. The board is authorized to enter into agreements with the Department of Finance and Administration, local school districts, community/junior college districts, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration.

(l) The Board of Trustees of State Institutions of Higher Learning, or its designee, may approve the payment or reimbursement of reasonable travel expenses incurred by candidates for open positions at the board's executive office or at any of the state institutions of higher learning, when the job candidate has incurred expenses in traveling to a job interview at the request of the board, the Commissioner of Higher Education or a state institution of higher learning administrator.

(m) (i) The Board of Trustees of State Institutions of Higher Learning is authorized to administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are paid for with self-generated funds.

(ii) Additionally, the board is authorized to oversee, administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are funded in whole or in part by general obligation bonds of the State of Mississippi at institutions designated annually by the board as being capable to procure and administer all such contracts. Prior to the disbursement of funds, an agreement for each project between the institution and the Department of Finance and Administration shall be executed. The approval and execution of the agreement shall not be withheld by either party unless the withholding party provides a written, detailed explanation of the basis for withholding to the other party. The agreement shall stipulate the responsibilities of each party, applicable procurement regulations, documentation and reporting requirements, conditions prior to, and schedule of, disbursement of general obligation bond funds to the institution and provisions concerning handling any remaining general obligation bonds at the completion of the project. Such agreement shall not include provisions that constitute additional qualifications or criteria that act to invalidate the designation of an institution as capable of procuring and administering such project. Inclusion of any such provisions may be appealed to the Public Procurement Review Board. This subparagraph (ii) shall stand repealed from and after July 1, \*\*\* 2025.

SECTION 2. (1) This act shall be known and may be cited as the "Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Finance and Administration, the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program under which independent colleges and universities may apply for reimbursable grants to make necessary investments in water, wastewater, stormwater, broadband and other eligible infrastructure projects to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act (ARPA). Such grants shall be made available to the following institutions: Belhaven University, Blue Mountain College, Millsaps College, Mississippi College, Rust College, Tougaloo College and William Carey University. Grant program funds shall be distributed to each listed institution based on the pro rata share of full-time equivalent students enrolled in the respective college or university. For purposes of this distribution, a full-time equivalent student shall be calculated as follows:

(a) One (1) full-time student shall be considered one (1) full-time equivalent student;

(b) One (1) part-time student shall be considered one-half (1/2) of a full-time equivalent student; and

(c) One (1) online student shall be considered one-fourth (1/4) of a full-time equivalent student.

(3) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MAICU Grant Program" shall mean the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program.

(b) "ARPA" shall mean the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" shall mean Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Department" shall mean the Department of Finance and Administration.

(4) On or before July 1, 2022, the Mississippi Department of Finance and Administration shall promulgate rules and regulations necessary to administer the MAICU Grant Program prescribed under this act, including application procedures and deadlines.

(5) Funds under the MAICU Grant Program shall be awarded for ARPA eligible projects in the following order:

(a) Eligible water, wastewater and stormwater projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) and other eligible water projects allowable by ARPA;

(b) Broadband infrastructure projects;

(c) Capital investments for prevention, mitigation and ventilation in congregate living facilities and other key settings; and

(d) Any eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding premium pay.

(6) The boards of trustees of the respective members of the Mississippi Association of Independent Colleges and Universities (MAICU) may submit an application for grant funds under this act. Applicants shall certify to the Department of Finance and Administration that each expenditure of the funds awarded to them by the department under this act is in compliance with the ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this act shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application shall include the following at a minimum: applicant contact information; project description and type of project; project map; estimate of the population served by the projects;

estimated project cost; estimated project schedule; and readiness to proceed. The Mississippi Department of Finance and Administration is authorized to accept additional rounds of grant proposals for application consideration as needed.

(8) Applications shall be reviewed, and the Mississippi Department of Finance and Administration shall certify that each project submitted is eligible under the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. For water, wastewater and stormwater projects, the department must also certify that it is a "necessary investment" in water, wastewater or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. Grant agreements shall be executed between the recipient and the Mississippi Department of Finance and Administration. All final awards will be determined at the discretion of the executive director of the department. Funds shall be made available to a grantee upon the execution of a grant agreement between the department and the approved applicant, and the department obtains the necessary support for reimbursement.

(9) Grant requirements shall be used prospectively and grants are not available to cover the costs of debt incurred prior to the enactment of this program.

(10) (a) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund," which shall consist of funds appropriated by the Legislature from federal American Rescue Plan Act (ARPA) monies or other available federal grant funds for the purposes of awarding grants under this act. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund. The expenditure of monies in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund shall be under the direction of the Mississippi Department of Finance and Administration;

(b) All monies shall be disbursed from the fund created in this subsection shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (Public Law No. 117-2). Unexpended amounts remaining in the funds at the end of a fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any investment earnings or interest earned on amounts in the program fund shall be deposited to the credit of COVID-19 Hospital Expanded Capacity Program Fund;

(c) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the fund created in this act, on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Sixty Million Dollars (\$60,000,000.00) or the amount of allowable ARPA expenditures, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government; and

(d) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this act shall return to the state all or a portion of the funds received.

(11) The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain the applications received, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and the status of each applicant's project.

(12) Grant funds shall be available under this act through December 31, 2026. Each grant recipient shall certify for any project that a grant is awarded that in the event the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA Funds, then the grant recipient will complete the project through any other funds available.

(13) The Mississippi Finance and Administration may retain an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) of the total funds allocated to the program to defray administrative costs.

(14) This section shall stand repealed on July 1, 2026.

SECTION 3. Section 27-104-3, Mississippi Code of 1972, is amended as follows:

27-104-3. In addition to other powers and duties prescribed by statute, the Department of Finance and Administration shall have the following powers and duties, with regard to fiscal management:

(a) Provide direct technical assistance and training to state agencies and departments in implementing generally accepted accounting principles, in preparing financial statements as required by law, and in management and executive development.

(b) Provide temporary administrative services in financial accounting and public administration to any state agency, department or institution upon request of the governing board of the state agency, department or institution.

(c) Prepare and issue a comprehensive reference manual or manuals of policies and procedures for each state agency and department to use, which may include chapters on purchasing, personnel, payroll, travel, chart of accounts, fund classifications, receipts, warrants, expenditures, fixed assets, property inventory, and maintaining financial records and preparing financial reports as required and prescribed by law. The manual shall be revised on a continuing basis. The manual shall be prepared and revised in consultation with the State Auditor's office.

(d) Provide assistance to any state agency, department or institution in collecting a fee or other valid obligation that another agency, department or institution has failed to pay to it. For purposes of this paragraph, the agency, department or institution seeking to collect the funds shall be referred to as the "creditor agency," and the agency, department or institution that has not paid the creditor agency shall be referred to as the "delinquent agency." A valid obligation may be evidenced by an invoice or any other documentation as may be required by the Department of Finance and Administration, hereinafter referred to as the department. A creditor agency may request assistance from the department, and the department may require the creditor agency to furnish detailed information regarding the obligation. Upon determining that the delinquent agency owes the creditor agency a specific amount, the State Fiscal Officer shall pay to the creditor agency that amount out of any funds in the State Treasury to the credit of the delinquent agency. The State Fiscal Officer shall notify the creditor agency and the delinquent agency of the total amount of funds transferred. Either agency may appeal the transfer

of funds or the failure to transfer funds, under rules and regulations promulgated by the department and approved by the Office of the State Auditor. The Department of Finance and Administration shall report any actions taken under this paragraph (d) to the Chairmen of the Appropriations Committees of the House of Representatives and the Senate on a quarterly basis.

(e) To issue a request for an ACA-compliant health insurance policy, or policies, to offer health insurance coverage to the full-time equivalent employees not otherwise eligible to participate in the State and School Employees' Health Insurance Plan; and to issue a request for administrative support in order to meet reporting requirements under Internal Revenue Code Section 6056 and to comply with the Patient Protection and Affordable Care Act of 2010.

(f) The Department of Finance and Administration shall have as additional responsibilities, the administration of the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022 and shall promulgate necessary rules and regulations relating to the application of eligible colleges and universities for grant funds and the awarding of such grants.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONSTRUCTION AND MAINTENANCE PROJECTS OF THE INSTITUTIONS UNDER ITS JURISDICTION; TO ESTABLISH THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROMULGATE GRANT APPLICATION REGULATIONS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADMINISTER THE MAICU GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND DESIGNATED AS THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTION 27-104-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

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Senator Younger called up the following House Amendment to **S. B. No. 2077** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Healthy Food and Families Program."

(2) Subject to appropriation, the Mississippi Department of Agriculture and Commerce shall fund qualified nonprofit organizations that shall distribute incentive dollars to participating Mississippi farmers markets and retailers for developing a nutrition incentive program to double the purchasing power of Mississippi residents with limited access to fresh fruits and vegetables, support farmers, and invest in Mississippi's local economy.

(3) The designated nonprofit organizations shall have a demonstrated track record of:

(a) Building a statewide network;

(b) Implementing such funds for distribution and reporting processes;

(c) Providing training and technical assistance to farmers markets, produce stands, and direct producer-to-consumer venues;

(d) Conducting community outreach and data collection; and

(e) Providing full accounting and administration of funds distributed to farmers markets and retailers.

(4) At least ninety percent (90%) of the money deposited into the Mississippi Healthy Food and Families Program shall be distributed to participating Mississippi farmers markets, produce stands, and retailers for healthy food incentives. A maximum of ten percent (10%) of the money deposited into the Mississippi Healthy Food and Families Program may be used for administrative costs.

(5) Guidelines and eligibility for the Mississippi Healthy Food and Families Program shall be established by the Department of Agriculture, consistent with the U.S. Agriculture Improvement Act of 2018. For the purposes of this program, "eligible fruits and vegetables" means any fresh or frozen, whole or cut fruits and vegetables that do not contain added sugar, fat, oil or salt. "Eligible retailers" means a small business whose principal office is located in Mississippi and that has a demonstrated commitment to procuring Mississippi-grown foods, including fruits and vegetables.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI HEALTHY FOOD AND FAMILIES PROGRAM" WHICH REQUIRES THE DEPARTMENT OF AGRICULTURE AND COMMERCE, SUBJECT TO APPROPRIATION, TO FUND QUALIFIED MISSISSIPPI NONPROFITS TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2223** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 88 by inserting ", and shall stand repealed on June 30, 2022" before the period.

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Senator Branning moved that the rules be suspended for the consideration en bloc of calendar items 77, 87 and 89, and the motion prevailed.

Senator Branning called up the following House Amendment to **S. B. No. 2508** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) A personal delivery device must:

(a) Have an unladen weight of five hundred (500) pounds or less;

(b) Yield to all other traffic, including pedestrians;

(c) Refrain from transporting hazardous materials regulated under the Hazardous Materials Transportation Act, 49 USC Section 5103, that are required to be placarded under 49 CFR Part 172, Subpart F; and

(d) Be equipped with:

(i) A marker clearly stating the name and contact information of the owner and a unique identification number;

(ii) A braking system enabling the device to come to a controlled stop;  
and

(iii) If operated between sunset and sunrise, lighting on both the front and rear which is visible in clear weather from at least five hundred (500) feet.

(2) A personal delivery device may be operated in a pedestrian area at speeds of no more than ten (10) miles per hour. For purposes of this section, a pedestrian area is a sidewalk, crosswalk, school crossing zone or safety zone.

(3) Personal delivery devices and personal delivery device operators are not subject to requirements or laws applicable to motor vehicles.

(4) Personal delivery devices may be prohibited by local resolutions or ordinances if the local government determines that the prohibition is necessary, in the interest of

public safety. This section does not affect the authority of a local government's law enforcement officers to enforce the laws of this state relating to the operation of a personal delivery device.

(5) A business entity that operates a personal delivery device shall maintain an insurance policy that includes general liability coverage of not less than One Hundred Thousand Dollars (\$100,000.00) per claim for damages arising from the operation of the personal delivery device.

SECTION 2. Section 17-17-403, Mississippi Code of 1972, is amended as follows:

17-17-403. The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Commission" means the Commission on Environmental Quality.

(b) "Collection contractor" means a person approved by the department and used by a county, municipality or multicounty agency to operate a household hazardous waste collection and management program.

(c) "Department" means the Department of Environmental Quality.

(d) "Household hazardous waste" means any waste that would be considered hazardous under the Solid Wastes Disposal Law of 1974, Section 17-17-1 et seq., Mississippi Code of 1972, or any rules and regulations promulgated thereto, but for the fact that it is produced in quantities smaller than those regulated under that law or regulations and is generated by persons not otherwise covered by that law or regulations.

(e) "Motor vehicle" means an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, farm equipment or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but does not include traction engines, road rollers, earth movers, graders, loaders and other similar construction equipment requiring oversized tires, any vehicles which run only upon a track, bicycles, electric bicycles, personal delivery devices or mopeds. For purposes of this article, "farm equipment" means any vehicle which uses tires having the following designations: I-1, I-2, I-3, R-1, R-2, R-3, F-1, F-2 and Farm Highway Service.

(f) "Small business" means any commercial establishment not regulated under the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 42 USCS 6901 et seq.), as amended or regulations promulgated thereto.

(g) "Small quantity waste tire generator" means any private individual generating twenty-five (25) or fewer waste tires annually, or a tire retail outlet, automotive mechanic shop or other commercial or governmental entity that generates ten (10) or fewer waste tires per week.

(h) "Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle.

(i) "Waste tire" means a whole tire that is no longer suitable for its original intended purpose because of wear, damage or defect.

(j) "Waste tire hauler" means any person engaged in the collection and/or transportation of fifty (50) or more waste tires for the purpose of storage, processing or disposal or any person transporting waste tires for compensation.

(k) "Waste tire processing facility" means a site where tires are reduced in volume by shredding, cutting, chipping or otherwise altered to facilitate recycling, resource

recovery or disposal. The term includes mobile waste tire processing equipment. Commercial enterprises processing waste tires shall not be considered solid waste management facilities.

(l) "Waste tire collection site" means a site used for the storage of one hundred (100) or more waste tires.

SECTION 3. Section 21-37-3, Mississippi Code of 1972, is amended as follows:

21-37-3. (1) Except as otherwise provided in subsection (2) of this section, the governing authorities of municipalities shall have the power to exercise full jurisdiction in the matter of streets, sidewalks, sewers, and parks; to open and lay out and construct the same; and to repair, maintain, pave, sprinkle, adorn, and light the same.

(2) Section 63-3-208 shall govern the use of electric personal assistive mobility devices (as defined in Section 63-3-103) on streets and sidewalks. Section 63-3-1315 shall govern the use of electric bicycles, as defined in Section 63-3-103, on streets, sidewalks and bicycle or multi-use paths. Section 1 of this act shall govern the use of personal delivery devices, as defined in Section 63-3-103, on sidewalks and other pedestrian areas.

SECTION 4. Section 27-19-3, Mississippi Code of 1972, is amended as follows:

27-19-3. (a) The following words and phrases when used in this article for the purpose of this article have the meanings respectively ascribed to them in this section, except in those instances where the context clearly describes and indicates a different meaning:

(1) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by muscular power or used exclusively upon stationary rails or tracks.

(2) "Commercial vehicle" means every vehicle used or operated upon the public roads, highways or bridges in connection with any business function.

(3) "Motor vehicle" means every vehicle as defined in this section which is self-propelled, including trackless street or trolley cars. The term "motor vehicle" shall not include electric bicycles, personal delivery devices or electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1.

(4) "Tractor" means every vehicle designed, constructed or used for drawing other vehicles.

(5) "Motorcycle" means every vehicle designed to travel on not more than three (3) wheels in contact with the ground, except electric bicycles, personal delivery devices and vehicles included within the term "tractor" as herein classified and defined.

(6) "Truck tractor" means every motor vehicle designed and used for drawing other vehicles and so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn and has a gross vehicle weight (GVW) in excess of ten thousand (10,000) pounds.

(7) "Trailer" means every vehicle without motive power, designed to carry property or passengers wholly on its structure and which is drawn by a motor vehicle.

(8) "Semitrailer" means every vehicle (of the trailer type) so designed and used in conjunction with a truck tractor.

(9) "Foreign vehicle" means every motor vehicle, trailer or semitrailer, which shall be brought into the state otherwise than by or through a manufacturer or dealer for resale and which has not been registered in this state.

(10) "Pneumatic tires" means all tires inflated with compressed air.

(11) "Solid rubber tires" means every tire made of rubber other than pneumatic tires.

(12) "Solid tires" means all tires, the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

(13) "Person" means every natural person, firm, copartnership, corporation, joint-stock or other association or organization.

(14) "Owner" means a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale, lease or transfer of the possession, the person with the right of purchase upon performance of conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee, lessee, possessor or in the event such or similar transaction is had by means of a mortgage, and the mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, possessor or mortgagor shall be deemed the owner for the purposes of this article.

(15) "School bus" means every motor vehicle engaged solely in transporting school children or school children and teachers to and from schools; however, such vehicles may transport passengers on weekends and legal holidays and during summer months between the terms of school for compensation when the transportation of passengers is over a route of which not more than fifty percent (50%) traverses the route of a common carrier of passengers by motor vehicle and when no passengers are picked up on the route of any such carrier.

(16) "Dealer" means every person engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semitrailers, trucks, tractors or other character of commercial or industrial motor vehicles in this state, and having an established place of business in this state.

(17) "Highway" means and includes every way or place of whatever nature, including public roads, streets and alleys of this state generally open to the use of the public or to be opened or reopened to the use of the public for the purpose of vehicular travel, and notwithstanding that the same may be temporarily closed for the purpose of construction, reconstruction, maintenance or repair.

(18) "State Tax Commission," "commission" or "department" means the Commissioner of Revenue of the Department of Revenue of this state, acting directly or through his duly authorized officers, agents, representatives and employees.

(19) "Common carrier by motor vehicle" means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or property or any class or classes of property for the general public in interstate or intrastate commerce on the public highways of this state by motor vehicles for compensation, whether over regular or irregular routes. The term "common carrier by motor vehicle" shall not include passenger buses operating within the corporate limits of a municipality in this state or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(20) "Contract carrier by motor vehicle" means any person who or which under the special and individual contract or agreements, and whether directly or by a lease

or any other arrangement, transports passengers or property in interstate or intrastate commerce on the public highways of this state by motor vehicle for compensation. The term "contract carrier by motor vehicle" shall not include passenger buses operating wholly within the corporate limits of a municipality in this state or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(21) "Private commercial and noncommercial carrier of property by motor vehicle" means any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle," who or which transports in interstate or intrastate commerce on the public highways of this state by motor vehicle, property of which such person is the owner, lessee, or bailee, other than for hire. The term "private commercial and noncommercial carrier of private property by motor vehicle" shall not include passenger buses operated wholly within the corporate limits of a municipality of this state, or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

Haulers of fertilizer shall be classified as private commercial carriers of property by motor vehicle.

(22) "Private carrier of passengers" means all other passenger motor vehicle carriers not included in the above definitions. The term "private carrier of passengers" shall not include passenger buses operating wholly within the corporate limits of a municipality in this state, or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(23) "Operator" means any person, partnership, joint-stock company or corporation operating on the public highways of the state one or more motor vehicles as the beneficial owner or lessee.

(24) "Driver" means the person actually driving or operating such motor vehicle at any given time.

(25) "Private carrier of property" means any person transporting property on the highways of this state as defined below:

(i) Any person, or any employee of such person, transporting farm products, farm supplies, materials and/or equipment used in the growing or production of his own agricultural products in his own truck.

(ii) Any person transporting his own fish, including shellfish, in his own truck.

(iii) Any person, or any employee of such person, transporting unprocessed forest products, or timber harvesting equipment wherein ownership remains the same, in his own truck.

(26) "Taxicab" means any passenger motor vehicle for hire with a seating capacity not greater than ten (10) passengers. For purposes of this paragraph (26), seating capacity shall be determined according to the manufacturer's suggested seating capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(27) "Passenger coach" means any passenger motor vehicle with a seating capacity greater than ten (10) passengers, operating wholly within the corporate limits of a municipality of this state or within five (5) miles of the corporate limits of the municipality,

or motor vehicles substituted for abandoned electric railway systems in or between municipalities. For purposes of this paragraph (27), seating capacity shall be determined according to the manufacturer's suggested seating capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(28) "Empty weight" means the actual weight of a vehicle including fixtures and equipment necessary for the transportation of load hauled or to be hauled.

(29) "Gross weight" means the empty weight of the vehicle, as defined herein, plus any load being transported or to be transported.

(30) "Ambulance and hearse" shall have the meaning generally ascribed to them. A hearse or funeral coach shall be classified as a light carrier of property, as defined in Section 27-51-101.

(31) "Regular seats" means each seat ordinarily and customarily used by one (1) passenger, including all temporary, emergency, and collapsible seats. Where any seats are not distinguished or separated by separate cushions and backs, a seat shall be counted for each eighteen (18) inches of space on such seats or major fraction thereof. In the case of a regular passenger-type automobile which is used as a common or contract carrier of passengers, three (3) seats shall be counted for the rear seat of such automobile and one (1) seat shall be counted for the front seat of such automobile.

(32) "Ton" means two thousand (2,000) pounds avoirdupois.

(33) "Bus" means any passenger vehicle with a seating capacity of more than ten (10) but shall not include "private carrier of passengers" and "school bus" as defined in paragraphs (15) and (22) of this section. For purposes of this paragraph (33), seating capacity shall be determined according to the manufacturer's suggested seating capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(34) "Corporate fleet" means a group of two hundred (200) or more marked private carriers of passengers or light carriers of property, as defined in Section 27-51-101, trailers, semitrailers, or motor vehicles in excess of ten thousand (10,000) pounds gross vehicle weight, except for those vehicles registered for interstate travel, owned or leased on a long-term basis by a corporation or other legal entity. In order to be considered marked, the motor vehicle must have a name, trademark or logo located either on the sides or the rear of the vehicle in sharp contrast to the background, and of a size, shape and color that is legible during daylight hours from a distance of fifty (50) feet.

(35) "Individual fleet" means a group of five (5) or more private carriers of passengers or light carriers of property, as defined in Section 27-51-101, owned or leased by the same person and principally garaged in the same county.

(36) "Trailer fleet" means a group of fifty (50) or more utility trailers each with a gross vehicle weight of six thousand (6,000) pounds or less.

(b) (1) No lease shall be recognized under the provisions of this article unless it shall be in writing and shall fully define a bona fide relationship of lessor and lessee, signed by both parties, dated and be in the possession of the driver of the leased vehicle at all times.

(2) Leased vehicles shall be considered as domiciled at the place in the State of Mississippi from which they operate in interstate or intrastate commerce, and for the purposes of this article shall be considered as owned by the lessee, who shall furnish

all insurance on the vehicles and the driver of the vehicles shall be considered as an agent of the lessee for all purposes of this article.

SECTION 5. Section 27-51-5, Mississippi Code of 1972, is amended as follows:

27-51-5. The subject words and terms of this section, for the purpose of this chapter, shall have meanings as follows:

(a) "Motor vehicle" means any device and attachments supported by one or more wheels which is propelled or drawn by any power other than muscular power over the highways, streets or alleys of this state. The term "motor vehicle" shall not include electric bicycles \* \* \*, personal delivery devices or electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1. However, mobile homes which are detached from any self-propelled vehicles and parked on land in the state are hereby expressly exempt from the motor vehicle ad valorem taxes, but house trailers which are actually in transit and which are not parked for more than an overnight stop are not exempted.

(b) "Public highway" means and includes every way or place of whatever nature, including public roads, streets and alleys of this state generally open to the use of the public or to be opened or reopened to the use of the public for the purpose of vehicular travel, notwithstanding that the same may be temporarily closed for the purpose of construction, reconstruction, maintenance, or repair.

(c) "Administrator of the road and bridge privilege tax law" means the official authorized by law to administer the road and bridge privilege tax law of this state.

SECTION 6. Section 63-3-103, Mississippi Code of 1972, is amended as follows:

63-3-103. (a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

(b) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles.

(c) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor. The term "motorcycle" includes motor scooters as defined in subsection (j) of this section. The term "motorcycle" shall not include electric bicycles or personal delivery devices.

(d) "Authorized emergency vehicle" means every vehicle of the fire department (fire patrol), every police vehicle, every 911 Emergency Communications District vehicle, every such ambulance and special use EMS vehicle as defined in Section 41-59-3, every Mississippi Emergency Management Agency vehicle as is designated or authorized by the Executive Director of MEMA and every emergency vehicle of municipal departments or public service corporations as is designated or authorized by the commission or the chief of police of an incorporated city.

(e) "School bus" means every motor vehicle operated for the transportation of children to or from any school, provided same is plainly marked "School Bus" on the front and rear thereof and meets the requirements of the State Board of Education as authorized under Section 37-41-1.

(f) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own

motive power or is mounted on or drawn by another vehicle and includes travel trailers, fifth-wheel trailers, camping trailers, truck campers and motor homes.

(g) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(h) "Electric assistive mobility device" means a self-balancing two-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour.

(i) "Autocycle" means a three-wheel motorcycle with a steering wheel, nonstraddle seating, rollover protection and seat belts.

(j) "Motor scooter" means a two-wheeled vehicle that has a seat for the operator, one (1) wheel that is ten (10) inches or more in diameter, a step-through chassis, a motor with a rating of two and seven-tenths (2.7) brake horsepower or less if the motor is an internal combustion engine, an engine of 50cc or less and otherwise meets all safety requirements of motorcycles. The term "motor scooter" shall not include electric bicycles or personal delivery devices.

(k) "Platoon" means a group of individual motor vehicles traveling in a unified manner at electronically coordinated speeds at following distances that are closer than would be reasonable and prudent without such coordination.

(l) "Electric bicycle" means a bicycle or tricycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than seven hundred fifty (750) watts that meets the requirements of one (1) of the following three (3) classes:

(i) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(ii) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(iii) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(m) "Personal delivery device" means a device:

(i) Solely powered by an electric motor;

(ii) Intended to be operated primarily on sidewalks, crosswalks, and other pedestrian areas to transport cargo;

(iii) Intended primarily to transport property on public rights-of-way, and not intended to carry passengers; and

(iv) Capable of navigating with or without the active control or monitoring of a natural person.

(n) "Personal delivery device operator" means a person or entity that exercises physical control or monitoring over the operation of a personal delivery device, excluding a person or entity that requests or receives the services of a personal delivery device, arranges for or dispatches the requested services of a personal delivery device, or stores, charges or maintains a personal delivery device.

SECTION 7. Section 63-15-3, Mississippi Code of 1972, is amended as follows:

63-15-3. The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(a) "Highway" means the entire width between property lines of any road, street, way, thoroughfare or bridge in the State of Mississippi not privately owned or controlled, when any part thereof is open to the public for vehicular traffic and over which the state has legislative jurisdiction under its police power.

(b) "Judgment" means any judgment which shall have become final by expiration, without appeal, of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

(c) "Motor vehicle" means every self-propelled vehicle (other than traction engines, road rollers and graders, tractor cranes, power shovels, well drillers, implements of husbandry, electric bicycles, personal delivery devices and electric personal assistive mobility devices as defined in Section 63-3-103) which is designed for use upon a highway, including trailers and semitrailers designed for use with such vehicles, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails.

For purposes of this definition, "implements of husbandry" shall not include trucks, pickup trucks, trailers and semitrailers designed for use with such trucks and pickup trucks.

(d) "License" means any driver's, operator's, commercial operator's, or chauffeur's license, temporary instruction permit or temporary license, or restricted license, issued under the laws of the State of Mississippi pertaining to the licensing of persons to operate motor vehicles.

(e) "Nonresident" means every person who is not a resident of the State of Mississippi.

(f) "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of Mississippi pertaining to the operation by him of a motor vehicle, or the use of a motor vehicle owned by him, in the State of Mississippi.

(g) "Operator" means every person who is in actual physical control of a motor vehicle.

(h) "Owner" means a person who holds the legal title of a motor vehicle; in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

(i) "Person" means every natural person, firm, copartnership, association or corporation.

(j) "Proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, in the amount of Fifty Thousand Dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of Twenty-five Thousand Dollars (\$25,000.00) because of injury to or destruction of property of others in any one (1) accident. Liability insurance required under this paragraph (j) may contain exclusions and limitations on coverage as long as the exclusions and limitations language or form has been filed with and approved by the Commissioner of Insurance.

(k) "Registration" means a certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles.

(l) "Department" means the Department of Public Safety of the State of Mississippi, acting directly or through its authorized officers and agents, except in such sections of this chapter in which some other state department is specifically named.

(m) "State" means any state, territory or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

SECTION 8. Section 63-17-55, Mississippi Code of 1972, is amended as follows:

63-17-55. The following words, terms and phrases, when used in the Mississippi Motor Vehicle Commission Law, shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Motor vehicle" means any motor-driven vehicle of the sort and kind required to have a Mississippi road or bridge privilege license, and shall include, but not be limited to, motorcycles. "Motor vehicle" shall also mean an engine, transmission, or rear axle manufactured for installation in a vehicle having as its primary purpose the transport of person or persons or property on a public highway and having a gross vehicle weight rating of more than sixteen thousand (16,000) pounds, whether or not attached to a vehicle chassis. The term "motor vehicle" excludes electric bicycles and personal delivery devices.

(b) "Motor vehicle dealer" or "dealer" means any person, firm, partnership, copartnership, association, corporation, trust or legal entity, not excluded by paragraph (c) of this section, who holds a bona fide contract or franchise in effect with a manufacturer, distributor or wholesaler of new motor vehicles, and a license under the provisions of the Mississippi Motor Vehicle Commission Law, and such duly franchised and licensed motor vehicle dealers shall be the sole and only persons, firms, partnerships, copartnerships, associations, corporations, trusts or legal entities entitled to sell and publicly or otherwise solicit and advertise for sale new motor vehicles as such.

(c) The term "motor vehicle dealer" does not include:

(i) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under judgment, decree or order of any court;

(ii) Public officers while performing their duties as such officers;

(iii) Employees of persons, corporations or associations enumerated in paragraph (c)(i) of this section when engaged in the specific performance of their duties as such employees; or

(iv) A motor vehicle manufacturer operating a project as defined in Section 57-75-5(f)(iv)1; and the provisions of the Mississippi Motor Vehicle Commission Law shall not apply to:

1. a. Any lease by such a motor vehicle manufacturer of three (3) or fewer motor vehicles at any one time and related vehicle maintenance, of any line of vehicle produced by the manufacturer or its subsidiaries, to any one (1) employee of the motor vehicle manufacturer on a direct basis; or

b. Any sale or other disposition of such motor vehicles by the motor vehicle manufacturer at the end of a lease through direct sales to employees of the manufacturer or through an open auction or auction limited to dealers of the manufacturer's vehicle line or its subsidiaries' vehicle lines; or

2. Any sale or other disposition by such a motor vehicle manufacturer of motor vehicles for which the manufacturer obtained distinguishing number tags under Section 27-19-309(8).

(d) "New motor vehicle" means a motor vehicle which has not been previously sold to any person except a distributor or wholesaler or motor vehicle dealer for resale.

(e) "Ultimate purchaser" means, with respect to any new motor vehicle, the first person, other than a motor vehicle dealer purchasing in his capacity as such dealer, who in good-faith purchases such new motor vehicle for purposes other than for resale.

(f) "Retail sale" or "sale at retail" means the act or attempted act of selling, bartering, exchanging or otherwise disposing of a new motor vehicle to an ultimate purchaser for use as a consumer.

(g) "Motor vehicle salesman" means any person who is employed as a salesman by a motor vehicle dealer whose duties include the selling or offering for sale of new motor vehicles.

(h) "Commission" means the Mississippi Motor Vehicle Commission.

(i) "Manufacturer" means any person, firm, association, corporation or trust, resident or nonresident, who manufactures or assembles new motor vehicles.

(j) "Distributor" or "wholesaler" means any person, firm, association, corporation or trust, resident or nonresident, who, in whole or in part, sells or distributes new motor vehicles to motor vehicle dealers, or who maintains distributor representatives.

(k) "Factory branch" means a branch or division office maintained by a person, firm, association, corporation or trust who manufactures or assembles new motor vehicles for sale to distributors or wholesalers, to motor vehicle dealers, or for directing or supervising, in whole or in part, its representatives.

(l) "Distributor branch" means a branch or division office similarly maintained by a distributor or wholesaler for the same purposes a factory branch or division is maintained.

(m) "Factory representative" means a representative employed by a person, firm, association, corporation or trust who manufactures or assembles new motor vehicles, or by a factory branch, for the purpose of making or promoting the sale of his, its or their new motor vehicles, or for supervising or contacting his, its or their dealers or prospective dealers.

(n) "Distributor representative" means a representative similarly employed by a distributor, distributor branch or wholesaler.

(o) "Person" means and includes, individually and collectively, individuals, firms, partnerships, copartnerships, associations, corporations and trusts, or any other forms of business enterprise, or any legal entity.

(p) "Good faith" means the duty of each party to any franchise agreement, and all officers, employees or agents of such party, to act in a fair and equitable manner toward each other in the performance of the respective obligations under the franchise agreement.

(q) "Coerce" means to compel or attempt to compel by threat or duress. However, recommendation, exposition, persuasion, urging or argument shall not be deemed to constitute coercion.

(r) "Special tools" are those which a dealer was required to purchase by the manufacturer or distributor for service on that manufacturer's product.

(s) "Motor vehicle lessor" means any person, not excluded by paragraph (c) of this section, engaged in the motor vehicle leasing or rental business.

(t) "Specialty vehicle" means a motor vehicle manufactured by a second stage manufacturer by purchasing motor vehicle components, e.g. frame and drive train, and completing the manufacturer of finished motor vehicles for the purpose of resale with the primary manufacturer warranty unimpaired, to a limited commercial market rather than the consuming public. Specialty vehicles include garbage trucks, ambulances, fire trucks, buses, limousines, hearses and other similar limited purpose vehicles as the commission may by regulation provide.

(u) "Auto auction" means (i) any person who provides a place of business or facilities for the wholesale exchange of motor vehicles by and between duly licensed motor vehicle dealers, (ii) any motor vehicle dealer licensed to sell used motor vehicles selling motor vehicles using an auction format but not on consignment, or (iii) any person who provides the facilities for or is in the business of selling in an auction format motor vehicles.

(v) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(w) "Dealer-operator" means the individual designated in the franchise agreement as the operator of the motor vehicle dealership.

(x) "Franchise" or "franchise agreement" means a written contract or agreement between a motor vehicle dealer and a manufacturer or its distributor or factory branch by which the motor vehicle dealer is authorized to engage in the business of selling or leasing the specific makes, models or classifications of new motor vehicles marketed or leased by the manufacturer and designated in the agreement or any addendum to such agreement.

(y) "Net cost" means the price the motor vehicle dealer pays for new motor vehicles, supplies, parts, equipment, signs, furnishings and special tools, minus any applicable discounts or subsidies obtained by the motor vehicle dealer.

(z) "Line or make" means a collection of models, series, or groups of motor vehicles manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease or distribution pursuant to a common trademark, service mark or brand name; however:

(i) Multiple brand names or marks may constitute a single line or make, but only when included in a common motor vehicle dealer agreement and the manufacturer, distributor or importer offers such vehicles bearing the multiple names of marks together only, and not separately, to its authorized motor vehicle dealers.

(ii) Motor vehicles bearing a common brand name or mark may constitute separate line or makes when such vehicles are of different vehicle types or are intended for different types of use, provided that either:

1. The manufacturer has expressly defined or covered the subject line or makes of vehicles as separate and distinct line or makes in the applicable dealer agreements; or

2. The manufacturer has consistently characterized the subject vehicles as constituting separate and distinct line or makes to its dealer network.

(aa) "Site-control agreement" or "exclusive use agreement" means an agreement that, regardless of its name, title, form or the parties entering into it, has the effect of:

(i) Controlling the use and development of the premises of a motor vehicle dealer's franchise or facilities;

(ii) Requiring a motor vehicle dealer to establish or maintain an exclusive motor vehicle dealership facility on the premises of the motor vehicle dealer's franchise or facility;

(iii) Restricting the power or authority of the dealer or the lessor, if the motor vehicle dealer leases the dealership premises, to transfer, sell, lease, develop, redevelop or change the use of the dealership premises, whether by sublease, lease, collateral pledge of lease, right of first refusal to purchase or lease, option to purchase or lease or any similar arrangement; or

(iv) Establishing a valuation process or formula for the motor vehicle dealership premises that does not allow for the motor vehicle dealership premises to be transferred, sold or leased by the motor vehicle dealer at the highest and best use valuation for the motor vehicle dealership premises.

(bb) "Market area" means the area of responsibility set forth in the franchise agreement.

(cc) "Core parts" means those original vehicle manufacturer parts that are listed in the original vehicle manufacturer's or distributor's current parts catalog, for which there is a core charge and which are returnable to the manufacturer or distributor.

(dd) "Pre-delivery preparation obligations" means all work and services, except warranty work, performed on new motor vehicles by motor vehicle dealers at the direction of the vehicle manufacturer prior to the delivery of such vehicles to the first retail consumer.

(ee) "Warranty work" means all labor, including that of a diagnostic character, performed, and all parts, including original or replacement parts, and components, including engine, transmission, and other parts assemblies, installed by motor vehicle dealers on motor vehicles which are reasonably incurred by motor vehicle dealers (other than the incidental expenses incurred in performing labor and installing parts on motor vehicles) in fulfilling a manufacturer's obligations under a new motor vehicle warranty, a recall, or a certified pre-owned warranty, to consumers, including, but

not limited to, the expense of shipping or returning defective parts to the manufacturer, when required by the manufacturer.

(ff) "Repair order" means an invoice, paid by a retail customer, and closed as of the time of submission, encompassing one or more repairs to a new motor vehicle, and reflecting, in the case of a parts mark-up submission, the cost of each part and the sale price thereof, and in the case of a labor rate submission, the total charges for labor and the total number of hours that produced such charges, which invoice may be submitted in electronic form.

(gg) "Qualified repair" means a repair to a motor vehicle, paid by a retail customer, which would have come within the manufacturer's new motor vehicle warranty, but for the motor vehicle having exceeded the chronological or mileage limit of such warranty, and which does not constitute any of the work encompassed by subsection (4) of Section 63-17-86.

(hh) "Qualified repair order" means a repair order which encompasses, in whole or in part, a qualified repair or repairs.

SECTION 9. Section 63-17-155, Mississippi Code of 1972, is amended as follows:

63-17-155. As used in Sections 63-17-151 through 63-17-165, the following terms shall have the following meanings:

(a) "Collateral charges" means those additional charges to a consumer which are not directly attributable to the manufacturer's suggested retail price label for the motor vehicle. Collateral charges shall include, but not be limited to, dealer preparation charges, undercoating charges, transportation charges, towing charges, replacement car rental costs and title charges.

(b) "Comparable motor vehicle" means an identical or reasonably equivalent motor vehicle.

(c) "Consumer" means the purchaser, other than for purposes of resale, of a motor vehicle, primarily used for personal, family, or household purposes, and any person to whom such motor vehicle is transferred for the same purposes during the duration of an express warranty applicable to such motor vehicle, and any other person entitled by the terms of such warranty to enforce the obligations of the warranty.

(d) "Express warranty" means any written affirmation of fact or promise made in connection with the sale of a motor vehicle by a supplier to a consumer which relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect-free or will meet a specified level of performance over a specified period of time. For the purposes of Section 63-17-151 et seq., express warranties do not include implied warranties.

(e) "Manufacturer" means a manufacturer or distributor as defined in Section 63-17-55.

(f) "Motor vehicle" means a vehicle propelled by power other than muscular power which is sold in this state, is operated over the public streets and highways of this state and is used as a means of transporting persons or property, but shall not include vehicles run only upon tracks, off-road vehicles, motorcycles, mopeds, electric bicycles, personal delivery devices, electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1, or parts and components of a motor home which were added on and/or assembled by the manufacturer of the motor home. "Motor vehicle" shall include demonstrators or

lease-purchase vehicles as long as a manufacturer's warranty was issued as a condition of sale.

(g) "Purchase price" means the price which the consumer paid to the manufacturer to purchase the motor vehicle in a cash sale or, if the motor vehicle is purchased in a retail installment transaction, the cash sale price as defined in Section 63-19-3.

SECTION 10. Section 63-19-3, Mississippi Code of 1972, is amended as follows:

63-19-3. The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context or subject matter otherwise requires:

(a) "Motor vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of less than fifteen thousand (15,000) pounds, but shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles as defined in Section 63-3-103.

(b) "Commercial vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of fifteen thousand (15,000) pounds or more; however, wherever "motor vehicle" appears in this chapter, except in Section 63-19-43, the same shall be construed to include commercial vehicles where such construction is necessary in order to give effect to this chapter.

(c) "Retail buyer" or "buyer" means a person who buys a motor vehicle or commercial vehicle from a retail seller, not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(d) "Retail seller" or "seller" means a person who sells a motor vehicle or commercial vehicle to a retail buyer under or subject to a retail installment contract.

(e) The "holder" of a retail installment contract means the retail seller of the motor vehicle or commercial vehicle under or subject to the contract or if the contract is purchased by a sales finance company or other assignee, the sales finance company or other assignee.

(f) "Retail installment transaction" means any transaction evidenced by a retail installment contract entered into between a retail buyer and a retail seller wherein the retail buyer buys a motor vehicle or commercial vehicle from the retail seller at a time price payable in one or more deferred installments. The cash sale price of the motor vehicle or commercial vehicle, the amount included for insurance and other benefits if a separate charge is made therefor, official fees and the finance charge shall together constitute the time price.

(g) "Retail installment contract" or "contract" means an agreement entered into in this state pursuant to which the title to or a lien upon the motor vehicle or commercial vehicle which is the subject matter of a retail installment transaction is retained or taken by a retail seller from a retail buyer as security for the buyer's obligation. The term includes a chattel mortgage, a conditional sales contract and a contract for the bailment or leasing of a motor vehicle or commercial vehicle by which the bailee or lessee contracts to pay as compensation for its use a sum substantially equivalent to or in excess of its value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the motor vehicle upon full compliance with the provisions of the contract.

(h) "Cash sale price" means the price stated in a retail installment contract for which the seller would have sold to the buyer, and the buyer would have bought from the seller, the motor vehicle or commercial vehicle which is the subject matter of the retail installment contract, if such sale had been a sale for cash instead of a retail installment transaction. The cash sale price may include any taxes, registration, certificate of title, if any, license and other fees and charges for accessories and their installation and for delivery, servicing, repairing or improving the motor vehicle or commercial vehicle.

(i) "Official fees" means the fees prescribed by law for filing, recording or otherwise perfecting and releasing or satisfying a retained title or a lien created by a retail installment contract, if recorded.

(j) "Finance charge" means the amount agreed upon between the buyer and the seller, as limited in this chapter, to be added to the aggregate of the cash sale price, the amount, if any, included for insurance and other benefits and official fees, in determining the time price.

(k) "Sales finance company" means a person engaged, in whole or in part, in the business of purchasing retail installment contracts from one or more retail sellers. The term includes, but is not limited to, a bank, trust company, private banker, industrial bank or investment company, if so engaged. The term also includes a retail seller engaged, in whole or in part, in the business of creating and holding retail installment contracts which exceed a total aggregate outstanding indebtedness of Five Hundred Thousand Dollars (\$500,000.00). The term does not include the pledgee to whom is pledged one or more of such contracts to secure a bona fide loan thereon.

(l) "Person" means an individual, partnership, corporation, association and any other group however organized.

(m) "Administrator" means the Commissioner of Banking and Consumer Finance or his duly authorized representative.

(n) "Commissioner" means the Commissioner of Banking and Consumer Finance.

(o) "Records" or "documents" means any item in hard copy or produced in a format of storage commonly described as electronic, imaged, magnetic, microphotographic or otherwise, and any reproduction so made shall have the same force and effect as the original thereof and be admitted in evidence equally with the original.

Words in the singular include the plural and vice versa.

SECTION 11. Section 63-21-5, Mississippi Code of 1972, is amended as follows:

63-21-5. The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning:

(a) "State Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Dealer" means every person engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semitrailers, trucks, tractors or other character of commercial or industrial motor vehicles in this state, and having in this state an established place of business as defined in Section 27-19-303, Mississippi Code of 1972. The term "dealer" shall also mean every person engaged regularly in the business of buying, selling or exchanging manufactured housing in this state, and licensed as a dealer of manufactured housing by the Mississippi Department of Insurance.

(c) "Designated agent" means each county tax collector in this state who may perform his duties under this chapter either personally or through any of his deputies, or such other persons as the Department of Revenue may designate. The term shall also mean those "dealers" as herein defined and/or their officers and employees and other persons who are appointed by the Department of Revenue in the manner provided in Section 63-21-13, Mississippi Code of 1972, to perform the duties of "designated agent" for the purposes of this chapter.

(d) "Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(e) "Vehicle identification number" means the numbers and letters on a vehicle, manufactured home or mobile home designated by the manufacturer or assigned by the Department of Revenue for the purpose of identifying the vehicle, manufactured home or mobile home.

(f) "Lien" means every kind of written lease which is substantially equivalent to an installment sale or which provides for a right of purchase; conditional sale; reservation of title; deed of trust; chattel mortgage; trust receipt; and every other written agreement or instrument of whatever kind or character whereby an interest other than absolute title is sought to be held or given on a motor vehicle, manufactured home or mobile home.

(g) "Lienholder" means any natural person, firm, copartnership, association or corporation holding a lien as herein defined on a motor vehicle, manufactured home or mobile home.

(h) "Manufactured housing" or "manufactured home" means any structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such terms shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USCS, Section 5401.

(i) "Manufacturer" means any person regularly engaged in the business of manufacturing, constructing or assembling motor vehicles, manufactured homes or mobile homes, either within or without this state.

(j) "Mobile home" means any structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein and manufactured prior to June 15, 1976. Any mobile home designated as realty on or before July 1, 1999, shall continue to be designated as realty so that a security interest will be made by incorporating such mobile home in a deed of trust.

(k) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a farm tractor, personal delivery device and electric bicycle.

(l) "Motor vehicle" means every automobile, motorcycle, mobile trailer, semitrailer, truck, truck tractor, trailer and every other device in, upon, or by which any person or property is or may be transported or drawn upon a public highway which is required to have a road or bridge privilege license, except such as is moved by animal power or used exclusively upon stationary rails or tracks, and excepting electric bicycles and personal delivery devices.

(m) "New vehicle" means a motor vehicle, manufactured home or mobile home which has never been the subject of a first sale for use.

(n) "Used vehicle" means a motor vehicle, manufactured home or mobile home that has been the subject of a first sale for use, whether within this state or elsewhere.

(o) "Owner" means a person or persons holding the legal title of a vehicle, manufactured home or mobile home; in the event a vehicle, manufactured home or mobile home is the subject of a deed of trust or a chattel mortgage or an agreement for the conditional sale or lease thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the grantor in the deed of trust, mortgagor, conditional vendee or lessee, the grantor, mortgagor, conditional vendee or lessee shall be deemed the owner for the purpose of this chapter.

(p) "Person" includes every natural person, firm, copartnership, association or corporation.

(q) "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, boats or structural members capable generally of sustaining themselves as beams between the supporting connections.

(r) "Security agreement" means a written agreement which reserves or creates a security interest.

(s) "Security interest" means an interest in a vehicle, manufactured home or mobile home reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is "perfected" when it is valid against third parties generally, subject only to specific statutory exceptions.

(t) "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to: ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes, vehicles so constructed that they exceed eight (8) feet in width and/or thirteen (13) feet six (6) inches in height, and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(u) "Nonresident" means every person who is not a resident of this state.

(v) "Current address" means a new address different from the address shown on the application or on the certificate of title. The owner shall within thirty (30)

days after his address is changed from that shown on the application or on the certificate of title notify the department of the change of address in the manner prescribed by the department.

(w) "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; but shall not include any auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(x) "Odometer reading" means the actual cumulative distance traveled disclosed on the odometer.

(y) "Odometer disclosure statement" means a statement certified by the owner of the motor vehicle to the transferee or to the department as to the odometer reading.

(z) "Mileage" means actual distance that a vehicle has traveled.

(aa) "Trailer" means every vehicle other than a "pole trailer" as defined in this chapter without motive power designed to be drawn by another vehicle and attached to the towing vehicle for the purpose of hauling goods or products. The term "trailer" shall not refer to any structure, transportable in one or more sections regardless of size, when erected on site, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein regardless of the date of manufacture.

(bb) "Salvage mobile home" or "salvage manufactured home" means a mobile home or manufactured home for which a certificate of title has been issued that an insurance company obtains from the owner as a result of paying a total loss claim resulting from collision, fire, flood, wind or other occurrence. The term "salvage mobile home" or "salvage manufactured home" does not mean or include and is not applicable to a mobile home or manufactured home that is twenty (20) years old or older.

(cc) "Salvage certificate of title" means a document issued by the department for a salvage mobile home or salvage manufactured home as defined in this chapter.

(dd) "All-terrain vehicle" means a motor vehicle that is designed for off-road use and is not required to have a motor vehicle privilege license. The term "all-terrain vehicle" shall not include electric bicycles.

SECTION 12. Section 1 of this act shall be codified in Title 63, Chapter 3, Mississippi Code of 1972.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE AND PROVIDE FOR THE REGULATION OF THE USE OF PERSONAL DELIVERY DEVICES IN PEDESTRIAN AREAS; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Senator Branning called up the following House Amendment to **S. B. No. 2507** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 65-1-8, Mississippi Code of 1972, is amended as follows:

65-1-8. (1) The Mississippi Transportation Commission shall have the following general powers, duties and responsibilities:

(a) To coordinate and develop a comprehensive, balanced transportation policy for the State of Mississippi;

(b) To promote the coordinated and efficient use of all available and future modes of transportation;

(c) To make recommendations to the Legislature regarding alterations or modifications in any existing transportation policies;

(d) To study means of encouraging travel and transportation of goods by the combination of motor vehicle and other modes of transportation;

(e) To take such actions as are necessary and proper to discharge its duties pursuant to the provisions of Chapter 496, Laws of 1992, and any other provision of law;

(f) To receive and provide for the expenditure of any funds made available to it by the Legislature, the federal government or any other source.

(2) In addition to the general powers, duties and responsibilities listed in subsection (1) of this section, the Mississippi Transportation Commission shall have the following specific powers:

(a) To make rules and regulations whereby the Transportation Department shall change or relocate any and all highways herein or hereafter fixed as constituting a part of the state highway system, as may be deemed necessary or economical in the construction or maintenance thereof; to acquire by gift, purchase, condemnation or otherwise, land or other property whatsoever that may be necessary for a state highway system as herein provided, with full consideration to be given to the stimulation of local public and private investment when acquiring such property in the vicinity of Mississippi towns, cities and population centers;

(b) To enforce by mandamus, or other proper legal remedies, all legal rights or rights of action of the Mississippi Transportation Commission with other public bodies, corporations or persons;

(c) To make and publish rules, regulations and ordinances for the control of and the policing of the traffic on the state highways, and to prevent their abuse by any or all persons, natural or artificial, by trucks, tractors, trailers or any other heavy or destructive vehicles or machines, or by any other means whatsoever, by establishing weights of loads or of vehicles, types of tires, width of tire surfaces, length and width of vehicles, with reasonable variations to meet approximate weather conditions, and all other proper police and protective regulations, and to provide ample means for the enforcement

of same. The violation of any of the rules, regulations or ordinances so prescribed by the commission shall constitute a misdemeanor. No rule, regulation or ordinance shall be made that conflicts with any statute now in force or which may hereafter be enacted, or with any ordinance of municipalities. A monthly publication giving general information to the boards of supervisors, employees and the public may be issued under such rules and regulations as the commission may determine;

(d) To give suitable numbers to highways and to change the number of any highway that shall become a part of the state highway system. However, nothing herein shall authorize the number of any highway to be changed so as to conflict with any designation thereof as a U.S. numbered highway. Where, by a specific act of the Legislature, the commission has been directed to give a certain number to a highway, the commission shall not have the authority to change such number;

(e) (i) To make proper and reasonable rules, regulations, and ordinances for the placing, erection, removal or relocation of telephone, telegraph or other poles, signboards, fences, gas, water, sewerage, oil or other pipelines, and other obstructions that may, in the opinion of the commission, contribute to the hazards upon any of the state highways, or in any way interfere with the ordinary travel upon such highways, or the construction, reconstruction or maintenance thereof, and to make reasonable rules and regulations for the proper control thereof. Any violation of such rules or regulations or noncompliance with such ordinances shall constitute a misdemeanor;

(ii) Except as otherwise provided for in this paragraph, whenever the order of the commission shall require the removal of, or other changes in the location of telephone, telegraph or other poles, signboards, gas, water, sewerage, oil or other pipelines; or other similar obstructions on the right-of-way or such other places where removal is required by law, the owners thereof shall at their own expense move or change the same to conform to the order of the commission. Any violation of such rules or regulations or noncompliance with such orders shall constitute a misdemeanor;

(iii) Rural water districts, rural water systems, nonprofit water associations and municipal public water systems in municipalities with a population of ten thousand (10,000) or less, according to the latest federal decennial census, shall not be required to bear the cost and expense of removal and relocation of water and sewer lines and facilities constructed or in place in the rights-of-way of state highways. The cost and expense of such removal and relocation, including any unpaid prior to July 1, 2002, shall be paid by the Department of Transportation;

(iv) Municipal public sewer systems and municipal gas systems owned by municipalities with a population of ten thousand (10,000) or less, according to the latest federal decennial census, shall not be required to bear the cost and expense of removal and relocation of lines and facilities constructed or in place in the rights-of-way of state highways. The cost and expense of such removal and relocation, including any unpaid prior to July 1, 2003, shall be paid by the Department of Transportation;

(f) To regulate and abandon grade crossings on any road fixed as a part of the state highway system, and whenever the commission, in order to avoid a grade crossing with the railroad, locates or constructs said road on one side of the railroad, the commission shall have the power to abandon and close such grade crossing, and whenever an underpass or overhead bridge is substituted for a grade crossing, the commission shall have power to abandon such grade crossing and any other crossing adjacent thereto. Included in the powers herein granted shall be the power to require the railroad at grade crossings, where any road of the state highway system crosses the same, to place signal posts with lights or other warning devices at such crossings at the expense of the railroad, and to regulate and abandon underpass or overhead bridges and, where abandoned because of the construction of a new underpass or overhead bridge, to close such old underpass or overhead bridge, or, in its discretion, to return the same to the jurisdiction of the county board of supervisors;

(g) To make proper and reasonable rules and regulations to control the cutting or opening of the road surfaces for subsurface installations;

(h) To make proper and reasonable rules and regulations for the removal from the public rights-of-way of any form of obstruction, to cooperate in improving their appearance, and to prescribe minimum clearance heights for seed conveyors, pipes, passageways or other structure of private or other ownership above the highways;

(i) To establish, and have the Transportation Department maintain and operate, and to cooperate with the state educational institutions in establishing, enlarging, maintaining and operating a laboratory or laboratories for testing materials and for other proper highway purposes;

(j) To provide, under the direction and with the approval of the Department of Finance and Administration, suitable offices, shops and barns in the City of Jackson;

(k) To establish and have enforced set-back regulations;

(l) To cooperate with proper state authorities in producing limerock for highway purposes and to purchase same at cost;

(m) To provide for the purchase of necessary equipment and vehicles and to provide for the repair and housing of same, to acquire by gift, purchase, condemnation or otherwise, land or lands and buildings in fee simple, and to authorize the Transportation Department to construct, lease or otherwise provide necessary and proper permanent district offices for the construction and maintenance divisions of the department, and for the repair and housing of the equipment and vehicles of the department; however, in each Supreme Court district only two (2) permanent district offices shall be set up, but a permanent status shall not be given to any such offices until so provided by act of the Legislature and in the meantime, all shops of the department shall be retained at their present location. As many local or subdistrict offices, shops or barns may be provided as is essential and proper to economical maintenance of the state highway system;

(n) To cooperate with the Department of Archives and History in having placed and maintained suitable historical markers, including those which have been approved and purchased by the State Historical Commission, along state highways, and to have constructed and maintained roadside driveways for convenience and safety in viewing them when necessary;

(o) To cooperate, in its discretion, with the Mississippi Department of Wildlife, Fisheries and Parks in planning and constructing roadside parks upon the right-of-way of state highways, whether constructed, under construction, or planned; said parks to utilize where practical barrow pits used in construction of state highways for use as fishing ponds. Said parks shall be named for abundant flora and fauna existing in the area or for the first flora or fauna found on the site;

(p) Unless otherwise prohibited by law, to make such contracts and execute such instruments containing such reasonable and necessary appropriate terms, provisions and conditions as in its absolute discretion it may deem necessary, proper or advisable, for the purpose of obtaining or securing financial assistance, grants or loans from the United States of America or any department or agency thereof, including contracts with several counties of the state pertaining to the expenditure of such funds;

(q) To cooperate with the Federal Highway Administration in the matter of location, construction and maintenance of the Great River Road, to expend such funds paid to the commission by the Federal Highway Administration or other federal agency, and to authorize the Transportation Department to erect suitable signs marking this

highway, the cost of such signs to be paid from state highway funds other than earmarked construction funds;

(r) To cooperate, in its discretion, with the Mississippi Forestry Commission and the School of Forestry, Mississippi State University, in a forestry management program, including planting, thinning, cutting and selling, upon the right-of-way of any highway, constructed, acquired or maintained by the Transportation Department, and to sell and dispose of any and all growing timber standing, lying or being on any right-of-way acquired by the commission for highway purposes in the future; such sale or sales to be made in accordance with the sale of personal property which has become unnecessary for public use as provided for in Section 65-1-123, Mississippi Code of 1972;

(s) To expend funds in cooperation with the Division of Plant Industry, Mississippi Department of Agriculture and Commerce, the United States government or any department or agency thereof, or with any department or agency of this state, to control, suppress or eradicate serious insect pests, rodents, plant parasites and plant diseases on the state highway rights-of-way;

(t) To provide for the placement, erection and maintenance of motorist services business signs and supports within state highway rights-of-way in accordance with current state and federal laws and regulations governing the placement of traffic control devices on state highways, and to establish and collect reasonable fees from the businesses having information on such signs;

(u) To request and to accept the use of persons convicted of an offense, whether a felony or a misdemeanor, for work on any road construction, repair or other project of the Transportation Department. The commission is also authorized to request and to accept the use of persons who have not been convicted of an offense but who are required to fulfill certain court-imposed conditions pursuant to Section 41-29-150(d)(1) or 99-15-26, Mississippi Code of 1972, or the Pretrial Intervention Act, being Sections 99-15-101 through 99-15-127, Mississippi Code of 1972. The commission is authorized to enter into any agreements with the Department of Corrections, the State Parole Board, any criminal court of this state, and any other proper official regarding the working, guarding, safekeeping, clothing and subsistence of such persons performing work for the Transportation Department. Such persons shall not be deemed agents, employees or involuntary servants of the Transportation Department while performing such work or while going to and from work or other specified areas;

(v) To provide for the administration of the railroad revitalization program pursuant to Section 57-43-1 et seq.;

(w) The Mississippi Transportation Commission is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Mississippi Transportation Department;

(x) To cooperate with the State Tax Commission by providing for weight enforcement field personnel to collect and assess taxes, fees and penalties and to perform all duties as required pursuant to Section 27-55-501 et seq., Sections 27-19-1 et seq., 27-55-1 et seq., 27-59-1 et seq. and 27-61-1 et seq., Mississippi Code of 1972, with regard to vehicles subject to the jurisdiction of the Office of Weight Enforcement. All collections and assessments shall be transferred daily to the State Tax Commission;

(y) The Mississippi Transportation Commission may delegate the authority to enter into a supplemental agreement to a contract previously approved by the commission if the supplemental agreement involves an additional expenditure not to exceed One Hundred Thousand Dollars (\$100,000.00);

(z) (i) The Mississippi Transportation Commission, in its discretion, may enter into agreements with any county, municipality, county transportation commission,

business, corporation, partnership, association, individual or other legal entity, for the purpose of accelerating the completion date of scheduled highway construction projects.

(ii) Such an agreement may permit the cost of a highway construction project to be advanced to the commission by a county, municipality, county transportation commission, business, corporation, partnership, association, individual or other legal entity, and repaid to such entity by the commission when highway construction funds become available; provided, however, that repayment of funds advanced to the Mississippi Transportation Commission shall be made no sooner than the commission's identified projected revenue schedule for funding of that particular construction project, and no other scheduled highway construction project established by statute or by the commission may be delayed by an advanced funding project authorized under this paragraph (z). Repayments to a public or private entity that advances funds to the Mississippi Transportation Commission under this paragraph (z) may not include interest or other fees or charges, and the total amount repaid shall not exceed the total amount of funds advanced to the commission by the entity; however, the inclusion of public entities in this provision does not invalidate any existing agreements authorized under this paragraph (z) before the effective date of this act. The commission shall retain the ability to service, refinance or restructure any indebtedness incurred through any such existing agreements.

(iii) In considering whether to enter into such an agreement, the commission shall consider the availability of financial resources, the effect of such agreement on other ongoing highway construction, the urgency of the public's need for swift completion of the project and any other relevant factors.

(iv) Such an agreement shall be executed only upon a finding by the commission, spread upon its minutes, that the acceleration of the scheduled project is both feasible and beneficial. The commission shall also spread upon its minutes its findings with regard to the factors required to be considered pursuant to subparagraph (iii) of this paragraph (z);

(aa) The Mississippi Transportation Commission, in its discretion, may purchase employment practices liability insurance, and may purchase an excess policy to cover catastrophic losses incurred under the commission's self-insured workers' compensation program authorized under Section 71-3-5. Such policies shall be written by the agent or agents of a company or companies authorized to do business in the State of Mississippi. The deductibles shall be in an amount deemed reasonable and prudent by the commission, and the premiums thereon shall be paid from the State Highway Fund. Purchase of insurance under this paragraph shall not serve as an actual or implied waiver of sovereign immunity or of any protection afforded the commission under the Mississippi Tort Claims Act;

(bb) The Mississippi Transportation Commission is further authorized, in its discretion, to expend funds for the purchase of promotional materials for safety purposes, highway beautification purposes and recruitment purposes;

(cc) To lease antenna space on communication towers which it owns;

(dd) To receive funds from the Southeastern Association of Transportation Officials and from other nonstate sources and expend those funds for educational scholarships in transportation related fields of study. The commission may adopt rules or regulations as necessary for the implementation of the program. A strict accounting shall be made of all funds deposited with the commission and all funds dispersed.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REPAYMENTS TO A PUBLIC ENTITY THAT ADVANCES FUNDS TO THE MISSISSIPPI TRANSPORTATION COMMISSION MAY NOT INCLUDE INTEREST OR OTHER FEES; AND THE TOTAL AMOUNT REPAID SHALL NOT EXCEED THE TOTAL AMOUNT OF FUNDS ADVANCED TO THE COMMISSION; TO SPECIFY THAT THIS PROVISION DOES NOT INVALIDATE ANY EXISTING AGREEMENTS AUTHORIZED BEFORE THE EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT THE COMMISSION SHALL RETAIN THE ABILITY TO SERVICE, REFINANCE OR RESTRUCTURE ANY INDEBTEDNESS INCURRED THROUGH ANY SUCH EXISTING AGREEMENTS; AND FOR RELATED PURPOSES.

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Senator Branning called up the following House Amendment to **S. B. No. 2517** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 77-7-345, Mississippi Code of 1972:

77-7-345. (1) When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to provide a voluntary program for inspection of commercial motor vehicles.

(2) For the purposes of this section, "commercial motor vehicle" has the meaning ascribed in Section 63-1-203.

(3) The regulations, if promulgated, will:

(a) Create a voluntary program for inspection of any combination of truck, truck tractor, trailer, semi-trailer or pole trailer, including each segment of a combined vehicle, that is used upon the highways or streets as a commercial motor vehicle for compliance with all applicable federal and state motor carrier safety regulations;

(b) Require that inspectors have access to the vehicle maintenance log;

(c) Prescribe a method of documentation to be displayed on the vehicle that is readily visible to an observer in the form of a decal or sticker, and require that the form of documentation prescribed must be kept on the vehicle;

(d) Require that inspection occur on an annual basis for participation in the program;

(e) Provide that inspection is not mandatory;

(f) Impose a reasonable inspection fee, which shall be deposited to the credit of the operating fund of the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety; and

(g) Specify that officers of the Commercial Transportation Enforcement Division will retain all responsibility and authority to monitor and enforce violations under Section 77-7-335.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO CREATE BY RULE A VOLUNTARY PROGRAM OF COMMERCIAL MOTOR VEHICLE INSPECTION; AND FOR RELATED PURPOSES.

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Senator McCaughn called up the following House Amendment to **S. B. No. 2519** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-5-19, Mississippi Code of 1972, is amended as follows:

63-5-19. (1) Except as otherwise provided in this section, no single vehicle, unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of forty (40) feet.

(2) No semitrailer operating in a truck tractor-semitrailer combination and no trailer drawn by a motor vehicle shall exceed a length of fifty-three (53) feet.

(3) No semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination and no trailer operating in a double trailer combination drawn by a motor vehicle shall exceed a length of thirty (30) feet.

(4) No semitrailer or trailer combinations in excess of two (2) units, excluding the towing motor vehicle, shall be allowed to operate on the highways of this state.

(5) No motor home shall have an overall length exclusive of front and rear bumpers, in excess of forty-five (45) feet.

(6) The load upon the rear vehicle of a combination of vehicles transporting forest or agricultural products in their natural state shall not project more than twenty-eight (28) feet beyond the rear axle of the vehicle except in the special circumstance hereinafter prescribed. If such products project more than twenty-eight (28) feet beyond the rear axle and, due to the end use for which they are intended (such as tall utility poles or light poles or the like), such products cannot be shortened without rendering them useless for the

finished product for which they have been cut, then such special circumstance may be considered good cause for the obtaining of a permit which shall be procured pursuant to Section 63-5-51 before vehicles transporting such products may operate. Except as otherwise provided in Section 63-5-21 or 63-7-47(2), any vehicle transporting projecting loads as described in this subsection that extend four (4) feet or more beyond the rear or body of the vehicle shall operate only during daylight hours, and the load on vehicles designed to transport forestry products shall be secured by at least two (2) chains, two (2) wire ropes, or two (2) nylon straps, one (1) positioned behind the front bolster and one (1) in front of the back bolster.

(7) Except as otherwise provided in Section 63-5-21 or 63-7-47(2), the rear projecting load of any vehicle operating during the period described under Section 63-7-11 may not extend four (4) feet or more beyond the rear or body of the vehicle, or as otherwise allowable by federal law.

(8) The length limitations on projecting loads prescribed in this section do not apply to a single vehicle or the rear vehicle of a combination of vehicles designed for on-farm delivery and unloading of any agricultural product, in its natural or manufactured form, which is fitted with an auger or similar unloading device permanently affixed to the vehicle that extends no more than eight (8) feet horizontally beyond the rear or body of the vehicle provided that no portion of such device which extends four (4) feet or more beyond the rear or body of the vehicle is less than seven (7) feet above the roadway surface. However, any such vehicle may not be operated on the public highways, roads or streets of this state during the period described under Section 63-7-11.

(9) A vehicle designed and especially constructed to transport raw cotton from harvest to the cotton gin may have a total overall length not to exceed fifty (50) feet whenever any such vehicle is being operated within a radius of fifty (50) miles of the vehicle's home base or its contractual customer.

SECTION 2. Section 63-7-47, Mississippi Code of 1972, is amended as follows:

63-7-47. (1) Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the rear or body of such vehicle, there shall be displayed at the extreme rear end of the load a red flag or cloth not less than sixteen (16) inches square.

(2) \* \* \* During the period described in Section 63-7-11, any vehicle transporting a load of timber products that extends \* \* \* four (4) feet or more beyond the \* \* \* rear or body of that vehicle, shall have affixed as close as practical to the end of the load a rotating or oscillating amber strobe-type lamp or light-emitting diode light.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 63-5-19 AND 63-7-47, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS REGARDING ILLUMINATION OF LOADS EXTENDING BEYOND THE REAR OF VEHICLES; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2770** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.40, Mississippi Code of 1972, is amended as follows:

27-7-22.40. (1) The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates:

(a) "Water transportation enterprise" means an

enterprise or establishment primarily engaged in providing inland water transportation of cargo on lakes, rivers and/or intracoastal waterways, except on the Great Lakes System.

(b) "Mississippi full-time job" means a job created in the State of Mississippi on or after January 1, 2019, and filled by a Mississippi resident who works at least thirty-five (35) hours per week.

(2) Subject to the provisions of this section, any water transportation enterprise is allowed a job tax credit for taxes imposed by this chapter equal to Two Thousand Dollars (\$2,000.00) annually for each Mississippi full-time job created for a period of five (5) years from the date the credit commences. A water transportation enterprise may not claim a tax credit for the reemployment of a person whose employment with the enterprise is terminated by the enterprise if the reemployment by the enterprise occurs within twelve (12) months from the date of the termination. The credit shall commence on the date selected by the enterprise. For the year in which the commencement date occurs, the credit will be determined based on the monthly average number of full-time employees employed by the water transportation enterprise in Mississippi full-time jobs subject to the Mississippi income tax withholding. For each year thereafter, the number of Mississippi full-time jobs shall be determined by comparing the monthly average number of full-time employees employed at the water transportation enterprise in Mississippi full-time jobs subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. The Department of Revenue shall adjust the credit allowed each year for employment fluctuations.

(3) The credit that may be used each year shall be limited to an amount not greater than the total state income tax liability of the water transportation enterprise. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) \*\*\* The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any water transportation enterprise may not create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the water transportation enterprise. The Department of Revenue shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(5) The credits allowed under this section shall not be used by any business enterprise or corporation other than the water transportation enterprise actually qualifying for the credits.

(6) The maximum aggregate amount of tax credits that may be claimed by all taxpayers claiming a credit under this section in a taxable year shall not exceed Two Million Dollars (\$2,000,000.00).

(7) Any water transportation enterprise that is eligible for the credit authorized in this section before January 1, \*\*\* 2026, shall be eligible for the credit authorized in this section, notwithstanding the repeal of this section, and shall be allowed to carry forward the credit after January 1, \*\*\* 2026, as provided for in subsection (3) of this section.

(8) This section shall be repealed from and after January 1, \*\*\* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.40, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX JOB CREDIT FOR ENTERPRISES THAT ARE PRIMARILY ENGAGED IN PROVIDING INLAND WATER TRANSPORTATION OF CARGO ON LAKES, RIVERS AND INTRACOASTAL WATERWAYS FOR EACH FULL-TIME EMPLOYEE EMPLOYED BY THE ENTERPRISE IN A MISSISSIPPI FULL-TIME JOB, TO EXTEND THE REPEALER ON THE CREDIT; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2781** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 8, Chapter 46, Laws of 2021, is amended as follows:

Section 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program .....	\$	1,854,655.00.
(b) Mississippi Affordable College Savings program.....	\$	177,860.00.
(c) Treasury Office - Support programs .....	\$	*** 3,681,196.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 2. Section 2, Chapter 51, Laws of 2021, is amended as follows:

Section 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .....\$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .....

\$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the

number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 11,884.00.

(g) For the support of the \* \* \* Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 42,730.00.

SECTION 3. Section 11, Chapter 82, Laws of 2021, is amended as follows:

Section 11. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds and capital expense funds, to special funds, within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 4. Section 4, Chapter 87, Laws of 2021, is amended as follows:

Section 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6,351
Part Time		19
Time-Limited:	Full Time	460
Part Time		9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless

otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

The Department of Mental Health is authorized to grant temporary COVID-19 adjustments to the compensation for employees in the following occupational titles: Nurse Licensed Practical I, II and III, Nurse I, II, III and IV, Nurse Manager, Nurse Administrator and Nurse Chief and for those employees who function as a nurse and are already classified in their new nurse titles as part of Project SEC2. Authority is provided for an increase of up to seventy-five percent (75%) temporary COVID-19 adjustment pay for Fiscal Year 2022.

SECTION 5. Section 20, Chapter 100, Laws of 2021, is amended as follows:

Section 20. Of the funds appropriated under the provisions of Section 2, Fifty-two Million Seven Hundred Ninety-three Thousand Dollars (\$52,793,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Gulf Coast Restoration Fund, as created in Section 57-119-1, Mississippi Code of 1972. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private

for-profit entities, private nonprofit entities and local economic development entities. These funds will be reappropriated each year until the project is completed.

Of the funds appropriated in this section the following sums are provided for projects:

- (a) To assist the Mississippi State University Mississippi Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... \$ 13,500,000.00.
- (b) To assist the University of Southern Mississippi Ocean Enterprise ..... \$ 4,500,000.00.
- (c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass ..... \$ 2,500,000.00.
- (d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment. .... \$ 2,500,000.00.
- (e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..... \$ 6,000,000.00.
- (f) To assist the Pascagoula Redevelopment with downtown revitalization project..... \$ 3,000,000.00.
- (g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center..... \$ 2,500,000.00.
- (h) To assist the City of Diamondhead with the Town Center District – Commercial District Project \$ 2,000,000.00.
- (i) To assist Stone County School District with the Stone County High School Career and Technical Education Center..... \$ 3,200,000.00.
- (j) To assist Hancock County Port and Harbor Assault Landing Strip..... \$ 2,500,000.00.

(k) To assist the City of Gulfport with flood control and/or drainage for the Forest Heights Project ..... \$ 2,100,000.00.

(l) To assist the City of Moss Point with the Interstate 10 Frontage Roads, North and South \$ 2,000,000.00.

(m) To assist the City of Picayune with the Friendship Park Revitalization Project ..... \$ 1,900,000.00.

(n) To assist Pearl River Community College PRCC Aviation Aerospace Academy ..... \$ 1,900,000.00.

(o) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements..... \$ 1,000,000.00.

(p) To assist the Walter Anderson Museum with Phase 3 and Phase 4..... \$ 636,000.00.

(q) To assist the City of Lucedale with Ventura Drive Improvements ..... \$ 577,000.00.

(r) To assist George County with the Scott Road Project, widening and infrastructure ..... \$ 480,000.00.

SECTION 6. Section 29, Chapter 102, Laws of 2021, is amended as follows:

Section 29. Of the funds appropriated under the provisions of Section 2, Ninety-seven Million Five Hundred Sixty-eight Thousand Eight Hundred Dollars (\$97,568,800.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer. These funds are provided for such purposes as follows:

(a) To assist the \* \* \* Office of the District Attorney in the 12th Circuit Court District in paying the costs associated with the 12th Circuit Community Service Inmate Program ..... \$ 125,000.00

(b) To assist the City of Heidelberg in paying the costs associated with repairs to Magnolia Street and East Poplar Street ..... \$ 100,000.00

(c) To assist Marshall County in paying the costs associated with improvements to Barringer

Road ..... \$ 1,200,000.00

(d) To assist the City of Byram in paying  
the costs associated with Flood Control

Project \$ 400,000.00

(e) To assist Hinds County in paying the  
costs associated with the District Attorney's

Office \$ 150,000.00

(f) To assist the \* \* \* Lee County 4th District Community Development Group,  
a nonprofit corporation, in paying

the costs associated with the construction/improvements  
to its Community Center ..... \$ 300,000.00

(g) To assist the Windows of Amory, a nonprofit  
corporation, for expenses related to improvements and  
operations of the First Christian Church in Amory,  
Mississippi, known as "The Windows" ..... \$ 200,000.00

(h) To assist the City of Hazlehurst in  
paying the costs associated with Reflective

Signs \$ 75,000.00

(i) Funding is provided to Rankin County  
for the purpose of advancing implementation  
of its comprehensive stormwater management program,  
including, but not limited to, activities in connection  
with Section 51-29-1 et seq., Mississippi Code of 1972,  
and for related purposes..... \$ 2,000,000.00

(j) To assist the City of Winona in paying  
the costs associated with the construction and  
replacement of historic clock tower ..... \$ 100,000.00

(k) To assist the Town of Leakesville in  
paying the costs associated with infrastructure  
upgrades \$ 500,000.00

(l) To assist the Jackson County Economic  
Development Foundation for infrastructure

Upgrades \$ 500,000.00

(m) To assist the Town of Sumrall in paying the costs associated with Phase II of Sportsplex ..... \$ 600,000.00

(n) To assist Rankin County in paying the costs associated with improvements to Andrew Chapel Road ..... \$ 1,000,000.00

(o) To assist the City of Brandon in paying the costs associated with its downtown revitalization project \$ 1,250,000.00

(p) To assist the Pearl River Valley Water Supply District in paying the costs associated with dredging by deposit into the Ross Barnett Reservoir Dredging Fund \$ \*\*\* 700,000.00  
(q) To assist Rankin County in paying the costs associated with improvements to Gunter Road ..... \$ 750,000.00

(r) To assist City of Picayune in paying the costs associated with construction of a new police station \*\*\* ..... \$ 500,000.00

(s) To assist the City of Vicksburg in paying the costs associated with the Levee Street Road Truck Route..... \$ 5,000,000.00

(t) To assist Hinds Community College in paying the costs associated with the Maritime Center \$ 1,000,000.00

(u) To assist the Warren County Port Commission in paying the costs associated with conducting a port study \$ 325,000.00

(v) To assist the Mississippi State University in paying the costs associated with construction/improvements of Kinesiology Building \$ 5,000,000.00

(w) To assist the City of Marks in paying the

costs associated with renovations to the City

Hall..... \$ 300,000.00

(x) To assist the Perry County in paying the

costs associated with extension of natural gas

line ..... \$ 1,000,000.00

(y) To assist Leflore County in paying the

costs associated with the construction of an Emmett

Till Monument..... \$ 150,000.00

(z) To assist the City of Pearl in paying

the costs associated with Intermodal Connector ..... \$ 2,000,000.00

(aa) To assist the City of Forest in paying

the costs associated with paving and

infrastructure ..... \$ 300,000.00

(bb) To assist Newton County in paying the

costs associated with the paving of entrance into

Mississippi State Veterans Cemetery ..... \$ 150,000.00

(cc) To assist the City of Hernando in paying

the costs associated \* \* \* a traffic light at the intersection of Highway 51 and Oak Grove  
Road \$ 250,000.00

(dd) To assist Sandcreek Wastewater Authority

in paying the costs associated with the construction

of a new wastewater facility in Northeast

Mississippi..... \$ 1,000,000.00

(ee) To assist Lee County in paying the

costs associated with land acquisition for the

Richmond Volunteer Fire Department any remaining

funds may be used for facility and ground

improvements..... \$ 50,000.00

(ff) To assist the City of Madison in paying

the costs associated with construction of a road

to Madison City Centre ..... \$ 500,000.00

(gg) To assist the City of Southaven in

paying the costs associated with repairs to its  
streets \$ 350,000.00

(hh) To assist the City of Farmington in  
paying the costs associated with police station  
upgrades \$ 150,000.00

(ii) To assist the City of Purvis in paying  
the costs associated with the construction of a  
new city hall..... \$ 700,000.00

(jj) To assist the City of Greenville in  
paying the costs associated with downtown park  
improvements..... \$ 500,000.00

(kk) To assist the University of Southern  
Mississippi – Ocean Enterprise..... \$ 2,500,000.00

(ll) To assist Chickasaw County in paying  
the costs associated with renovations to the  
Houston courthouse ..... \$ 350,000.00

(mm) To assist Lauderdale County in paying  
the costs associated with reconstruction of the  
Long Creek Reservoir Dam ..... \$ 300,000.00

(nn) To assist City of Rolling Fork in  
paying the costs associated with Civic and Event  
Center improvements ..... \$ 200,000.00

(oo) To assist the Yazoo County in paying the  
costs associated with the Health Department ..... \$ 100,000.00

(pp) To assist the City of Pass Christian in  
paying the costs associated with the Pass Christian  
Downtown Redevelopment Initiative ..... \$ 500,000.00

(qq) To assist the City of Holly Springs in  
paying the costs associated with the repair of Cuba  
Street and Hill Street ..... \$ 600,000.00

(rr) To assist the City of Magnolia in  
paying the costs associated with infrastructure

upgrades and renovations to the community center..... \$ 250,000.00

(ss) To assist Department of Finance and

Administration in paying the costs associated with

the LeFleur's Bluff Master Plan..... \$ 100,000.00

(tt) To assist the Town of Lula, Mississippi,

in paying costs associated with park improvements..... \$ 75,000.00

(uu) To assist in paying costs associated

with the purchase of a fire truck for the Cairo

Volunteer Fire Department in Prentiss County,

Mississippi..... \$ 100,000.00

(vv) To assist the Town of Centreville,

Mississippi, \* \* \* for the reimbursement of the procurement and installation of a  
generator in fiscal years 2021 and 2022

..... \$ 25,000.00

(ww) To assist the City of Scooba, Mississippi,

in paying costs associated with making improvements

to sports and athletic fields and related facilities

in the City of Scooba ..... \$ 50,000.00

(xx) To assist the Nanih Waiya Water Association

in paying costs associated with painting the

association's water tank..... \$ 50,000.00

(yy) To assist in paying costs associated with

acquisition of a digital hand printing machine for the

Neshoba County Sheriff's Department..... \$ 30,000.00

(zz) To assist in paying costs associated with

construction, furnishing and equipping of the Tibbee

Development Club, Inc., community center in West Point, Mississippi..... \$ 50,000.00

(aaa) To assist the Town of Mathiston,

Mississippi, in paying costs associated with

construction, repair, renovation, upgrades and

improvements to the town's baseball park and related

facilities \$ 50,000.00

(bbb) To assist the VFW Post 3806 in paying costs associated with repair and renovation of the VFW Post 3806 building in the Town of Eupora, Mississippi.....\$ 25,000.00

(ccc) To assist the \* \* \* Board of Supervisors of Benton County, Mississippi, in paying costs associated with upgrades and improvements to Veterans Park in the Town of Ashland,  
Mississippi..... \$ 50,000.00

(ddd) To assist the City of McComb, Mississippi, in paying costs associated with the purchase of a fire truck \$ 250,000.00

(eee) \* \* \* [Deleted]

(fff) To assist the City of Ellisville, Mississippi, in paying costs associated with the purchase of a fire truck..... \$ 150,000.00

(ggg) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 75,000.00

(hhh) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 75,000.00

(iii) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 50,000.00

(jjj) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 75,000.00

(kkk) To assist in paying costs associated with the purchase of equipment for the Gravestown Volunteer Fire Department in Tippah County, Mississippi..... \$ 25,000.00

(lll) To assist in paying costs associated with the purchase of equipment for the Mitchell Volunteer Fire Department in Tippah County, Mississippi..... \$ 25,000.00

(mmm) To assist in paying costs associated with

the purchase of equipment for the Spout Springs  
Volunteer Fire Department in Tippah County,  
Mississippi..... \$ 25,000.00

(nnn) To assist in paying costs associated with

the purchase of equipment for the Three Forks Volunteer  
Fire Department in Tippah County, Mississippi..... \$ 25,000.00

(ooo) To assist in paying costs associated

with the purchase of equipment for the Dry Creek  
Volunteer Fire Department in Tippah County,  
Mississippi..... \$ 25,000.00

(ppp) To assist Ripley Main Street

Association in paying costs associated with various  
projects \$ 50,000.00

(qqq) To assist the Ripley Arts Council in

paying costs associated with repair and renovation  
of and upgrades and improvements to the Dixie Theater  
in the City of Ripley ..... \$ 25,000.00

(rrr) To assist in paying costs associated with

the purchase of a fire truck for the Wheeler Volunteer  
Fire Department in Prentiss County, Mississippi..... \$ 100,000.00

(sss) To assist in paying costs associated with

repair and renovation of and upgrades and improvements  
to Mississippi Craft Center..... \$ 100,000.00

(ttt) To provide funds for the GRAMMY® Museum

Mississippi for use as matching funds for infrastructure  
and infrastructure related purposes and other  
purposes \$ 2,500,000.00

(uuu) To assist the Town of Edwards, Mississippi, in paying costs associated

with repair and renovation of and upgrades to buildings and facilities for the \* \* \* West  
Hinds Volunteer Fire  
Department ..... \$ 100,000.00

(vvv) To assist in paying costs associated with

repair, upkeep and maintenance of streets in the

Town of Sardis ..... \$ 150,000.00

(www) To assist in paying costs associated with  
 repair, upkeep and maintenance of streets in the

Town of Como ..... \$ 150,000.00

(xxx) To the Mississippi Department of Education  
 for use in the Emergency Assistance for Non-Public

Schools (EANS)Program ..... \$ 1,000,000.00

(yyy) To assist the City of Jackson with capitol  
 improvements at the JH Fewell Water Treatment Plant  
 for corrosion control, plant generator and filter

replacement ..... \$ 3,000,000.00

(zzz) To assist Kipling Water Association \* \* \*with extending water service to  
 the Fatty Legget Community.....\$ 300,000.00

(aaaa) To assist the Fannie Lou Hamer Cancer  
 Center in Ruleville, Mississippi ..... \$ 1,500,000.00

(bbbb) For the paving of sidewalks on beaches  
 in Ocean Springs, Mississippi..... \$ 1,000,000.00

(cccc) For the maintenance of facilities at Long  
 Beach High School..... \$ 500,000.00

(dddd) For maintenance and repair of the  
 Mary C. O'Keefe Cultural Center in Ocean Springs,  
 Mississippi..... \$ 500,000.00

(eeee) For improvements and development of Town  
 Commons in Gautier, Mississippi..... \$ 1,000,000.00

(ffff) To assist the Department of Finance and  
 Administration with the purchase of the real property and  
 any improvement thereon, located in the City of Jackson,  
 Mississippi, as authorized by Chapter 405, Laws of 2018,  
 demolition of buildings and other structures on such  
 property, and construction of additional facilities on  
 such property for the Mississippi Fairground Complex  
 and for purchasing other personal property as allowed

by statute \$10,200,000.00

(gggg) To assist the Brewer Community Association, Inc., for expenses related to the improvement and operation of the community center in Brewer, Mississippi..... \$ 100,000.00

(hhh) To assist the Department of Wildlife, Fisheries and Parks in paying the costs associated with park enhancements..... \$ 3,500,000.00

(iii) To assist George County and/or MDOT with the removal of the J-turn at the intersection of U.S. Highway 98 and Old Highway 63 in George County and to insert a traffic light in its place..... \$ 400,000.00

(jjjj) For repaving of the Jones County Industrial Park ..... \$ 913,800.00

(kkkk) To assist Department of Finance and Administration in paying the costs associated with the following:

- (1) Space optimization ..... \$ 1,500,000.00
- (2) Capitol Site ..... \$ 3,000,000.00
- (3) Ladner Building renovation ..... \$ 250,000.00
- (4) Statewide Critical ..... \$ 5,000,000.00
- (5) War Memorial ..... \$ 5,000,000.00
- (6) Capitol Complex ..... \$ 2,000,000.00
- (7) Mississippi Military Department ..... \$ 5,000,000.00
- (8) Department of Health..... \$ 6,000,000.00
- (9) Mississippi School for Blind & Deaf ..... \$ 1,000,000.00
- (10) Department of Health - Local Government and Rural Water ..... \$ 3,200,000.00
- (11) Mississippi School for the Arts ..... \$ 1,000,000.00
- (12) Mississippi School for Math and Science \$ 1,000,000.00

(III) To assist with the purchase of a fire truck for Madison County Board of Supervisors \* \* \* .....\$ 750,000.00

As a condition of receiving these funds, the fire truck shall be housed in a facility to be constructed within two (2) miles of the Amazon Fulfillment Center building on the Madison County Mega Site situated on sections 28, 29, and 39, T9n-R2E, Madison County, Mississippi, and provide service for the Madison County Mega Site and the surrounding community.

(mmmm) To assist the City of Canton for flood

control projects ..... \$ 250,000.00

(nnnn) To assist Issaquena County Board of Supervisors with road improvements and maintenance..... \$ 150,000.00

SECTION 7. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Mississippi Fair

Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. The Department of Public Safety shall, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the district. The jurisdiction of the Department of Public Safety under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 8, CHAPTER 46, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE STATE TREASURER'S OFFICE TO CHANGE THE AMOUNT THAT IS AVAILABLE IN THE SUPPORT PROGRAMS BUDGET; TO AMEND SECTION 2, CHAPTER 51, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO CORRECT THE NAME OF AN EVENT FOR WHICH THE DEPARTMENT MAY PROVIDE FINANCIAL SUPPORT; TO AMEND SECTION 11, CHAPTER 82, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE MISSISSIPPI NATIONAL GUARD TO AUTHORIZE THE MISSISSIPPI ADJUTANT GENERAL TO TRANSFER CAPITAL EXPENSE FUNDS WITHIN THE MILITARY DEPARTMENT TO FACILITATE FEDERAL GRANT MATCHING REQUIREMENTS; TO AMEND SECTION 4, CHAPTER 87, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF MENTAL HEALTH TO AUTHORIZE THE DEPARTMENT TO GRANT TEMPORARY COVID-19 ADJUSTMENTS TO THE COMPENSATION FOR CERTAIN EMPLOYEES FOR FISCAL YEAR 2022; TO AMEND SECTION 20, CHAPTER 100, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO CLARIFY THE NAME OF A RECIPIENT OF PROJECT FUNDS FROM THE GULF COAST

RESTORATION FUND; TO AMEND SECTION 29, CHAPTER 102, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CLARIFY AND CORRECT THE NAMES AND PURPOSES OF SEVERAL PROJECTS FUNDED FROM THE CAPITAL EXPENSE FUND; TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ACCRUED PERSONAL, MEDICAL AND COMPENSATORY LEAVE BALANCES EARNED BY EMPLOYEES OF THE CAPITOL POLICE SHALL BE TRANSFERRED FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

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Senator Polk moved that the rules be suspended for the consideration en bloc of calendar items 98 and 99, and the motion prevailed.

Senator Polk called up the following House Amendment to **S. B. No. 2803** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (9), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of \* \* \* One Hundred Four Thousand Dollars (\$104,000.00).

(b) For counties with a total population of more than forty-five thousand (45,000) and not more than one hundred thousand (100,000), a salary of \* \* \* Ninety-five Thousand Dollars (\$95,000.00).

(c) For counties with a total population of more than thirty-four thousand (34,000) and not more than forty-five thousand (45,000), a salary of \* \* \* Ninety Thousand Dollars (\$90,000.00).

(d) For counties with a total population of more than fifteen thousand (15,000) and not more than thirty-four thousand (34,000), a salary of \* \* \* Eighty-five Thousand Dollars (\$85,000.00).

(e) For counties with a total population of not more than fifteen thousand (15,000), a salary of \* \* \* Eighty Thousand Dollars (\$80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the

sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection

(1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(12) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officers Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officers Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF SHERIFFS; AND FOR RELATED PURPOSES.

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Senator Polk called up the following House Amendment to **S. B. No. 2810** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 82 by inserting the following before the period: ", and shall stand repealed on June 30, 2022"

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Senator Harkins called up the following House Amendment to **S. B. No. 2831** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby created the Taxation of Remote and Internet-based Computer Software Products and Services Study Committee to examine and develop recommendations regarding the taxation of remote and Internet-based computer software products and services under the Mississippi Sales Tax Law and the Mississippi Use Tax Law.

(2) The study committee shall, at a minimum, study and report to the Legislature not later than October 1, 2022, the committee's findings regarding the taxation of remote and the Internet-based computer software products and services under the Mississippi

Sales Tax Law and the Mississippi Use Tax Law and the committee's recommendations for which of such products and services should be taxable and the manner in which the products and services should be taxed. The study committee shall provide the provisions of the current Mississippi law that will need to be amended to adopt the measures described in this section and any other measures recommended by the committee.

(3) The committee shall be composed of the following members:

(a) The Commissioner of the Mississippi Department of Revenue, or his/her designee;

(b) The Chief Executive Officer of the Mississippi Association of Realtors, or his/her designee;

(c) The Executive Director of the Business and Industry Political Education Committee (BIPEC), or his/her designee;

(d) The President of the Mississippi Manufacturers Association, or his/her designee; and

(e) The President of the Mississippi Bankers Association, or his/her designee.

(4) At the first meeting, the study committee shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records.

(5) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(6) The Mississippi Department of Revenue shall provide the staff and other support necessary for the study committee to perform its duties.

(7) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(8) Upon the submission of its report to the Legislature, the study committee shall be dissolved.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE TAXATION OF REMOTE AND INTERNET-BASED COMPUTER SOFTWARE PRODUCTS AND SERVICES STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING THE TAXATION OF REMOTE AND INTERNET-BASED COMPUTER SOFTWARE PRODUCTS AND SERVICES UNDER THE MISSISSIPPI SALES TAX LAW AND THE MISSISSIPPI USE TAX LAW; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2831** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Harkins called up the following House Amendment to **S. B. No. 2844** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) \*\*\* No person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than \*\*\* an authorized wholesaler except as authorized in subsections (4), (9) and (12) of this section. \*\*\* An authorized wholesaler may sell \*\*\* alcoholic beverages to authorized permittees within the state \*\*\* and to retail distributors operating within any military post \*\*\*, keeping a correct and accurate record of all such transactions \*\*\*.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than for delivery to a licensed wholesaler or as otherwise provided in this chapter, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries \* \* \* , distillers of alcoholic beverages \* \* \* and from \* \* \* authorized wholesalers. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30)

days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 2. The following shall be codified as Section 67-1-42, Mississippi Code of 1972:

67-1-42. (1) A retailer shall purchase all alcoholic beverages from an authorized wholesaler. Except as otherwise authorized, it shall be unlawful for any retailer to possess for purpose of sale, to sell, or to offer to sell any alcoholic beverages which were not

purchased from a wholesaler in this state who has a permit to sell and/or distribute such alcoholic beverages.

(2) It shall be unlawful for any wholesaler to possess for purpose of sale, to sell or to offer to sell any alcoholic beverages which were not purchased from a manufacturer authorized to sell alcoholic beverages in this state.

(3) Except as otherwise authorized, sales by wholesalers or manufacturers to persons who do not hold a permit are unlawful; and any wholesaler or manufacturer making such sales, or who sells any alcoholic beverages on which the tax provided by law has not been paid, shall, in addition to any other fines, penalties and forfeitures, be subject to a penalty of One Hundred Dollars (\$100.00) for each sale.

(4) It shall be the duty of every wholesaler of alcoholic beverages permitted under this chapter to file with the department, on or before the fifteenth day of each month, a report covering all sales of such alcoholic beverages during the preceding month. Such report shall show the names and post-office addresses for all persons to whom such alcoholic beverages have been sold or delivered and the quantities and invoice prices of the alcoholic beverages sold or delivered.

It shall be the duty of each retail dealer in such alcoholic beverages to procure from the wholesaler from whom such alcoholic beverages are purchased or acquired, invoices showing the quantity purchased or acquired, and the date of each delivery thereof. Such invoices shall be preserved by the retailer and shall be open for inspection by the department for a period of three (3) years.

(5) The wholesaler shall be allowed credit for tax paid on alcoholic beverages which are no longer marketable and which are destroyed by same when such destruction is witnessed by an agent of the department and when the amount of the excise tax exceeds One Hundred Dollars (\$100.00). No other loss will be allowed.

(6) If any person shall willfully evade the payment of any tax levied or imposed under this article, he shall be guilty of a felony, and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or by both such fine and imprisonment.

(7) It shall be unlawful for any person to transport from any point outside of this state to any point within this state, any alcoholic beverages except for delivery to a licensed wholesaler in this state; and except by common carrier. The commissioner may, however, upon application of a licensed wholesaler in this state, and under rules and regulations duly promulgated by him, issue a permit for the transportation by a licensed wholesaler of alcoholic beverages in trucks owned by such licensee, from without the state to the place of business of such licensee within the state, for distribution by said licensee. Such permit shall be granted for a specified period, not to exceed one (1) year.

(8) A wholesaler shall sell and deliver alcoholic beverages at uniform prices throughout the state; however, a wholesaler may provide volume or bulk price discounts provided that such discounts are made available to and provided to all retailers.

(9) No alcoholic beverages shall be delivered to a retailer other than alcoholic beverages that have been stored or warehoused for no less than forty-eight (48) hours at a premise in this state owned, rented or leased by a wholesaler.

(10) (a) No wholesaler may sell and no retailer may purchase alcoholic beverages except for cash or on terms requiring payment by the retailer in accordance with paragraph (b) of this subsection (10). A wholesaler who accepts a check or draft as payment from a retailer for the purchase of alcoholic beverages must deposit the check

or draft in the bank for payment or present the check or draft for payment within five (5) business days after it is received.

(b) On purchases made from the first through the fifteenth day of a month, payment must be made on or before the twenty-fifth day of that month. On purchases made on the sixteenth day through the last day of a month, payment must be made on or before the tenth day of the following month. An account is not delinquent if payment is received by the wholesaler not later than the fourth business day after the date payment is due under this paragraph (b).

(c) Each delivery of alcoholic beverages shall be accompanied by an invoice giving the date of purchase. If a retailer becomes delinquent in the payment of an account for alcoholic beverages, the wholesaler immediately shall report that fact in writing, including by electronic mail or facsimile transmission, to the department. A wholesaler may not sell any alcoholic beverages to a retailer who is delinquent until the delinquent account is paid in full and cleared from the records of the department, provided that sales to delinquent retailers can be made on a cash on delivery basis. An account becomes delinquent if it is not paid when it is required to be paid under paragraph (b) of this subsection (10).

(d) The department may not accept the voluntary cancellation or suspension of a permit or allow a permit to be renewed or transferred if the permit holder is delinquent in the payment of an account for alcoholic beverages under this subsection (10). A person whose permit is canceled by the department or whose permit has expired is not eligible to hold any other permit or license under this chapter until the person has cured any delinquency of the person under this section.

(e) It shall be unlawful for a wholesaler to accept a postdated check, a note or memorandum, or participate in a manner to assist a retailer in the violation of this subsection (10).

(f) Nothing in this subsection (10) shall require a wholesaler to make sales to a retailer on a credit basis. A wholesaler may at any time require that sales be made on a cash on delivery basis.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, is amended as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines or native spirits, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution, delivery and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine and native spirit laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action

concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law. This paragraph (q) shall stand repealed on January 1, 2023.

SECTION 4. Section 67-1-43, Mississippi Code of 1972, is amended as follows:

67-1-43. Any authorized retail \*\*\* permittee who shall purchase or receive intoxicating liquor from any source except from \*\*\* an authorized wholesaler, unless authorized by rules and regulations of the department promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail for not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 5. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to \*\*\* an authorized wholesaler, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine or native spirit may sell native wines or native spirits, respectively, to \*\*\* an authorized wholesaler or to consumers at the location of the native winery or native distillery or its immediate vicinity. For the purposes of this section, "authorized wholesaler" does not include package retail permittees who resell alcoholic beverages at wholesale to other permittees. Such package retail permittees may only purchase alcoholic beverages as otherwise authorized by this chapter.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 6. Section 67-1-47, Mississippi Code of 1972, is amended as follows:

67-1-47. All distillers or distributors having contracts with \*\*\* any authorized wholesaler for the sale of alcoholic beverages \*\*\* throughout the state, before making delivery of any merchandise to the \*\*\* wholesaler, shall register with the Secretary of State giving their name, address, name of all local agents and any other pertinent information which may be required by the Secretary of State and appointing an agent for the service of process within the State of Mississippi.

SECTION 7. Section 67-1-49, Mississippi Code of 1972, is amended as follows:

67-1-49. All distillers or distributors having contracts with the \*\*\* any authorized wholesaler for the sale of alcoholic beverages \* \* \* throughout the state, shall, on or before February 1st of each year, file a statement, under oath, with the \*\*\* Department of Revenue and with the Secretary of State, listing the names and addresses of each person,

firm or corporation in Mississippi to whom or which said distiller or distributor shall have paid or agreed to pay any fee, retainer, salary, or remuneration, during the preceding year, together with a statement of the purpose for such payment. Failure to file such statement shall constitute grounds for the commission to suspend the right of the distiller or distributor to sell to said commission until such time as said statement shall be filed.

SECTION 8. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every

two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic

beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from \* \* \* an authorized wholesaler or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which

the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from \* \* \* authorized wholesalers, importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other

beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from \*\*\* an authorized wholesaler; however, if the holder does not purchase the alcoholic beverages from \*\*\* an authorized wholesaler, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by \*\*\* an authorized wholesaler. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from \*\*\* an authorized wholesaler. However, if the holder does not purchase the alcoholic beverages from \*\*\* an authorized wholesaler, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by \*\*\* an authorized wholesaler. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class

4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Wholesaler's permit. The holder of a wholesaler's permit may distribute alcoholic beverages throughout the State of Mississippi to properly permitted retailers for resale subject to the provisions of this chapter and any applicable regulations.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places and (v) is located in a historic district.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 9. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

- (a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or rectifier's:
  - (i) For a permittee with annual production of five thousand (5,000) gallons or more..... \$4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons .....	\$2,800.00
(b) Manufacturer's permit, Class 2, wine manufacturer .....	\$1,800.00
(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced .....	\$ 10.00
(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced .....	\$ 300.00
(e) Native wine retailer's permit .....	\$ 50.00
(f) Package retailer's permit, each .....	\$ 900.00
(g) On-premises retailer's permit, except for clubs and common carriers, each....	\$ 450.00
(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each	\$ 225.00
(i) On-premises retailer's permit for clubs .....	\$ 225.00
(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle .....	\$ 120.00
(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department .....	\$ 100.00
(l) Filing fee for each application except for an employee identification card .....	\$ 25.00
(m) Temporary permit, Class 1, each .....	\$ 10.00
(n) Temporary permit, Class 2, each .....	\$ 50.00
(o) (i) Caterer's permit .....	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit .....	\$ 150.00
(p) Research permit .....	\$ 100.00
(q) Temporary permit, Class 3 (wine only) .....	\$ 10.00
(r) Special service permit .....	\$ 225.00
(s) Merchant permit .....	\$ 225.00
(t) Temporary alcoholic beverages charitable auction permit .....	\$ 10.00
(u) Event venue retailer's permit .....	\$ 225.00
(v) Temporary theatre permit, each .....	\$ 10.00

(w) Charter ship operator's permit.....	\$ 100.00
(x) Distillery retailer's permit.....	\$ 450.00
(y) Festival wine permit.....	\$ 10.00
(z) Charter vessel operator's permit .....	\$ 100.00
(aa) Native spirit retailer's permit.....	\$ 50.00
(bb) Delivery service permit .....	\$ 500.00
(cc) Wholesaler's permit.....	\$ 5,000.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 10. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by \*\*\* an authorized wholesaler to be collected from each retail licensee at the time of sale in accordance with the following schedule:

- (a) Distilled spirits .....\$2.50 per gallon
- (b) Sparkling wine and champagne .....\$1.00 per gallon
- (c) Other wines, including

native wines .....\$ .35 per gallon

(2) \*\*\* Upon every person engaged or continuing in this state in business as an authorized wholesaler there is hereby levied, assessed and shall be collected a tax of eighteen percent (18%) on the gross proceeds of the wholesale sale. This tax shall be in addition to any and all taxes otherwise imposed under this title.

(3) The taxes imposed by this section shall be paid to the department monthly on or before the fifteenth day of the month following the month in which the sales were made by a wholesaler. Monthly report forms shall be furnished by the commissioner to the wholesalers.

SECTION 11. Section 27-71-9, Mississippi Code of 1972, is amended as follows:

27-71-9. The \*\*\* department may promulgate regulations authorizing persons holding on premises retailer's permits for common carriers, as provided herein, to file

periodic reports and pay a tax based upon the value of alcoholic beverages sold while in this state, in lieu of purchasing all such alcoholic beverages from the \* \* \* an authorized wholesaler. Such tax shall not be less than an amount equivalent to the gross profit plus all taxes that would have been derived from the sale of a like quantity of alcoholic beverages by the \* \* \* wholesaler.

SECTION 12. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. The \* \* \* department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

\* \* \*

Through June 30, 2023, the department may take any action necessary to dispose of its inventory by allowing suppliers and/or other entities with products in the inventory to remove their products from the inventory.

This section shall stand repealed on July 1, 2023.

SECTION 13. Section 27-71-13, Mississippi Code of 1972, is amended as follows:

27-71-13. The \* \* \* department shall purchase directly from the manufacturer, except under the following conditions:

(a) Foreign brands which are not readily obtainable directly from the manufacturer.

(b) When the \* \* \* department can conclusively prove that unusual or extraordinary circumstances exist and the required or desired brands can be purchased at substantially lower prices from wholesalers or brokerage firms.

In all instances involving purchases, other than directly from the manufacturer, the \* \* \* department shall maintain full and complete records clearly reflecting the justification for such purchases. Said records shall include invoices, price lists, comparative prices, bills of lading and a certificate of justification signed by the director of the Alcoholic Beverage Control Division, as to the conditions requiring the purchase or purchases. All such records shall be retained for a period of three (3) years.

This section shall stand repealed on January 1, 2023.

SECTION 14. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting alcoholic beverages shall have in his possession an invoice issued by the \* \* \* wholesaler at the time of the wholesale sale covering the merchandise transported by the vehicle. The \* \* \* department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the \* \* \* department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 15. Section 27-71-17, Mississippi Code of 1972, is amended as follows:

27-71-17. It shall be unlawful for any person to counterfeit or reuse any label prescribed by the \*\*\* department and used to identify alcoholic beverages sold at wholesale by \*\*\* a wholesaler and, upon conviction, the person shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or both.

SECTION 16. Section 27-71-21, Mississippi Code of 1972, is amended as follows:

27-71-21. Before any person shall engage in the business of manufacturing, wholesaling or retailing of alcoholic beverages, he may be required to enter into a bond payable to the State of Mississippi, conditioned that he will conduct said business strictly in accordance with the laws of the State of Mississippi, and that he will comply with the rules and regulations prescribed by the department, and pay all taxes due the State of Mississippi. The amount of a bond required of a manufacturer, not including a producer of native wine or native spirit, and a wholesaler shall not exceed One Hundred Thousand Dollars (\$100,000.00), and the amount required of a retailer shall be Five Thousand Dollars (\$5,000.00). Provided, however, any retailer whose check for purchase of merchandise or payment of taxes shall be dishonored may be required by the department to post additional bond not to exceed Five Thousand Dollars (\$5,000.00). Such bond shall be made in a surety company authorized to do business in the State of Mississippi and shall be approved by the department. The department shall be authorized to institute suit in the proper court for any violation of the condition of said bonds. The amount of the bond required of a producer of native wine or native spirit shall be Five Thousand Dollars (\$5,000.00).

As an alternative to entering into a bond as required by this section, any person who shall engage in the business of manufacturing, wholesaling or retailing alcoholic beverages may, subject to the same conditions of conduct required for bonds, deposit with the State Treasurer the equivalent amount of the bond required for that particular person in cash or securities. The only securities allowable for this purpose are those which may legally be purchased by a bank or for trust funds, having a market value not less than that of the required bond. The department shall file notice with the Treasurer for any violation of the conditions of the cash or security deposit.

SECTION 17. Section 27-71-25, Mississippi Code of 1972, is amended as follows:

27-71-25. Any person engaged in the business of selling or distributing alcoholic beverages shall keep such records and make such reports with respect to the receipt, distribution and sale of alcoholic beverages as the \*\*\* department may require. It shall be the duty of the \*\*\* department to prescribe and promulgate uniform rules and regulations for keeping such records and making such reports.

SECTION 18. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7 \*\*\* and received by the department under this article shall be paid into the General Fund, \*\*\* except that sixteen and six hundred sixty-seven one-thousandths percent (16.667%) of the revenue derived from taxes levied under Section 27-71-7(2) shall be deposited into the Mental Health Programs Fund. \*\*\*

SECTION 19. Section 67-5-13, Mississippi Code of 1972, is amended as follows:

67-5-13. (1) Upon every producer holding a permit for the production of native wine, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native wine an annual privilege license tax in an amount equal to Ten Dollars (\$10.00) for each ten thousand (10,000) gallons, or any part thereof, of native wine produced by the winery.

(2) There is levied and assessed an excise tax upon each case of native wine sold by a producer to any source to be collected from the producer in the amount provided for in Section 27-71-7. However, native wine produced in Mississippi for export and sale without this state and native wine produced in Mississippi and sold to the \* \* \* an authorized wholesaler shall not be subject to the excise tax, nor shall the tax accrue or be collected on native wines dispensed, as free samples in quantities of not more than six (6) ounces, in the tasting room of a native winery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the \* \* \* department on all sales made in Mississippi to consumers at the location of the native winery or its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) All taxes levied by and collected under this section shall be deposited in the General Fund.

SECTION 20. This act shall take effect and be in force from and after January 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF REVENUE FROM BEING A WHOLESALE DISTRIBUTOR OF ALCOHOLIC BEVERAGES WITHIN THIS STATE; TO CREATE A NEW SECTION TO BE CODIFIED AS 67-1-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A HOLDER OF A WHOLESALER'S PERMIT TO DISTRIBUTE ALCOHOLIC BEVERAGES THROUGHOUT THIS STATE TO PROPERLY PERMITTED RETAILERS FOR RESALE SUBJECT TO THE PROVISIONS OF THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO PROVIDE FOR THE ISSUANCE OF A WHOLESALER'S PERMIT; TO REQUIRE THE HOLDER OF A WHOLESALER'S PERMIT TO FILE REPORTS WITH THE DEPARTMENT OF REVENUE COVERING SALES OF ALCOHOLIC BEVERAGES AND KEEP CERTAIN RECORDS; TO PROVIDE FOR THE ANNUAL RENEWAL OF A WHOLESALER'S PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-43, 67-1-45, 67-1-47 AND 67-1-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO LEVY A PRIVILEGE TAX ON HOLDERS OF WHOLESALER'S PERMITS; TO AMEND SECTION 27-71-7, MISSISSIPPI CODE OF 1972, TO LEVY A TAX UPON THE SALE OF ALCOHOLIC BEVERAGES BY A WHOLESALER; TO AMEND SECTIONS 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-21, 27-71-25, 27-71-29 AND 67-5-13, MISSISSIPPI

CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2747** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 37 by striking "its passage" and inserting in lieu thereof "July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Fillingane moved that the rules be suspended for the consideration en bloc of calendar items 109 and 117, and the motion prevailed.

Senator Fillingane called up the following House Amendment to **S. B. No. 2263** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption

facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) Adoption by couples of the same gender is prohibited.

(6) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of Human Services on the prospective adoptive parties if required by Section 93-17-11.

(7) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(8) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(9) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(10) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (6), (7), and (8) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CHANCELLOR TO WAIVE PROCEDURAL REQUIREMENTS FOR ADULT ADOPTEES WHO CONSENT TO THE ADOPTION; AND FOR RELATED PURPOSES.

Senator Fillingane called up the following House Amendment to **S. B. No. 2536** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For purposes of Sections 1 through 6 of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Conviction" means a judgment entered by a Mississippi court upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. "Conviction" includes a disposition of pretrial diversion or nonadjudication under Section 99-15-26.

(b) "Department" means the Department of Public Safety.

(c) "Offender" means a person convicted of a registrable offense.

(d) "Registrable offense" means a crime chargeable under Sections 97-7-10, 97-11-25 through 97-11-31, 97-15-3, 97-15-5, 97-11-11, 97-11-13, 97-11-53, 97-13-1, 97-13-3, or any crime that involves the embezzlement or misappropriation of public funds as determined by the circuit court in its sentencing order upon conviction.

(e) "Registrant" means a person who is registered in compliance with this act.

SECTION 2. (1) The department shall post a publicly accessible registry online of all offenders by July 1, 2023.

(2) (a) The list must include the offender's full legal name, any aliases by which the offender is or has been known, including any online or internet identifiers and the offender's date of birth.

(b) The list shall not include the offender's social security number, driver's license number, any other state or federal identification number, physical address or telephone numbers.

(3) (a) If the offender is not convicted of another registrable offense while listed and if all fines, penalties and restitution have been paid, the department shall remove the offender's information from the list after either five (5) years from the date of the offender's conviction or five (5) years from the date of an offender's release from physical incarceration, whichever is later.

(b) Notwithstanding paragraph (a) of this subsection, a person who has served any sentence imposed and paid all fines, penalties and any restitution ordered may petition the department to be removed from the list after the satisfaction of the conditions of this paragraph (b). Upon receipt and confirmation of a true and correct petition, the department shall remove the offender from the registry.

SECTION 3. (1) The department shall maintain the registry on the internet, which shall contain a disclaimer informing the public that:

(a) The information contained on the website is obtained from public records and the department does not guarantee the website's accuracy or completeness;

(b) The list only includes persons convicted in Mississippi state courts of a limited list of crimes. Persons who are convicted in any federal court, or who are convicted of a crime other than a registrable offense will not appear on the registry.

(2) The department and any individual or entity acting at the request or upon the direction of the department are immune from civil liability for damages arising from reporting information under this act and will be presumed to have acted in good faith in performing its duties under this act.

SECTION 4. Upon the entry of the order sentencing the offender to probation or parole or upon the date of release of the offender from the physical custody of the responsible agency, the responsible agency shall forward the department a copy of the conviction, sentencing order, name, sex and date of birth of the offender convicted of a registrable offense under this act.

SECTION 5. (1) An offender required to register on the basis of a conviction entered shall register with the responsible agency within thirty (30) business days of the date of judgment unless the offender is immediately confined or committed, in which case the offender shall register before release in accordance with the procedures established by the department. The responsible agency shall immediately forward the registration information to the department.

SECTION 6. The department shall promulgate rules in accordance with the Mississippi Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to effectuate the purposes of this act.

SECTION 7. Section 25-1-113, Mississippi Code of 1972, is amended as follows:

25-1-113. (1) From and after July 1, 2013, the state and any county, municipality or any other political subdivision shall not employ a person who has been convicted or pled guilty in any court of this state, another state, or in federal court of any felony in which public funds were unlawfully taken, obtained or misappropriated in the abuse or misuse of the person's office or employment or money coming into the person's hands by virtue of the person's office or employment.

(2) From and after July 1, 2014, the state and any county, municipality or any other political subdivision shall not employ or continue to employ a person who has been convicted or pled guilty in any court of this state, another state, or in federal court of any felony in which public funds were unlawfully taken, obtained or misappropriated in the abuse or misuse of the person's office or employment or money coming into the person's hands by virtue of the person's office or employment.

(3) From and after July 1, 2023, the state and any county, municipality or any other political subdivision shall not hire any person who appears on the registry created in Sections 1 through 6 of this act for any position in accounting, or in a treasury or registrar office, or in any office where monies are collected or received directly from rate or fee payers.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AND FOR RELATED PURPOSES.

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Senator Tate called up the following House Amendment to **S. B. No. 2306** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-813, Mississippi Code of 1972, is amended as follows:

23-15-813. (a) In addition to any other penalty permitted by law, the \* \* \* Secretary of State shall \* \* \* assess a civil penalty against any candidate or political committee, as identified in Section 23-15-805(a), and any other political committee registered with the Secretary of State, who fails to file a campaign finance disclosure report as required under Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, or who shall file a report that fails to substantially comply with the requirements of Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, \* \* \* as follows:

(i) Within five (5) calendar days after any deadline for filing a report pursuant to Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, the Secretary of State shall compile a list of those candidates and political committees who have failed to file a report. \* \* \* The Secretary of State shall provide each candidate or political committee, who has failed to file a report, notice of the failure by first-class mail.

(ii) Beginning with the tenth calendar day after which any report is due, the \* \* \* Secretary of State shall assess the delinquent candidate and political committee a civil penalty of Fifty Dollars (\$50.00) for each day or part of any day until a valid report is delivered to the Secretary of State, up to a maximum of ten (10) days. In the discretion of the \* \* \* Secretary of State, the assessing of the fine may be waived, in whole or in part, if the \* \* \* Secretary of State determines that unforeseeable mitigating circumstances, such as the health of the candidate, interfered with the timely filing of a report. Failure of a candidate or political committee to receive notice of failure to file a report from the Secretary of State is not an unforeseeable mitigating circumstance, and failure to receive the notice shall not result in removal or reduction of any assessed civil penalty.

(iii) Filing of the required report and payment of the fine within ten (10) calendar days of notice by the Secretary of State that a required statement has not been filed constitutes compliance with Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53.

(iv) Payment of the fine without filing the required report does not excuse or exempt any person from the filing requirements of Sections 23-15-801 through 23-15-813, and Sections 23-17-47 through 23-17-53.

(v) If any candidate or political committee is assessed a civil penalty, and the penalty is not subsequently waived by the \* \* \* Secretary of State, the candidate or political committee shall pay the fine to the \* \* \* Secretary of State within ninety (90) days of the date of the assessment of the fine. If, after one hundred twenty (120) days of the assessment of the fine the payment for the entire amount of the assessed fine has not been received by the \* \* \* Secretary of State, the \* \* \* Secretary of State shall notify the Attorney General of the delinquency, and the Attorney General shall file, where necessary, a suit to compel payment of the civil penalty.

(b) \* \* \* Within thirty (30) calendar days of the assessment of a fine by the Secretary of State, the candidate or political committee against whom the fine was assessed may appeal the decision of the Secretary of State to the Circuit Court for the First Judicial District of Hinds County in accordance with the applicable rules of the court.

\* \* \*

SECTION 2. Section 23-15-807, Mississippi Code of 1972, is amended as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report such contributions and disbursements may terminate the obligation to report only upon submitting a final report that contributions will no longer be received or disbursements made and that the candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign the report.

(b) Candidates seeking election, or nomination for election, and political committees making expenditures to influence or attempt to influence voters for or against the nomination for election of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a pre-election report shall be filed no later than the seventh day before any election in which the candidate or political committee has accepted contributions or made expenditures and shall be completed as of the tenth day before the election;

(ii) In 1987 and every fourth year thereafter, periodic reports shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31, and shall be completed as of the last day of each period;

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year shall be filed no later than January 31 of the following calendar year; and

(iv) Except as otherwise provided in the requirements of paragraph (i) of this subsection (b), unopposed candidates are not required to file pre-election reports but must file all other reports required by paragraphs (ii) and (iii) of this subsection (b).

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file periodic reports in the year in which they are to be elected no later than the tenth day after April 30, May 31, June 30, September 30 and December 31.

(d) Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee, including those required to be identified pursuant to paragraph (ii) of this subsection (d) as well as the total of all other contributions and expenditures during the calendar year. The reports shall be cumulative during the calendar year to which they relate;

(ii) The identification of:

1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00) together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to the person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00) together with the date and amount of the expenditure;

(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in paragraphs (i), (ii) and (iii) of this subsection (d), each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the expenditure;

(v) Disclosure required under this section of an expenditure to a credit card issuer, financial institution or business allowing payments and money transfers to be made over the Internet must include, by way of detail or separate entry, the amount of funds passing to each person, business entity or organization receiving funds from the expenditure.

(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article by 5:00 p.m. on the dates specified in subsection (b) of this section. If the date specified in subsection (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the \*\*\* next working day \*\*\* after the date specified in subsection (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports, which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars (\$200.00) is received by a candidate or candidate's political committee after the tenth day, but more than

forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;
2. The name of the receiving candidate's political committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description of the in-kind contribution; and
8. The signature of the candidate or the treasurer or chair of the candidate's political organization.

(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO TRANSFER THE AUTHORITY OF THE MISSISSIPPI ETHICS COMMISSION TO ASSESS A CIVIL PENALTY AGAINST ANY CANDIDATE OR POLITICAL COMMITTEE FOR FAILURE TO FILE A REPORT TO THE SECRETARY OF STATE; TO DELETE THE PROVISIONS THAT PROVIDES FOR A HEARING FOR A CANDIDATE OR POLITICAL COMMITTEE BEFORE THE STATE BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR AN APPEAL PROCEDURE FOR THOSE CANDIDATES WHO ARE ASSESSED A CIVIL PENALTY BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR REPORTS THAT WOULD OTHERWISE BE DUE ON A WEEKEND OR LEGAL HOLIDAY SHALL BE DUE ON THE NEXT WORKING DAY AFTER THE DUE DATE; AND FOR RELATED PURPOSES.

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Senator Tate called up the following House Amendment to **S. B. No. 2358** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-297, Mississippi Code of 1972, is amended as follows:

23-15-297. (1) All candidates, upon entering the race for party nominations for office, shall first pay to the proper officer as provided for in Section 23-15-299 for each primary election the following amounts:

(a) Candidates for Governor, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(c) Candidates for State Senator and State Representative, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(d) Candidates for district attorney, Two Hundred Fifty Dollars (\$250.00).

(e) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(f) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(g) Candidates for United States Senator, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(h) Candidates for United States Representative, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section.

(2) (a) The state executive committee of a political party shall set the entry fee that a candidate is to pay upon entering the race for party nominations for the offices listed in paragraphs (a), (b), (c), (g) and (h) of subsection (1) of this section and Section 23-15-1093(2)(a). For each respective office, the entry fee set by the state executive committee shall not exceed the average of the entry fees provided by law in the Southeastern United States as determined by the Secretary of State. The authority granted under this subsection shall not be exercised by any state executive committee of a political party for any individual office more than once every two (2) years, beginning from the effective date of this act.

(b) Each state executive committee of a political party shall report the entry fee determined for each office to the Secretary of State by at least ninety (90) days before the qualifying deadline for the office as provided in Section 23-15-299. If a state executive committee does not meet the deadline in this paragraph for any office, there shall be no entry fee assessed for the office in that party's primary election during that election cycle.

(3) All \* \* \* independent candidates and special election candidates entering the race for office shall pay to the proper officer as provided for in Section 23-15-299 the following amounts:

(a) Candidates for Governor, One Thousand Dollars (\$1,000.00).

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, Five Hundred Dollars (\$500.00).

(c) Candidates for district attorney, State Senator and State Representative, Two Hundred Fifty Dollars (\$250.00).

(d) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(e) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(f) Candidates for United States Senator, One Thousand Dollars (\$1,000.00).

(g) Candidates for United States Representative, Five Hundred Dollars (\$500.00).

(4) The Secretary of State shall:

(a) Publish the fees listed in this section and Section 23-15-1093 by at least forty-five (45) days before the qualifying deadline for each office; and

(b) Promulgate any rules or regulations necessary to administer and enforce this section.

SECTION 2. Section 23-15-1093, Mississippi Code of 1972, is amended as follows:

23-15-1093. (1) Any person desiring to have his name placed on the presidential preference primary ballot shall pay a qualifying fee and file the petition or petitions as described in this section.

(2) (a) For candidates entering the race for party nominations for office, the amount of the qualifying fee shall be the amount determined by the state executive committee of the party pursuant to Section 23-15-297(2).

(b) For independent candidates entering the race for office, the amount of the qualifying fee shall be Two Thousand Five Hundred Dollars (\$2,500.00).

(c) Each independent candidate shall pay the qualifying fee to the Secretary of State. Each political party candidate shall pay the qualifying fee to the state executive committee of the appropriate political party.

(3) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable.

( \* \* \*4) A candidate shall file a petition or petitions in support of his candidacy with the state executive committee of the appropriate political party or the Secretary of State, whichever is applicable, after January 1 of the year in which the presidential preference primary is to be held and before January 15 of that same year. To comply with this section,

a candidate may file a petition or petitions signed by a total of not less than five hundred (500) qualified electors of the state, or petitions signed by not less than one hundred (100) qualified electors of each congressional district of the state, in which case there shall be a separate petition for each congressional district. The petitions shall be in such form as prescribed by the state executive committee or Secretary of State, whichever is applicable; provided, that there shall be a space for the county of residence of each signer next to the space provided for his signature. No signature may be counted as valid unless the county of residence of the signer is provided. Each petition shall contain an affirmation under the penalties of perjury that each signer is a qualified elector in his congressional district or in the state, as appropriate.

SECTION 3. Section 23-15-299, Mississippi Code of 1972, is amended as follows:

23-15-299. (1) (a) Assessments made pursuant to \* \* \* subsection (1)(a), (b) \* \* \*, (c) and (d) of Section 23-15-297 shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \* \* \* subsection (3)(a), (b) and (c) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(2) (a) Assessments made pursuant to \* \* \* subsection (1)( \* \* \*e) and ( \* \* \*f) of Section 23-15-297, shall be paid by each candidate who seeks a nomination in the political party election to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county executive committee within two (2) business days. No candidate may attempt to qualify with any political party that does not have a duly organized county executive committee, and the circuit clerk shall not accept any assessments paid for nonlegislative offices pursuant to \* \* \* subsection (1)( \* \* \*e) and ( \* \* \*f) of Section 23-15-297 if the circuit clerk does not have contact information for the secretary of the county executive committee for that political party.

(b) Assessments made pursuant to \* \* \* subsection (3)(d) and (e) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such

assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county election commission within two (2) business days.

(3) (a) Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297 must be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297 must be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(4) (a) The fees paid pursuant to subsections (1), (2) and (3) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he or she is affiliated, if applicable, the email address of the candidate, if any, and the office for which he or she is a candidate.

(b) The state executive committee shall transmit to the Secretary of State a copy of the written statements accompanying the fees paid pursuant to subsections (1) and (2) of this section. All copies must be received by the Office of the Secretary of State by not later than 6:00 p.m. on the date of the qualifying deadline; provided, however, the failure of the Office of the Secretary of State to receive such copies by 6:00 p.m. on the date of the qualifying deadline shall not affect the qualification of a person who pays the required fee and files the required statement by 5:00 p.m. on the date of the qualifying deadline. The name of any person who pays the required fee and files the required statement after 5:00 p.m. on the date of the qualifying deadline shall not be placed on the primary election ballot or the general election ballot.

(5) The Secretary of State or the secretary or circuit clerk to whom such payments are made shall promptly receipt for same stating the office for which the candidate making payment is running and the political party with which he or she is affiliated, if applicable, and he or she shall keep an itemized account in detail showing the exact time and date of the receipt of each payment received by him or her and, where applicable, the date of the postmark on the envelope containing the fee and from whom, and for what office the party paying same is a candidate.

(6) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable. The Secretary of State shall deposit any qualifying fees received from candidates into the Elections Support Fund established in Section 23-15-5.

(7) (a) Upon receipt of the proper fee and all necessary information, the proper executive committee or the Secretary of State, whichever is applicable, shall then determine at the time of the qualifying deadline, unless otherwise provided by law, whether each candidate is a qualified elector of the state, state district, county or county district which they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The proper executive committee or the Secretary of State, whichever is applicable, shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee or the Secretary of State, whichever is applicable, shall also determine whether any candidate has been convicted (i) of any felony in a court of this state, (ii) on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, (iii) of any felony in a federal court on or after December 8, 1992, or (iv) of any offense that involved the misuse or abuse of his or her office or money coming into his or her hands by virtue of the office. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state.

(b) If the proper executive committee or the Secretary of State, whichever is applicable, finds that a candidate either (i) is not a qualified elector, (ii) does not meet all qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (iii) has been convicted of a felony or other disqualifying offense as described in paragraph (a) of this subsection, and not pardoned, then the executive committee shall notify the candidate and give the candidate an opportunity to be heard. The executive committee shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and the committee shall attempt to contact the candidate by telephone, email and facsimile if the candidate provided this information on the forms. If the candidate fails to appear at the hearing or to prove that he or she meets all qualifications to hold the office subject to no contingencies, then the name of that candidate shall not be placed upon the ballot.

(c) If the proper executive committee or the Secretary of State, whichever is applicable, determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(d) Where there is but one (1) candidate for each office contested at the primary election, the proper executive committee or the Secretary of State, whichever is

applicable, when the time has expired within which the names of candidates shall be furnished shall declare such candidates the nominees.

(8) No candidate may qualify by filing the information required by this section by using the Internet.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE ANY NECESSARY RULES AND REGULATIONS TO ADMINISTER AND ENFORCE THIS SECTION; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO USE OR DISBURSE FUNDS RECEIVED AS QUALIFYING FEES FOR PRESIDENTIAL CANDIDATES; TO CONFORM; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator DeBar moved that the rules be suspended for the consideration en bloc of calendar items 109, 114, 115, 121 and 127 and the motion prevailed.

Senator DeBar called up the following House Amendment to **S. B. No. 2422** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-9, Mississippi Code of 1972, is amended as follows:

31-7-9. (1) (a) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations governing the purchase by any agency of any commodity or commodities and establishing standards and specifications for a commodity or commodities and the maximum fair prices of a commodity or commodities, subject to the approval of the Public Procurement Review Board. It shall have the power to amend, add to or eliminate purchasing regulations. The adoption of, amendment, addition to or elimination of purchasing regulations shall be based upon a determination by the Office of Purchasing, Travel and Fleet Management with the approval of the Public Procurement Review Board, that such action is reasonable and practicable and advantageous to promote efficiency and economy in the purchase of commodities by the agencies of the state. Upon the adoption of any purchasing regulation, or an amendment, addition or elimination therein, copies of same shall be furnished to the State Auditor and to all agencies affected thereby. Thereafter, and except as otherwise may be provided in subsection (2) of this section, no agency of the state shall purchase any commodities covered by existing purchasing regulations unless such commodities be in conformity with the standards and specifications set forth in the purchasing regulations and unless the

price thereof does not exceed the maximum fair price established by such purchasing regulations. The Office of Purchasing, Travel and Fleet Management shall furnish to any county or municipality or other local public agency of the state requesting same, copies of purchasing regulations adopted by the Office of Purchasing, Travel and Fleet Management and any amendments, changes or eliminations of same that may be made from time to time.

(b) The Office of Purchasing, Travel and Fleet Management may adopt purchasing regulations governing the use of credit cards, procurement cards and purchasing club membership cards to be used by state agencies, governing authorities of counties and municipalities, school districts and the Chickasawhay Natural Gas District. Use of the cards shall be in strict compliance with the regulations promulgated by the office. Any amounts due on the cards shall incur interest charges as set forth in Section 31-7-305 and shall not be considered debt.

(c) Pursuant to the provision of Section 37-61-33(3), the Office of Purchasing, Travel and Fleet Management of the Department of Finance and Administration, which by July 1 shall have received from the provider of procurement cards with whom it has contracted for such services, is authorized to issue procurement cards or credentials for a digital solution to all public school district classroom teachers, teachers employed by a university-based program, full- and part-time gifted and special education teachers and other necessary direct support personnel \* \* \* on August 1 before the beginning of the school year for the purchase of instructional supplies using Educational Enhancement Funds. The cards will be issued in equal amounts per teacher determined by the total number of qualifying personnel and the then current state appropriation for classroom instructional supplies under the Education Enhancement Fund. All purchases shall be in accordance with state law and teachers are responsible for verification of capital asset requirements when pooling monies to purchase equipment. All unexpended amounts remaining on procurement cards on December 31 shall expire on that date and returned to the fund for reallocation to STEM, arts and gifted teachers on January 31 of the second term of the school year. Thereafter, the cards will expire on a predetermined date at the end of each school year. All unexpended amounts will be carried forward, to be combined with the following year's instructional supply fund allocation, and reallocated for the following year. The Department of Finance and Administration is authorized to loan any start-up funds at the beginning of the school year to fund this procurement system for instructional supplies with loan repayment being made from sales tax receipts earmarked for the Education Enhancement Fund.

(d) In a sale of goods or services, the seller shall not impose a surcharge on a buyer who uses a state-issued credit card, procurement card, travel card, or fuel card. The Department of Finance and Administration shall have exclusive jurisdiction to enforce and adopt rules relating to this paragraph. Any rules adopted under this paragraph shall be consistent with federal laws and regulations governing credit card transactions described by this paragraph. This paragraph does not create a cause of action against an individual for a violation of this paragraph.

(2) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, purchasing regulations governing the purchase of unmarked vehicles to be used by the Bureau of Narcotics and Department of Public Safety in official investigations pursuant to Section 25-1-87. Such regulations shall ensure that purchases of such vehicles shall be at a fair price and shall take into consideration the peculiar needs of the Bureau of Narcotics and Department of Public Safety in undercover operations.

(3) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, regulations governing the certification process for certified purchasing offices, including the Mississippi Purchasing Certification Program, which shall be required of all purchasing agents at state agencies. Such regulations shall require entities desiring to be classified as certified purchasing

offices to submit applications and applicable documents on an annual basis, and in the case of a state agency purchasing office, to have one hundred percent (100%) participation and completion by purchasing agents in the Mississippi Purchasing Certification Program, at which time the Office of Purchasing, Travel and Fleet Management may provide the governing entity with a certification valid for one (1) year from the date of issuance. The Office of Purchasing, Travel and Fleet Management shall set a fee in an amount that recovers its costs to administer the Mississippi Purchasing Certification Program, which shall be assessed to the participating state agencies.

(4) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations authorizing rural water associations to purchase at the state contract price afforded to agencies and governing authorities under this chapter.

SECTION 2. Section 37-61-33, Mississippi Code of 1972, is amended as follows:

37-61-33. (1) There is created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

(2) Of the amount deposited into the Education Enhancement Fund, Sixteen Million Dollars (\$16,000,000.00) shall be appropriated each fiscal year to the State Department of Education to be distributed to all school districts. Such money shall be distributed to all school districts in the proportion that the average daily attendance of each school district bears to the average daily attendance of all school districts within the state for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor.

(b) Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor.

(c) Providing necessary water, light, heating, air-conditioning and sewerage facilities for school buildings, and purchasing land therefor.

(d) As a pledge to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. The annual grant to such district in any subsequent year during the term of the resolution or contract shall not be reduced below an amount equal to the district's grant amount for the year in which the contract or resolution was adopted. The intent of this provision is to allow school districts to irrevocably pledge a certain, constant stream of revenue as security for long-term obligations issued under the code sections enumerated in this paragraph or as otherwise allowed by law. It is the intent of the Legislature that the provisions of this paragraph shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards. Debt of a district secured by a pledge of sales tax revenue pursuant to this paragraph shall not be subject to any debt limitation contained in the foregoing enumerated code sections.

(3) The remainder of the money deposited into the Education Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) \* \* \* Twenty-six and twenty-two one-hundredths percent (26.22%) to the cost of the adequate education program determined under Section 37-151-7; of the funds generated by the percentage set forth in this section for the support of the adequate education program, one and one hundred seventy-eight one-thousandths percent (1.178%) of the funds shall be appropriated to be used by the State Department of Education for the purchase of textbooks to be loaned under Sections 37-43-1 through 37-43-59 to approved nonpublic schools, as described in Section 37-43-1. The funds to be distributed to each nonpublic school shall be in the proportion that the average daily attendance of each nonpublic school bears to the total average daily attendance of all nonpublic schools;

(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) \* \* \* Twenty-five Million Dollars (\$25,000,000.00) for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On or before \* \* \* June 15 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the \* \* \* immediately subsequent school year. For purposes of this subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind or the Mississippi School for the Deaf, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department, and shall include any full- or part-time gifted or special education teacher and any teacher serving qualified students at a university-based program, but shall not include \* \* \* any other federally funded teacher. It is the intent of the Legislature that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. \* \* \* The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers, teacher employed by a university-based program, full- and part-time gifted and special education teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. \* \* \* The procurement cards, which shall have been provided to the Department of Finance and Administration from the vendor for such services by July 1, or credentials shall be issued \* \* \* on August 1 before the beginning of the school year and shall be issued in equal amounts per teacher determined by the total number of qualifying personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund. All unexpended amounts remaining on procurement cards or in credentials on December 31 shall expire on that date and returned to the fund for reallocation to STEM, arts and gifted teachers on January 31 of the second term of the school year. \* \* \* Thereafter, the cards or credentials will expire on a predetermined date at the end of each school year. All unexpended amounts will be carried forward, combined

with the following year's allocation of Education Enhancement Fund instructional supplies funds and reallocated for the following year;

(b) Twenty-two and nine one-hundredths percent (22.09%) to the Board of Trustees of State Institutions of Higher Learning for the purpose of supporting institutions of higher learning; \* \* \*

(c) Fourteen and forty-one one-hundredths percent (14.41%) to the Mississippi Community College Board for the purpose of providing support to community and junior colleges \* \* \*; and

(d) One Million Two Hundred Thousand Dollars (\$1,200,000.00) to the University of Mississippi Medical Center for the establishment and administration of the Child Health and Developmental Promotion Fellowship within the Center for Advancement of Youth, for the purpose of providing post-graduate fellowships to individuals in various healthcare disciplines for training and education on serving children between zero (0) to six (6) years of age who are behaviorally and/or developmentally delayed.

(4) The amount remaining in the Education Enhancement Fund after funds are distributed as provided in subsections (2) and (3) of this section shall be appropriated for other educational needs.

(5) None of the funds appropriated pursuant to subsection (3)(a) of this section shall be used to reduce the state's General Fund appropriation for the categories listed in an amount below the following amounts:

(a) For subsection (3)(a)(ii) of this section, Thirty-six Million Seven Hundred Thousand Dollars (\$36,700,000.00);

(b) For the aggregate of minimum program allotments in the 1997 fiscal year, formerly provided for in Chapter 19, Title 37, Mississippi Code of 1972, as amended, excluding those funds for transportation as provided for in paragraph (a) of this subsection.

(6) Any funds appropriated from the Education Enhancement Fund that are unexpended at the end of a fiscal year shall lapse into the Education Enhancement Fund, except as otherwise provided in subsection (3)(a)(iii) of this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROCUREMENT CARD FOR CLASSROOM SUPPLIES SHALL BE RECEIVED BY DFA BY JULY 1 AND ISSUED TO TEACHERS ON AUGUST 1 BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE FOR THE ISSUANCE OF SUCH PROCUREMENT CARDS TO TEACHERS EMPLOYED AT UNIVERSITY-BASED PROGRAMS, PART-TIME GIFTED AND SPECIAL EDUCATION TEACHERS; TO PROVIDE THAT LOCAL SCHOOL BOARDS SHALL REQUIRE EACH SCHOOL TO ISSUE CREDENTIALS FOR A DIGITAL SOLUTION SELECTED OR PROCUREMENT CARDS FOR THE USE OF TEACHERS IN MAKING INSTRUCTIONAL SUPPLY FUND EXPENDITURES UNDER THE EDUCATIONAL ENHANCEMENT FUND; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE PERCENTAGE OF FUNDS DEPOSITED INTO THE EDUCATION ENHANCEMENT FUND FOR APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION TO BE USED TOWARD THE COST OF MAEP TO 26.22%; TO PROVIDE

FOR THIS INCREASE BY ERADICATING THE 9.61% OF EDUCATION ENHANCEMENT FUNDS APPROPRIATED TO THE CLASSROOM SUPPLY FUND; TO SPECIFY THAT \$25,000,000 DEPOSITED INTO THE EDUCATION ENHANCEMENT FUND SHALL BE APPROPRIATED FOR THE CLASSROOM SUPPLY FUND; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DISTRIBUTE EDUCATION ENHANCEMENT FUNDS FOR CLASSROOM SUPPLIES TO ELIGIBLE TEACHERS THROUGH THE USE OF DIGITAL SOLUTIONS AND THEIR APPLICABLE CREDENTIALS; TO PROVIDE EEF FUNDS TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE ESTABLISHMENT AND ADMINISTRATION OF A FELLOWSHIP PROGRAM TO EDUCATE CERTAIN HEALTHCARE PROFESSIONALS ON PROVIDING EARLY CHILDHOOD SERVICES TO CHILDREN WITH BEHAVIORAL AND DEVELOPMENTAL DELAYS; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2423** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-3-2, Mississippi Code of 1972, is amended as follows:

37-3-2. (1) There is established within the State Department of Education the Commission on Teacher and Administrator Education, Certification and Licensure and Development. It shall be the purpose and duty of the commission to make recommendations to the State Board of Education regarding standards for the certification and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) (a) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each of the four (4) congressional districts, as such districts existed on January 1, 2011, in accordance with the population calculations determined by the 2010 federal decennial census, including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

(b) All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.

(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:

(a) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

(b) Recommend to the State Board of Education each year approval or disapproval of each educator preparation program in the state, subject to a process and schedule determined by the State Board of Education;

(c) Establish, subject to the approval of the State Board of Education, standards for initial teacher certification and licensure in all fields;

(d) Establish, subject to the approval of the State Board of Education, standards for the renewal of teacher licenses in all fields;

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;

(f) Review all existing requirements for certification and licensure;

(g) Consult with groups whose work may be affected by the commission's decisions;

(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;

(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;

(j) Hire expert consultants with approval of the State Board of Education;

(k) Set up ad hoc committees to advise on specific areas; \* \* \*

(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education \* \* \*; and

(m) Establish standards, subject to the approval of the State Board of Education, for supplemental endorsements, provided that the standards allow teachers as many options as possible to receive a supplemental endorsement, including, but not

limited to, the option of taking additional coursework or earning at least the minimum qualifying score or higher on the required licensure subject assessment relevant to the endorsement area for which the licensure is sought. The subject assessment option shall not apply to certain subject areas, including, but not limited to, Early/Primary Education PreK-3, Elementary Education, or Special Education except by special approval by the State Board of Education.

(6) (a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a preparation program \* \* \* in accordance with the standards set forth by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the \* \* \* national accreditor for education preparation providers approved by the State Board of Education. Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the \* \* \* national accreditor for educator preparation providers approved by the State Board of Education or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

\* \* \*

(\* \* \*iii) From and after July 1, \* \* \* 2022, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program as established by the State Board of Education:

1. \* \* \* A qualifying passing ACT Score \* \* \* (or SAT equivalent); or

2. \* \* \* A qualifying passing score on the Praxis Core Academic Skills for Educators examination \* \* \*; or

3. A minimum GPA \*\*\* on coursework prior to admission to an approved teacher education program \*\*\*;

(iv) From and after July 1, 2022, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for demonstrating subject matter competency as approved by the State Board of Education:

1. A qualifying passing score on a content area assessment;  
or

2. An official score report evidencing an attempted content area assessment; and

3. Satisfactory completion of an approved teacher education program; and

4. At least three (3) years of relevant teaching experience in the content area with performance-based evidence of educator effectiveness as determined by rules and regulations established by the State Board of Education; and

(v) Any other document required by the State Board of Education.

(b) Standard License - Nontraditional Teaching Route.

(i) From and after July 1, \*\*\* 2022, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria as established by the State Board of Education:

\*\*\*1. \*\*\* A qualifying passing ACT Score \*\*\* (or SAT equivalent); or

\*\*\*2. \*\*\* A qualifying passing score on the Praxis Core Academic Skills for Educators examination \*\*\*; or

\*\*\*3. A minimum GPA \*\*\* on coursework prior to admission to an approved teacher education program \*\*\*; and

4. From and after July 1, 2022, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for demonstrating subject matter competency as approved by the State Board of Education:

a. A qualifying passing score on a content area assessment; or

b. An official score report evidencing an attempted content area assessment; and

c. Satisfactory completion of an approved teacher education program; and

d. At least three (3) years of relevant teaching experience in the content area with performance-based evidence of educator effectiveness as determined by rules and regulations established by the State Board of Education.

(ii) Beginning July 1, \*\*\* 2022, an individual who \*\*\* meets the requirements of this paragraph (b) may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 \*\*\*. The State Board of Education shall adopt rules requiring that \*\*\* Educator Preparation Programs (EPPs) which provide the Teach Mississippi Institute (TMI) program for the preparation of

nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

\*\*\*1. The Teach Mississippi Institute (TMI) shall include \*\*\* nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not be limited to, instruction in education, \*\*\* instruction in teaching strategies for students with disabilities, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a \*\*\* two (2) semester \*\*\* six-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. \*\*\* TMI courses \*\*\* may be offered at \*\*\* any EPP with a State Board of Education approved TMI program.

\*\*\*2. The school sponsoring the teacher intern shall enter into a written agreement with the \*\*\* EPP providing the Teach Mississippi Institute (TMI) program, under terms and conditions as agreed upon by the contracting parties, providing that the school district shall provide teacher interns seeking a nontraditional provisional teaching license with a one-year internship and classroom teaching experience. The teacher intern shall successfully complete the \*\*\* two (2) semester \*\*\* six-hour intensive internship in the school district during the \*\*\* year-long teaching experience.

\*\*\*3. Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

\*\*\*4. During the semesters of internship in the school district, the \*\*\* EPP and school district shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

\*\*\*5. An individual issued a provisional teaching license under this nontraditional route shall successfully complete, at a minimum, a one-year beginning teacher mentoring and induction program administered by the employing school district with the assistance of the State Department of Education.

\*\*\*6. Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the \*\*\* fifteen (15) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

\*\*\*7. At the discretion of the \*\*\* EPP, the individual shall be allowed to credit the \*\*\* fifteen (15) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

\* \* \*8. The local school district in which the nontraditional teacher intern or provisional licensee is employed shall compensate such teacher interns at Step 1 of the required salary level during the period of time such individual is completing teacher internship requirements and shall compensate such Standard License - Nontraditional Route teachers at Step 3 of the required salary level when they complete license requirements.

(iii) Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

(iv) A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a one-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training

as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

(g) In the event any school district meets the highest accreditation standards as defined by the State Board of Education in the accountability system, the State Board of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

\* \* \*

(7) Administrator License. The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License - Nonpracticing. Those educators holding administrative endorsement but having no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License - Entry Level. Those educators holding administrative endorsement and having met the department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

(c) Standard Administrator License - Career Level. An administrator who has met all the requirements of the department for standard administrator licensure.

(d) Administrator License - Nontraditional Route. The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. The department shall grant a standard five-year license to any individual who possesses a valid standard license from another state, or another country or political subdivision thereof, within a period of twenty-one (21) days from the date of a completed application. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(9) Renewal and Reinstatement of Licenses. The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license

held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. For all license types with a current valid expiration date of June 30, 2021, the State Department of Education shall grant a one-year extension to June 30, 2022. Beginning July 1, 2022, and thereafter, applicants for licensure renewal shall meet all requirements in effect on the date that the complete application is received by the State Department of Education.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

(11) (a) The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license for one or more of the following:

(i) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;

(ii) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

(iii) The applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effect, at the time of application for a license;

(iv) Fraud or deceit committed by the applicant in securing or attempting to secure such certification and license;

(v) Failing or refusing to furnish reasonable evidence of identification;

(vi) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this subparagraph (vi) of this paragraph (a), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(vii) The applicant or licensee is on probation or post-release supervision for a felony or conviction, as defined by federal or state law. However, this disqualification expires upon the end of the probationary or post-release supervision period.

(b) The State Board of Education, acting through the commission, shall deny an application for any teacher or administrator license, or immediately revoke the current teacher or administrator license, for one or more of the following:

(i) If the applicant or licensee has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this subparagraph (i) of this paragraph (b), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(ii) The applicant or licensee is on probation or post-release supervision for a sex offense conviction, as defined by federal or state law;

(iii) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95; or

(iv) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

(a) Breach of contract or abandonment of employment may result in the suspension of the license for one (1) school year as provided in Section 37-9-57;

(b) Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;

(c) Suspension or revocation of a certificate or license by another state shall result in immediate suspension or revocation and shall continue until records in the prior state have been cleared;

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(e) The license holder knowingly and willfully committing any of the acts affecting validity of mandatory uniform test results as provided in Section 37-16-4(1);

(f) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules;

(g) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(h) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(i) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as prescribed by the commission, its subcommittee or hearing officer. Failure to complete the requirements in the time specified shall result in immediate suspension of the license for one (1) year.

(13) (a) Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense.

(b) Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a majority vote of all members of the commission present at the meeting called for such purpose.

(14) (a) A person whose license has been suspended or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the suspended or surrendered time has lapsed, whichever is greater. A person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

(b) A person whose license expires while under investigation by the Office of Educator Misconduct for an alleged violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under

the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars (\$200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

(18) The granting of a license shall not be deemed a property right nor a guarantee of employment in any public school district. A license is a privilege indicating minimal eligibility for teaching in the public school districts of Mississippi. This section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of performance as a prerequisite of initial or continued employment in such districts.

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(20) The Department of Education shall grant and renew all licenses and certifications of teachers and administrators within twenty-one (21) days from the date of a completed application if the applicant has otherwise met all established requirements for the license or certification.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS FOR THE TRADITIONAL AND ALTERNATE ROUTE TO OBTAIN TEACHER LICENSURE; TO REMOVE THE PRESCRIBED MINIMUM ACT SCORE AND GPA ON COURSEWORK REQUIRED FOR ENTRY INTO AN APPROVED EDUCATOR PREPARATION PROGRAM; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, APPLICANTS FOR LICENSURE MUST DEMONSTRATE SUBJECT MATTER COMPETENCY AS APPROVED BY THE STATE BOARD OF EDUCATION; TO PRESCRIBE THE MINIMUM CRITERIA REQUIRED TO EVIDENCE SUCH COMPETENCY; TO REPLACE THE CRITERIA REQUIREMENT FOR NCATE

ACCREDITATION WITH AN ACCREDITOR FOR EDUCATION PREPARATION PROGRAMS APPROVED BY THE STATE BOARD OF EDUCATION; TO REQUIRE A TWO SEMESTER SIX-HOUR SUPERVISED INTERNSHIP TO BE COMPLETED WHILE THE TEACHER IS EMPLOYED AS A FULL-TIME TEACHER INTERN IN A LOCAL SCHOOL DISTRICT, TO PERMIT THE TEACH MISSISSIPPI INSTITUTE TO OFFER AT ANY STATE BOARD OF EDUCATION-APPROVED EPP WITH AN APPROVED TMI PROGRAM; TO REQUIRE THE EPP AND SCHOOL DISTRICT OF INTERNSHIP TO MONITOR THE PERFORMANCE OF INTERN TEACHER; TO REQUIRE APPLICANTS FOR A STANDARD LICENSE-NONTRADITIONAL ROUTE TO SUBMIT A TRANSCRIPT EVIDENCING THE COMPLETION OF 15 SEMESTER HOURS IN THE INTERNSHIP PROGRAM; TO PROVIDE THAT IT SHALL BE THE DUTY OF THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ESTABLISH STANDARDS, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF EDUCATION, FOR TEACHER SUPPLEMENTAL ENDORSEMENTS, PROVIDED THAT THE STANDARDS ALLOW TEACHERS AS MANY OPTIONS AS POSSIBLE TO RECEIVE A SUPPLEMENTAL ENDORSEMENT, INCLUDING, BUT NOT LIMITED TO, THE OPTION OF TAKING ADDITIONAL COURSEWORK OR EARNING AT LEAST THE MINIMUM QUALIFYING SCORE OR HIGHER ON THE REQUIRED LICENSURE SUBJECT ASSESSMENT RELEVANT TO THE ENDORSEMENT AREA FOR WHICH THE LICENSURE IS SOUGHT, PROVIDED THAT THE SUBJECT ASSESSMENT OPTION SHALL NOT APPLY TO CERTAIN SUBJECT AREAS, INCLUDING, BUT NOT LIMITED TO, EARLY/PRIMARY EDUCATION PREK-3, ELEMENTARY EDUCATION, OR SPECIAL EDUCATION EXCEPT BY SPECIAL APPROVAL BY THE STATE BOARD OF EDUCATION; TO REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND RENEW ALL LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS WITHIN 21 DAYS OF A COMPLETED APPLICATION; TO PROVIDE THAT TEACHERS WHO POSSESS A TEACHER LICENSE FROM ANOTHER COUNTRY OR POLITICAL SUBDIVISION THEREOF SHALL BE GRANTED A STANDARD FIVE-YEAR LICENSE BY THE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2430** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the Educational Facilities Revolving Loan Fund Program to be administered by the Department of Finance and Administration for the purpose of improving educational facilities in the State of Mississippi by assisting public schools and community and junior colleges in procuring funds for making certain capital improvements.

(2) (a) There is created a special fund in the State Treasury designated as the "Educational Facilities Revolving Loan Fund," which fund shall consist of such monies as provided in this subsection. The revolving loan fund must be maintained in perpetuity for the purposes established in this section. Unexpended amounts remaining in the fund at the end of a fiscal year may not lapse into the State General Fund. Payments on the principal of and, when applicable, interest on loans procured from the fund and any interest earned on amounts in the fund must be deposited to the credit of the fund. Monies

in the Educational Facilities Revolving Loan Fund may not be used or expended for any purpose except as authorized under this section.

(b) For fiscal year 2023, the Legislature shall appropriate, using any available state and federal, where allowable, monies, Two Hundred Million Dollars (\$200,000,000.00) to the Educational Facilities Revolving Loan Fund.

(3) Of the funds deposited into the Educational Facilities Revolving Loan Fund, up to eighty percent (80%) must be made available for the purpose of making loans to qualified school districts and the State Board of Education acting on behalf of the Mississippi School of the Arts, the Mississippi School for the Deaf, and/or the Mississippi School for the Blind. The Department of Finance and Administration shall accept requests for loans under this subsection for the following purposes:

(a) Repairs and renovations to existing school buildings and related facilities used in the operation of the schools of a public school district, the Mississippi School of the Arts, the Mississippi School for the Deaf, and the Mississippi School for the Blind.

(b) Construction of new facilities or repairs and renovations to existing school facilities for the purpose of establishing, improving or expanding prekindergarten programs in a public school district.

(c) Construction of new career and technical education facilities or repairs and renovations to existing school facilities for the purpose of upgrading or expanding a school district's career and technical education program.

(4) Of the funds deposited into the Educational Facilities Revolving Loan Fund, up to twenty percent (20%) must be made available for the purpose of making loans to qualified community and junior college districts. The Department of Finance and Administration shall accept requests for loans from public community and junior college districts for the purpose of funding projects for repairs and renovations to existing buildings and related facilities.

(5) Each fiscal year, the Department of Finance and Administration may set aside an amount not to exceed five percent (5%) of the balance of the Educational Facilities Revolving Loan Fund to cover the administrative and fiscal management costs associated with the fund.

(6) The Department of Finance and Administration shall accept and make determinations on applications for loans and shall disburse funds and receive repayments on approved loans. Before October 1, 2022, the department shall establish rules and regulations for the implementation and administration of the revolving loan program. The rules and regulations must include, at a minimum, provisions addressing the following:

(a) An application process by which public school districts, the State Board of Education acting on behalf of the Mississippi School of the Arts, the Mississippi School for the Deaf and the Mississippi School for the Blind and public community and junior college districts may request a loan from the Educational Facilities Revolving Loan Fund, including the deadline by which the department must receive applications;

(b) The factors to be considered in determining whether an educational entity will be awarded the full or a partial amount of a loan requested. The department shall establish the maximum amount that may be loaned to an entity for any single project and the maximum total amount of outstanding loans an entity may have if the entity

requests more than one (1) loan in the same or different fiscal years. A loan may not exceed one hundred percent (100%) of the cost of the project for which the loan is requested;

(c) Rates of interest on loans and terms of repayment. A loan made to a public school district, the State Board of Education acting on behalf of the Mississippi School of the Arts, the Mississippi School for the Deaf or the Mississippi School for the Blind, or a community or junior college district must be interest free and payable over a term of ten (10) years commencing on the date the loan is received.

(d) A process by which the department determines if an entity receiving a loan is required to pledge monies for the repayment of the loan and sources of revenue that are acceptable whenever the department requires a pledge, which, for a school district receiving a loan, may not include Adequate Education Program funds;

(e) The actions that may be taken if an entity is in arrears on loan repayments, which may include, in the case of a school district, the withholding of future payments of Adequate Education Program funds to the district, or in the case of the Mississippi School of the Arts, the Mississippi School for the Deaf, the Mississippi School for the Blind, or a community or junior college district, the withholding of state funds due to the school or district; and

(f) All other matters that the Department of Finance and Administration determines are necessary to establish and maintain the Educational Facilities Revolving Loan Fund Program as an accessible and perpetual source of funding for making facilities improvements at all levels of education in the state.

(7) The State Department of Education and the Mississippi Community College Board, each acting jointly with the Department of Finance and Administration, shall promulgate such rules and regulations as may be necessary for participation in the Educational Facilities Revolving Loan Program by a public educational entity.

SECTION 2. Section 37-47-1, Mississippi Code of 1972, is brought forward as follows:

37-47-1. The terms and provisions of this chapter shall be administered and executed by the state educational finance commission. For the purpose of this chapter, the term "commission" shall mean "state educational finance commission" except where the context clearly indicates otherwise.

SECTION 3. Section 37-47-3, Mississippi Code of 1972, is brought forward as follows:

37-47-3. The term "school district" as used in this chapter shall be defined as including all public school districts and public charter schools in this state and also all agricultural high schools not located on the campus of a junior college.

SECTION 4. Section 37-47-5, Mississippi Code of 1972, is brought forward as follows:

37-47-5. For the purposes of this chapter, the term "capital improvement" shall mean the cost of (1) erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including, but not being limited to, gymnasiums, auditoriums, lunch rooms, vocational training buildings, libraries, teachers' homes, school barns, garages for transportation vehicles, and (2) providing necessary water, lights, heating, air conditioning and sewerage facilities for school buildings. Such term shall not

include the cost of the acquisition of land whereon to construct or establish any of the facilities named above.

SECTION 5. Section 37-47-7, Mississippi Code of 1972, is brought forward as follows:

37-47-7. There shall be, and there is hereby, created in the state treasury a special fund to be known as the "state public school building fund". The said fund shall consist of such amounts as may be paid into said fund by appropriation or other legislative authorization.

SECTION 6. Section 37-47-9, Mississippi Code of 1972, is brought forward as follows:

37-47-9. It is found and determined that the state should make an annual grant of Twenty-four Dollars (\$24.00) for each child in average daily attendance in the public schools of the various school districts of this state during each school year, and that such monies should be applied for the purpose of establishing and maintaining adequate physical facilities for the public school district and/or the payment of existing debt therefor.

The grant to which each public school is entitled under the provisions of this section shall be credited to the school district of which such school is part. If any change is made in the operation or boundaries of any such school district, equitable reallocations shall be made by the commission of all balances to the credit of such school district, and all debits charged against the districts affected by the change in the boundaries or system of operation. The obligation of the state to make remittance of the sums appropriated or otherwise provided to make the annual grants provided by this section shall be subordinate to the pledge made to secure the state school bonds authorized under this chapter and the sinking fund created for their retirement. The grants shall be computed annually as soon as practicable after the end of the school year, and shall be based on the average daily attendance for such school year in all of the public schools operated by each school district as determined by the State Department of Education.

SECTION 7. Section 37-47-11, Mississippi Code of 1972, is brought forward as follows:

37-47-11. The sums becoming due to any school district shall be disposed of in the following order of priority and for the following purposes and for no others:

(a) To discharge the principal and interest due the commission by reason of any advance or loan made to any such school district by the commission;

(b) To be applied by the school district, subject to the approval of the commission, to defray the cost of any capital improvement;

(c) To pay the principal and interest of school district indebtedness represented by bonds or notes issued before July 1, 1954, for capital improvements, provided that the capital improvements for which such bonds or notes were issued fulfill the rules and requirement for new capital improvements and district organization as provided by the commission, or for bonds or notes issued on or after July 1, 1954, for capital improvements which have been approved by the commission as provided in this chapter.

SECTION 8. Section 37-47-13, Mississippi Code of 1972, is brought forward as follows:

37-47-13. When the amounts of the annual grants to school districts have been computed as provided in Section 37-47-9, the commission shall credit each such school district with the amount of the annual grant to which it is entitled and shall issue to each

such school district a certificate of credit for the amount of such annual grant. All such certificates of credit shall be signed by the chairman of the commission and countersigned by the executive secretary thereof. Such certificates shall constitute an indebtedness of the State of Mississippi but shall be non-transferable and non-negotiable and shall bear no interest. All such certificates so issued shall be held and retained by the school district to which same are issued until the expenditure of the funds to the credit of such school district shall be approved by the commission as is otherwise provided in this chapter. Such certificates shall be surrendered to the commission at the time the funds to which the school district is entitled are withdrawn from the public school building fund and deposited to the credit of the school district entitled thereto.

SECTION 9. Section 37-47-15, Mississippi Code of 1972, is brought forward as follows:

37-47-15. No grants accruing to any school district shall be expended for any purpose unless such expenditure has been approved by the commission. In order to guide the commission in passing upon requests for the use of grants, the school boards of the respective school districts are directed to prepare a survey of necessary capital improvements and/or a plan for tax relief on school indebtedness within each school district. Such surveys shall show existing facilities, desirable consolidations, the new construction and new facilities necessary and desirable for the efficient operation of the public schools of the school districts, proper compliance with state energy conservation standards, and the plan of tax reduction in the school districts by use of such funds in retiring any outstanding indebtedness for school facilities. The commission shall not approve any application for the use of funds of the said public school building fund from the school board of any school district until such time as an acceptable and reasonably satisfactory plan, looking particularly to efficiency through consolidations of school attendance centers, has been submitted by the school board.

Furthermore, the commission shall not approve any application for the use of funds of the public school building fund until such time as an acceptable plan has been submitted by the appropriate board which complies with improved design, heating, cooling, ventilation, lighting, insulation and architectural standards provided by the State of Mississippi to promote maximum energy conservation in new and existing public buildings.

All applications from school districts shall conform to the plan of the school board.

SECTION 10. Section 37-47-17, Mississippi Code of 1972, is brought forward as follows:

37-47-17. Applications for the expenditure of funds to the credit of any school district in the state public school building fund shall originate with the school board of the school district entitled to such funds. Before any funds to the credit of a school district shall be expended for capital improvements or the retirement of outstanding bonded indebtedness, the school board of such school district shall prepare and submit an application in such form as may be prescribed by the commission. There shall be included with such application a statement in which there is set forth the enrollment and average daily attendance in the schools of the district divided as to schools and grades, the number of teachers employed, the facilities in use, the facilities to be provided with the funds to be expended, the outstanding school indebtedness, and such other information as the commission may require. Such application and statement shall be submitted directly to the commission and approved or disapproved by it. The decision of the commission shall be final, unless an appeal to the chancery court shall be taken in the manner provided by law. In the event any application shall be disapproved by the commission, the school board submitting same shall be notified of such disapproval, which notice of disapproval shall be accompanied by a statement of the reason or reasons for such disapproval.

The commission shall approve only those applications which are found to be proper under the provisions of this chapter and the applicable rules and regulations of the commission. When an application is approved for the expenditure of funds for capital improvements, the contract for the construction of such capital improvements shall be entered into and awarded by the school board of the school district in the manner provided in this chapter; however, the contract for construction of a secondary vocational and technical training center for exclusive use and operation by a school district may be entered into and awarded by the board of trustees of a junior college district where a grant of federal funds by the Appalachian Commission has been made to the board of trustees of such junior college district to assist in financing construction of such secondary vocational and technical training facility for such school district.

SECTION 11. Section 37-47-19, Mississippi Code of 1972, is brought forward as follows:

37-47-19. Where the expenditure of any funds to which any school district may be entitled has been authorized, as provided in Section 37-47-17, such funds shall be withdrawn from the public school building fund by the commission and deposited in the school depository to the credit of the school district entitled thereto as a special fund to be known as the "Public School Building Fund" of the school district entitled thereto. Such money so deposited shall be paid out and expended in the same manner as may be now or hereafter provided by law for the expenditure of other school funds belonging to such district; however, where the contract for construction of a secondary vocational and technical training center shall have been entered into and awarded by the board of trustees of a junior college district as authorized by Section 37-47-29, the money so deposited in the public school building fund of the school district for which said facility is being constructed may be paid out and expended to pay a part of the cost of construction of such facility.

SECTION 12. Section 37-47-21, Mississippi Code of 1972, is brought forward as follows:

37-47-21. All funds, if any, which may accumulate in the state public school building fund under the provisions of this chapter because school districts entitled thereto do not make application for the expenditure of same for the purposes authorized by this chapter at the time same are credited to such school district may be used as a revolving fund for the purpose of making loans or advances to other school districts as is provided in Section 37-47-25.

SECTION 13. Section 37-47-23, Mississippi Code of 1972, is brought forward as follows:

37-47-23. When any school district holding certificates of credit shall desire to expend funds which have accumulated to its credit under the provisions of this chapter and the expenditure thereof has been approved by the commission but insufficient funds are available in the state public school building fund because of loans or advances having been made to other school districts, the commission shall forthwith transmit to the state bond commission its request for the issuance of state school bonds, as is otherwise provided in this chapter, in an amount sufficient to provide the funds to which the school district holding the certificate of credit is entitled, or such portion of such funds as such school district then desires to expend.

SECTION 14. Section 37-47-25, Mississippi Code of 1972, is brought forward as follows:

37-47-25. Whenever the State Department of Education shall determine that any school district is in need of capital improvements to an extent in excess of that which may be financed by the credit then due such school district by the department, the department shall be empowered to advance or lend said school district such sums as in the opinion

of the department are necessary to be expended for capital improvements by said school district. Such loans or advances shall be evidenced by appropriate agreements, and shall be repayable in principal by the school district from the annual grants to which the school district shall become entitled and from such other funds as may be available. Such loans or advances shall not constitute a debt of the school district within the meaning of any provision or limitation of the Constitution or statutes of the State of Mississippi. The department shall not advance or lend to any school district any sum in excess of seventy-five percent (75%) of the estimated sum which will accrue to the said school district on account of grants to be made to the said school district within the twenty (20) years next following the date of the loan or advance. In determining the maximum allowable advance or loan, the department shall assume that the average daily attendance in the schools of the school district for the past preceding scholastic year as confirmed by the audit of average daily attendance made by the State Department of Audit will continue for the period during which the loan is to be repaid.

SECTION 15. Section 37-47-27, Mississippi Code of 1972, is amended as follows:

37-47-27. All capital improvements by any school district which are financed, in whole or in part, with funds received from the State Public School Building Fund pursuant to an application approved by the \* \* \* State Board of Education, shall be constructed by contract entered into and awarded by the board of trustees or other governing body of such school district. The awarding of such contract shall be in the sole province of such board of trustees or other governing body except as is herein provided. No such contract shall be entered into unless and until the site for the location of and the plans and specifications for the construction of the capital improvements shall have been approved by the \* \* \* State Board of Education. The \* \* \* State Board of Education shall not exclude from approval plans and specifications which involve the use of preengineered steel building systems. Plans and specifications for preengineered steel building systems, in order to be approved by the \* \* \* State Board of Education, must be submitted to and certified by an architect or professional engineer registered in the State of Mississippi and not an employee of the contractor, as meeting the minimum requirements of the local building, plumbing and electrical codes, the Southern Standard Building Code, Coastal Region Loading, the Metal Building Manufacturers Association, the American Institute of Steel Construction and the American Iron and Steel Institute, as to design, materials and construction.

SECTION 16. Section 37-47-29, Mississippi Code of 1972, is brought forward as follows:

37-47-29. All contracts for capital improvements by any school district which are financed in whole or in part with funds received from the state public school building fund pursuant to an application approved by the commission shall be awarded and entered into upon receipt of sealed bids or proposals after the time and place of letting such contracts and the manner of bidding has been duly advertised. The contract shall be let and awarded to the lowest and best bidder but the board of trustees or other governing body of the school district shall have the power to reject any and all bids. No such contract shall be finally awarded or entered into without the prior written approval of the commission. It is hereby expressly provided that in order to bid upon and be awarded contracts for the construction of school facilities under the provisions of this chapter, if such contract, subcontract or undertaking is less than Fifty Thousand Dollars (\$50,000.00), it shall not be necessary that the bidder obtain a certificate of responsibility from the Board of Public Contractors under the provisions of Chapter 3, Title 31, of the Mississippi Code of 1972, or otherwise be qualified under said chapter, and none of the provisions of said chapter shall be applicable to such contracts for the construction of school facilities under the provisions hereof. Notwithstanding the foregoing provisions of this section or any other provisions of law, the contract for construction of a secondary vocational and technical training center for exclusive use and operation by a county school district may be entered into and awarded by the board of trustees of a junior college district where a grant of federal funds by the Appalachian Commission has been made to the

board of trustees of such junior college district to assist in financing construction of such secondary vocational and technical training facility for such county school district.

SECTION 17. Section 37-47-31, Mississippi Code of 1972, is brought forward as follows:

37-47-31. The state bond commission now consisting of the governor, attorney general and treasurer of the State of Mississippi, each acting ex officio, is hereby continued in existence for the purpose of this chapter and with full power and authority to issue state school bonds to the extent, for the purposes, and in the manner and subject to the limitations set forth in this chapter.

SECTION 18. Section 37-47-33, Mississippi Code of 1972, is brought forward as follows:

37-47-33. For the purpose of (a) providing funds to enable the State Board of Education to make loans or advances to school districts as provided by Section 37-47-25, and for the purpose of (b) providing funds for the payment and redemption of certificates of credit issued to school districts under Section 37-47-23, when such funds are not otherwise available, or for the purpose of (c) providing funds in an amount not exceeding Twenty Million Dollars (\$20,000,000.00) for the payment of allocations of Mississippi Adequate Education Program funds to school districts for capital expenditures approved by the State Board of Education which have not been pledged for debt by the school district, when such funds are not otherwise available, or for any of such purposes, the State Bond Commission is authorized and empowered to issue state school bonds under the conditions prescribed in this chapter. The aggregate principal amount of such bonds outstanding at any one (1) time, after deducting the amount of the sinking fund provided for the retirement of bonds issued for such purposes, shall never exceed the sum of One Hundred Million Dollars (\$100,000,000.00). Within such limits, however, state school bonds may be issued from time to time under the conditions prescribed in this chapter. None of such bonds so issued shall have a maturity date later than July 1, 2021.

SECTION 19. Section 37-47-35, Mississippi Code of 1972, is brought forward as follows:

37-47-35. Before any state school bonds are issued as authorized by this chapter, the state educational finance commission shall transmit to the state bond commission a request for the issuance thereof in the form of a resolution adopted by said state educational finance commission. Said request shall embody the following:

(a) A schedule showing the aggregate of bonds issued pursuant to previous requests, the purposes for which the same were issued, the annual payments required to retire such bonds and the interest thereon, and the amount of sinking fund applicable to the retirement of such outstanding bonds;

(b) The amount of bonds sought to be issued, the purpose or purposes for which such bonds are to be issued, and the amount intended for each purpose;

(c) A schedule showing future annual principal requirements and estimated annual interest requirements on the bonds requested to be issued;

(d) The estimated amount of the advances which the commission intends to make within the then current fiscal year;

(e) The aggregate amount for which advances have been approved, but which await completion because the funds necessary to make the same are not available;

(f) The aggregate amount of certificates of credit issued to school districts which are to be paid or redeemed by the commission with the proceeds of such bonds and for which no funds are otherwise available.

SECTION 20. Section 37-47-37, Mississippi Code of 1972, is brought forward as follows:

37-47-37. If it shall appear to the satisfaction of the state bond commission from the request provided for in Section 37-47-35:

(a) That the estimate of the needs for the then current fiscal year as shown pursuant to the requirement of Section 37-47-35, requires bonds to be issued in the amount requested; and

(b) That the issue will be within the limitations prescribed by Section 37-47-33;

then it shall be the duty of the state bond commission to issue state school bonds in accordance with said request.

SECTION 21. Section 37-47-39, Mississippi Code of 1972, is brought forward as follows:

37-47-39. For the purpose of paying the principal of and interest upon all state school bonds issued under the authority of this chapter, there shall be and there is hereby pledged the full faith, credit, and taxing power of the State of Mississippi.

SECTION 22. Section 37-47-41, Mississippi Code of 1972, is brought forward as follows:

37-47-41. All state school bonds issued under the provisions of this chapter shall be signed by the governor, or by his facsimile signature, and attested by the secretary of state. The great seal of the State of Mississippi shall be affixed to or impressed upon each of them. Coupons attached to such bonds may bear only the facsimile signatures of both the governor and secretary of state. Subject to the provisions of this chapter the state bond commission shall have full discretion in providing for the issuance of such bonds and in fixing the terms and details thereof. Said state bond commission may provide for the issuance of such bonds in such form, either coupon or registered, with such registration privileges, and executed in such manner and payable in such medium and at such place or places, and containing such terms, covenants and provisions as the state bond commission may, by resolution or resolutions, provide. All or any part of the bonds issued under the authority of this chapter may be made optional for redemption prior to maturity in the discretion of the state bond commission, and in such case such bonds shall specify the manner in and premiums at which the bonds shall be so redeemable. Such bonds shall not be redeemable before maturity unless same expressly so provide.

SECTION 23. Section 37-47-43, Mississippi Code of 1972, is brought forward as follows:

37-47-43. All bonds issued under the authority of this chapter shall be lithographed or engraved and printed in two (2) or more colors to prevent counterfeiting. Such bonds shall be issued in denominations as shall be specified by the State Bond Commission. No bond shall bear more than one (1) rate of interest; each bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; all bonds of the same maturity shall bear the same rate of interest from date to maturity; all interest accruing on such bonds so issued shall be payable semiannually or annually, except that the first interest coupon attached to any such bond may be for any period not exceeding one (1) year.

No interest payment shall be evidenced by more than one (1) coupon and neither cancelled nor supplemental coupons shall be permitted. The interest rate of any one (1) interest coupon shall not exceed eight percent (8%) except that the interest rate of any one (1) coupon issued after March 31, 1981, shall not exceed seven percent (7%).

SECTION 24. Section 37-47-45, Mississippi Code of 1972, is brought forward as follows:

37-47-45. All bonds issued under the authority of this chapter shall mature annually. None of such bonds shall have a final maturity date of more than twenty (20) years from the date of the issuance thereof, and in no event shall the final maturity date of any such bonds be later than July 1, 2004. In issuing such bonds, the state bond commission shall be authorized and empowered to provide maturities therefor in such amounts and at such times as the state bond commission shall deem appropriate, proper and feasible. No bonds shall be issued and sold under the provisions of this chapter for less than par and accrued interest.

SECTION 25. Section 37-47-47, Mississippi Code of 1972, is brought forward as follows:

37-47-47. All state school bonds issued under the provisions of this chapter shall be sold by the said state bond commission upon sealed competitive bids or proposals after advertisement therefor and publication of the notice of such sale in the manner provided by law.

The proceeds of the sale of all state school bonds shall be placed in the "State Public School Building Fund" and shall be expended only for the purposes authorized by this chapter. However, the premium, if any, received for any such bonds and the accrued interest paid thereon, if any, shall be placed in the sinking fund established for the payment of said bonds.

SECTION 26. Section 37-47-49, Mississippi Code of 1972, is brought forward as follows:

37-47-49. In anticipation of the issuance of any bonds authorized under the provisions of this chapter, the state bond commission may authorize and issue interim certificates payable to bearer or to the purchaser of the bonds. Such interim certificates may be in such form and may contain such terms, conditions, or provisions and such agreement or agreements relative to their discharge, either through payment or through the delivery of the bonds, as the commission, by resolution or resolutions, determines.

Notwithstanding the foregoing provisions of this section, bonds referred to hereinabove may be issued pursuant to the supplemental powers and authorizations conferred by the provisions of the Registered Bond Act, being Sections 31-21-1 through 31-21-7.

SECTION 27. Section 37-47-51, Mississippi Code of 1972, is brought forward as follows:

37-47-51. All bonds issued under the provisions of this chapter and all interim certificates issued under the provisions of this chapter, except those fully registered, shall be fully negotiable within the meaning and for all the purposes of the Uniform Commercial Code.

SECTION 28. Section 37-47-53, Mississippi Code of 1972, is brought forward as follows:

37-47-53. All bonds and interim certificates issued under the provisions of this chapter and all interest thereon and income therefrom shall be exempt from all taxation, except gift, transfer, and inheritance taxes.

SECTION 29. Section 37-47-55, Mississippi Code of 1972, is brought forward as follows:

37-47-55. The state treasurer shall keep a record in his office of the issuance of all bonds issued under the provisions of this chapter, and he shall execute a certificate to that effect on the back of each bond, which certificate may be signed by either the original or the facsimile signature of the state treasurer. The state treasurer shall also keep proper records relating to the sale and issuance of bonds under the provisions of this chapter, and the amounts received therefor and paid into the state treasury for the purposes provided in this chapter. He shall also keep a full and complete record of all registered bonds issued under the provisions of this chapter.

SECTION 30. Section 37-47-57, Mississippi Code of 1972, is brought forward as follows:

37-47-57. The state educational finance commission is hereby authorized and directed to pay, on approval of the governor, out of any funds derived from the issuance of state school bonds or otherwise in its hands and available for such purpose, any expense which may be incurred by the state bond commission or by the State of Mississippi or its officials in connection with the authorization and issuance of bonds and interim certificates under the provisions of this chapter, including the expense of preparing and delivering said bonds or interim certificates, legal fees, and all other expenses necessarily incurred in connection with the issuance, sale, and delivery of any such bonds and interim certificates.

SECTION 31. Section 37-47-59, Mississippi Code of 1972, is brought forward as follows:

37-47-59. All bonds issued under the authority of this chapter may, in the discretion of the state bond commission, be validated in the chancery court of Hinds County, Mississippi, in the manner and with the force and effect now or hereafter provided by Chapter 13, Title 31, of the Mississippi Code of 1972. In the event of such validation, the necessary papers shall be transmitted to the state bond attorney by the secretary of said state bond commission and the required notice shall be addressed to the taxpayers of the State of Mississippi and shall be published in a newspaper of general circulation published in the City of Jackson, Mississippi.

SECTION 32. Section 37-47-61, Mississippi Code of 1972, is brought forward as follows:

37-47-61. For the purpose of providing for the payment of the principal of and interest upon bonds issued under the provisions of this chapter according to the terms thereof, there shall be and there is hereby established in the state treasury a sinking fund for such payment. Said sinking fund shall consist of the premiums and accrued interest paid upon any such bonds so issued and of such other amount as shall be paid into such fund by appropriation or other authorization by the legislature. In cases where the loan or advance to a school district was made from the proceeds of bonds issued under the provisions of this chapter, the state educational finance commission shall annually pay into said sinking fund the amounts of annual grants to which any school district is entitled and which are used for the repayment of the principal of and interest upon a loan or grant made to such school district under the authority of Section 37-47-25. However, where the loan or advance was made from accumulations in the state public school building fund the amounts of the annual grants to which the school districts are entitled which are used for the repayment of principal of and interest upon such loan or grant shall be paid into the state public school building fund and not into the bond and interest sinking fund.

SECTION 33. Section 37-47-63, Mississippi Code of 1972, is brought forward as follows:

37-47-63. In consideration of the acceptance and purchase of the bonds authorized under the provisions of this chapter, by those who shall hold the same from time to time, this chapter shall be deemed and shall constitute a contract between the State of Mississippi and such holders and shall be irrevocable until such time as all bonds and interim certificates issued under the provisions of this chapter shall have been fully paid.

SECTION 34. Section 37-47-65, Mississippi Code of 1972, is brought forward as follows:

37-47-65. Nothing in this chapter shall be construed to prohibit a school district from issuing its bonds, negotiable notes, or certificates of indebtedness for the purposes, in the manner, to the extent, and subject to the limitations provided by Sections 37-59-1 through 37-59-45, or any other applicable sections, and the authority granted by this chapter shall be construed as being additional, supplemental, and cumulative thereto. The proceeds of the sale of any such bonds, negotiable notes, or certificates of indebtedness so issued by any such school district may be used for the purpose for which they were issued and may be expended in conjunction with funds provided by the state educational finance commission under the provisions of this chapter, or may be expended without such funds, if same be not available.

SECTION 35. Section 37-47-67, Mississippi Code of 1972, is brought forward as follows:

37-47-67. Any county board of education or board of trustees of any school district, including a municipal separate school district, which may be aggrieved by any final rule, regulation, or order of the state educational finance commission adopted under the provisions of this chapter shall have the right to appeal therefrom to the chancery court of the county in which the school district involved or any part thereof is located in like manner, within the same time, with like effect, and subject in all other respects to appeals from orders, rules, and regulations of the state educational finance commission as provided in Chapter 45 of this Title, the provisions of which are hereby made applicable in all respects to appeals from orders, rules, and regulations of the commission under the provisions of this chapter.

SECTION 36. Section 27-65-75, Mississippi Code of 1972, is brought forward as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the

Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be

deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the

General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business

enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and

hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 37. Section 37-7-401, Mississippi Code of 1972, is brought forward as follows:

37-7-401. In all cases where the same shall be necessary, advantageous or desirable from the standpoint of transportation, the efficiency of operating schools, or other pertinent considerations, any school district which has been reconstituted, reorganized or created under the provisions of Article 1 of this chapter may, with the prior consent and approval of the State Board of Education, acquire land outside of the boundaries of said school district and thereon construct, erect and equip any needed school building or other school facility of such school district. Any available state public school building funds, or any available funds derived from bonds issued by the school district for such purpose, or any other funds which are available to said school district for such purpose, may be expended for the construction, erecting and equipping of such a school building or school facility, all, however, subject to the prior consent and approval of the State Board of Education. Any school building or school facility so constructed outside of the boundaries of the school district owning same shall be operated, managed and supervised by the school board of the school district owning same in the same manner as though the building or facility were located within the school district, and all the laws of this state concerning the operation of schools shall be fully applicable thereto, and the school board shall have the power to specify the grades which shall be taught therein.

SECTION 38. Section 37-7-409, Mississippi Code of 1972, is brought forward as follows:

37-7-409. (1) When any school districts shall be authorized to unite, join and cooperate in the construction, erecting and equipping of a joint school building or school facility or in the joint operation of a school erected, constructed and equipped entirely by one of such districts, any school district so authorized may, with the prior consent and approval of the State Board of Education, expend in the construction, erecting and equipping of such joint school building or the school building which is to be jointly operated any available state public school building funds, or any available funds derived from bonds issued by such school district for such purpose, or any other funds which are otherwise available to such school district for such purpose, as is set forth and stipulated in the agreement entered into between the school districts involved. Except as is herein specifically provided all provisions of law relative to the construction, erecting and equipping of school buildings, the acquisition of land therefor, and the expenditure of funds for such purposes, shall be fully applicable to any joint school building which has been or is to be constructed, erected and equipped or which is to be operated jointly pursuant to an agreement entered into under the provisions of Section 37-7-405.

(2) When a contract is made and entered into for the construction, erecting and equipping of joint school facilities or the joint operation of school facilities erected, constructed and equipped entirely by one of such districts, as provided in Section 37-7-405, and where such contract has been approved by the State Board of Education, then any funds which are available for the lawful operating and incidental expenses of a school district may be expended by such school district as provided and stipulated in the agreement entered into between the school districts involved (including, but not limited to, funds for payment of tuition, funds payable as a rental upon the use of the building and equipment, and funds for maintenance and incidental costs of operation). The levying authority for the school district, as defined in Section 37-57-1, upon receipt of a certified copy of an order adopted by the school board of the school district in the county requesting same, shall at the same time and in the same manner as other ad valorem taxes are levied, levy an annual tax in the amount fixed in such order as may be required to meet any monetary obligation incurred under such contract. Notwithstanding any statute to the contrary, such number of mills as is necessary to defray any such contractual obligation shall be levied. However, this provision shall in no way be construed to increase the number of mills now reimbursable under the homestead exemption laws of the State of Mississippi.

(3) Before levying any taxes under the provisions of this section, which levy would exceed the limitations otherwise provided for school purposes, the levying authority for the school district, as defined in Section 37-57-1, shall adopt a resolution declaring its intention so to do, stating the amount of millage to be levied and the purpose for which the proceeds are to be used, and the date upon which it proposes to make such levy. Such resolution shall be published once a week for not less than three (3) consecutive weeks, in at least one (1) newspaper having general circulation in the school district. The first publication of such resolution shall be made not less than twenty-one (21) days prior to the date fixed in such resolution for the levying of taxes, and the last publication shall be made not more than seven (7) days prior to such date. If within fifteen (15) days after the final publication of said resolution, a petition signed by the lesser of fifteen hundred (1500) or twenty percent (20%) of the qualified electors of said school district, requesting an election on the proposition of levying such additional taxes for school purposes is filed with the clerk of the board of supervisors or the clerk of the municipality, as the case may be, such levy shall not be made until an election shall be held to determine whether or not three-fifths (3/5) of qualified electors of said school district shall favor the additional levy for school purposes. If three-fifths (3/5) of the qualified electors of said school district voting in such election approves the levying of the additional taxes, then the levy shall be made within the manner, form and time as required by law. If no such petition is filed with the clerk as herein provided, then said levy shall be made by the levying authority in the manner, form and time as required by law. If an election is held under the provisions of

this section, said election shall be under the supervision of the county or municipal election commission, as the case may be, in the manner, form and time as required by law for conducting general elections in this state.

SECTION 39. Section 37-27-55, Mississippi Code of 1972, is brought forward as follows:

37-27-55. When any pupils shall attend any agricultural high school or junior college under the provisions of Section 37-27-51, such pupils shall be reported and accounted for the allocation of minimum education program funds and building funds just as though such pupils were attending the regular schools of the district in which they reside. For this purpose reports shall be made to the board of trustees of the school district involved by the agricultural high school or junior college of the number of children in average daily attendance, and the average daily attendance of such pupils shall thereupon be included in reports made to the county or school district under the provisions of Chapters 19 and 47 of this title. The allocation of minimum education program funds and state public school building funds shall be made for such children just as though such children were attending the regular schools of the district. However, all minimum education program funds which accrue to any district as a result of the pupils who are in attendance at such agricultural high school or junior college, except amounts allotted for transportation purposes, shall be paid by the board of trustees of the municipal separate school district or the county board of education, as the case may be, to the agricultural high school or junior college at which the pupils are in attendance, and shall be expended by said agricultural high school or junior college for the instruction of said pupils and for the purposes for which the funds were originally allotted. Funds allotted to the school district for building purposes under Chapter 47 of this title, shall, however, be retained by the school district entitled thereto. The term "school district" as used in Sections 37-27-51 through 37-27-59 shall be defined as including all public school districts in this state and also all agricultural high schools not located on the campus of a junior college.

SECTION 40. Section 37-131-7, Mississippi Code of 1972, is brought forward as follows:

37-131-7. When any pupils shall attend any demonstration or practice school under the provisions of Section 37-131-3, such children shall be reported and accounted for the allocation of minimum education program funds and state public school building funds just as though such children were attending the regular schools of the district in which they reside. For this purpose, reports shall be made to the school district involved by the demonstration or practice school of the number of pupils in average daily attendance, and the average daily attendance of such children shall thereupon be included in reports made to the State Board of Education and the State Educational Finance Commission by the county or school district under the provisions of Chapters 19 and 47 of this title.

Allocation of minimum education program funds shall be made by the State Board of Education for such children just as though such children were attending the regular schools of the district. All minimum education program funds, except funds allocated for transportation costs, which accrue to any district as a result of such children who are in attendance at a demonstration or practice school shall be paid by the board of trustees of the municipal separate school district or by the county board of education to the demonstration or practice school, and shall be used to defray the cost and expense of maintaining, operating and conducting such demonstration or practice school.

All state public school building funds which accrue as a result of such children in attendance at a demonstration or practice school shall be credited directly to such demonstration or practice school, and all of the provisions of Chapter 47 of this title shall be fully applicable thereto.

SECTION 41. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND PROGRAM FOR THE PURPOSE OF IMPROVING EDUCATIONAL FACILITIES IN THE STATE; TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND IN THE STATE TREASURY; TO REQUIRE THE LEGISLATURE TO APPROPRIATE MONIES TO THE FUND; TO AUTHORIZE PUBLIC SCHOOL DISTRICTS, THE STATE BOARD OF EDUCATION ACTING ON BEHALF OF THE MISSISSIPPI SCHOOL OF THE ARTS, THE MISSISSIPPI SCHOOL FOR THE DEAF AND THE MISSISSIPPI SCHOOL FOR THE BLIND, COMMUNITY AND JUNIOR COLLEGES TO SUBMIT APPLICATIONS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR LOANS FROM THE FUND; TO DESIGNATE THE PURPOSES FOR WHICH LOANS MAY BE USED AND THE PERCENTAGE OF THE REVOLVING LOAN FUND TO BE MADE AVAILABLE FOR LOANS TO DIFFERENT EDUCATIONAL INSTITUTIONS; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADMINISTER THE PROGRAM AND TO ESTABLISH RULES AND REGULATIONS FOR ITS IMPLEMENTATION BEFORE OCTOBER 1, 2022; TO REQUIRE LOANS MADE TO PUBLIC ENTITIES TO BE INTEREST FREE; TO REQUIRE LOANS TO BE REPAID IN TEN YEARS; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD, ACTING JOINTLY WITH THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO PROMULGATE RULES FOR PUBLIC EDUCATIONAL ENTITIES PARTICIPATING IN THE PROGRAM; TO BRING FORWARD SECTIONS 37-47-1, 37-47-3, 37-47-5, 37-47-7, 37-47-9, 37-47-11, 37-47-13, 37-47-15, 37-47-17, 37-47-19, 37-47-21, 37-47-23, 37-47-25, 37-47-29, 37-47-31, 37-47-33, 37-47-35, 37-47-37, 37-47-39, 37-47-41, 37-47-43, 37-47-45, 37-47-47, 37-47-49, 37-47-51, 37-47-53, 37-47-55, 37-47-57, 37-47-59, 37-47-61, 37-47-63, 37-47-65 AND 37-47-67, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE STATE AID FOR CONSTRUCTION OF SCHOOL FACILITIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-47-27, MISSISSIPPI CODE OF 1972, TO UPDATE OBSOLETE TERMINOLOGY TO REFLECT THE REFERENCES TO THE "STATE EDUCATIONAL FINANCE COMMISSION" AS THE "STATE BOARD OF EDUCATION"; TO BRING FORWARD SECTION 27-65-75, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF TAX REVENUES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-7-401 AND 37-7-409, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LAND ACQUISITION AND THE FUNDING OF CONSTRUCTION OF SCHOOL BUILDINGS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-27-55, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE FUND ALLOCATION FOR AGRICULTURAL HIGH SCHOOLS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-131-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ALLOTMENT OF FUNDS IN GENERAL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2887** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-41-81, Mississippi Code of 1972, is amended as follows:

37-41-81. The local school boards of this state are hereby authorized and empowered to purchase, own and operate, under such rules and regulations as may be prescribed by the State Board of Education, motor vehicles, electric vehicles and other equipment for the transportation of children to and from the public schools of the respective counties and school districts, and to provide for the servicing, repair, care and maintenance of such county or district-owned motor vehicles and to employ drivers for the operation thereof, and to establish, erect and equip school bus shops or garages, and purchase land therefor, all under such rules and regulations as may be prescribed by the State Board of Education.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-41-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL BOARDS MAY PURCHASE, OWN AND OPERATE ELECTRIC VEHICLES FOR THE TRANSPORTATION OF CHILDREN TO AND FROM PUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2424** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-9-39, Mississippi Code of 1972, is amended as follows:

37-9-39. (1) All school districts shall \*\*\* process a single monthly or a \*\*\* bimonthly payroll for \*\*\* employees, in the discretion of the local school board, consistent with the provisions of Section 37-157-103(1), except for December, when salaries or wages shall be paid by the last working day. Salaries or wages shall be paid at a minimum on a monthly basis. The standard contract for school district employees prescribed by the State Board of Education shall provide that school district employees shall earn a salary payable in equal monthly or bimonthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee. Any employee failing to complete the contractual obligation of service, and who receives payment in excess of the \*\*\* installment for the period which such employee ceases employment with the school district, shall become liable immediately to the school board of the employing district for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his or her service.

(2) Any school employee whose employment ends during a school term, regardless of the reason(s) the employment ended, shall be paid salary or wages only for that portion of the school term that employee actually worked. Nothing in this subsection (2) shall be construed to entitle any employee to payment of salary or wages when no work has been performed.

SECTION 2. Section 37-7-321, Mississippi Code of 1972, is amended as follows:

37-7-321. (1) The school board of any school district within the State of Mississippi, in its discretion, may employ one or more persons as security personnel and may designate such persons as peace officers in or on any property operated for school purposes by such board upon their taking such oath and making such bond as required of a constable of the county in which the school district is situated.

(2) Any person employed by a school board as a security guard or school resource officer or in any other position that has the powers of a peace officer must receive a minimum level of basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Officer Standards and Training and the State Board of Education, within two (2) years of the person's initial employment in such position. Upon the failure of any person employed in such position to receive the required training within the designated time, the person may not exercise the powers of a peace officer in or on the property of the school district.

(3) The school board is authorized and empowered, in its discretion, and subject to the approval of the Federal Communications Commission, to install and operate a noncommercial radio broadcasting and transmission station for educational and vocational educational purposes.

(4) If a law enforcement officer is duly appointed to be a peace officer by a school district under this section, the local school board may enter into an interlocal agreement with other law enforcement entities for the provision of equipment or traffic control duties, however, the duty to enforce traffic regulations and to enforce the laws of the state or municipality off of school property lies with the local police or sheriff's department which cannot withhold its services solely because of the lack of such an agreement.

(5) Any person employed as a security personnel or school resource officer may be designated to serve as school traffic control officer.

SECTION 3. Section 37-151-103, Mississippi Code of 1972, is amended as follows:

37-151-103. (1) Funds due each school district and charter school under the terms of this chapter from the Adequate Education Program Fund shall be paid in the following manner: Two (2) business days prior to the last working day of each month there shall be paid to each school district and charter school, by electronic funds transfer, one-twelfth (1/12) of the funds to which the district or charter school is entitled from funds appropriated for the Adequate Education Program Fund. However, in December those payments shall be made on December 15th or the next business day after that date. All school districts shall \* \* \* process a single monthly or a \* \* \* bimonthly payroll for \* \* \* employees, in the discretion of the local school board, with electronic settlement of payroll checks secured through direct deposit of net pay for all school district employees. In addition, the State Department of Education may pay school districts and charter schools from the common school fund and the Adequate Education Program Fund on a date earlier than provided for by this section if it is determined that it is in the best interest of school districts and charter schools to do so.

Provided, however, that if the cash balance in the State General Fund is not adequate on the due date to pay the amounts due to all school districts and charter

schools in the state as determined by the State Superintendent of Education, the State Fiscal Officer shall not transfer said funds payable to any school district or districts or charter schools until money is available to pay the amount due to all districts and charter schools.

(2) Notwithstanding any provision of this chapter or any other law requiring the number of children in average daily attendance or the average daily attendance of transported children to be determined on the basis of the preceding year, the State Board of Education is hereby authorized and empowered to make proper adjustments in allotments in cases where major changes in the number of children in average daily attendance or the average daily attendance of transported children occurs from one year to another as a result of changes or alterations in the boundaries of school districts, the sending of children from one county or district to another upon a contract basis, the termination or discontinuance of a contract for the sending of children from one county or district to another, a change in or relocation of attendance centers, or for any other reason which would result in a major decrease or increase in the number of children in average daily attendance or the average daily attendance of transported children during the current school year as compared with the preceding year.

(3) In the event of an inordinately large number of absentees in any school district or charter school as a result of epidemic, natural disaster, or any concerted activity discouraging school attendance, then in such event school attendance for the purposes of determining average daily attendance under the adequate education program shall be based upon the average daily attendance for the preceding school year for such school district or charter school.

(4) The State Department of Education shall hold school districts harmless for each school district's average daily attendance calculation for the 2020-2021 scholastic year. For purposes of determining average daily attendance for the 2020-2021 scholastic year, the State Department of Education shall use each school district's average daily attendance for the 2019-2020 scholastic year if it is greater than the school's average daily attendance for the 2020-2021 scholastic year.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL DISTRICTS SHALL PROCESS A SINGLE MONTHLY OR BIMONTHLY PAYROLL FOR EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; TO AMEND SECTION 37-151-103, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL SCHOOL DISTRICTS TO PROCESS A SINGLE MONTHLY OR BIMONTHLY PAYROLL FOR ALL EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; AND FOR RELATED PURPOSES.

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Senator Whaley called up the following House Amendment to **S. B. No. 2503** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on lines 19 and 20 by deleting the words "with the advice and consent of" and inserting the words ",subject to confirmation by" in lieu thereof.

AMEND FURTHER on line 24 by deleting the word "may" and inserting the word "shall" in lieu thereof.

AMEND FURTHER on line 24 by deleting the words "of four (4) years" and inserting the words "concurrent with the Governor who appointed him or her" in lieu thereof.

AMEND FURTHER on line 25 by deleting the word "each" and inserting the word "such" in lieu thereof.

AMEND FURTHER on line 26 by inserting the word "not" after the word "shall".

AMEND FURTHER on lines 26 and 27 by deleting the words "the advice and consent of" and inserting the words "confirmation by" in lieu thereof.

AMEND FURTHER on lines 29 and 30 by deleting the words "its advice and consent" and inserting the word "confirmation" in lieu thereof.

AMEND FURTHER on line 34 by deleting the words "given the advice and consent of" and inserting the words "confirmed by" in lieu thereof.

AMEND FURTHER on line 36 by deleting the words "advice and consent" and inserting the word "confirmation" in lieu thereof.

AMEND FURTHER on line 41 by deleting the words "with the advice and consent of" and inserting the words "subject to confirmation by" in lieu thereof.

AMEND FURTHER on lines 46 and 47 by deleting the words "with the advice and consent of" and inserting the words "subject to confirmation by" in lieu thereof.

Amend Further on line 47 by deleting the words "four-year".

Amend Further on line 77 by inserting the words ", and shall stand repealed on June 30, 2022" after "2022".

AMEND FURTHER the title to conform.

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Senator Blackwell called up the following House Amendment to **S. B. No. 2739** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Department" means the State Department of Health.

(b) "Nonemergency medical transportation provider" or "NEMT provider" means any company in the business of providing NEMT transportation services for compensation and any person, group of persons or entity that provides NEMT transportation services for compensation. Any company with a current accreditation from the Nonemergency Medical Transportation Accreditation Commission (NEMTAC) is deemed to be a NEMT provider.

(c) "NEMT transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service. This term also means those nonemergency medical transportation services that are provided under the Medicaid nonemergency medical transportation program or by managed care providers that have contracted with the Division of Medicaid.

(2) Each nonemergency medical transportation provider must have an NEMT permit from the department before it may provide NEMT transportation service in Mississippi. The department shall adopt rules providing for applications for permits, issuance of permits, renewal of permits and revocation of permits, and the department may provide for the payment of fees for the issuance and renewal of permits.

(3) The department shall adopt by rule standards for the operation of vehicles used to provide NEMT transportation service that are reasonably necessary to protect the health and safety of individuals using that service.

(4) Standards adopted under this section must include, but are not limited to:

(a) Qualifications of drivers and attendants, including driver training requirements that must be met before a driver provides special transportation, including, but not limited to:

(i) Fingerprint background check;

(ii) Annual criminal background checks, including sex offender registry;

(iii) Annual motor vehicle records (MVR) checks from the Department of Public Safety;

(iv) Drug screens;

(v) Regular confirmation that the driver does not appear on the Office of Inspector General (OIG) exclusion lists;

(vi) For drivers, appropriate training for the mode of transportation being provided;

(b) Safety of vehicles and necessary safety equipment;

(c) General requirements concerning inspection and maintenance of vehicles, replacement vehicles, standard vehicle equipment, and specialized equipment necessary to ensure vehicle usability and safety for disabled persons; and

(d) Minimum insurance requirements.

(5) A NEMT provider must meet all the requirements and standards set by the department for providing NEMT transportation services. NEMT providers are required to have on hand at a location in the state and be able to produce upon request the necessary

documentation to prove compliance with the requirements and standards set by the department as provided in this section.

(6) The department is authorized to revoke the permit of or impose fines on any NEMT provider that is found to be not in compliance with the requirements and standards set by the department for providing NEMT transportation services.

(7) The department is authorized to bring actions for injunctions in the name of the department to enjoin and prohibit any person or entity from providing NEMT transportation service in the state without having a current, valid permit from the department.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE NONEMERGENCY MEDICAL TRANSPORTATION (NEMT) PROVIDERS TO HAVE A PERMIT FROM THE STATE DEPARTMENT OF HEALTH BEFORE THEY MAY PROVIDE NEMT TRANSPORTATION SERVICE IN MISSISSIPPI; TO REQUIRE THE DEPARTMENT TO ADOPT RULES PROVIDING FOR APPLICATIONS FOR PERMITS, ISSUANCE OF PERMITS, RENEWAL OF PERMITS AND REVOCATION OF PERMITS, AND AUTHORIZE THE DEPARTMENT TO PROVIDE FOR THE PAYMENT OF FEES FOR THE ISSUANCE AND RENEWAL OF PERMITS; TO REQUIRE THE DEPARTMENT TO ADOPT STANDARDS FOR THE OPERATION OF VEHICLES USED TO PROVIDE NEMT TRANSPORTATION SERVICE, AND SPECIFY THE MINIMUM STANDARDS THAT MUST BE ADOPTED; TO PROVIDE THAT NEMT PROVIDERS MUST MEET ALL THE REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT FOR PROVIDING NEMT TRANSPORTATION SERVICES; TO AUTHORIZE THE DEPARTMENT TO REVOKE THE PERMIT OF OR IMPOSE FINES ON ANY NEMT PROVIDER THAT IS FOUND TO BE NOT IN COMPLIANCE WITH THE REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT; TO AUTHORIZE THE DEPARTMENT TO BRING ACTIONS FOR INJUNCTIONS TO ENJOIN AND PROHIBIT ANY PERSON OR ENTITY FROM PROVIDING NEMT TRANSPORTATION SERVICE IN THE STATE WITHOUT HAVING A PERMIT FROM THE DEPARTMENT; AND FOR RELATED PURPOSES.

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Senator Younger called up the following House Amendment to **S. B. No. 2007** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-29-601, Mississippi Code of 1972, is amended as follows:

75-29-601. (1) As used in this article, the following terms shall have the meanings ascribed in the subsections:

(a) "Pure Honey" means natural honey made by bees from the nectar of flowers. Pure honey may contain spices and/or flavoring that do not dilute it from its natural state so long as the spices and/or flavorings are clearly labeled.

(b) "Artificial honey" means a honey product that contains any coloring, any substitute or added sugar, corn syrup or other sweeteners, including molasses or sugar water. Artificial honey products shall be labeled in the English language as "artificial honey" or "imitation honey," and the words "artificial" or "imitation" shall be as prominently shown as the word "honey," and a list of the ingredients in the products and a percent by weight of each ingredient shall be shown on the label.

(2) Every container of honey or honey products sold, offered or exposed for sale, by an individual, firm, organization or corporation in the State of Mississippi shall have on the outside of each container a paper label, permanent type stamped imprint or embossed material on the container itself, plainly printed in the English language truly certifying the net contents of the container, the name, brand, name and address of the person or processor offering such honey or honey products for sale, and a true statement of the contents contained therein.

(\* \* \*3) It shall be unlawful for any individual, firm, organization or corporation to label and/or sell, offer for sale or expose for sale at the retail level of trade any product as " \* \* \* honey" that does not meet the minimum requirements established by this section and by the Mississippi Department of Agriculture and Commerce. \* \* \*

(\* \* \*4) It shall be unlawful for any manufacturer or distributor of honey or honey products to use a fictitious name or address on the container label required herein.

SECTION 2. Section 75-29-603, Mississippi Code of 1972, is amended as follows:

75-29-603. (1) The Mississippi Department of Agriculture and Commerce is hereby charged with the responsibility of enforcing this article, including the provisions of Section 75-29-601, and the Commissioner of Agriculture and Commerce or his representative shall be furnished samples of honey or honey products from the individual, firm, organization or corporation, upon request, and shall have such products analyzed by the State Chemist.

(2) The Commissioner of Agriculture and Commerce is authorized, in his discretion, to issue an order to stop the sale or distribution of any honey or honey products found to be in violation of this article, including the provisions of Section 75-29-601. Upon written notice by the commissioner to the manufacturer or distributor of the honey or honey products sold in violation of this article, including the provisions of Section 75-29-601, such honey or honey products shall be picked up by the manufacturer or distributor of such products and the buyer of the honey or honey products sold in violation of this article, including the provisions of Section 75-29-601, shall be refunded the purchase price by the manufacturer or distributor.

(3) The Commissioner of Agriculture and Commerce of the State of Mississippi is hereby authorized and empowered, in his discretion, to make and promulgate rules and regulations as may be necessary to carry out the provisions of this article, including the provisions of Section 75-29-601.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 75-29-601 AND 75-29-603, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF COMMERCIAL HONEY FOR PURPOSES OF LABELING REQUIREMENTS ENFORCED BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE LABEL OF ANY PRODUCT CONSISTING OF HONEY AND SWEETENER SHALL INCLUDE ALL INGREDIENTS BY WEIGHT, TO PROVIDE THAT ALL SUBSTANCES ADDED TO HONEY TO ALTER THE FLAVOR SHALL BE INCLUDED ON THE LABEL AND TO PROVIDE THAT ANY LAB-GROWN HONEY SHALL NOT BE LABELED AS HONEY; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2063** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

- (i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;
- (ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;
- (iii) Maintained by its members through the payment of annual dues;
- (iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;
- (v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and
- (vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; however, the governing authorities of the municipality in which such area is located may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; \* \* \*

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located; and

35. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

SECTION 2. Section 67-1-16, Mississippi Code of 1972, is amended as follows:

67-1-16. (1) (a) Before an area may be designated by the governing authorities of a municipality as an area in which facilities which are defined as qualified resort areas in Section 67-1-5(o)(iii)5 may be located, an election shall be held, under the election laws applicable to the municipality, on the question of whether qualified resort areas shall be allowed in the municipality. An election to determine whether qualified resort areas shall be allowed in the municipality shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) Qualified resort areas may be established if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(2) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)6, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(3) (a) Before an area may be designated a qualified resort area as defined in Section 67-1-5(o)(iii)7, an election shall be held in the municipality in which the area is located under the election laws applicable to the municipality, on the question of whether the area shall be a qualified resort area. An election to determine whether the area shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The area may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(4) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)21, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort

areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(4) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)35, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

SECTION 3. Section 67-3-9, Mississippi Code of 1972, is amended as follows:

67-3-9. Any \* \* \* municipality in this state, \* \* \* at an election held for the purpose, under the election laws applicable to such \* \* \* municipality, may either prohibit or permit, except as otherwise provided under Section 67-9-1, the sale and the receipt, storage and transportation for the purpose of sale of beer, light spirit product and light wine. An election to determine whether such sale shall be permitted in \* \* \* municipalities wherein its sale is prohibited by law shall be ordered by the \* \* \* municipal council or mayor and board of aldermen or other governing body of such \* \* \* municipality for such \* \* \* municipality only, upon the presentation of a petition for such \* \* \* municipality to such governing board containing the names of twenty percent (20%) or fifteen hundred (1,500), whichever number is the lesser, of the duly qualified voters of such \* \* \* municipality asking for such election. In like manner, an election to determine whether such sale shall be prohibited in \* \* \* municipalities wherein its sale is permitted by law shall be ordered by the \* \* \* municipal council or mayor and board of aldermen or other governing board of such \* \* \* municipality for such \* \* \* municipality only, upon the presentation of a petition to such governing board containing the names of twenty percent (20%) of the duly qualified voters of such \* \* \* municipality asking for such election. No election on either question shall be held by any one (1) city more often than once in five (5) years.

Thirty (30) days' notice shall be given to the qualified electors of such \* \* \* municipality in the manner prescribed by law upon the question of either permitting or prohibiting such sale, and the notice shall contain a statement of the question to be voted on at the election. The tickets to be used in the election shall have the following words printed thereon: "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight"; and the words "Against the legal sale of light wine of an alcoholic content

of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," next below. In making up his or her ticket the voter shall make a cross (X) opposite the words of his choice.

If in the election a majority of the qualified electors voting in the election shall vote "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the \* \* \* municipal council or mayor and board of aldermen or other governing body shall pass the necessary order permitting the legal sale of such light wine, light spirit product and beer in such \* \* \* municipality. If in the election a majority of the qualified electors voting in the election shall vote "Against the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the \* \* \* municipal council or mayor and board of aldermen or other governing body shall pass the necessary order prohibiting the sale of such light wine, light spirit product and beer in such \* \* \* municipality.

All laws or parts of laws in conflict with this section are hereby repealed to the extent of such conflict only, this section being cumulative and supplementary.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY MUNICIPALITY MAY, AT AN ELECTION HELD FOR THAT PURPOSE, EITHER PROHIBIT OR PERMIT THE SALE AND THE RECEIPT, STORAGE AND TRANSPORTATION FOR THE PURPOSE OF SALE, OF BEER AND LIGHT WINE; AND FOR RELATED PURPOSES.

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Senator Turner-Ford called up the following House Amendment to **S. B. No. 2525** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 393, Laws of 2014, is amended as follows:

Section 1. (1) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to donate to the U.S.

Department of the Interior, National Park Service, Vicksburg National Military Park all the rights, title and interest in certain real property under the possession and control of the Department of Archives and History, located in the Second Judicial District of Hinds County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. Upon completing a field survey, the Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to develop a legal description and file necessary deeds to exclude a two-hundred-foot buffer to extend southerly from the existing south right-of-way line of the railroad property, thereby forming the north line of the National Park Service property at the Champion Hill Battlefield property described below, and to describe an access corridor to be retained by the Mississippi Department of Archives and History. The purpose of this boundary line is to identify ownership and to assist in carrying out future park operations and maintenance. The property is more particularly described as follows:

Tract 1 - Coker House - Recorded in Hinds County Deed Book 472, Page 36.

A certain tract of land situated in the Northwest Quarter of the Southeast Quarter of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi, containing 5.00 acres and being more particularly described as follows: Commencing at a 3/4" galvanized pipe, marking the Southeast corner of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi; run thence North 53° 15' West for 2717.47 feet to a point in a fence, said point hereinafter referred to as the point of beginning; Thence North 79° 31' West along said fence for 67.16 feet; Thence North 71° 13' West along said fence for 259.57 feet; Thence North 78° 39' West along said fence for 30.04 feet; Thence 47° 52' West for 27.94 feet to the East line of a paved road; Thence North 42° 08' East along the East line of said road for 618.46 feet to the South line of Mississippi State Highway 467; Thence South 70° 44' East along the South line of said highway for 379.06 feet; Thence South 42° 09' West for 612.27 feet to the point of beginning; together with historic dwelling situated thereon, known as "The Coker House."

Tract 2 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

242.6 acres situated in the W1/2 and in the NW1/4 SE1/44 of Section 30, Township 6 North, Range 3 west, in the E1/2 of Section 25, Township 6 North, Range 4 West, all in the Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, said Iron pin also marking the POINT Of BEGINNING, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin; run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin; run thence South 89 degrees 30 minutes East for 660.00 feet to an iron pin; run thence North 01 degrees 15 minutes East for 239.76 feet to an iron pin on the South line of Billy Fields Road; run thence, along said South line of road, North 71 degrees 15 minutes West for 208.23 feet; run thence, North 73 degrees 55 minutes West for 297.42 feet; run thence, North 66 degrees 35 minutes West for 136.55 feet; run thence, North 63 degrees 10 minutes West for 138.69 feet; run thence, North 69 degrees 04 minutes West for 95.10 feet; run thence, North 72 degrees 35 minutes West for 481.03 feet; run thence, North 68 degrees 45 minutes West for 98.43 feet; run thence, North 60 degrees 47 minutes West for 100.12 feet; run thence, North 52 degrees 15 minutes West for 100.59 feet; run thence, North 44 degrees 21 minutes West for 201.58 feet; run thence, North 39 degrees 17 minutes West for 102.45 feet; run thence, North 27 degrees 24 minutes West for 108.12 feet; run thence, North 15 degrees 45 minutes West for 299.28 feet; run thence, North 21 degrees 02 minutes West for 188.20 feet to an iron pin on the South line of Champion Hill Road: run thence, along said South line, South 73 degrees 34 minutes West for 181.73 feet; run thence, South 74 degrees 12

minutes West for 168.85 feet; run thence, North 74 degrees 53 minutes West for 669.90 feet; run thence, South 74 degrees 00 minutes West for 162.04 feet; run thence, South 71 degrees 24 minutes West for 119.56 feet; run thence, South 65 degrees 21 minutes West for 119.02 feet; run thence, South 60 degrees 40 minutes West for 601.01 feet; run thence, South 64 degrees 32 minutes West for 110.96 feet; run thence, South 74 degrees 41 minutes West for 115.26 feet; run thence, South 85 degrees 07 minutes West for 292.00 feet to the centerline of Bakers Creek; run thence, Southerly along said centerline of creek to the intersection of the centerline of Bakers Creek with the South line of Section 25, Township 6 North, Range 4 West; run thence, leaving said centerline of creek and running along the South line of said Section line, North 89 degrees 52 minutes East for 60.00 feet to an iron pin on the top bank of creek: run thence, North 89 degrees 52 minutes East for 1,729.58 feet back to the iron pin marking the POINT OF BEGINNING.

Tract 3 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

77.1 acres situated in the W1/2 and in the NE1/4 and in the NW1/4 SE1/4, all in Section 30, Township 6 North, Range 3 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for 302.67 feet to an iron pin on the North line of Billy Fields Road, said pin marking the POINT OF BEGINNING, run thence, along North line of said road, North 71 degrees 15 minutes West for 190.71 feet; run thence, North 73 degrees 55 minutes West for 294.97 feet; run thence, North 66 degrees 35 minutes West for 130.92 feet; run thence, North 63 degrees 10 minutes West for 139.99 feet; run thence, North 69 degrees 04 minutes West for 100.03 feet; run thence, North 72 degrees 35 minutes West for 480.87 feet; run thence, North 68 degrees 45 minutes West for 92.24 feet; run thence, North 60 degrees 47 minutes West for 91.47 feet; run thence, North 52 degrees 15 minutes West for 91.53 feet; run thence, North 44 degrees 23 minutes West for 195.22 feet; run thence, North 39 degrees 17 minutes West for 93.55 feet; run thence, North 27 degrees 24 minutes West for 95.76 feet; run thence, North 15 degrees 45 minutes West for 295.92 feet; run thence, North 21 degrees 02 minutes West for 187.02 feet to an iron pin on the South line of Champion Hill Road; run thence, along South line of said road, North 72 degrees 02 minutes East for 2,742.66 feet to an iron pin; run thence, leaving said road, South for 1,500.29 feet; run thence, North 89 degrees 47 minutes West for 707.16 feet; run thence, South 01 degrees 15 minutes West for 677.19 feet back to the iron pin marking the point of beginning.

Tract 4 - Cosner - Recorded in Hinds County Deed Book 408, Page 377.

The N/2 of the NE/4 Section 29; all that part of the S/2 of the SE/4 of Section 20 that lies South of the Edwards-Bolton public road, all being in Township 6 North, Range 4 West, Hinds County, Mississippi, LESS AND EXCEPTING also an undivided one-half interest in and to all minerals heretofore reserved by the Federal Land Bank of New Orleans by deed dated 10 December, 1937, of record in Deed Book 98, Page 304, and LESS AND EXCEPTING also an undivided three-eighths interest in and to all of the oil, gas and minerals in, on and under the above described lands heretofore conveyed to C.R. Ridgway, Jr., by mineral conveyance dated 3 April, 1943, of record in Deed Book 110, Page 224, SUBJECT to right-of-way for an electric circuit over and across the NE/4 of NE/4 of Section 29, Township 6 North, Range 3 West, heretofore conveyed to Mississippi Power & Light Company by indenture dated 26 December, 1945, of record in Deed Book 124, Page 304, and SUBJECT, also,

to a similar easement conveyed to Grantee over and across one acre, more or less, in the N/2 of NE/4 of said Section 29, by indenture date 21 December, 1945, of record in Deed Book 124, Page 28, the same having been conveyed unto said Grantee by the Champion Hill Baptist Church, LESS AND EXCEPTING the two acres, more or less, conveyed to Champion Hill M.B. Church by Quitclaim Deed dated July 20, 1989. This deed shall reflect the reservation of a fifteen foot nonexclusive right-of-way over the existing parcel previously granted unto the Champion Hill M.B. Church for purpose of ingress and egress only.

Tract 5 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

137.4 acres situated in the W1/2 and in the W1/2 NE1/4 of Section 30, Township 6 North, Range 3 West, in the SW1/4 SW1/4 of Section 19, Township 6 North, Range 3 West, and in the E1/2 of Section 25 Township 6 North, Range 4 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for to an iron pin, run thence, South 89 degrees 47 minutes East for 707.16 feet to an iron pin, run thence, North for 2,638.06 feet to an iron pin marking the POINT OF BEGINNING, run thence, North 89 degrees 45 minutes West for 2,748.17 feet to an iron pin; running thence, North 00 degrees 00 minutes East for 881.98 feet to an iron pin on the South line of a Railroad; run thence, along said South line of railroad, South 65 degrees 23 minutes West for 1,250.63 feet to the center line of Bakers Creek; run thence, Southerly along said centerline of Bakers Creek to the intersection of Bakers Creek with the North line of Champion Hill Road, run thence, along said North line of road, North 85 degrees 07 minutes East for 272.03 feet; run thence, North 74 degrees 41 minutes East for 100.85 feet; run thence, North 64 degrees 32 minutes East for 101.16 feet; run thence, North 60 degrees 40 minutes East for 601.58 feet; run thence, North 65 degrees 21 minutes East for 126.51 feet; run thence, North 71 degrees 24 minutes East for 125.60 feet; run thence, North 74 degrees 00 minutes East for 164.48 feet; run thence, North 74 degrees 53 minutes East for 670.32 feet; run thence, North 74 degrees 12 minutes East for 167.65 feet; run thence, North 73 degrees 34 minutes East for 207.63 feet; run thence, North 72 degrees 02 minutes East for 475.65 feet to a point that is 16.88 feet North and 1.30 feet West of an iron pin; run thence, leaving said road, North 04 degrees 27 minutes West for 1,748.36 feet to a 2" pipe; run thence, North 89 degrees 34 minutes East for 677.00 feet to an iron pin in the center line of a gravel drive; run thence, along said centerline of gravel drive, South 11 degrees 29 minutes East for 71.56 feet; run thence, South 17 degrees 52 minutes East for 98.20 feet; run thence, South 20 degrees 24 minutes East for 96.89 feet; run thence, South 29 degrees 40 minutes East for 108.82 feet; run thence, South 46 degrees 28 minutes East for 109.61 feet; run thence, South 51 degrees 44 minutes East for 99.16 feet; run thence, South 51 degrees 27 minutes East for 101.80 feet; run thence, South 42 degrees 22 minutes East for 100.38 feet; run thence, South 27 degrees 25 minutes East for 98.45 feet; run thence, South 23 degrees 55 minutes East for 100.54 feet; run thence, South 27 degrees 21 minutes East for 95.85 feet; run thence, South 33 degrees 44 minutes East for 101.67 feet; run thence, South 32 degrees 33 minutes East for 102.76 feet; run thence, South 26 degrees 27 minutes East for 99.89 feet; run thence, South 19 degrees 03 minutes East for 101.52 feet; run thence, South 22 degrees 04 minutes East for 78.97 feet to an iron pin on the North line of Champion Hill Road, run thence, along said North line of road, North 72 degrees 02 minutes East for 929.65 feet to an iron pin, run thence, leaving said road,

North 00 degrees 00 minutes East for 1,053.67 feet back to an iron pin marking the POINT OF BEGINNING.

Tract 6 - Gaddis tract - Recorded in Hinds County Deed Book 406, Page 612.

South one-half (S1/2) of Northeast one-fourth (NE1/4) of Section 29, Township 6 North, Range 3 West.

Tract 7 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The Southeast Quarter (SE1/4) of Section 29, Township 6, Range 3 West, Hinds County, Mississippi.

Tract 8 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The South 15 acres of the 17-3/10 acres lying East of the Edwards and Bolton public road and North of the Raymond and Edwards public road in the E/2 of the SW/4 of Section 29, Township 6 North, Range 3 West, Hinds County, Mississippi.

(2) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is further authorized to donate to the U.S. Department of the Interior, National Park Service, Vicksburg National Military, all of the rights, title and interest in certain real property under the possession and control of the Department of Archives and History, located in Claiborne County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. The property is more particularly described as follows:

Tract No. 1 - Shaifer House - Recorded in Claiborne County Deed Book 10-F, Pages 425-430.

That certain tract of land known as the Old Shaifer House tract; for survey, begin at point on the southerly side of the public road, where it is intersected by the line between Parcels 1 and 2 of the partition of the Shaifer Estate property as described in partition deed executed by us and now recorded Book 10-B, Page 177 of the land records of said county, and which partition deed together with the plat recorded therewith is here referred to for full description of the location of said starting point, and run thence in a northeasterly direction along said old Port Gibson and Rodney public road, 1,307 feet to point where said road is intersected on its North side by a fence, and which point is point of beginning for survey of this tract (and which point is further located as being North 33° 45' East 1,434.67 feet from the most eastern corner of Section 16, Township 11 North, Range 2 East). From said point of beginning run thence along fence, North 35° West 134 feet; thence continue along fence; South 35° West 15 feet, South 86° West 16 feet to fence corner; thence along another fence, North 40° West 191 feet to fence corner; thence along another fence, North 40° East 160 feet; thence continue along fence, North 64° East 217 feet to point on private farm road; thence along said road, South 31° 45' East 372 feet to point where the same forks; thence along the fork going southwesterly 100 feet to old Port Gibson and Rodney public road; thence along said old Port Gibson and Rodney public road, in a southwesterly direction, 225 feet to point of beginning. Said tract contains 3.0 acres, more or less, and lies in Section Twelve (12), Township Eleven (11) North, Range Two (2) East. Said land is the same as is fully described in Section V of said above-mentioned partition deed executed by the grantors, now recorded Book 10-B, Page 177 of the deed records of said Claiborne County, which is here referred to in aid of description and for all purposes. All of the above is in accordance with survey made by R.D. Wade, Jr., and a copy of plat of his survey is attached hereto and made a part hereof by reference.

Tract No. 2 - Shaifer House - Recorded in Claiborne County Deed Book 10-H, Page 9.

A tract of land which adjoins the tract sometimes known as the Old Shaifer House tract and which Old Shaifer House tract is Tract No. 1 in the deed from me and others to the Grantee herein which is recorded in Book 10-F, Page 425 of the deed records of said Claiborne County. For survey of this tract, begin at the most Southerly or Southwesterly corner of said Old Shaifer House tract as described in said above mentioned deed and which is on the Northerly side of the public road running through said old Shaifer property and which deed is here referred to for description of location of the starting point hereof; from said point of beginning, run thence along the Northerly wayline of said public road South 67° 45' West 70 feet to stake; thence leave road and run thence North 52° 30' West 843.05 feet to stake; thence run North 43° 31' East 631.74 feet to stake on Easterly side of private ridge road; thence along the Easterly side of said ridge road South 44° 30' East 195 feet, South 39° 28' East 290 feet, South 37° 45' East 111 feet to stake on Northerly or Northeasterly corner of said Old Shaifer House tract; thence around said Old Shaifer House tract site South 64° West 217 feet; thence South 40° West 191 feet; thence South 40° East 190 feet; thence South 86° East 16 feet; thence North 35° East 15 feet; thence South 35° East 134 feet to point of beginning. Said tract contains 8.32 acres, more or less and lies in Section 12, Township 11 North, Range 2 East, all in accordance with survey made by R.D. Wade, Jr. dated September, 1979 which is attached hereto and made a part hereof for all purposes.

Tract 3 - Shaifer House parking lot - Recorded in Claiborne County Deed Book 19K, Page 243.

Description of a 0.52 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, being a portion of the Hollingsworth property.

Commencing at a 1" pipe on the northerly side of Shaifer Road, which pipe marks the southwesterly corner of a 8.32 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, as shown by plat of survey by R.D. Wade, Claiborne County Surveyor, dated September 4, 1979, run thence N 82° 56' 57" E for 96.80 feet to a 5/8" iron rod set on the southerly side of Shaifer Road for the point of beginning, being the northeasterly corner of within described tract. Thence from the said point of beginning run S 24° 58' 45" E for 154.06 feet to a 5/8" iron rod set; thence run N 76° 27' 05" W for 151.59 feet to a 5/8" iron rod set; thence run S 54° 55' 29" W for 119.00 feet to a 5/8" iron rod set; thence run N 40° 02' 07" W for 90.73 feet to a 5/8" iron rod set on the southerly side of Shaifer Road; thence run N 66° 35' 38" E along said southerly side of Shaifer Road for 259.42 feet to the point of beginning. Recorded in Deed Book 19K at Pages 243-247, reference to which is hereby made in aid of and as a part of this description;

Tract 4 - Old Magnolia Church lot - Recorded in Claiborne County Deed Book 10-H, Page 9.

For survey of the tract hereby conveyed, begin at the Northwest corner of the said old Magnolia Church site as described in said deed above referred to and which deed is here referred to for description of location of said starting point; from said starting point, run thence South 16° East 78 feet; thence run South 2° East 52 feet; thence run South 16° West 69 feet; thence run South 17° West 109 feet to stake at southerly corner of said old Magnolia Church site; run thence North 79° 34' West 364.04 feet to stake; thence North 53° 45' East 396 feet to stake; thence South 84° 45' East 49 feet to point of beginning. Said tract contains 1.87 acres, more or less, and lies in Section 12, Township 11 North, Range 2 East; all of the above in accordance with survey made by R.D. Wade, Jr., dated September 1979, and plat of survey showing this tract and the old

Magnolia Church site referred to above is attached hereto as Exhibit "B" hereto and made a part hereof for all purposes.

(3) The State of Mississippi shall retain all mineral rights in the property donated under the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO RETAIN A 200-FOOT BUFFER ON THE NORTH SIDE OF THE CHAMPION HILL HISTORICAL PROPERTY BETWEEN THE RAILROAD RIGHT-OF-WAY AND THE NATIONAL PARK SERVICE PROPERTY AND AN ACCESS CORRIDOR AND TO FILE NECESSARY DEEDS THEREFOR; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2885** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-69-1, Mississippi Code of 1972, is reenacted as follows:

37-69-1. This chapter shall be known as "The Energy Academy Act."

SECTION 2. Section 37-69-3, Mississippi Code of 1972, is reenacted as follows:

37-69-3. Intent. The intent of the Legislature is to provide an opportunity for motivated students to participate in a curriculum that will prepare them for a career of employment in the energy industry in their home state.

SECTION 3. Section 37-69-5, Mississippi Code of 1972, is reenacted as follows:

37-69-5. Definitions. For purposes of this chapter:

(a) "The Board of Trustees" means the Board of Trustees of the Vicksburg-Warren School District.

(b) "The Board of Education" means the Claiborne County Board of Education.

(c) "Nuclear Facility" means any nuclear generating plant in the State of Mississippi.

(d) "Energy Academy" means an energy high school created under this chapter.

(e) "Partnership Council" means the Energy High School Academy Partnership Council.

(f) "MDA" means the Mississippi Development Authority.

SECTION 4. Section 37-69-7, Mississippi Code of 1972, is reenacted as follows:

37-69-7. (1) The Board of Trustees of the Vicksburg-Warren School District and the Claiborne County Board of Education are authorized to make application to the Mississippi Development Authority for the approval of entering into a Memorandum of Understanding with a nuclear facility and Warren County and the State of Mississippi for the establishment of a partnership for the operation of an Energy High School Academy. The purpose of the Energy High School Academy shall be to provide qualified students attending school in Warren and/or Claiborne County in the eighth through twelfth grade with career education, potential student internships and continuing education for careers in the energy industry.

(2) (a) The Energy High School Academy shall be under the administrative direction of the Energy High School Academy Partnership Council (Partnership Council) consisting of one (1) member from each of the following entities:

(i) The Chief Executive Officer of an enterprise engaged in the generation of nuclear energy located in Claiborne County, or his designee, who shall serve for four (4) years;

(ii) The superintendent of the Vicksburg-Warren School District, who shall serve for four (4) years;

(iii) The superintendent of the Claiborne County School District, who shall serve for four (4) years;

(iv) A designee of the Mississippi Development Authority, appointed by the executive director of MDA, and \* \* \* who may be the executive director, who shall serve three (3) years;

(v) A member of the Board of Trustees of the Vicksburg-Warren School District, appointed by the Vicksburg Mayor and Board of Alderman, who shall serve two (2) years;

(vi) A member of the Claiborne County Board of Education, appointed by the Claiborne County Board of Supervisors, who shall serve two (2) years;

(vii) A member of the Claiborne County Chamber of Commerce, appointed by the chairman of the board of directors, who may appoint himself or herself, and who shall serve one (1) year; and

(viii) A member of the Vicksburg Chamber of Commerce, appointed by the chairman of the board of directors, who may appoint himself or herself, and who shall serve one (1) year.

(b) Members of the Partnership Council shall serve staggered terms, as prescribed in paragraph (a) of this subsection, commencing with the initial appointments made in 2019, and shall thereafter, upon the expiration of the initial term, the succeeding appointees shall serve a term of four (4) years. Members of the council may be reappointed to the council by the original appointing authority without limitation on the number of terms served. In the event of a vacancy on the council, the original appointing

authority shall appoint a replacement to complete the unexpired term of the member creating the vacancy.

(c) The Partnership Council shall meet on or before August 1, 2019, and organize for business, elect officers and adopt necessary regulations for the operation of the Energy High School Academy. Meetings shall be held upon the call of the chairman.

(3) The Energy High School Academy Partnership Council shall promulgate administrative rules and regulations to prescribe the criteria to be used in the establishment of the Energy High School Academy, which shall include student qualifications, application requirements and curriculum components.

(4) (a) There is established in the State Treasury a fund to be known as the "Energy High School Academy Fund." The purpose of the fund is to provide necessary financial support to Vicksburg-Warren/Claiborne County School Districts and the Mississippi Development Authority for start-up costs and costs associated with implementing and operating the Energy Academy established under this section. The fund may consist of monies obtained from grants from any public or private source. The Mississippi Development Authority shall administer the fund pursuant to appropriation by the Legislature, and may apply for any grants from the federal government or private sources.

(b) The Mississippi Development Authority shall prepare a three-year budget proposal for the operation of the Energy Academy which shall include staff and liaison salary estimates, equipment and facility costs and job demand estimates. This budget shall be submitted to the Governor, the Legislative Budget Office and the Partnership Council and updated annually.

SECTION 5. Section 5, Chapter 482, Laws of 2019, is amended as follows:

Section 5. This act shall take effect and be in force from and after July 1, 2019, and shall stand repealed from and after July 1, \* \* \* 2025.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 37-69-1, 37-69-3, 37-69-5, 37-69-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PROVISIONS THAT AUTHORIZE THE BOARD OF TRUSTEES OF THE VICKSBURG-WARREN SCHOOL DISTRICT AND THE CLAIBORNE COUNTY BOARD OF EDUCATION TO ESTABLISH WITH THE ENERGY INDUSTRY LOCATED WITHIN THE STATE OF MISSISSIPPI, WARREN COUNTY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR AN ENERGY HIGH SCHOOL ACADEMY AND THAT PRESCRIBE THE MEMBERSHIP OF THE ENERGY HIGH SCHOOL ACADEMY PARTNERSHIP COUNCIL TO ADMINISTER THE ACADEMY; TO AMEND SECTION 5, CHAPTER 482, LAWS OF 2019 TO EXTEND THE DATE OF REPEAL ON SECTIONS 37-69-1, 37-69-3, 37-69-5 AND 37-69-7, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 3164** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Tax Freedom Act of 2022."

(2) The Legislature finds that:

(a) For fiscal year 2021, actual General Fund revenue collections of Six Billion Seven Hundred Forty-one Million Three Hundred Eighty-four Thousand Nine Hundred Seventy-five Dollars (\$6,741,384,975.00) exceeded the General Fund revenue collections estimate of Five Billion Six Hundred Ninety Million Seven Hundred Thousand Dollars (\$5,690,700,000.00) established by the Joint Legislative Budget Committee;

(b) The General Fund revenue collections estimate for fiscal year 2022 is Five Billion Nine Hundred Twenty-seven Million Dollars (\$5,927,000,000.00), with an estimate for the first half of fiscal year 2022 of Two Billion Eight Hundred Twenty-four Million Three Hundred Twenty-six Thousand One Hundred Dollars (\$2,824,326,100.00), and actual General Fund revenue collections through the first half of fiscal year 2022 are Three Billion Three Hundred Sixty-nine Million Five Hundred Eighty-three Thousand Seven Hundred Forty-eight Dollars (\$3,369,583,748.00), which significantly exceed estimated General Fund revenue collections for such period;

(c) As a result of such excess revenue collections during those fiscal years, there is more than a sufficient amount of General Fund revenue available to offset any loss of General Fund revenue during fiscal year 2023 due to changes to the state income tax law made by this act; and

(d) For Fiscal Year 2024, The Legislative Budget Report for Fiscal Year 2023 has provided an out year projection for Fiscal Year 2024 of Six Billion Seven Hundred Ninety-seven Million One Hundred Thirty-three Thousand Two Hundred Three Dollars (\$6,797,133,203.00) and this continued level of growth will allow for a sufficient amount of General Fund revenue to be available to offset any loss of General Fund revenue during fiscal year 2024 due to changes to the state income tax law and state sales tax law made by this act.

SECTION 2. Section 27-7-21, Mississippi Code of 1972, is amended as follows:

27-7-21. (a) Allowance of deductions. In the case of a resident individual, the exemptions provided by this section, as applicable to individuals, shall be allowed as deductions in computing taxable income.

(b) Single individuals. In the case of a single individual, a personal exemption of Five Thousand Two Hundred Fifty Dollars (\$5,250.00) for the 1979 and 1980 calendar years \* \* \*, Six Thousand Dollars (\$6,000.00) for each calendar year thereafter through calendar year 2022, and Twenty-two Thousand Seven Hundred Dollars (\$22,700.00) for each calendar year thereafter.

(c) Married individuals. In the case of married individuals living together, a joint personal exemption of Eight Thousand Dollars (\$8,000.00) for the 1979 and 1980 calendar years and Nine Thousand Five Hundred Dollars (\$9,500.00) for the 1981 through 1997 calendar years, Ten Thousand Dollars (\$10,000.00) for the calendar year 1998, Eleven Thousand Dollars (\$11,000.00) for the calendar year 1999, \* \* \* Twelve Thousand Dollars (\$12,000.00) for each calendar year thereafter through calendar year 2022, and Forty-five Thousand Four Hundred Dollars (\$45,400.00) for each calendar year thereafter. A husband and wife living together shall receive but one (1) personal exemption in the

amounts provided for in this subsection for each calendar year against their aggregate income.

(d) Head of family individuals. In the case of a head of family individual, a personal exemption of Eight Thousand Dollars (\$8,000.00) for the 1979 and 1980 calendar years \* \* \*, Nine Thousand Five Hundred Dollars (\$9,500.00) for each calendar year thereafter through calendar year 2022, and Twenty-one Thousand Six Hundred Dollars (\$21,600.00) for each calendar year thereafter. The term "head of family" means an individual who is single, or married but not living with his spouse for the entire taxable year, who maintains a household which constitutes the principal place of abode of himself and one or more individuals who are dependents under the provisions of Section 152(a) of the Internal Revenue Code of 1954, as amended. The head of family individual shall be entitled to the additional dependent exemption as provided in subsection (e) of this section only to the extent of dependents in excess of the one (1) dependent needed to qualify as head of family.

(e) Additional exemption for dependents. In the case of any individual having a dependent, other than husband or wife, an additional personal exemption of One Thousand Five Hundred Dollars (\$1,500.00) for each such dependent, except as otherwise provided in subsection (d) of this section. The term "dependent" as used in this subsection shall mean any person or individual who qualifies as a dependent under the provisions of Section 152, Internal Revenue Code of 1954, as amended.

(f) Additional exemption for taxpayer or spouse aged sixty-five (65) or more. In the case of any taxpayer or the spouse of the taxpayer who has attained the age of sixty-five (65) before the close of his taxable year, an additional exemption of One Thousand Five Hundred Dollars (\$1,500.00).

(g) Additional exemption for blindness of taxpayer or spouse. In the case of any taxpayer or the spouse of the taxpayer who is blind at the close of the taxable year, an additional exemption of One Thousand Five Hundred Dollars (\$1,500.00). For the purpose of this subsection, an individual is blind only if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees.

(h) Husband and wife--claiming exemptions. In the case of husband and wife living together and filing combined returns, the personal and additional exemptions authorized and allowed by this section may be taken by either, or divided between them in any manner they may choose. If the husband and wife fail to choose, the commissioner shall divide the exemptions between husband and wife in an equitable manner. In the case of a husband and wife filing separate returns, the personal and additional exemptions authorized and allowed by this section shall be divided equally between the spouses.

(i) Nonresidents. A nonresident individual shall be allowed the same personal and additional exemptions as are authorized for resident individuals in subsection (a) of this section; however, the nonresident individual is entitled only to that proportion of the personal and additional exemptions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

A nonresident individual who is married and whose spouse has income from independent sources must declare the joint income of himself and his spouse from sources within and without Mississippi and claim as a personal exemption that proportion of the authorized personal and additional exemptions which the total net income from Mississippi sources bears to the total net income of both spouses from all sources. If both spouses have income from sources within Mississippi and wish to file separate returns, their combined personal and additional exemptions shall be that proration of the exemption which their combined net income from Mississippi sources is of their total

combined net income from all sources. The amount of the personal and additional exemptions so computed may be divided between them in any manner they choose.

In the case of married individuals where one (1) spouse is a resident and the other is a nonresident, the personal exemption of the resident individual shall be prorated on the same basis as if both were nonresidents having net income from within and without the State of Mississippi.

For the purpose of this subsection, the term "net income" means gross income less business expenses incurred in the taxpayer's regular trade or business and computed in accordance with the provisions of the Mississippi Income Tax Law.

(j) Part-year residents. An individual who is a resident of Mississippi for only a part of his taxable year by reason of either moving into the state or moving from the state shall be allowed the same personal and additional exemptions as authorized for resident individuals in subsection (a) of this section; the part-year resident shall prorate his exemption on the same basis as nonresidents having net income from within and without the state.

(k) Estates. In the case of an estate, a specific exemption of Six Hundred Dollars (\$600.00).

(l) Trusts. In the case of a trust which, under its governing instrument, is required to distribute all of its income currently, a specific exemption of Three Hundred Dollars (\$300.00). In the case of all other trusts, a specific exemption of One Hundred Dollars (\$100.00).

(m) Corporations, foundations, joint ventures, associations. In the case of a corporation, foundation, joint venture or association taxable herein, there shall be allowed no specific exemption, except as provided under the Growth and Prosperity Act, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27.

(n) Status. The status on the last day of the taxable year, except in the case of the head of family as provided in subsection (d) of this section, shall determine the right to the exemptions provided in this section; provided, that a taxpayer shall be entitled to such exemptions, otherwise allowable, if the husband or wife or dependent has died during the taxable year.

(o) Fiscal-year taxpayers. Individual taxpayers reporting on a fiscal year basis shall prorate their exemptions in a manner established by regulations promulgated by the commissioner.

(p) (i) On or before December 1, 2024, and on or before December 1 of each succeeding year, the Commissioner of Revenue shall calculate the amount of the increases in the personal exemption for single individuals, the personal exemption for married individuals, and the personal exemption for head of family individuals, that will produce a reduction in revenue equal to the lesser of the tax reduction growth amount calculated as provided in paragraph (ii) of this subsection (p) or One Hundred Fifty Million Dollars (\$150,000,000.00). The commissioner shall increase each of the personal exemptions by the amount calculated in this paragraph (i), rounded down to the nearest One Thousand Dollars (\$1,000.00) increment, and the revised personal exemption amounts calculated by the commissioner shall be effective for the next calendar year. From and after January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by this paragraph (i) equals or exceeds the remaining revenue produced by the individual income tax, the individual income tax shall stand repealed as provided in Section 27-7-5.

(ii) On or before October 1, 2024, and on or before October 1 of each succeeding year, the Legislative Budget Office shall provide to the Commissioner of Revenue the following amounts:

1. The amount of the actual general fund revenue collected during the most recent full fiscal year, excluding any funds received from a nonrecurring revenue source;

2. The inflation factor, which shall be determined by dividing the CPI-U for the most recent full fiscal year by the CPI-U for the fiscal year 2023. As used in this paragraph (ii), "CPI-U" means the United States Consumer Price Index for All Urban Consumers, South Region as defined and reported by the United States Department of Labor, Bureau of Labor Statistics;

3. The adjusted inflation factor, which is the lesser of a. 1.016 raised to an exponent equal to the number of full fiscal years elapsed since fiscal year 2023 or b. the inflation factor determined under subparagraph 2 of this paragraph (ii); and

4. The tax reduction growth amount for the current fiscal year, which shall be determined by:

a. Multiplying Six Billion One Hundred Seventy-five Million Dollars (\$6,175,000,000.00) by the adjusted inflation factor, and

b. Subtracting the amount determined under item a of this subparagraph 4, and an amount equal to the amount of general fund revenue loss during the most recent full fiscal year due to the reduction in the sales tax rate under Section 27-65-17(1)(n), from the amount of the actual general fund revenue collected during the most recent full fiscal year.

(q) Notwithstanding any other provision of this section, with regard to the personal exemptions authorized under this section, a taxpayer may elect to have the taxpayer's individual income tax liability for any year after calendar year 2022 assessed with the personal exemptions authorized under this section as it existed on January 1, 2022, or with the personal exemptions authorized under this section, as amended by this act.

SECTION 3. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(n) From and after January 1, 2023, retail sales of food for human consumption not purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, but which would be exempt under Section 27-65-111(o) from the taxes imposed by this chapter if the food items were purchased with food stamps, shall be taxed as follows:

(i) From and after January 1, 2023, through December 31, 2023, such sales shall be taxed at the rate of six and three-fourths percent (6-3/4%);

(ii) From and after January 1, 2024, through December 31, 2024, such sales shall be taxed at the rate of six and one-half percent (6-1/2%);

(iii) From and after January 1, 2025, through December 31, 2025, such sales shall be taxed at the rate of six and one-fourth percent (6-1/4%);

(iv) From and after January 1, 2026, through December 31, 2026, such sales shall be taxed at the rate of six percent (6%);

(v) From and after January 1, 2027, through December 31, 2027, such sales shall be taxed at the rate of five and three-fourths percent (5-3/4%);

(vi) From and after January 1, 2028, through December 31, 2028, such sales shall be taxed at the rate of five and one-half percent (5-1/2%);

(vii) From and after January 1, 2029, through December 31, 2029, such sales shall be taxed at the rate of five and one-fourth percent (5-1/4%);

(viii) From and after January 1, 2030, through December 31, 2030, such sales shall be taxed at the rate of five percent (5%);

(ix) From and after January 1, 2031, through December 31, 2031, such sales shall be taxed at the rate of four and three-fourths percent (4-3/4%);

(x) From and after January 1, 2032, through December 31, 2032, such sales shall be taxed at the rate of four and one-half percent (4-1/2%);

(xi) From and after January 1, 2033, through December 31, 2033, such sales shall be taxed at the rate of four and one-fourth percent (4-1/4%); and

(xii) From and after January 1, 2034, such sales shall be taxed at the rate of four percent (4%).

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 4. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter through February 15, 2023, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2023, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2023, and each succeeding month thereafter through February 15, 2024, nineteen and nineteen one-hundredths percent (19-19/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2024, and each succeeding month thereafter through February 15, 2025, nineteen and ninety-two one-hundredths percent (19-92/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2025, and each succeeding month thereafter through February 15, 2026, twenty and seventy-two one-hundredths percent (20-72/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for

distribution to the municipality and paid to the municipal corporation. On or before March 15, 2026, and each succeeding month thereafter through February 15, 2027, twenty-one and fifty-eight one-hundredths percent (21-58/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2027, and each succeeding month thereafter through February 15, 2028, twenty-two and fifty-two one-hundredths percent (22-52/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2028, and each succeeding month thereafter through February 15, 2029, twenty-three and fifty-five one-hundredths percent (23-55/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2029, and each succeeding month thereafter through February 15, 2030, twenty-four and sixty-seven one-hundredths percent (24-67/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2031, twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2031, and each succeeding month thereafter through February 15, 2032, twenty-seven and twenty-six one-hundredths percent (27-26/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2032, and each succeeding month thereafter through February 15, 2033, twenty-eight and seventy-eight one-hundredths percent (28-78/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2033, and each succeeding month thereafter through February 15, 2034, thirty and forty-seven one-hundredths percent (30-47/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before March 15, 2034, and each succeeding month thereafter, thirty-two and thirty-seven one-hundredths percent (32-37/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter through February 15, 2023, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2023, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2023, and each succeeding month thereafter through February 15, 2024, nineteen and nineteen one-hundredths percent (19-19/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2024, and each succeeding month thereafter through February 15, 2025, nineteen and ninety-two one-hundredths percent (19-92/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2025, and each succeeding month thereafter through February 15, 2026, twenty and seventy-two one-hundredths percent (20-72/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2026, and each succeeding month thereafter through February 15, 2027, twenty-one and fifty-eight one-hundredths percent (21-58/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2027, and each succeeding month thereafter through February 15, 2028, twenty-two and fifty-two one-hundredths percent (22-52/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2028, and each

succeeding month thereafter through February 15, 2029, twenty-three and fifty-five one-hundredths percent (23-55/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2029, and each succeeding month thereafter through February 15, 2030, twenty-four and sixty-seven one-hundredths percent (24-67/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2031, twenty-five and ninety one-hundredths percent (25-90/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2031, and each succeeding month thereafter through February 15, 2032, twenty-seven and twenty-six one-hundredths percent (27-26/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2032, and each succeeding month thereafter through February 15, 2033, twenty-eight and seventy-eight one-hundredths percent (28-78/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2033, and each succeeding month thereafter through February 15, 2034, thirty and forty-seven one-hundredths percent (30-47/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before March 15, 2034, and each succeeding month thereafter, thirty-two and thirty-seven one-hundredths percent (32-37/100%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14,

2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through February 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2023, and each succeeding month thereafter through February 15, 2024, six and three one-hundredths percent (6-3/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2024, and each succeeding month thereafter through February 15, 2025, six and five one-hundredths percent (6-5/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2025, and each succeeding month thereafter through February 15, 2026, six and eight one-hundredths percent (6-8/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2026, and each succeeding month thereafter through February 15, 2027, six and eleven one-hundredths percent (6-11/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2027, and each succeeding month thereafter through February 15, 2028, six and thirteen one-hundredths percent (6-13/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2028, and each succeeding month thereafter through February 15, 2029, six and sixteen one-hundredths percent (6-16/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2029, and each succeeding month thereafter through February 15, 2030, six and nineteen one-hundredths percent (6-19/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2031, six and twenty-two one-hundredths percent (6-22/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on

business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2031, and each succeeding month thereafter through February 15, 2032, six and twenty-four one-hundredths percent (6-24/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2032, and each succeeding month thereafter through February 15, 2033, six and twenty-seven one-hundredths percent (6-27/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2033, and each succeeding month thereafter through February 15, 2034, six and thirty one-hundredths percent (6-30/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before March 15, 2034, and each succeeding month thereafter, six and thirty-three one-hundredths percent (6-33/100%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of

Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness

that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the

expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter February 15, 2023, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2023, and each succeeding month thereafter through February 15, 2024, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and thirty-five one-hundredths percent (2.35%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund

created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2024, and each succeeding month thereafter through February 15, 2025, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and forty-four one-hundredths percent (2.44%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2025, and each succeeding month thereafter through February 15, 2026, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and fifty-four one-hundredths percent (2.54%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2026, and each succeeding month thereafter through February 15, 2027, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and sixty-four one-hundredths percent (2.64%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2027, and each succeeding month thereafter through February 15, 2028, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and seventy-six one-hundredths percent (2.76%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2028, and each

succeeding month thereafter through February 15, 2029, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and two and eighty-eight one-hundredths percent (2.88%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2029, and each succeeding month thereafter through February 15, 2030, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and two one-hundredths percent (3.02%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2031, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and seventeen one-hundredths percent (3.17%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2031, and each succeeding month thereafter through February 15, 2032, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and thirty-four one-hundredths percent (3.34%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2032, and each succeeding month thereafter through February 15, 2033, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and fifty-two one-hundredths percent (3.52%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount

deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2033, and each succeeding month thereafter through February 15, 2034, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and seventy-three one-hundredths percent (3.73%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before March 15, 2034, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and ninety-seven one-hundredths percent (3.97%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter February 15, 2023, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2023, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2023, and each succeeding month thereafter through February 15, 2024, nine and forty-one one-hundredths percent (9.41%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2024, and each succeeding month thereafter through February 15, 2025, nine and seventy-seven one-hundredths percent (9.77%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2025, and each succeeding month thereafter through February 15, 2026, ten and sixteen one-hundredths percent (10.16%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2026, and each succeeding month thereafter through February 15, 2027, ten and fifty-nine one-hundredths percent (10.59%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before

March 15, 2027, and each succeeding month thereafter through February 15, 2028, eleven and five one-hundredths percent (11.05%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2028, and each succeeding month thereafter through February 15, 2029, eleven and fifty-five one-hundredths percent (11.55%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2030, twelve and ten one-hundredths percent (12.10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2030, and each succeeding month thereafter through February 15, 2031, twelve and seventy one-hundredths percent (12.70%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2031, and each succeeding month thereafter through February 15, 2032, thirteen and thirty-seven one-hundredths percent (13.37%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2032, and each succeeding month thereafter through February 15, 2033, fourteen and eleven one-hundredths percent (14.11%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2033, and each succeeding month thereafter through February 15, 2034, fourteen and ninety-four one-hundredths percent (14.94%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before March 15, 2034, and each succeeding month thereafter, fifteen and eighty-eight one-hundredths percent (15.88%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 5. Section 27-7-5, Mississippi Code of 1972, is amended as follows:

[Until January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by Section 27-7-21(p)(i)

equals or exceeds the remaining revenue produced by the individual income tax, this section shall read as follows:]

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

[From and after January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by Section 27-7-21(p)(i) equals or exceeds the remaining revenue produced by the individual income tax, the individual income tax shall stand repealed and this section shall read as follows:]

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident \* \* \* corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by \* \* \* corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 6. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Five Hundred Million Dollars (\$500,000,000.00) from the Capital Expense Fund created in Section 27-103-303 to the Budget Stabilization Fund created by Section 7 of this act.

SECTION 7. There is hereby created in the State Treasury a special fund to be designated as the "Budget Stabilization Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund; however, any unencumbered monies remaining in the special fund on July 1, 2026, shall be transferred to the Capital Expense Fund created in Section 27-103-303. Monies in the special fund shall only be appropriated by the Legislature for budgetary purposes related to losses of General Fund revenue.

SECTION 8. Section 27-7-3, Mississippi Code of 1972, is brought forward as follows:

27-7-3. When used in this article:

(a) "Taxpayer" includes any individual, partnership, corporation, association, trust or estate, subject to a tax imposed hereunder, or whose income is, in whole or in part, subject to a tax imposed hereunder.

(b) "Domestic," when applied to any corporation or association, including partnerships, means created or organized in the State of Mississippi.

(c) "Foreign," when applied to any corporation or association, including partnerships, means created or organized outside the State of Mississippi.

(d) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity, for any person, trust, or estate.

(e) "Resident" means a natural person and includes, for the purpose of determining liability for the tax imposed by this article upon or with reference to the income of any taxable year, any person domiciled in the State of Mississippi and any other person who maintains a legal or actual residence within the state.

(f) "Nonresident," when used in connection with this article, shall apply to any natural person whose domicile and place of abode is without the State of Mississippi.

(g) "Foreign country" or "foreign government" means any jurisdiction other than the one embraced within the United States. The words "United States" includes the states, the District of Columbia, and the territorial possessions of the United States.

(h) "State Tax Commission" or "Tax Commission" means the Department of Revenue. "Commission" or "department" also means the Department of Revenue except where such words are specifically given other meanings.

(i) "Commissioner," "Chairman of the Mississippi State Tax Commission," "Chairman of the State Tax Commission," "chairman of the commission" or "chairman" means the Commissioner of Revenue of the Department of Revenue.

(j) "Taxable year" means the calendar year, or fiscal year ending during such calendar year, upon the basis of which the net income is computed hereunder. "Fiscal year" means an accounting period of twelve (12) months, ending on the last day of any month other than December.

(k) "Paid or accrued" means paid or accrued, or paid or incurred, and these terms, "paid or incurred" or "paid or accrued," shall be construed according to the method of accounting or the basis on which the net income is computed. The term "received for the purpose of computation of net income" means received or accrued, and the term "received or accrued" shall be construed according to the method of accounting or the basis on which the net income is computed.

(l) "Dividend" means any distribution made by a corporation, association, trust or estate, to its shareholders or members, whether in cash, other property, or its own stock.

SECTION 9. Section 27-7-27, Mississippi Code of 1972, is brought forward as follows:

27-7-27. (1) The tax imposed under the income tax laws of the State of Mississippi shall apply to the income of estates of any kind or property held in trust except:

(a) That a trust forming part of a pension plan, stock bonus plan, disability or death benefit plan or profit-sharing plan of an employer for the exclusive benefit of some or all of his or its employees, or their beneficiaries, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees, or their beneficiaries, the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under the income tax laws of the State of Mississippi provided that the trust is irrevocable and no part of the trust corpus or income can be used for purposes other than for the exclusive benefit of employees, or their beneficiaries; but any amount actually distributed or made available to any distributee

shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds amounts paid in by him.

(b) That all trusts of real or personal property, or real and personal property combined, created under a retirement plan for which provision has been made under the laws of the United States of America exempting such trust from federal income tax, shall be exempt from income taxation by the State of Mississippi.

(2) Notwithstanding the provisions of subsection (1) of this section, a taxpayer shall include any Mississippi unrelated business taxable income in computing its taxable income under this chapter. As used in this subsection "Mississippi unrelated business taxable income" includes:

(a) "Unrelated business taxable income" as defined under the provisions of the Internal Revenue Code, as amended, and not otherwise inconsistent with other provisions of this chapter, and

(b) Any income attributable to an ownership interest in an S corporation.

(3) A trust required to include the activity of a disregarded entity for federal income tax purposes shall do likewise for the purpose of computing income for this state.

(4) Except as otherwise provided in this section, the gross and net income shall be determined in the same manner as is provided by law for any other taxpayer.

SECTION 10. Section 27-7-22.5, Mississippi Code of 1972, is brought forward as follows:

27-7-22.5. (1) (a) For any manufacturer, distributor, wholesale or retail merchant who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on commodities, raw materials, works-in-process, products, goods, wares and merchandise held for resale, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(b) (i) For any person, firm or corporation who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on rental equipment, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(ii) As used in this paragraph, "rental equipment" means any rental equipment or other rental items which are held for short-term rental to the public:

1. Under rental agreements with no specific term;
2. Under at-will or open-ended agreements; or
3. Under rental agreements with terms ordinarily of less than three hundred sixty-five (365) days; and
4. Is not subject to privilege taxes imposed in Chapter 19, Title 27, Mississippi Code of 1972.

(2) The tax credit allowed by this section shall not exceed the amounts set forth in paragraphs (a) through (g) of this subsection; and may be claimed for each location where such commodities, raw material, works-in-process, products, goods, wares, merchandise and/or rental equipment are found and upon which the ad valorem taxes have been paid.

Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credit was earned.

(a) For the 1994 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Two Thousand Dollars (\$2,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(b) For the 1995 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Three Thousand Dollars (\$3,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(c) For the 1996 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Four Thousand Dollars (\$4,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(d) For the 1997 taxable year and each taxable year thereafter through taxable year 2013, the tax credit for each location of the taxpayer shall not exceed the lesser of Five Thousand Dollars (\$5,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(e) For the 2014 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(f) For the 2015 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Fifteen Thousand Dollars (\$15,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(g) For the 2016 taxable year and each taxable year thereafter, the tax credit of the taxpayer shall be the lesser of the amount of the ad valorem taxes described in subsection (1) paid or the amount of income taxes due the State of Mississippi that are attributable to such location.

(3) Any amount of ad valorem taxes paid by a taxpayer that is applied toward the tax credit allowed in this section may not be used as a deduction by the taxpayer for state income tax purposes. In the case of a taxpayer that is a partnership, limited liability company or S corporation, the credit may be applied only to the tax attributable to partnership, limited liability company or S corporation income derived from the taxpayer.

SECTION 11. Section 27-7-22.15, Mississippi Code of 1972, is brought forward as follows:

27-7-22.15. (1) As used in this section, the following words and phrases shall have the meanings ascribed to herein unless the context clearly indicates otherwise:

(a) "Approved reforestation practices" means the following practices for establishing a crop of trees suitable for manufacturing into forest products:

(i) "Pine and hardwood tree planting practices" including the cost of seedlings, planting by hand or machine, and site preparation.

(ii) "Mixed-stand regeneration practices" to establish a mixed-crop of pine and hardwood trees by planting or direct seeding, or both, including the cost of seedlings, seed/acorns, planting, seeding and site preparation.

(iii) "Direct seeding practices" to establish a crop of pine or oak trees by directly applying seed/acorns to the site including the cost of seed/acorns, seeding and site preparation.

(iv) "Post-planting site preparation practices" to reduce or control undesirable competition within the first growing season of an established crop of trees.

Approved reforestation practices shall not include the establishment of orchards, Christmas trees or ornamental trees.

(b) "Eligible tree species" means pine and hardwood commercial tree species suitable for manufacturing into forest products.

(c) "Cost-share assistance" means partial financial payment for approved reforestation practices from the state government as authorized under Sections 49-19-201 through 49-19-227, or the federal government.

(d) "Eligible owner" means a private individual, group or association, but the term shall not mean private corporations which manufacture products or provide public utility services of any type or any subsidiary of such corporations.

(e) "Eligible lands" means nonindustrial private lands owned by a private individual, group or association, but shall not mean lands owned by private corporations which manufacture products or provide public utility services of any type or any subsidiary of such corporations.

(f) "Reforestation prescription or plan" means a written description of the approved reforestation practices that the eligible owner plans to use and includes a legal description and map of the area to be reforested, a list of the tree seedling or seed species to be used in the reforestation and the site preparation practices that will be utilized.

(2) Subject to the limitations provided in subsection (3) of this section, upon submission to the State Tax Commission of the written verification provided for in subsection (5) of this section and such other documentation as the State Tax Commission may require, any eligible owner who incurs costs for approved reforestation practices for eligible tree species on eligible lands shall be allowed a credit, in an amount equal to the lesser of fifty percent (50%) of the actual costs of the approved reforestation practices or fifty percent (50%) of the average cost of approved practices as established by the Mississippi Forestry Commission under Section 49-19-219, against the taxes imposed pursuant to this chapter for the tax year in which the costs are incurred.

(3) The maximum amount of the credit provided for in subsection (2) of this section that may be utilized in any one (1) taxable year shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of income tax imposed upon the eligible owner for the taxable year reduced by the sum of all other credits allowable to the eligible owner under this chapter, except credit for tax payments made by or on behalf of the eligible owner. Any unused portion of the credit may be carried forward for succeeding tax years. The maximum dollar amount of the credit provided for in subsection (2) of this section that an eligible owner may utilize during his lifetime shall be Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(4) If an eligible owner receives any state or federal cost share assistance funds to defray the cost of an approved reforestation practice, the cost of that practice on the same acre or acres within the same tax year is not eligible for the credit provided in this section unless the eligible owner's adjusted gross income is less than the federal earned income credit level.

(5) To be eligible for the tax credit, an eligible owner must have a reforestation prescription or plan prepared for the eligible lands by a graduate forester of a college, school or university accredited by the Society of American Foresters or by a registered forester under the Foresters Registration Law of 1977. The forester must verify in writing

that the reforestation practices were completed and that the reforestation prescription or plan was followed.

SECTION 12. Section 27-7-22.21, Mississippi Code of 1972, is brought forward as follows:

27-7-22.21. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

(a) "Eligible land" means nonindustrial private lands in the state that are adjacent to and along a stream which is fully nominated to the Mississippi Scenic Streams Stewardship Program, or nonindustrial private lands in the state which are considered to be priority sites for conservation under the Mississippi Natural Heritage Program.

(b) "Eligible owner" means a private individual, group or association other than a private corporation, or any subsidiary thereof, which manufactures products or provides public utility services of any type.

(c) "Interest in land" means any right in real property, including access thereto or improvements thereon, or water, including, but not limited to, a fee simple easement, a conservation easement, provided such interest complies with the requirements of the United States Internal Revenue Code Section 170(h), partial interest, mineral right, remainder or future interest, or other interest or right in real property.

(d) "Land" or "lands" means real property, with or without improvements thereon, rights-of-way, water and riparian rights, easements, privileges and all other rights or interests of any land or description in, relating to, or connected with real property.

(e) "Allowable transaction costs" mean the costs of the appraisal of the lands or interests in lands, including conservation easements, that are being donated, of the baseline survey of the natural features, animals and plants present on the site, of engineering and surveying fees, of maintenance fees, of monitoring fees and of legal fees, including the costs of document preparation, title review and title insurance.

(f) "Specified conservation purposes" mean the preservation of stream bank habitats and the stability of stream banks, or the protection of land necessary because of high biodiversity significance or high protection urgency due to the presence of exemplary natural communities or species of special concern, including threatened or endangered species.

(2) For the taxable years beginning on or after January 1, 2003, for any income taxpayer who is an eligible owner, a credit against the taxes imposed by this chapter shall be allowed in the amounts provided in this section upon the donation of land or an interest in land for specified conservation purposes.

(3) The credit provided for in this section shall be fifty percent (50%) of the allowable transaction costs involved in the donation for the tax year in which the allowable transaction costs occur. The aggregate amount of the credit provided in this section for allowable transaction costs shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for ten (10) succeeding tax years. The maximum dollar amount of the credit provided for in this section that an eligible owner may utilize during his lifetime shall be Ten Thousand Dollars (\$10,000.00) in the aggregate.

(4) To be eligible for the credit provided for in this section, an eligible owner must demonstrate that the donation qualifies as a conservation contribution under Section 170(h) of the United States Internal Revenue Code of 1986, by means of being a donation

in perpetuity, for conservation purposes and made to a qualified holder or donee. A letter from the donee indicating acceptance and a completed copy of the appropriate United States Internal Revenue Service form shall constitute proof of acceptance. The eligible owner also must submit any other documentation that the State Tax Commission may require.

SECTION 13. Section 27-7-22.22, Mississippi Code of 1972, is brought forward as follows:

27-7-22.22. (1) A credit is allowed against the taxes imposed by this chapter to a taxpayer for allowing land owned by the taxpayer to be used as a natural area preserve, a wildlife refuge or habitat area, a wildlife management area, or for the purpose of providing public outdoor recreational opportunities, as authorized under Section 49-1-29, 49-5-71 or 49-5-155, subject to the following conditions and limitations:

(a) The land may not be under lease to the Mississippi Commission on Wildlife, Fisheries and Parks, and the commission must approve the land as being suitable for the uses described in this section.

(b) The amount of the tax credit allowed by this section shall be Five Dollars and Fifty Cents (\$5.50) per acre of land in each taxable year.

(c) In no event shall the amount of the tax credits allowed by this section for a taxable year exceed the taxpayer's liability for those taxes. Any unused credit amount shall be allowed to be carried forward for five (5) years from the close of the taxable year in which the land was approved for such a use. No such credit shall be allowed the taxpayer against prior years' tax liability.

(2) To claim a credit allowed by this section, the taxpayer shall provide any information required by the Mississippi Commission on Wildlife, Fisheries and Parks or the Mississippi Commissioner of Revenue. Every taxpayer claiming a credit under this section shall maintain and make available for inspection by the Mississippi Commission on Wildlife, Fisheries and Parks or the Mississippi Commissioner of Revenue any records that either entity considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for a credit and the amount of the credit rests upon the taxpayer, and no credit may be allowed to a taxpayer that fails to maintain adequate records or to make them available for inspection.

(3) Upon approval of the Commission on Wildlife, Fisheries and Parks under subsection (1)(a), a taxpayer seeking to claim any tax credit provided for under this section must submit an application to the Mississippi Commissioner of Revenue for approval of the tax credit. The Mississippi Commissioner of Revenue shall promulgate the rules and forms on which the application is to be submitted. The Mississippi Commissioner of Revenue shall review the application and may approve such application upon determining that it meets the requirements of this section within sixty (60) days after receiving the application.

SECTION 14. Section 27-7-22.31, Mississippi Code of 1972, is amended as follows:

27-7-22.31. (1) As used in this section:

(a) "Certified historic structure" means a property located in Mississippi that has been:

(i) Listed individually on the National Register of Historic Places; or

(ii) Determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) Property designated a Mississippi Landmark by the Department of Archives and History pursuant to Section 39-7-3 et seq.

(b) "Eligible property" means property located in Mississippi and offered or used for residential or business purposes.

(c) "Structure in a certified historic district" means a structure (and its structural components) located in Mississippi which:

(i) Is listed in the National Register of Historic Places; or

(ii) Has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) Is located in a registered historic district listed on the National Register of Historic Places or located in a potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section, and is certified by the Secretary of the United States Department of the Interior as being of historic significance to the district; or

(iv) Is certified by the Mississippi Department of Archives and History as contributing to the historic significance of:

1. A certified historic district listed on the National Register of Historic Places; or

2. A potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

3. A local district that has been certified by the United States Department of the Interior.

(d) "Department" means the Department of Archives and History.

(2) Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or a structure in a certified historic district, shall be entitled to a rebate or credit against the taxes imposed pursuant to this chapter in an amount equal to twenty-five percent (25%) of the total costs and expenses of rehabilitation incurred after January 1, 2006, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder:

(a) If the costs and expenses associated with rehabilitation exceed:

(i) Five Thousand Dollars (\$5,000.00) in the case of an owner-occupied dwelling; or

(ii) Fifty percent (50%) of the adjusted basis in the property in the case of all other properties; and

(b) The rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior as determined by the department.

(3) Any taxpayer eligible for the rebate or credit authorized by this section may claim the rebate or credit in phases if:

(a) There is a written set of architectural plans and specifications for all phases of the rehabilitation (written plans outlining and describing all phases of the rehabilitation shall be accepted as written plans and specifications);

(b) The written set of architectural plans and specifications are completed before the physical work on the rehabilitation begins; and

(c) The project receives final certification by the department within sixty (60) months of the project start date certified in the first phase.

(4) (a) (i) If the amount of the tax credit established by this section exceeds the total state income tax liability for the credit year, the amount that exceeds the total state income tax liability may be carried forward for the ten (10) succeeding tax years.

(ii) In lieu of claiming a tax credit, the taxpayer may elect to claim a rebate in the amount of seventy-five percent (75%) of the amount that would be eligible to claim as a credit. The election must be made in the year in which the rebate is certified.

(iii) Rebate requests shall be submitted to the department on forms prescribed by the department. The department will then provide the taxpayer with a voucher for the approved amount. Within twelve (12) months of the issuance of the voucher by the department, the taxpayer may submit the voucher to the Department of Revenue to receive payment. Rebates shall be made from current tax collections.

(b) Not-for-profit entities, including, but not limited to, nonprofit corporations organized under Section 79-11-101 et seq., shall be ineligible for the rebate or credit authorized by this section. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners on a pro rata basis or pursuant to an executed agreement among the partners, members or owners documenting an alternative distribution method. Partners, members or other owners of a pass-through entity are not eligible to elect a refund of excess credit in lieu of a carryforward of the credit. However, a partnership or limited liability company taxed as a partnership may elect to claim a rebate at the entity level on a form prescribed by the department. Additionally, excess tax credits that are attributable to rehabilitated property that was placed in service by a pass-through entity prior to January 1, 2011, and that have previously been allocated to and are held by another pass-through entity prior to January 1, 2011, may be refunded to such other pass-through entity.

(5) (a) (i) To claim the rebate or credit authorized pursuant to this section, the taxpayer shall apply to the department which shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior. The department shall issue a certificate evidencing the date of the rebate or credit and amount of eligible rebate or credit if the taxpayer is found to be eligible for the tax rebate or credit. The taxpayer shall attach the certificate to all income tax returns on which the credit is claimed. Except as otherwise provided in this paragraph (a), the department shall not issue certificates evidencing the eligible rebate or credit which will result in rebates or credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one (1) calendar year for projects with total qualified rehabilitation costs and expenses of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) or more. The department shall also not issue certificates evidencing the eligible rebate or credit which will result in rebates or credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in

any one (1) calendar year for projects with total qualified rehabilitation costs and expenses of less than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00).

(ii) If claiming a credit instead of a rebate, the taxpayer shall claim such credit on the income tax return for the tax year for which the credit is certified.

(b) The date of the rebate or credit shall be certified in the following order:

(i) The rebate or credit shall be certified based on the date of project completion.

(ii) If the eligible rebate or credit exceeds the available limit in the year in which the project is completed, the rebate or credit shall be certified based on the date the certification is issued by the department. The department shall issue the certification in the first calendar year in which the requested rebate or credit would not exceed the calendar year limit.

(c) The aggregate amount of tax rebates \* \* \*, credits or grants that may be awarded under this section shall not exceed One Hundred Eighty Million Dollars (\$180,000,000.00).

(6) (a) The rebate \* \* \*, credit or grant received by a taxpayer pursuant to this section is subject to recapture if:

(i) The property is one that has been determined eligible for the National Register of Historic Places but is not listed on the National Register of Historic Places within thirty (30) months of claiming the rebate or credit authorized by this section;

(ii) The potential district in which the property is located is not listed on the National Register of Historic Places within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) The project has not received final certification by the department within sixty (60) months of the project start date certified in the first phase.

(b) The taxpayer shall notify the department and the Department of Revenue if any of the situations that subject the credit to recapture occur.

(7) (a) The board of trustees of the department shall establish fees to be charged for the services performed by the department under this section and shall publish the fee schedule. The fees contained in the schedule shall be in amounts reasonably calculated to recover the costs incurred by the department for the administration of this section. Any taxpayer desiring to participate in the tax credits authorized by this section shall pay the appropriate fee as contained in the fee schedule to the department, which shall be used by the department, without appropriation, to offset the administrative costs of the department associated with its duties under this section.

(b) There is hereby created within the State Treasury a special fund into which shall be deposited all the fees collected by the department pursuant to this section. Money deposited into the fund shall not lapse at the end of any fiscal year and investment earnings on the proceeds in such special fund shall be deposited into such fund. Money from the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the executive director of the department to assist the department in carrying out its duties under this section.

(8) This section shall only apply to taxpayers:

(a) Who have been issued a certificate evidencing the eligible credit before December 31, 2030; or

(b) Who, before December 31, 2030, have received a determination in writing from the Mississippi Department of Archives and History, in accordance with the department's Historic Preservation Certificate Application, Part 2, that the rehabilitation is consistent with the historic character of the property and that the property meets the United States Secretary of the Interior's Standards for Rehabilitation, or will meet the standards if certain specified conditions are met, and, who are issued a certificate evidencing the eligible credit on or after December 31, 2030.

(9) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the credit or rebate that a taxpayer is eligible to receive or to use is less than the amount of credit or rebate that the taxpayer would have been eligible to receive or to use if the taxpayer's income tax liability had been calculated using any applicable income tax personal exemptions in Section 27-7-21(b), (c) and (d), as such exemptions existed before January 1, 2023, then the taxpayer shall receive a grant from the Department of Revenue equal to the difference between such two (2) amounts. Grants made by the Department of Revenue under this section shall be made from current tax collections.

SECTION 15. Section 27-7-22.32, Mississippi Code of 1972, is brought forward as follows:

[Through December 31, 2023, this section shall read as follows:]

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter through calendar year 2017, and not to exceed Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during calendar year 2018 or during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

[From and after January 1, 2024, this section shall read as follows:]

27-7-22.32. There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter. The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the three (3) succeeding tax years. A tax credit is allowed under this section for any

child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

SECTION 16. Section 27-7-22.33, Mississippi Code of 1972, is brought forward as follows:

27-7-22.33. (1) A taxpayer shall be allowed a credit against the income taxes imposed under this chapter in an amount equal to twenty-five percent (25%) of the premium costs paid during the taxable year for a qualified long-term care insurance policy as defined in Section 7702B of the Internal Revenue Code that offers coverage to either the individual, the individual's spouse, the individual's parent or parent-in-law, or the individual's dependent as defined in Section 152 of the Internal Revenue Code.

(2) No taxpayer shall be entitled to the credit with respect to the same expended amounts for qualified long-term care insurance which are claimed by another taxpayer.

(3) The credit allowed by this section shall not exceed Five Hundred Dollars (\$500.00) or the taxpayer's income tax liability, whichever is less, for each qualified long-term care insurance policy. Any unused tax credit shall not be allowed to be carried forward to apply to the taxpayer's succeeding year's tax liability.

(4) No credit shall be allowed under this section with respect to any premium for qualified long-term care insurance either deducted or subtracted by the taxpayer in arriving at his net taxable income under this section or with respect to any premiums for qualified long-term care insurance which were excluded from his net taxable income.

SECTION 17. Section 27-7-22.37, Mississippi Code of 1972, is brought forward as follows:

27-7-22.37. (1) There shall be allowed as a credit against the tax imposed by Section 27-7-5 the amount of the qualified prekindergarten program support contributions paid to approved providers, lead partners or collaboratives, not to exceed One Million Dollars (\$1,000,000.00), by any individual, corporation or other entity having taxable income under the laws of this state during calendar year 2013 or during any calendar year thereafter. In order to qualify for a tax credit, such contributions may support the local match requirement of approved providers, lead partners or collaboratives as is necessary to match state-appropriated funds, and any such providers, lead partners or collaboratives shall be approved by the State Department of Education.

(2) Any unused portion of the credit may be carried forward for three (3) tax years.

(3) Any prekindergarten program support contribution shall be verified by submission to the Mississippi Department of Revenue of a copy of the receipt provided to the donor taxpayer by the prekindergarten program recipient or such other written verification as may be required by the Department of Revenue.

(4) The maximum amount of donations accepted by the Department of Revenue in calendar year 2014 shall not exceed Eight Million Dollars (\$8,000,000.00), in calendar year 2015 shall not exceed Fifteen Million Dollars (\$15,000,000.00), and in calendar year 2016 and calendar years thereafter shall not exceed Thirty-two Million Dollars (\$32,000,000.00), or what is appropriated by the Legislature to fund Chapter 493, Laws of 2013 each year.

(5) The Mississippi Department of Revenue shall promulgate rules necessary to effectuate the purposes of Chapter 493, Laws of 2013. Such rules shall include a means of informing the public of the existence of the prekindergarten support program and the application process for provider, lead partner and collaborative candidates.

SECTION 18. Section 27-7-22.39, Mississippi Code of 1972, is brought forward as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or

(iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, not to exceed:

(a) The lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(3) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, the credit shall not exceed:

(a) The lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) If the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of

tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section

27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 19. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the

Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), and for calendar year 2022, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2022,

and for each calendar year thereafter, of the amount of tax credits that may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, fifteen percent (15%) of the tax credits shall be available solely for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii)2; however, any such tax credits not allocated before April 1 of a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii)1 of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than five percent (5%) of such credits may be allocated for contributions to a single eligible charitable organization. However, for calendar year 2022, of the additional amount of tax credits authorized under this section, as amended by Chapter 480, Laws of 2021, for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, Two Million Dollars (\$2,000,000.00) of the tax credits shall be available solely for allocation for contributions to Magnolia Speech School; however, any such tax credits not allocated before April 1, 2022, may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section.

SECTION 20. Section 27-7-207, Mississippi Code of 1972, is brought forward as follows:

27-7-207. (1) Subject to the limitations provided for in this section, through calendar year 2023 a taxpayer shall be allowed a credit against the tax imposed by Chapter 7, Title 27, in an amount equal to twenty-five percent (25%) of a qualified contribution to an endowed fund at a qualified community foundation, subject to the following:

(a) The minimum amount of a qualified contribution shall be One Thousand Dollars (\$1,000.00).

(b) The maximum amount of a qualified contribution shall be Two Hundred Thousand Dollars (\$200,000.00).

(c) The total qualified contributions from any qualified taxpayer eligible for the tax credit authorized under this section shall be Two Hundred Thousand Dollars (\$200,000.00) per year.

(2) Except as otherwise provided in this subsection, the aggregate amount of tax credits authorized under this article shall not exceed Five Hundred Thousand Dollars (\$500,000.00) in any one (1) calendar year. The credits shall be awarded on a first-come, first-served basis. If the tax credits authorized for used in any calendar year are not utilized, the amount not utilized may be awarded or carried forward in up to five (5) subsequent calendar years from the year in which such credits are made available.

(3) If the amount allowable as a credit exceeds the tax imposed by Chapter 7, Title 27, the amount of such excess may be carried forward for not more than five (5) subsequent taxable years.

(4) From and after January 1, 2024, no additional credits shall be authorized under this section; however, any tax credits authorized prior to January 1, 2024, and not used, may be carried forward for not more than five (5) taxable years subsequent to calendar year 2023.

SECTION 21. Section 27-7-312, Mississippi Code of 1972, is brought forward as follows:

27-7-312. (1) Of the revenue collected under the provisions of this article from the new direct jobs of a qualified business or industry as defined in Section 57-62-5 of the Mississippi Advantage Jobs Act, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the Mississippi Advantage Jobs Incentive Payment Fund created pursuant to Section 57-62-1 et seq., on or before the twentieth day of the month following the close of each calendar quarter.

(2) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-99-1, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the MMEIA Withholding Rebate Fund created pursuant to Section 57-99-5, on or before the twentieth day of the month following the close of each calendar quarter.

(3) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-100-1, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the Existing Industry Withholding Rebate Fund created pursuant to Section 57-100-5, on or before the twentieth day of the month following the close of each calendar quarter.

(4) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-99-21, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the MMEIA Rebate Fund created pursuant to Section 57-99-25, on or before the twentieth day of the month following the close of each calendar quarter.

SECTION 22. Section 57-62-5, Mississippi Code of 1972, is brought forward as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business;

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of

this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment;

(c) "Full-time job" means a job of at least thirty-five (35) hours per week;

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry;

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry;

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs;

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits;

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry; and

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than one hundred (100) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(ii) Is a manufacturing or distribution enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry

is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, invests not less than Twenty Million Dollars (\$20,000,000.00) in land, buildings and equipment, and creates not less than fifty (50) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than twenty (20) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than ten (10) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21). An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business; or

(iv) Is a research and development or a technology intensive enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than ten (10) new direct jobs.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry.

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry.

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs.

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits.

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs;

(ii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs; or

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which is a manufacturer that:

1. Provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

2. Has a minimum of five thousand (5,000) existing employees as of the last day of the previous calendar year; and

3. MDA determines will create not less than three thousand (3,000) new direct jobs within forty-eight (48) months of the date the MDA determines that the applicant is qualified to receive incentive payments.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state:

(i) Before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter; or

(ii) Solely with respect to any farm equipment manufacturer that locates its North American headquarters to Mississippi between January 1, 2018, and December 31, 2020, before a specific date determined by the MDA that falls on or after the date that the MDA first issues to such farm equipment manufacturer one or more written commitments or offers of any incentives in connection with the new headquarters project and related facilities expected to result in the creation of such new job.

"New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

SECTION 23. Section 57-62-9, Mississippi Code of 1972, is amended as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-9. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed the amount of money previously paid into the fund by the employer. A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry;

(b) Provide an average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for this requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must create and maintain a minimum of ten (10) full-time jobs in counties that have an average unemployment rate over the previous twelve-month period which is at least one hundred fifty percent (150%) of the most recently published state unemployment rate, as determined by the Mississippi Department of Employment Security or in Tier Three counties as determined under Section 57-73-21. In all other counties, the business or industry must create and maintain a minimum of twenty-five (25) full-time jobs. The criteria for this requirement shall be based on the designation of the county at the time of the application. The threshold established upon the application will remain constant for the duration of the project. The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) The MDA shall determine if the applicant is qualified to receive incentive payments. If the applicant is determined to be qualified by the MDA, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for a period not to exceed ten (10) years and to estimate the amount of gross payroll for the period. If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax personal exemptions in Section 27-7-21(b), (c) and (d), as such exemptions existed before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed:

(i) Ninety percent (90%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

(ii) Eighty percent (80%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) but less than one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iii) Seventy percent (70%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of less than one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified

business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax personal exemptions in Section 27-7-21(b), (c) and (d), as such exemptions existed before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during such period, excluding benefits which are not subject to Mississippi income taxes.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(c) A qualified business or industry as defined in Section 57-62-5(a)(iii) may elect the date upon which the ten-year period will begin and may elect to begin receiving incentive payments as early as the second quarter after that date. Incentive payments will be calculated on all jobs above the existing number of jobs as of the date the MDA determines that the applicant is qualified to receive incentive payments. In the event that the qualified business or industry falls below the number of existing jobs at the time of determination that the applicant is qualified to receive the incentive payment, the incentive payment shall cease until the qualified business or industry once again exceeds that number. If after forty-eight (48) months, the qualified business or industry has failed to create at least three thousand (3,000) new direct jobs, incentive payments shall cease and the qualified business or industry shall not be qualified to receive further incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one

hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) Except as otherwise provided for a qualified business or industry as defined in Section 57-62-5(a)(iii), the business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct an analysis to estimate the amount of gross payroll for the appropriate additional period. Incentive payments, cumulatively, shall not exceed ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during the additional period, excluding benefits which are not subject to Mississippi income taxes. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the minimum job and salary requirements. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax personal exemptions in Section 27-7-21(b), (c) and (d), as such exemptions existed before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

SECTION 24. Section 57-62-11, Mississippi Code of 1972, is amended as follows:

57-62-11. (1) There is created in the State Treasury a special fund to be known as the Mississippi Advantage Jobs Incentive Payment Fund, into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section

27-7-312 and any other monies designated for deposit therein. The money in the fund shall be used for the purpose of making the incentive payments and grants authorized under this chapter.

(2) The Mississippi Advantage Jobs Incentive Payment Fund shall be administered by the Department of Revenue, and monies in the fund, less three percent (3%) to be retained by the Department of Revenue to pay the reasonable and necessary expenses of the Department of Revenue in administering its duties under this chapter, shall be expended pursuant to the approved application. Amounts in the fund at the end of any fiscal year that are not necessary to make future incentive payments and grants shall be paid into the General Fund.

(3) The liability of the State of Mississippi to make the incentive payments and grants authorized under this chapter shall be limited to the balance contained in the fund.

SECTION 25. Section 57-62-13, Mississippi Code of 1972, is brought forward as follows:

57-62-13. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the Department of Revenue and shall specify the actual number of new direct jobs created and maintained by the business or industry for the calendar quarter and the gross payroll thereof. The Department of Revenue shall verify the actual number of new direct jobs created and maintained by the business or industry and compliance with the average annual wage requirements for such business or industry under this chapter. If the qualified business or industry files a claim for an incentive payment during an additional incentive period provided under Section 57-62-9(2), the Department of Revenue shall verify the actual number of new direct jobs created and maintained by the business or industry and compliance with the average annual wage requirements for such business or industry under this chapter. If the Department of Revenue is not able to provide such verification utilizing all available resources, the Department of Revenue may request such additional information from the business or industry as may be necessary.

(2) (a) Except as otherwise provided in this chapter, the business or industry must meet the salary and job requirements of this chapter for four (4) consecutive calendar quarters prior to payment of the first incentive payment. Except as otherwise provided in Section 57-62-9, if the business or industry does not maintain the salary or job requirements of this chapter at any other time during the ten-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of new direct jobs created and maintained by the business or industry equals or exceeds the requirements of this chapter for one (1) calendar quarter.

(b) If the business or industry is qualified to receive incentive payments for an additional period provided under Section 57-62-9(2), the business or industry must meet the wage and job requirements of Section 57-62-9(2), for four (4) consecutive calendar quarters prior to payment of the first incentive payment. If the business or industry does not maintain the wage or job requirements of Section 57-62-9(2), at any other time during the appropriate additional period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of new direct jobs created and maintained by the business or industry equals or exceeds the amounts specified in Section 57-62-9(2), for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to this chapter may receive payments only in accordance with the provision under which it initially applied and was approved. If an establishment that is receiving incentive payments expands, it may apply

for additional incentive payments based on the new gross payroll for new direct jobs anticipated from the expansion only, pursuant to this chapter.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of this chapter and all rules and regulations, the Department of Finance and Administration, upon requisition of the Department of Revenue, shall issue a warrant drawn on the Mississippi Advantage Jobs Incentive Payment Fund to the establishment in the amount of the incentive payment as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 26. Section 57-89-3, Mississippi Code of 1972, is brought forward as follows:

57-89-3. As used in this chapter, the following terms shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Base investment" means the actual investment made and expended in Mississippi by a motion picture production company in connection with the production of a state-certified production in the state. The term "base investment" includes amounts expended in Mississippi by a motion picture production company as per diem and housing allowances in connection with the production of a state-certified production in the state. The term "base investment" shall not include payroll. However, in the case of a motion picture production company, or its owner, principal, member, production partner, independent contractor director or producer, or subsidiary company that (i) is designated and pre-qualified by the Mississippi Development Authority as Mississippi-based or a Mississippi resident; (ii) has filed income taxes in the State of Mississippi during each of the previous three (3) years; and (iii) has engaged in activities related to the production of at least two (2) motion pictures in Mississippi during the past ten (10) years, base investment may include payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968, if so requested by the motion picture production company. A motion picture production company must submit such a request to the Mississippi Development Authority at the time the company submits an application for approval as a state-certified production. In addition, if base investment includes payroll and fringes, and the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then only the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes may be included in base investment.

(b) "Employee" means an individual directly involved in the physical production and/or post-production of a motion picture produced in the state and who is employed by a:

(i) Motion picture production company that is directly involved in the physical production and/or post-production of a motion picture in the state;

(ii) Personal service corporation retained by a motion picture production company to provide persons used directly in the physical production and/or post-production of a motion picture in the state; or

(iii) Payroll service or loan-out company that is retained by a motion picture production company to provide employees who work directly in the physical production and/or post-production of a motion picture in the state.

(c) "Fringes" means costs paid by a motion picture production company on or after September 1, 2013, for employee benefits that are not subject to state income tax. Fringes may include, but are not limited to, payments by an employer for unemployment insurance, Federal Insurance Contribution Act (FICA), workers' compensation insurance, pension and welfare benefits and health insurance premiums.

(d) "Motion picture" means a nationally distributed feature-length film, video, DVD, television program or series, commercial, or computer or video game made in Mississippi, in whole or in part, for theatrical or DVD release or television viewing or as a television pilot or viewing through streaming video or internet delivery, or for playing on a video game console, personal computer or handheld device. The term "motion picture" shall not include the production of television coverage of news and athletic events, or a film, video, DVD, television program, series, or commercial that contains any material or performance defined in Section 97-29-103.

(e) "Motion picture production company" means a company engaged in the business of producing nationally distributed motion pictures, videos, DVDs, television programs or series, commercials, or computer or video games intended for a theatrical release, for television viewing or for playing on a video game console, personal computer or handheld device. The term "motion picture production company" includes a company engaged in the business of making such productions through the use of animation, interactive media, preproduction and post-production 3D applications, video game cinematics, virtual production, visual effects, and motion capture within the fields of feature film, television, commercials and games. The term "motion picture production company" shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, or any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

(f) "Payroll" means salary, wages or other compensation including related benefits paid to employees upon which Mississippi income tax is due and has been withheld.

(g) "Resident" or "resident of Mississippi" means a natural person, and for the purpose of determining eligibility for the rebate provided by Section 57-89-7, any person domiciled in the State of Mississippi and any other person who maintains a permanent place of abode within the state and spends in the aggregate more than six (6) months of each year within the state.

(h) "State" means the State of Mississippi.

(i) "State-certified production" means a motion picture approved by the Mississippi Development Authority produced by a motion picture production company in the state. An application for approval as a state-certified production must be submitted to the Mississippi Development Authority before production of the project begins.

SECTION 27. Section 57-89-7, Mississippi Code of 1972, is brought forward as follows:

57-89-7. (1) (a) A motion picture production company that expends at least Fifty Thousand Dollars (\$50,000.00) in base investment, payroll and/or fringes, in the state shall be entitled to a rebate of a portion of the base investment made by the motion picture production company. Subject to the provisions of this section, the amount of the rebate shall be equal to twenty-five percent (25%) of the base investment made by the motion picture production company.

(b) In addition to the rebates authorized under paragraphs (a), (c) and (d) of this subsection, a motion picture production company may receive a rebate equal to twenty-five percent (25%) of payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(c) In addition to the rebates authorized under paragraphs (a), (b) and (d) of this subsection, a motion picture production company may receive a rebate equal to thirty percent (30%) of payroll and fringes paid for any employee who is a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(d) In addition to the rebates authorized in paragraphs (a), (b) and (c) of this subsection, a motion picture production company may receive an additional rebate equal to five percent (5%) of the payroll and fringes paid for any employee who is an honorably discharged veteran of the United States Armed Forces and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968.

(e) If a motion picture has physical production activities and/or post-production activities both inside and outside the state, then the motion picture production company shall be required to provide an itemized accounting for each employee regarding such activities inside and outside the state for the purposes of proration of eligible payroll based on the percentage of activities performed in the state.

(f) The total amount of rebates authorized for a motion picture project shall not exceed Ten Million Dollars (\$10,000,000.00) in the aggregate.

(g) The total amount of rebates authorized in any fiscal year shall not exceed Twenty Million Dollars (\$20,000,000.00) in the aggregate.

(2) A motion picture production company desiring a rebate under this section must submit a rebate request to the Department of Revenue upon completion of the project. The request must include a detailed accounting of the base investment made by the motion picture production company and any other information required by the Department of Revenue. Rebates made by the Department of Revenue under this section shall be made from current income tax collections. The Department of Revenue shall not approve any application for a rebate under subsection (1)(b) of this section after July 1, 2017.

(3) The Department of Revenue shall have all powers necessary to implement and administer the provisions of this section, and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(4) The State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

SECTION 28. Section 57-99-1, Mississippi Code of 1972, is amended as follows:

57-99-1. As used in Sections 57-99-1 through 57-99-9, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any company and affiliates thereof, pursuant to rules and regulations of the MDA, which is:

(i) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxi) and creates at least one thousand five hundred (1,500) jobs within sixty (60) months of the beginning of the project;

(ii) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxii) and creates at least five hundred (500) jobs within seventy-two (72) months of the beginning of the project;

## (iii) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxviii);
2. Creates at least twenty-five (25) jobs within sixty (60) months of the beginning of the project; and
3. In which the average annual wages and taxable benefits of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located, as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

## (iv) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxix);
2. That creates at least twenty-five (25) jobs within sixty (60) months following the date required by the MMEIA and prescribed by written agreement between the MMEIA and the enterprise establishing the project described in item 1 of this subparagraph (iv); and
3. In which the average annual wages of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state, as determined by the Mississippi Department of Employment Security.

(b) "Qualified job" means full-time employment in this state within the project site of a qualified business or industry that has qualified to receive an incentive payment pursuant to Sections 57-99-1 through 57-99-9, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of Sections 57-99-1 through 57-99-9. "Qualified job" also shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment such as employees who are leased to and managed by the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment; provided, however, that in order for a qualified business or industry to receive incentive payments for such employees, the actual employer of the employees must agree to such payments being made to the qualified business or industry.

(c) "Full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Rebate amount" means the amount of Mississippi income taxes withheld from employees in qualified jobs that is available for rebate to the qualified business or industry, provided that:

(i) Except as otherwise provided in this paragraph (d), the rebate amount shall be three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs; and

(ii) Except as otherwise provided in Section

57-99-3(5), in no event shall incentive payments exceed the actual Mississippi income taxes withheld from employees in qualified jobs that are available for rebate to the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

(f) "MMEIA" means the Mississippi Major Economic Impact Authority.

SECTION 29. Section 57-99-3, Mississippi Code of 1972, is amended as follows:

57-99-3. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in Sections 57-99-1 through 57-99-9 may receive quarterly incentive payments for a period not to exceed twenty-five (25) years from the Department of Revenue pursuant to the provisions of Sections 57-99-1 through 57-99-9 in an amount which shall be equal to the lesser of three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs or the actual amount of Mississippi income tax withheld by the employer for the qualified jobs. A qualified business or industry may elect the date upon which the incentive rebate period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments; however, in the case of a qualified business or industry described in Section 57-99-1(a)(ii), such date may not be later than seventy-two (72) months after the date the business or industry applied for incentive payments, or for a qualified business or industry described in Section 57-99-1(a)(iv), such date may not be later than the date that is sixty (60) months after the earlier of:

(a) The date the qualified business or industry applied for incentive payments; or

(b) The start of commercial production as defined in a definitive agreement between such qualified business or industry and the MDA.

(2) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(3) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry; and

(b) The business or industry must create and maintain the minimum number of qualified jobs as set forth in Section 57-99-1. Establishments that are approved as a qualified business or industry under Sections 57-99-1 through 57-99-9 may not receive incentive payments under Section 57-62-1 et seq.

(4) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of Sections 57-99-1 through 57-99-9. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility.

(5) Notwithstanding any other provision of Sections 57-99-1 through 57-99-9 to the contrary, from and after January 1, 2023, if the amount of the incentive payments that a qualified business or industry is eligible to receive under Sections 57-99-1 through 57-99-9 is less than the amount that the incentive payments would have been if the payments had been calculated using any applicable income tax personal exemptions in Section 27-7-21(b), (c) and (d), as such exemptions existed before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in

Sections 57-99-1 through 57-99-9 shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

SECTION 30. Section 57-99-5, Mississippi Code of 1972, is amended as follows:

57-99-5. (1) There is created in the State Treasury a special fund to be known as the "MMEIA Withholding Rebate Fund," into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312 and any other monies designated for deposit therein. The money in the fund shall be used for the purpose of making the incentive payments and grants authorized under Sections 57-99-1 through 57-99-9.

(2) The liability of the State of Mississippi to make the incentive payments and grants authorized under Sections 57-99-1 through 57-99-9 shall be limited to the balance contained in the fund.

SECTION 31. Section 57-99-7, Mississippi Code of 1972, is brought forward as follows:

57-99-7. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the State Tax Commission and shall specify the actual number of qualified jobs created and maintained by the business or industry for the calendar quarter and the wages and taxable benefits thereof. The State Tax Commission shall verify the actual number of qualified jobs created and maintained by the business or industry. If the State Tax Commission is not able to provide such verification utilizing all available resources, the State Tax Commission may request such additional information from the business or industry as may be necessary.

(2) The business or industry must meet the job requirements of Sections 57-99-1 through 57-99-9 for four (4) consecutive calendar quarters prior to payment of the first incentive payment. If the business or industry does not maintain the job requirements of Sections 57-99-1 through 57-99-9 at any other time during the twenty-five-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of qualified jobs created and maintained by the business or industry equals or exceeds the requirements of Sections 57-99-1 through 57-99-9 for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to Sections 57-99-1 through 57-99-9 may receive payments only in accordance with the provision under which it initially applied and was approved. If an establishment that is receiving incentive payments expands, it may apply for additional incentive payments based on the wages and taxable benefits for qualified jobs anticipated from the expansion only, pursuant to Sections 57-99-1 through 57-99-9.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of Sections 57-99-1 through 57-99-9 and all rules and regulations, the Department of Finance and Administration, upon requisition of the State Tax Commission, shall issue a warrant drawn on the MMEIA Withholding Rebate Fund to the establishment in the amount of the rebate as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 32. Section 57-99-21, Mississippi Code of 1972, is brought forward as follows:

57-99-21. As used in Sections 57-99-21 through 57-99-29, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any enterprise which is a project that has been certified by the Mississippi Major Economic Impact Authority (MMEIA) as a project defined in Section 57-75-5(f)(xxiv).

(b) "Qualified job" means full-time employment at the location of the manufacturing plant in this state of a qualified business or industry that has qualified to receive an incentive payment pursuant to Sections 57-99-21 through 57-99-29, which employment existed in this state at the location of the manufacturing plant on July 1, 2009.

(c) "Full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Rebate amount" means the amount of Mississippi income taxes withheld from employees in qualified jobs that is available for rebate to the qualified business or industry, provided that:

(i) Except as otherwise provided in this paragraph (d), the rebate amount shall be one percent (1%) of the wages and taxable benefits for qualified jobs;

(ii) In no event shall incentive payments exceed the actual Mississippi income taxes withheld from employees in qualified jobs that are available for rebate to the qualified business or industry; and

(iii) In no event shall the aggregate amount of incentive payments authorized under Sections 57-99-21 through 57-99-29 exceed Six Million Dollars (\$6,000,000.00).

(e) "MDA" means the Mississippi Development Authority.

SECTION 33. Section 57-99-23, Mississippi Code of 1972, is brought forward as follows:

57-99-23. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in Sections 57-99-21 through 57-99-29 may receive quarterly incentive payments for a period not to exceed ten (10) years from the State Tax Commission pursuant to the provisions of Sections 57-99-21 through 57-99-29 in an amount which shall be equal to the lesser of one percent (1%) of the wages and taxable benefits for qualified jobs or the actual amount of Mississippi income tax withheld by the employer for the qualified jobs.

(2) In order to receive incentive payments, an establishment shall apply to the MDA by not later than July 1, 2010. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(3) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry; and

(b) The business or industry must maintain a minimum of one thousand two hundred (1,200) qualified jobs.

(4) Upon approval of such an application, the MDA shall notify the State Tax Commission and shall provide it with a copy of the approved application. The State Tax Commission may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of Sections 57-99-21 through 57-99-29. The qualified business or industry shall report to the State Tax Commission periodically to show its continued eligibility for incentive payments. The

qualified business or industry may be audited by the State Tax Commission to verify such eligibility.

SECTION 34. Section 57-99-25, Mississippi Code of 1972, is brought forward as follows:

57-99-25. (1) There is created in the State Treasury a special fund to be known as the "MMEIA Rebate Fund" into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312. The money in the fund shall be used for the purpose of making the incentive payments authorized under Sections 57-99-21 through 57-99-29.

(2) The liability of the State of Mississippi to make the incentive payments authorized under Sections 57-99-21 through 57-99-29 shall be limited to the balance contained in the fund.

SECTION 35. Section 57-99-27, Mississippi Code of 1972, is brought forward as follows:

57-99-27. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the State Tax Commission and shall specify the actual number of qualified jobs created and maintained by the business or industry for the calendar quarter and the wages and taxable benefits thereof. The State Tax Commission shall verify the actual number of qualified jobs maintained by the business or industry. If the State Tax Commission is not able to provide such verification utilizing all available resources, the State Tax Commission may request such additional information from the business or industry as may be necessary.

(2) If the business or industry does not maintain the job requirements of Sections 57-99-21 through 57-99-29 at any other time during the ten-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of qualified jobs created and maintained by the business or industry equals or exceeds the requirements of Sections 57-99-21 through 57-99-29 for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to Sections 57-99-21 through 57-99-29 may receive payments only in accordance with the provision under which it initially applied and was approved.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of Sections 57-99-21 through 57-99-29 and all rules and regulations, the Department of Finance and Administration, upon requisition of the State Tax Commission, shall issue a warrant drawn on the MMEIA Withholding Rebate Fund to the establishment in the amount of the rebate as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 36. Section 37-148-3, Mississippi Code of 1972, is brought forward as follows:

37-148-3. As used in this chapter, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "College" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

(b) "Investor" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax.

(c) "Qualified research" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research expenses that are already being funded by any grant, contract or otherwise by another person or governmental entity.

(d) "Research agreement" means a written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research. All qualified research costs generating a SMART Business Rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

(e) "Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by or affiliated with a college and all income and profits of the corporation inure to the benefit of the college.

(f) "Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

(g) "State" means the State of Mississippi or a governmental entity of the State of Mississippi.

(h) "IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

(i) "SMART Business" means Strengthening Mississippi Academic Research Through Business.

(j) "Applicant" means a college or research corporation applying for SMART Business Accelerate Initiative funds to develop state-owned intellectual property into products and services.

(k) "Qualified validation expense" includes, but is not limited to, services that accelerate the development of early product concepts, conducting proof-of-concept studies, and manufacturing prototypes to perform research validation. Qualified validation expense does not include salaries or wages associated with a licensee of state-owned intellectual property, legal fees or any payment in conflict with state law.

(l) "Research validation" means research intended to validate the commercial viability of state-owned intellectual property.

(m) "Disbursement" means a grant of funds to support research validation.

SECTION 37. Section 37-148-5, Mississippi Code of 1972, is brought forward as follows:

37-148-5. (1) The SMART Business Act shall include the SMART Business Rebate to promote research partnerships between colleges and investors and the SMART Business Accelerate Initiative to promote the development of state-owned intellectual property.

(2) The SMART Business Rebate shall be implemented as follows:

(a) Subject to the provisions of this chapter, an investor incurring qualified research costs subject to a research agreement is eligible for a rebate equal to twenty-five percent (25%) of the investor's qualified research costs.

(b) An investor incurring research costs may not claim a rebate pursuant to this chapter greater than One Million Dollars (\$1,000,000.00) in any fiscal year.

(c) The total amount of rebates issued under the SMART Business Rebate by the state in any fiscal year may not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

(d) Investors desiring to apply for the SMART Business rebate authorized by this chapter shall submit an application to IHL which must contain, at a minimum, the following:

(i) A description of the qualified research to be conducted by the college or research corporation;

(ii) A proposed budget;

(iii) An estimated date for completion of the qualified research; and

(iv) Such additional information as may be requested by IHL.

(e) IHL shall review each application to determine if the investor has satisfied all of the requirements of this section.

(f) Within sixty (60) days of receiving an application, IHL shall issue or refuse to issue a SMART Business Rebate certificate. The SMART Business Rebate certificate must include the amount of the rebate the investor is eligible to claim, subject to subsection (1) of this section. IHL must notify the Department of Revenue when a SMART Business Rebate certificate is issued.

(g) To claim a rebate, the investor must submit a rebate allocation claim to the Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business Rebate certificate issued by IHL and proof of payment to the college or research corporation for qualified research conducted according to the research agreement.

(h) The Department of Revenue may request an audit from the investor submitting a rebate allocation claim, at the investor's expense, to verify the investor has satisfied the requirements of this chapter.

(i) The Department of Revenue shall issue rebates available under this subsection from current income tax collections.

(j) Rebates must be allocated to investors by the Department of Revenue in the order that SMART Business Rebate certificates are issued by IHL.

(3) The SMART Business Accelerate Initiative shall be implemented as follows:

(a) Subject to the provisions of this chapter, an applicant performing research validation pursuant to a research agreement is eligible for a disbursement of up to One Hundred Fifty Thousand Dollars (\$150,000.00) for the applicant's qualified validation expenses.

(b) The total amount of disbursements issued by the state under the SMART Business Accelerate Initiative in any fiscal year may not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00).

(c) Applicants desiring to apply for a SMART Business Accelerate Initiative disbursement authorized by this chapter shall submit an application to IHL which must contain, at a minimum, the following:

(i) A description of the research validation to be conducted by the college or research corporation using funds from the disbursement;

(ii) A proposed budget of qualified validation expenses;

(iii) A certified determination from the applicant that the proposed research validation is necessary to develop state-owned intellectual property into products and services; and

(iv) Such additional information as may be requested by IHL.

(d) IHL shall review each application to determine if the applicant has satisfied all of the requirements of this section.

(e) Within sixty (60) days of receiving an application, IHL shall issue or refuse to issue a SMART Business Accelerate Initiative disbursement certificate. The SMART Business Accelerate Initiative disbursement certificate must include the amount of the disbursement the applicant is eligible to receive, subject to paragraphs (a) and (b) of this subsection. IHL must notify the Department of Revenue when a SMART Business Accelerate Initiative disbursement certificate is issued.

(f) IHL shall develop a process for accepting, reviewing and selecting proposals for SMART Business Accelerate Initiative disbursements and notifying the Department of Revenue when applicants have been selected to receive disbursements.

(g) The Department of Revenue shall issue disbursements available under this subsection from current income tax collections.

SECTION 38. Section 57-105-1, Mississippi Code of 1972, is brought forward as follows:

57-105-1. (1) As used in this section:

(a) "Adjusted purchase price" means the investment in the qualified community development entity for the qualified equity investment, substantially all of the proceeds of which are used to make qualified low-income community investments in Mississippi.

For the purposes of calculating the amount of qualified low-income community investments held by a qualified community development entity, an investment will be considered held by a qualified community development entity even if the investment has been sold or repaid; provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi within twelve (12) months of the receipt of such capital. A qualified community development entity will not be required to reinvest capital returned from the qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment will be considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(b) "Applicable percentage" means:

(i) For any equity investment issued prior to July 1, 2008, four percent (4%) for each of the second through seventh credit allowance dates for purposes of the

taxes imposed by Section 27-7-5 and one and one-third percent (1-1/3%) for each of the second through seventh credit allowance dates for purposes of the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(ii) For any equity investment issued from and after July 1, 2008, eight percent (8%) for each of the first through third credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(c) "Credit allowance date" means, with respect to any qualified equity investment:

(i) The later of:

1. The date upon which the qualified equity investment is initially made; or

2. The date upon which the Mississippi Development Authority issues a certificate under subsection (4) of this section; and

(ii) 1. For equity investments issued prior to July 1, 2008, each of the subsequent six (6) anniversary dates of the date upon which the investment is initially made; or

2. For equity investments issued from and after July 1, 2008, each of the subsequent two (2) anniversary dates of the date determined as provided for in subparagraph (i) of this paragraph.

(d) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, if the entity has entered into an Allocation Agreement with the Community Development Financial Institutions Fund of the United States Department of the Treasury with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended.

(e) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended.

(f) "Qualified equity investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended. The investment does not have to be designated as a qualified equity investment by the Community Development Financial Institutions Fund of the United States Treasury to be considered a qualified equity investment under this section but otherwise must meet the definition under the Internal Revenue Code. In addition to meeting the definition in Section 45D of the Internal Revenue Code such investment must also:

(i) Have been acquired after January 1, 2007, at its original issuance solely in exchange for cash; and

(ii) Have been allocated by the Mississippi Development Authority.

For the purposes of this section, such investment shall be deemed a qualified equity investment on the later of the date such qualified equity investment is made or the date on which the Mississippi Development Authority issues a certificate under subsection (4) of this section allocating credits based on such investment.

(g) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community

investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of allocating any credits under this section shall not exceed Ten Million Dollars (\$10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities.

(2) A taxpayer that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage of the adjusted purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the taxpayer for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the Mississippi Development Authority may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Fifteen Million Dollars (\$15,000,000.00), exclusive of credits that might be carried forward from previous taxable years; however, a maximum of one-third (1/3) of this amount may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any taxpayer claiming a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The Mississippi Development Authority shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date.

(4) The qualified community development entity shall apply for credits with the Mississippi Development Authority on forms prescribed by the Mississippi Development Authority. The qualified community development entity must pay an application fee of One Thousand Dollars (\$1,000.00) to the Mississippi Development Authority at the time the application is submitted. In the application the qualified community development entity shall certify to the Mississippi Development Authority the dollar amount of the qualified equity investments made or to be made in this state, including in any federal Indian reservation located within the state's geographical boundary, during the first twelve-month period following the initial credit allowance date. The Mississippi Development Authority shall allocate credits based on the dollar amount of qualified equity investments as certified in the application. Once the Mississippi Development Authority has allocated credits to a qualified community development entity, if the corresponding qualified equity investment has not been issued as of the date of such allocation, then the corresponding qualified equity investment must be issued not later than one hundred twenty (120) days from the date of such allocation. If the qualified equity investment is not issued within such time period, the allocation shall be cancelled and returned to the Mississippi Development Authority for reallocation. Upon final documentation of the qualified low-income community investments, if the actual dollar amount of the investments is lower than the amount estimated, the Mississippi Development Authority shall adjust the tax credit allowed under this section. The Department of Revenue may recapture all of the credit allowed under this section if:

(a) Any amount of federal tax credits available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(b) The qualified community development entity redeems or makes any principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(c) The qualified community development entity fails to maintain at least eighty-five percent (85%) of the proceeds of the qualified equity investment in qualified low-income community investments in Mississippi at any time prior to the seventh anniversary of the issuance of the qualified equity investment.

Any credits that are subject to recapture under this subsection shall be recaptured from the taxpayer that actually claimed the credit.

The Mississippi Development Authority shall not allocate any credits under this section after July 1, 2024.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the Mississippi Development Authority the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The Mississippi Development Authority shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the Mississippi Development Authority's Internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special purpose corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The Mississippi Development Authority shall promulgate rules and regulations to implement the provisions of this section.

SECTION 39. Section 27-25-503, Mississippi Code of 1972, is brought forward as follows:

27-25-503. (1) (a) Except as otherwise provided in this section, there is levied, to be collected as provided in this article, annual privilege taxes upon every person engaging or continuing within this state in the business of producing, or severing oil from the soil or water for sale, transport, storage, profit or for commercial use. The amount of the tax shall be measured by the value of the oil produced, and shall be levied and assessed at the rate of six percent (6%) of the value of the oil at the point of production.

(b) The tax shall be levied and assessed at the rate of three percent (3%) of the value of the oil at the point of production on oil produced by an enhanced oil recovery method in which carbon dioxide is used; provided, that such carbon dioxide is transported by pipeline to the oil well site and on oil produced by any other enhanced oil recovery method approved and permitted by the State Oil and Gas Board on or after April 1, 1994, pursuant to Section 53-3-101 et seq.

(c) (i) The tax shall be levied and assessed at the rate of one and three-tenths percent (1.3%) of the value of the oil at the point of production on oil produced from a horizontally drilled well or from any horizontally drilled recompletion well from which production commences from and after July 1, 2013, for a period of thirty (30) months beginning on the date of first sale of production or until payout of the well cost is achieved, whichever first occurs. Thereafter, the tax shall be levied and assessed as provided for in paragraph (a) of this subsection.

(ii) Payout of a horizontally drilled well or horizontally drilled recompletion well shall be deemed to have occurred the first day of the next month after gross revenues, less royalties and severance taxes, equal to the cost to drill and complete the well.

(iii) Each operator must apply by letter to the State Oil and Gas Board for the reduced rate provided in this paragraph (c), and shall provide the board with the status of payout on a semiannual basis of any horizontally drilled well or horizontally drilled recompletion well by signed affidavit executed by a company representative.

(iv) This paragraph (c) shall be repealed from and after July 1, 2023; however, any horizontally drilled well or horizontally drilled recompletion well from which production commences before July 1, 2023, shall be taxed as provided for in this paragraph (c) notwithstanding that the repeal of this paragraph (c) has become effective.

(2) The tax is levied upon the entire production in this state regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state, and the tax shall accrue at the time the oil is severed from the soil, or water, and in its natural, unrefined or unmanufactured state.

(3) (a) Oil produced from a discovery well for which drilling or re-entry commenced on or after April 1, 1994, but before July 1, 1999, shall be exempt from the taxes levied under this section for a period of five (5) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The exemption for oil produced from a discovery well as described in this paragraph (a) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be exempt for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Oil produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after January 1, 1994, but before July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of three (3) years. The reduced rate of assessment of oil produced from development wells or replacement wells as described in this paragraph (a) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced from a discovery well for which drilling or re-entry commenced on or after July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The reduced rate of assessment of oil produced from a discovery well as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Oil produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of three (3) years. The reduced rate of assessment of oil produced from development wells or replacement wells as described in this paragraph (b) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before July 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(4) (a) Oil produced from a development well for which drilling commenced on or after April 1, 1994, but before July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The reduced rate of assessment of oil produced from a development well as described in this paragraph (a) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced from a development well for which drilling commenced on or after July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The reduced rate of assessment of oil produced from a development well as described in this paragraph (b) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(5) (a) Oil produced before July 1, 1999, from a two-year inactive well as defined in Section 27-25-501 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The exemption for oil produced from an inactive well shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced on or after July 1, 1999, from a two-year inactive well as defined in Section 27-25-501 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The exemption for oil produced from an inactive well shall be repealed from and after July 1, 2003, provided that any such production which began before July

1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(6) [Repealed]

(7) The State Oil and Gas Board shall have the exclusive authority to determine the qualification of wells defined in paragraphs (n) through (t) of Section 27-25-501.

SECTION 40. Section 27-25-505, Mississippi Code of 1972, is brought forward as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

27-25-505. (1) All taxes levied in this article and collected by the Department of Revenue shall be paid into the State Treasury on the same day collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the oil was produced, in accordance with the following schedule and so certify such apportionment to the State Treasurer at the end of each month:

On the first Six Hundred Thousand Dollars (\$600,000.00) or any part thereof, sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

Above and exceeding Six Hundred Thousand Dollars (\$600,000.00), or any part thereof, ninety percent (90%) to the state and ten percent (10%) to the county through June 30, 1989; eighty-five percent (85%) to the state and fifteen percent (15%) to the county from July 1, 1989, through June 30, 1990; eighty percent (80%) to the state and twenty percent (20%) to the county from July 1, 1990, through June 30, 2015; seventy-nine percent (79%) to the state and twenty-one percent (21%) to the county from July 1, 2015, through June 30, 2016; seventy-eight percent (78%) to the state and twenty-two percent (22%) to the county from July 1, 2016, through June 30, 2017; seventy-seven percent (77%) to the state and twenty-three percent (23%) to the county from July 1, 2017, through June 30, 2018; seventy-six percent (76%) to the state and twenty-four percent (24%) to the county from July 1, 2018, through June 30, 2019; and seventy-four percent (74%) to the state and twenty-six percent (26%) to the county for each fiscal year thereafter.

(3) The state's share of all oil severance taxes collected pursuant to this article shall be deposited as provided for in Section 27-25-506.

(4) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-503(1)(c) to the county in which the oil was produced.

(5) The State Treasurer shall remit the county's share of taxes collected pursuant to this article on or before the twentieth day of the month next succeeding the month in which the collections were made, for division among the municipalities and taxing districts of the county. He shall accompany his remittance with a report to the county receiving the funds prepared by the commissioner showing from whom the tax was collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, as provided in this subsection.

(6) Except as provided in subsection (8) of this section, when there are any oil producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax returned to the county in which the municipality is located, in the proportion which the tax on production of oil from any properties located

within the municipal corporate limits bears to the tax on the total production of oil in the county. In no event, however, shall the amount allocated to municipalities exceed one-third (1/3) of the tax produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used only for such purposes as are authorized by law.

(7) Except as provided in subsection (8) of this section, the balance remaining of any amount of tax returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond interest funds of the county, school districts, supervisors districts and road districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for purposes as are authorized by law.

(8) Any amount above and exceeding Six Hundred Thousand Dollars (\$600,000.00) that is remitted to the county that is more than twenty percent (20%) of the taxes above and exceeding Six Hundred Thousand Dollars (\$600,000.00) collected on oil produced in the county, shall be utilized by the county for infrastructure repairs.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

27-25-505. (1) All taxes levied in this article and collected by the Department of Revenue shall be paid into the State Treasury on the same day collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the oil was produced, in accordance with the following schedule and so certify such apportionment to the State Treasurer at the end of each month:

On the first Six Hundred Thousand Dollars (\$600,000.00) or any part thereof, sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

Above and exceeding Six Hundred Thousand Dollars (\$600,000.00), or any part thereof, ninety percent (90%) to the state and ten percent (10%) to the county through June 30, 1989; eighty-five percent (85%) to the state and fifteen percent (15%) to the county from July 1, 1989, through June 30, 1990; eighty percent (80%) to the state and twenty percent (20%) to the county from July 1, 1990, through June 30, 2015; seventy-nine percent (79%) to the state and twenty-one percent (21%) to the county from July 1, 2015, through June 30, 2016; seventy-eight percent (78%) to the state and twenty-two percent (22%) to the county from July 1, 2016, through June 30, 2017; seventy-seven percent (77%) to the state and twenty-three percent (23%) to the county from July 1, 2017, through June 30, 2018; seventy-six percent (76%) to the state and twenty-four percent (24%) to the county from July 1, 2018, through June 30, 2019; and seventy-four percent (74%) to the state and twenty-six percent (26%) to the county for each fiscal year thereafter.

(3) The state's share of all oil severance taxes collected pursuant to this article shall be deposited as provided for in Section 27-25-506.

(4) The commissioner shall apportion all the tax collections made pursuant to the tax levied in Section 27-25-503(1)(c) to the county in which the oil was produced.

(5) The State Treasurer shall remit the county's share of the taxes collected pursuant to this article on or before the twentieth day of the month next succeeding the month in which the collections were made, for division among the municipalities and taxing districts of the county. He shall accompany his remittance with a report to the county receiving the funds prepared by the commissioner showing from whom the tax was

collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county and school districts, as provided in this subsection.

(6) Except as provided in subsection (8) of this section, when there are any oil producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax returned to the county in which the municipality is located, in the proportion which the tax on production of oil from any properties located within the municipal corporate limits bears to the tax on the total production of oil in the county. In no event, however, shall the amount allocated to municipalities exceed one-third (1/3) of the tax produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided in this subsection shall be used only for such purposes as are authorized by law.

(7) Except as provided in subsection (8) of this section, the balance remaining of any amount of tax returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond interest funds of the county and school districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for purposes as are authorized by law.

(8) Any amount above and exceeding Six Hundred Thousand Dollars (\$600,000.00) that is remitted to the county that is more than twenty percent (20%) of the taxes above and exceeding Six Hundred Thousand Dollars (\$600,000.00) collected on oil produced in the county, shall be utilized by the county for infrastructure repairs.

SECTION 41. Section 27-25-703, Mississippi Code of 1972, is brought forward as follows:

27-25-703. (1) (a) Except as otherwise provided in this section, there is hereby levied, to be collected as provided in this article, annual privilege taxes upon every person engaging or continuing within this state in the business of producing, or severing gas from below the soil or water for sale, transport, storage, profit or for commercial use. The amount of the tax shall be measured by the value of the gas produced and shall be levied and assessed at a rate of six percent (6%) of the value of the gas at the point of production, except as otherwise provided in subsection (4) of this section.

(b) (i) The tax shall be levied and assessed at the rate of one and three-tenths percent (1.3%) of the value of the gas at the point of production on gas produced from a horizontally drilled well or from any horizontally drilled recompletion well from which production commences from and after July 1, 2013, for a period of thirty (30) months beginning on the date of first sale of production or until payout of the well cost is achieved, whichever first occurs. Thereafter, the tax shall be levied and assessed as provided for in paragraph (a) of this subsection.

(ii) Payout of a horizontally drilled well or horizontally drilled recompletion well shall be deemed to have occurred the first day of the next month after gross revenues, less royalties and severance taxes, equal to the cost to drill and complete the well.

(iii) Each operator must apply by letter to the State Oil and Gas Board for the reduced rate provided in this paragraph (b), and shall provide the board with the status of payout on a semiannual basis of any horizontally drilled well or horizontally drilled recompletion well by signed affidavit executed by a company representative.

(iv) This paragraph (b) shall be repealed from and after July 1, 2023; however, any horizontally drilled well or horizontally drilled recompletion well from which production commences before July 1, 2023, shall be taxed as provided for in this paragraph (b) notwithstanding that the repeal of this paragraph (b) has become effective.

(2) The tax is levied upon the entire production in this state, regardless of the place of sale or to whom sold or by whom used, or the fact that the delivery may be made to points outside the state, but not levied upon that gas, lawfully injected into the earth for cycling, repressuring, lifting or enhancing the recovery of oil, nor upon gas lawfully vented or flared in connection with the production of oil, nor upon gas condensed into liquids on which the oil severance tax of six percent (6%) is paid; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be excluded in computing the tax. The tax shall accrue at the time the gas is produced or severed from the soil or water, and in its natural, unrefined or unmanufactured state.

(3) Natural gas and condensate produced from any wells for which drilling is commenced after March 15, 1987, and before July 1, 1990, shall be exempt from the tax levied under this section for a period of two (2) years beginning on the date of first sale of production from such wells.

(4) (a) Any well which begins commercial production of occluded natural gas from coal seams on or after March 20, 1990, and before July 1, 1993, shall be taxed at the rate of three and one-half percent (3-1/2%) of the gross value of the occluded natural gas from coal seams at the point of production for a period of five (5) years after such well begins production.

(b) Any well which begins commercial production of occluded natural gas from coal seams on or after July 1, 2004, and before July 1, 2007, shall be taxed at the rate of three percent (3%) of the gross value of the occluded natural gas from coal seams at the point of production for a period of five (5) years beginning on the date of the first sale of production from such well.

(5) (a) Natural gas produced from discovery wells for which drilling or re-entry commenced on or after April 1, 1994, but before July 1, 1999, shall be exempt from the tax levied under this section for a period of five (5) years beginning on the earlier of one (1) year from completion of the well or the date of first sale from such well, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from discovery wells as described in this paragraph (a) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be exempt for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Natural gas produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after January 1, 1994, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of three (3) years. The reduced rate of assessment of natural gas produced from development wells or replacement wells as described in this paragraph (a) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Natural gas produced from discovery wells for which drilling or re-entry commenced on or after July 1, 1999, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of five (5) years beginning on the earlier of one (1) year from completion of the well or the date of first sale from such well, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of natural gas produced from discovery wells as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Natural gas produced from development wells or

replacement wells drilled in connection with discovery wells for which drilling commenced on or after July 1, 1999, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of three (3) years. The reduced rate of assessment of natural gas produced from development wells or replacement wells as described in this paragraph (b) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(6) (a) Gas produced from a development well for which drilling commenced on or after April 1, 1994, but before July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well, shall be assessed at a rate of three percent (3%) of the value of the gas at the point of production for a period of five (5) years, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of gas produced from a development well as described in this subsection and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(b) Gas produced from a development well for which drilling commenced on or after July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well, shall be assessed at a rate of three percent (3%) of the value of the gas at the point of production for a period of five (5) years, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of gas produced from a development well as described in this paragraph (b) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(7) (a) Natural gas produced before July 1, 1999, from a two-year inactive well as defined in Section 27-25-701 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from an inactive well as described in this subsection shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Natural gas produced on or after July 1, 1999, from a two-year inactive well as defined in Section 27-25-701 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from an inactive well as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(8) The State Oil and Gas Board shall have the exclusive authority to determine the qualification of wells defined in paragraphs (n) through (t) of Section 27-25-701.

SECTION 42. Section 27-25-705, Mississippi Code of 1972, is brought forward as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

27-25-705. (1) All taxes levied in this article and collected by the department shall be paid into the State Treasury on the same day in which the taxes are collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the gas was produced, in the proportion of sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

(3) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-703(1)(b) to the county in which the gas is produced.

(4) When the producer of gas subject to the tax levied in this article increases the price of the gas sold and such increase is subject to approval by a federal regulatory board or commission, and when the producer of the gas so requests, the State Treasurer is hereby authorized to hold the severance tax collected on the price increase in escrow until such time as the price increase or a portion thereof is finally granted or approved. The severance tax thus held in escrow shall be deposited by the State Treasurer to an account in a state depository to be invested in an interest-bearing account in the manner provided by law. When the price increase in question or a portion thereof is granted or approved, the commissioner shall compute the correct severance tax due on the increase and certify the amount of tax thus computed. This amount and interest earned from the depository shall be distributed to the General Fund and to the county or counties proportionately as provided in this subsection. The balance, if any, of the tax and interest held in escrow on the price increase shall be returned to the taxpayer.

(5) The state's share of all gas severance taxes collected pursuant to this section shall be deposited as provided for in Section 27-25-506.

(6) The commissioner shall certify at the end of each month the apportionment to each county to the State Treasurer, who shall remit the county's share of the funds on or before the twentieth day of the month next succeeding the month in which the collections were made for division among the municipalities and taxing districts of the county. The commissioner shall submit a report to the State Treasurer for distribution to each county receiving the funds showing from whom the tax and interest, if any, were collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, as provided in this subsection.

When there are any gas producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax and interest, if any, returned to the county in which the municipality is located in the proportion which the tax on production of gas from properties located within the municipal corporate limits bears to the tax on total production of gas in the county. In no event, however, shall the amount allocated to the municipalities exceed one-third (1/3) of the tax and interest produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used for such purposes as are authorized by law.

The balance remaining of any funds returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for such purposes as are authorized by law.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

27-25-705. (1) All taxes herein levied in this article and collected by the department shall be paid into the State Treasury on the same day in which the taxes are collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the gas was produced, in the proportion of sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

(3) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-703(1)(b) to the county in which the gas is produced.

(4) When the producer of gas subject to the tax levied in this article increases the price of the gas sold and the increase is subject to approval by a federal regulatory board or commission, and when the producer of the gas so requests, the State Treasurer is hereby authorized to hold the severance tax collected on the price increase in escrow until such time as the price increase or a portion thereof is finally granted or approved. The severance tax thus held in escrow shall be deposited by the State Treasurer to an account in a state depository to be invested in an interest-bearing account in the manner provided by law. When the price increase in question or a portion thereof is granted or approved, the commissioner shall compute the correct severance tax due on the increase and certify the amount of tax thus computed. This amount and interest earned from the depository shall be distributed to the General Fund and to the county or counties proportionately as provided in this subsection. The balance, if any, of the tax and interest held in escrow on the price increase shall be returned to the taxpayer.

(5) The state's share of all gas severance taxes collected pursuant to this section shall be deposited as provided for in Section 27-25-506.

(6) The commissioner shall certify at the end of each month the apportionment to each county to the State Treasurer, who shall remit the county's share of the funds on or before the twentieth day of the month next succeeding the month in which the collections were made for division among the municipalities and taxing districts of the county. The commissioner shall submit a report to the State Treasurer for distribution to each county receiving the funds showing from whom the tax and interest, if any, were collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county and school districts, as provided in this subsection.

When there are any gas producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax and interest, if any, returned to the county in which the municipality is located in the proportion which the tax on production of gas from properties located within the municipal corporate limits bears to the tax on total production of gas in the county. In no event, however, shall the amount allocated to the municipalities exceed one-third (1/3) of the tax and interest produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used for such purposes as are authorized by law.

The balance remaining of any funds returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond and interest funds of the county and school districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for such purposes as are authorized by law.

SECTION 43. Section 27-65-19, Mississippi Code of 1972, is brought forward as follows:

27-65-19. (1) (a) (i) Except as otherwise provided in this subsection, upon every person selling to consumers, electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business. Provided, gross income from sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use, and sales of potable water for residential, noncommercial or nonagricultural use shall be excluded from taxable gross income of the business. Provided further, upon every such seller using electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel for nonindustrial purposes, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the cost or value of the product or service used.

(ii) Gross income from sales to a church that is exempt from federal income taxation under 26 USCS Section 501(c)(3) of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for heating, lighting or other use, and sales of potable water to such a church shall be excluded from taxable gross income of the business if the electricity, current, power, natural gas, liquefied petroleum gas or potable water is utilized on property that is primarily used for religious or educational purposes.

(b) (i) There is hereby levied, assessed and shall be collected a tax equal to one and one-half percent (1-1/2%) of the gross income of the business from the sale of naturally occurring carbon dioxide and anthropogenic carbon dioxide lawfully injected into the earth for:

1. Use in an enhanced oil recovery project, including, but not limited to, use for cycling, repressuring or lifting of oil; or
2. Permanent sequestration in a geological formation.

(ii) The one and one-half percent (1-1/2%) rate provided for in this subsection shall apply to electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel that is sold to a producer of oil and gas for use directly in enhanced oil recovery using carbon dioxide and/or the permanent sequestration of carbon dioxide in a geological formation.

(c) The one and one-half percent (1-1/2%) rate provided for in this subsection shall not apply to sales of fuel for automobiles, trucks, truck-tractors, buses, farm tractors or airplanes.

(d) (i) Upon every person providing services in this state, there is hereby levied, assessed and shall be collected:

1. A tax equal to seven percent (7%) of the gross income received from all charges for intrastate telecommunications services.
2. A tax equal to seven percent (7%) of the gross income received from all charges for interstate telecommunications services.
3. A tax equal to seven percent (7%) of the gross income received from all charges for international telecommunications services.
4. A tax equal to seven percent (7%) of the gross income received from all charges for ancillary services.

5. A tax equal to seven percent (7%) of the gross income received from all charges for products delivered electronically, including, but not limited to, software, music, games, reading materials or ring tones.

(ii) A person, upon proof that he has paid a tax in another state on an event described in subparagraph (i) of this paragraph (d), shall be allowed a credit against the tax imposed in this paragraph (d) on interstate telecommunications service charges to the extent that the amount of such tax is properly due and actually paid in such other state and to the extent that the rate of sales tax imposed by and paid in such other state does not exceed the rate of sales tax imposed by this paragraph (d).

(iii) Charges by one (1) telecommunications provider to another telecommunications provider holding a permit issued under Section 27-65-27 for services that are resold by such other telecommunications provider, including, but not limited to, access charges, shall not be subject to the tax levied pursuant to this paragraph (d).

(iv) For purposes of this paragraph (d):

1. "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. The term "telecommunications service" shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including, but not limited to, directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 USCS 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

2. "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to,

detailed telecommunications billing, directory assistance, vertical service and voice mail service.

a. "Conference bridging" means an ancillary service that links two (2) or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging does not include the telecommunications services used to reach the conference bridge.

b. "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

c. "Directory assistance" means an ancillary service of providing telephone number information and/or address information.

d. "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

e. "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

3. "Intrastate" means telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in the same United States state or United States territory or possession.

4. "Interstate" means a telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in a different United States state or United States territory or possession.

5. "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively.

(v) For purposes of paragraph (d), the following sourcing rules shall apply:

1. Except for the defined telecommunications services in item 3 of this subparagraph, the sales of telecommunications services sold on a call-by-call basis shall be sourced to:

a. Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction, or

b. Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunications services in item 3 of this subparagraph, a sale of telecommunications services sold on a basis other than a call-by-call basis, is sourced to the customer's place of primary use.

3. The sale of the following telecommunications services shall be sourced to each level of taxing jurisdiction as follows:

a. A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the

customer's place of primary use as required by the Mobile Telecommunication Sourcing Act.

A. A home service provider shall be responsible for obtaining and maintaining the customer's place of primary use. The home service provider shall be entitled to rely on the applicable residential or business street address supplied by such customer, if the home service provider's reliance is in good faith; and the home service provider shall be held harmless from liability for any additional taxes based on a different determination of the place of primary use for taxes that are customarily passed on to the customer as a separate itemized charge. A home service provider shall be allowed to treat the address used for purposes of the tax levied by this chapter for any customer under a service contract in effect on August 1, 2002, as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement. Month-to-month services provided after the expiration of a contract shall be treated as an extension or renewal of such contract or agreement.

B. If the commissioner determines that the address used by a home service provider as a customer's place of primary use does not meet the definition of the term "place of primary use" as defined in subitem a.A. of this item 3, the commissioner shall give binding notice to the home service provider to change the place of primary use on a prospective basis from the date of notice of determination; however, the customer shall have the opportunity, prior to such notice of determination, to demonstrate that such address satisfies the definition.

C. The department has the right to collect any taxes due directly from the home service provider's customer that has failed to provide an address that meets the definition of the term "place of primary use" which resulted in a failure of tax otherwise due being remitted.

b. A sale of postpaid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

A. The seller's telecommunications system; or

B. Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. A sale of a prepaid calling service or prepaid wireless calling service shall be subject to the tax imposed by this paragraph if the sale takes place in this state. If the customer physically purchases a prepaid calling service or prepaid wireless calling service at the vendor's place of business, the sale is deemed to take place at the vendor's place of business. If the customer does not physically purchase the service at the vendor's place of business, the sale of a prepaid calling card or prepaid wireless calling card is deemed to take place at the first of the following locations that applies to the sale:

A. The customer's shipping address, if the sale involves a shipment;

B. The customer's billing address;

C. Any other address of the customer that is known by the vendor; or

D. The address of the vendor, or alternatively, in the case of a prepaid wireless calling service, the location associated with the mobile telephone number.

4. A sale of a private communication service is sourced as follows:

a. Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located.

b. Service where all customer termination points are located entirely within one (1) jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located.

c. Service for segments of a channel between two (2) customer channel termination points located in different jurisdictions and which segments of a channel are separately charged is sourced fifty percent (50%) in each level of jurisdiction in which the customer channel termination points are located.

d. Service for segments of a channel located in more than one (1) jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

5. A sale of ancillary services is sourced to the customer's place of primary use.

(vi) For purposes of subparagraph (v) of this paragraph (d):

1. "Air-to-ground radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

2. "Call-by-call basis" means any method of charging for telecommunications services where the price is measured by individual calls.

3. "Communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

4. "Customer" means the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunications service. Customer does not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area.

5. "Customer channel termination point" means the location where the customer either inputs or receives the communications.

6. "End user" means the person who utilizes the telecommunications service. In the case of an entity, "end user" means the individual who utilizes the service on behalf of the entity.

7. "Home service provider" has the meaning ascribed to such term in Section 124(5) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

8. "Mobile telecommunications service" has the meaning ascribed to such term in Section 124(7) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

9. "Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, the place of primary use must be within the licensed service area of the home service provider.

10. "Post-paid calling service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service that would be a prepaid calling service except it is not exclusively a telecommunications service.

11. "Prepaid calling service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

12. "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary service, which must be paid for in advance that is sold in predetermined units or dollars of which the number declines with use in a known amount.

13. "Private communication service" means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations and any other associated services that are provided in connection with the use of such channel or channels.

14. "Service address" means:

a. The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid.

b. If the location in subitem a of this item 14 is not known, the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. If the location in subitems a and b of this item 14 are not known, the location of the customer's place of primary use.

(vii) 1. For purposes of this subparagraph (vii), "bundled transaction" means a transaction that consists of distinct and identifiable properties or services which are sold for a single nonitemized price but which are treated differently for tax purposes.

2. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, or audio or video programming services taxed under this chapter in which the price of the bundled transaction is attributable to properties or services that are taxable and nontaxable, the

portion of the price that is attributable to any nontaxable property or service shall be subject to the tax unless the provider can reasonably identify that portion from its books and records kept in the regular course of business.

3. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, audio or video programming services subject to tax under this chapter in which the price is attributable to properties or services that are subject to the tax but the tax revenue from the different properties or services are dedicated to different funds or purposes, the provider shall allocate the price among the properties or services:

a. By reasonably identifying the portion of the price attributable to each of the properties and services from its books and records kept in the regular course of business; or

b. Based on a reasonable allocation methodology approved by the department.

4. This subparagraph (vii) shall not create a right of action for a customer to require that the provider or the department, for purposes of determining the amount of tax applicable to a bundled transaction, allocate the price to the different portions of the transaction in order to minimize the amount of tax charged to the customer. A customer shall not be entitled to rely on the fact that a portion of the price is attributable to properties or services not subject to tax unless the provider elects, after receiving a written request from the customer in the form required by the provider, to provide verifiable data based upon the provider's books and records that are kept in the regular course of business that reasonably identifies the portion of the price attributable to the properties or services not subject to the tax.

(2) Persons making sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use or sales of potable water for residential, noncommercial or nonagricultural use shall indicate on each statement rendered to customers that such charges are exempt from sales taxes.

(3) There is hereby levied, assessed and shall be paid on transportation charges on shipments moving between points within this state when paid directly by the consumer, a tax equal to the rate applicable to the sale of the property being transported. Such tax shall be reported and paid directly to the Department of Revenue by the consumer.

SECTION 44. Section 27-65-22, Mississippi Code of 1972, is brought forward as follows:

27-65-22. (1) Upon every person engaging or continuing in any amusement business or activity, which shall include all manner and forms of entertainment and amusement, all forms of diversion, sport, recreation or pastime, shows, exhibitions, contests, displays, games or any other and all methods of obtaining admission charges, donations, contributions or monetary charges of any character, from the general public or a limited or selected number thereof, directly or indirectly in return for other than tangible property or specific personal or professional services, whether such amusement is held or conducted in a public or private building, hotel, tent, pavilion, lot or resort, enclosed or in the open, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income received as admission, except as otherwise provided herein. In lieu of the rate set forth above, there is hereby imposed, levied and assessed, to be collected as hereinafter provided, a tax of three percent (3%) of gross revenue derived from sales of admission to publicly owned enclosed coliseums and auditoriums (except admissions to athletic contests between colleges and universities). There is hereby imposed, levied and assessed a tax of seven percent (7%) of gross revenue derived from sales of admission to events conducted on property managed by the

Mississippi Veterans Memorial Stadium, which tax shall be administered in the manner prescribed in this chapter, subject, however, to the provisions of Sections 55-23-3 through 55-23-11.

(2) The operator of any place of amusement in this state shall collect the tax imposed by this section, in addition to the price charged for admission to any place of amusement, and under all circumstances the person conducting the amusement shall be liable for, and pay the tax imposed based upon the actual charge for such admission. Where permits are obtained for conducting temporary amusements by persons who are not the owners, lessees or custodians of the buildings, lots or places where the amusements are to be conducted, or where such temporary amusement is permitted by the owner, lessee or custodian of any place to be conducted without the procurement of a permit as required by this chapter, the tax imposed by this chapter shall be paid by the owner, lessee or custodian of such place where such temporary amusement is held or conducted, unless paid by the person conducting the amusement, and the applicant for such temporary permit shall furnish with the application therefor, the name and address of the owner, lessee or custodian of the premises upon which such amusement is to be conducted, and such owner, lessee or custodian shall be notified by the commission of the issuance of such permit, and of the joint liability for such tax.

(3) The tax imposed by this section shall not be levied or collected upon:

(a) Any admissions charged at any place of amusement operated by a religious, charitable or educational organization, or by a nonprofit civic club or fraternal organization (i) when the net proceeds of such admissions do not inure to any one or more individuals within such organization and are to be used solely for religious, charitable, educational or civic purposes; or (ii) when the entire net proceeds are used to defray the normal operating expenses of such organization, such as loan payments, maintenance costs, repairs and other operating expenses;

(b) Any admissions charged to hear gospel singing when promoted by a duly constituted local, bona fide nonprofit charitable or religious organization, irrespective of the fact that the performers and promoters are paid out of the proceeds of admissions collected, provided the program is composed entirely of gospel singing and not generally mixed with hillbilly or popular singing;

(c) Any admissions charged at any athletic games or contests between high schools or between grammar schools;

(d) Any admissions or tickets to or for baseball games between teams operated under a professional league franchise;

(e) Any admissions to county, state or community fairs, or any admissions to entertainments presented in community homes or houses which are publicly owned and controlled, and the proceeds of which do not inure to any individual or individuals;

(f) Any admissions or tickets to organized garden pilgrimages and to antebellum and historic houses when sponsored by an organized civic or garden club;

(g) Any admissions to any golf tournament held under the auspices of the Professional Golf Association or United States Golf Association wherein touring professionals compete, if such tournament is sponsored by a nonprofit association incorporated under the laws of the State of Mississippi where no dividends are declared and the proceeds do not inure to any individual or group;

(h) Any admissions to university or community college conference, state, regional or national playoffs or championships;

(i) Any admissions or fees charged by any county or municipally owned and operated swimming pools, golf courses and tennis courts other than sales or rental of tangible personal property;

(j) Any admissions charged for the performance of symphony orchestras, operas, vocal or instrumental artists in which professional or amateur performers are compensated out of the proceeds of such admissions, when sponsored by local music or charity associations, or amateur dramatic performances or professional dramatic productions when sponsored by a children's dramatic association, where no dividends are declared, profits received, nor any salary or compensation paid to any of the members of such associations, or to any person for procuring or producing such performance;

(k) Any admissions or tickets to or for hockey games between teams operated under a professional league franchise;

(l) Any admissions or tickets to or for events sanctioned by the Mississippi Athletic Commission that are held within publicly owned enclosed coliseums and auditoriums;

(m) Guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism;

(n) Any admissions to events held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds from the grant program authorized under Section 18 of Chapter 530, Laws of 1995; and

(o) (i) Any admissions charged at events, activities or entertainments:

1. Which are open to the public and held in or on parks, lands or buildings which are publicly owned, leased, used and/or controlled by a municipality, or any agency thereof;

2. Which are created and sponsored by the municipality, or an agency thereof; and

3. The proceeds of which do not inure to the benefit of any individual or individuals; however,

(ii) The governing authorities of a municipality may require the tax imposed by this section to be levied and collected at events, activities or entertainments described in subparagraph (i) of this paragraph by:

1. Adopting an ordinance requiring the levy and collection of the tax;

2. Providing the Department of Revenue with a certified copy of the ordinance requiring the tax to be levied and assessed at least thirty (30) days prior to the effective date of the ordinance;

(iii) If the ordinance described in subparagraph (ii) of this paragraph is repealed, the municipality shall provide the Department of Revenue with a certified copy of the repeal of the ordinance at least thirty (30) days prior to the effective date of the repeal.

SECTION 45. Section 27-65-23, Mississippi Code of 1972, is brought forward as follows:

27-65-23. Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business, except as otherwise provided:

- Air conditioning installation or repairs;
- Automobile, motorcycle, boat or any other vehicle repairing or servicing;
- Billiards, pool or domino parlors;
- Bowling or tenpin alleys;
- Burglar and fire alarm systems or services;
- Car washing — automatic, self-service, or manual;
- Computer software sales and services;
- Cotton compresses or cotton warehouses;
- Custom creosoting or treating, custom planing, custom sawing;
- Custom meat processing;
- Electricians, electrical work, wiring, all repairs or installation of electrical equipment;
- Elevator or escalator installing, repairing or servicing;
- Film developing or photo finishing;
- Foundries, machine or general repairing;
- Furniture repairing or upholstering;
- Grading, excavating, ditching, dredging or landscaping;
- Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;
- Insulating services or repairs;
- Jewelry or watch repairing;
- Laundering, cleaning, pressing or dyeing;
- Marina services;
- Mattress renovating;
- Office and business machine repairing;
- Parking garages and lots;
- Plumbing or pipe fitting;
- Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);

Refrigerating equipment repairs;

Radio or television installing, repairing, or servicing;

Renting or leasing personal property used within this state;

Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of oil, gas, water and other mineral resources;

Shoe repairing;

Storage lockers;

Telephone answering or paging services;

Termite or pest control services;

Tin and sheet metal shops;

TV cable systems, subscription TV services, and other similar activities;

Vulcanizing, repairing or recapping of tires or tubes;

Welding; and

Woodworking or wood turning shops.

Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

When a taxpayer performs unitary services covered by this section, which are performed both in intrastate and interstate commerce, the commissioner is hereby invested with authority to formulate in each particular case and to fix for such taxpayer in each instance formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 46. Section 27-65-25, Mississippi Code of 1972, is brought forward as follows:

27-65-25. Upon every person engaging or continuing within this state in the business of selling alcoholic beverages, the sales of which are legal under the provisions of Chapter 1 of Title 67, Mississippi Code of 1972, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business. All sales at wholesale to retailers shall be taxed at the same rate as provided in this section for retail sales. A retailer in computing the tax on sales may take credit for the amount of the tax paid to the wholesaler at the rates provided herein and remit the difference to the commissioner, provided adequate records and all invoices are maintained to substantiate the credit claimed.

SECTION 47. Section 27-65-26, Mississippi Code of 1972, is brought forward as follows:

27-65-26. (1) Upon every person engaging or continuing within this state in the business of selling, renting or leasing specified digital products, there shall be levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business. The sale of a digital code that allows the purchaser to obtain a specified digital product shall be taxed in the same manner as the sale of a specified digital product. The tax is imposed when:

(a) The sale is to an end user;

(b) The seller grants the right of permanent or less than permanent use of the products transferred electronically; or

(c) The sale is conditioned or not conditioned upon continued payment.

(2) Charges by one (1) specified digital products provider to another specified digital products provider holding a permit issued under Section 27-65-27 for services that are resold by such other specified digital products provider shall not be subject to the tax levied pursuant to this section.

(3) For purposes of this section:

(a) "Specified digital products" means electronically transferred digital audio-visual works, digital audio works and digital books.

(b) "Digital audio-visual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any.

(c) "Digital audio works" means works that result from the fixation of a series of musical, spoken or other sounds, including ringtones. "Ringtones" means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication.

(d) "Digital books" means works that are generally recognized in the ordinary and usual sense as "books."

(e) "Electronically transferred" means obtained by the purchaser by means other than tangible storage media.

(f) "End user" means any person other than a person who receives by contract a product transferred electronically for further commercial broadcast,

rebroadcast, transmission, retransmission, licensing, relicensing, distribution, redistribution or exhibition of the product, in whole or in part, to another person or persons.

(g) "Permanent use" means for purposes of this section for perpetual or for an indefinite or unspecified length of time.

(h) "Digital code" means a code that permits a purchaser to obtain a specified digital product at a later date.

SECTION 48. Section 27-65-101, Mississippi Code of 1972, is brought forward as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in

manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q).

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.

For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]

(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of

Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, 2022.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts

therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;
4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and
5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i) 1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies

and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 49. Section 27-65-103, Mississippi Code of 1972, is brought forward as follows:

27-65-103. The exemptions from the provisions of this chapter which are of an agricultural nature or which are more properly classified as agricultural exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitution of the United States or the State of Mississippi. No agricultural exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent agricultural exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) The gross proceeds of sales of lint cotton, seed cotton, baled cotton, whether compressed or not, and cottonseed and soybeans in their original condition. Retail sales of seeds, livestock feed, poultry feed, fish feed and fertilizers. Sales of defoliant, insecticides, fungicides, herbicides and baby chicks used in growing agricultural products for market. Bagging and ties for baling cotton, hay-baling wire and twine, boxes, bags and cans used in growing or preparing agricultural products for market when possession thereof will pass to the customer at the time of sale of the product contained therein. Sales of ice to commercial fishermen purchased for use in the

preservation of seafood or to producers for use in the refrigeration of vegetables for market.

(b) The sales by producers of livestock, poultry, fish, honey bees or other products of farm, grove, apiary or garden when such products are sold in the original state or condition of preparation for sale before such products are subjected to any other process within a class of business or sold by a producer through an established store, as defined in the Privilege Tax Law. However, except as otherwise provided in this paragraph (b), this exemption shall not apply to ornamental plants which bear no fruit of commercial value. The exemption provided in this paragraph (b) shall apply to Christmas trees, hay, straw, fresh cut flowers and similar products when (i) grown in Mississippi and (ii) cut, severed or otherwise removed from the farm, grove, garden or other place of production and first sold from such place of production in the original state or condition of preparation for sale. All sales by agricultural cooperative associations organized under Article 9, Chapter 7, Title 69, or under Chapter 17 or 19, Title 79, Mississippi Code of 1972, of agricultural products produced by members for market before such products are subjected to any manufacturing process.

(c) The gross proceeds of retail sales of mules, horses, honey bees and other livestock.

(d) Income from grading, excavating, ditching, dredging or landscaping activities performed for a farmer on a farm for agricultural or soil erosion purposes.

(e) The gross proceeds of sales of all antibiotics, hormones and hormone preparations, drugs, medicines and other medications including serums and vaccines, vitamins, minerals or other nutrients for use in the production and growing of fish, livestock, honey bees and poultry by whomever sold. Such exemption shall be in addition to the exemption provided in this section for feed for fish, livestock, honey bees and poultry.

(f) Sales of food products and honey that are grown, made or processed in Mississippi and sold from farmers' markets that have been certified by the Mississippi Department of Agriculture and Commerce.

SECTION 50. Section 27-65-105, Mississippi Code of 1972, is brought forward as follows:

27-65-105. The exemption from the provisions of this chapter which are of a governmental nature or which are more properly classified as governmental exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitutions of the United States or the State of Mississippi. No governmental exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent governmental exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972, except as provided by paragraph (f) of this section.

The tax levied by this chapter shall not apply to the following:

(a) Sales of property, labor, services or products taxable under Sections 27-65-17, 27-65-19, 27-65-23 and 27-19-26, when sold to and billed directly to and payment therefor is made directly by the United States government, the State of Mississippi and its departments, institutions, counties and municipalities or departments or school districts of said counties and municipalities.

The exemption from the tax imposed under this chapter shall not apply to sales of tangible personal property or specified digital products, labor or services to contractors purchasing in the performance of contracts with the United States, the State of Mississippi, counties and municipalities.

(b) Sales to schools, when such schools are supported wholly or in part by funds provided by the State of Mississippi, provided that this exemption does not apply to sales of property which is not to be used in the ordinary operation of the school, or which is to be resold to the students or the public.

(c) Amounts received from the sale of school textbooks to students.

(d) Sales to the Mississippi Band of Choctaw Indians, but not to Indians individually.

(e) Sales of firefighting equipment to governmental fire departments or volunteer fire departments for their use.

(f) Sales of any gas from any project, as defined in the Municipal Gas Authority of Mississippi Law, to any municipality shall not be subject to sales, use or other tax.

(g) Sales of home medical equipment and home medical supplies listed as eligible for payment under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment, when ordered or prescribed by a licensed physician for medical purposes of a patient, and when payment for such equipment or supplies, or both, is made, in part or in whole, under the provisions of the Medicare or Medicaid program, then the entire sale shall be exempt from the taxes imposed by this chapter. Payment does not have to be made, in whole or in part by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(h) Sales to regional educational service agencies established under Section 37-7-345.

(i) Sales of buses and other motor vehicles, and parts and labor used to maintain and/or repair such buses and motor vehicles, to an entity that (a) has entered into a contract with a school board under Section 37-41-31 for the purpose of transporting students to and from schools and (b) uses or will use the buses and other motor vehicles for such transportation purposes. This paragraph (i) shall apply to contracts entered into or renewed on or after July 1, 2010.

(j) Parking at events held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(k) Sales of tangible personal property, labor, services or products to schools and school districts under a program that is administered by or coordinated with an agency, commission, department or other instrumentality of the United States government when payment for the tangible personal property, labor, services or products is made by or through a nonprofit organization or other entity established by or for the benefit of the agency, commission, department or other instrumentality of the United States government administering or coordinating such program.

SECTION 51. Section 27-65-107, Mississippi Code of 1972, is brought forward as follows:

27-65-107. The exemptions from the provisions of this chapter which relate to utilities or which are more properly classified as utility exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitutions of the United States or the State of Mississippi. No utility exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent utility exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales and rentals of locomotives, rail rolling stock and materials for their repair, locomotive water, when made to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission.

(b) Rentals of manufacturing machinery to a manufacturer or custom processor where such manufacturer or custom processor is engaged in, and such machinery is used in, the manufacture of containers made from timber or wood for sale. The tax, likewise, shall not apply to replacement or repair parts of such machinery used in such manufacture.

(c) Sales of tangible personal property and services to nonprofit water associations or corporations in which no part of the net earnings inures to the benefit of any private shareholder, group or individual. Only sales of property or services which are ordinary and necessary to the operation of such organizations are exempt from tax.

(d) Wholesale sales of tangible personal property for resale under Section 27-65-19.

(e) From and after July 1, 2003, sales of fuel used to produce electric power by a company primarily engaged in the business of producing, generating or distributing electric power for sale.

(f) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a manufacturer, custom processor, data center meeting the criteria provided for in Section 57-113-21, technology intensive enterprise meeting the criteria provided for in Section 27-65-17(1)(f), or public service company for industrial purposes, which shall include that used to generate electricity, to operate an electrical distribution or transmission system, to operate pipeline compressor or pumping stations, or to operate railroad locomotives.

(g) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a producer or processor for use directly in the production of poultry or poultry products, the production of livestock and livestock products, the production of domesticated fish and domesticated fish products, the production of marine aquaculture products, the production of plants or food by commercial horticulturists, the processing of milk and milk products, the processing of poultry and livestock feed, and the irrigation of farm crops.

(h) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a commercial fisherman, shrimper or oysterman.

(i) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(j) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a permanent enterprise that is eligible for the exemption authorized in Section 27-65-101(1)(ww) upon completion of the expansion upon which such exemption is based; however, in order to be eligible for the exemption authorized by this paragraph, the expansion must:

(i) Create at least eighty-five (85) full-time jobs in this state with an average annual wage of at least Sixty Thousand Dollars (\$60,000.00); and

(ii) Have at least Eighty Million Dollars (\$80,000,000.00) in new investment at the existing facility.

SECTION 52. Section 27-65-111, Mississippi Code of 1972, is brought forward as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.

(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.

(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;

2. Binder pockets;

3. Binders;

4. Blackboard chalk;

5. Book bags;

6. Calculators;

7. Cellophane tape;

8. Clays and glazes;

9. Compasses;

10. Composition books;

11. Crayons;

12. Dictionaries and thesauruses;

13. Dividers;

14. Erasers;

15. Folders: expandable, pocket, plastic and manila;

16. Glue, paste and paste sticks;

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17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;
31. Protractors;
32. Reference books;
33. Reference maps and globes;
34. Rulers;
35. Scissors;
36. Sheet music;
37. Sketch and drawing pads;
38. Textbooks;
39. Watercolors;
40. Workbooks; and
41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or
2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Snackpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2022.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

SECTION 53. Section 27-65-241, Mississippi Code of 1972, is brought forward as follows:

27-65-241. (1) As used in this section, the following terms shall have the meanings ascribed to them in this section unless otherwise clearly indicated by the context in which they are used:

(a) "Hotel" or "motel" means and includes a place of lodging that at any one time will accommodate transient guests on a daily or weekly basis and that is known to

the trade as such. Such terms shall not include a place of lodging with ten (10) or less rental units.

(b) "Municipality" means any municipality in the State of Mississippi with a population of one hundred fifty thousand (150,000) or more according to the most recent federal decennial census.

(c) "Restaurant" means and includes all places where prepared food is sold and whose annual gross proceeds of sales or gross income for the preceding calendar year equals or exceeds One Hundred Thousand Dollars (\$100,000.00). The term "restaurant" shall not include any nonprofit organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. For the purpose of calculating gross proceeds of sales or gross income, the sales or income of all establishments owned, operated or controlled by the same person, persons or corporation shall be aggregated.

(2) (a) Subject to the provisions of this section, the governing authorities of a municipality may impose upon all persons as a privilege for engaging or continuing in business or doing business within such municipality, a special sales tax at the rate of not more than one percent (1%) of the gross proceeds of sales or gross income of the business, as the case may be, derived from any of the activities taxed at the rate of seven percent (7%) or more under the Mississippi Sales Tax Law, Section 27-65-1 et seq.

(b) The tax levied under this section shall apply to every person making sales of tangible personal property or services within the municipality but shall not apply to:

(i) Sales exempted by Sections 27-65-19, 27-65-101, 27-65-103, 27-65-105, 27-65-107, 27-65-109 and 27-65-111 of the Mississippi Sales Tax Law;

(ii) Gross proceeds of sales or gross income of restaurants derived from the sale of food and beverages;

(iii) Gross proceeds of sales or gross income of hotels and motels derived from the sale of hotel rooms and motel rooms for lodging purposes;

(iv) Retail sales of food for human consumption not purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, but which would be exempt under Section 27-65-111(o) from the taxes imposed by this chapter if the food items were purchased with food stamps;

(v) Gross income of businesses engaging or continuing in the business of TV cable systems, subscription TV services, and other similar activities, including, but not limited to, cable Internet services;

(vi) Wholesale sales of food and drink for human consumption sold to full service vending machine operators; and

(vii) Wholesale sales of light wine, light spirit product, beer and alcoholic beverages.

(3) (a) Before any tax authorized under this section may be imposed, the governing authorities of the municipality shall adopt a resolution declaring its intention to levy the tax, setting forth the amount of the tax to be imposed, the purposes for which the revenue collected pursuant to the tax levy may be used and expended, the date upon which the tax shall become effective, the date upon which the tax shall be repealed, and calling for an election to be held on the question. The date of the election shall be set in the resolution. Notice of the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the

municipality, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the municipality may vote. The ballots used at the election shall have printed thereon a brief description of the sales tax, the amount of the sales tax levy, a description of the purposes for which the tax revenue may be used and expended and the words "FOR THE LOCAL SALES TAX" and "AGAINST THE LOCAL SALES TAX" and the voter shall vote by placing a cross (X) or check mark (✓) opposite his choice on the proposition. When the results of the election have been canvassed by the election commissioners of the municipality and certified by them to the governing authorities, it shall be the duty of such governing authorities to determine and adjudicate whether at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax. If at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax, the governing authorities shall adopt a resolution declaring the levy and collection of the tax provided in this section and shall set the first day of the second month following the date of such adoption as the effective date of the tax levy. A certified copy of this resolution, together with the result of the election, shall be furnished to the Department of Revenue not less than thirty (30) days before the effective date of the levy.

(b) A municipality shall not hold more than two (2) elections under this subsection.

(4) The revenue collected pursuant to the tax levy imposed under this section may be expended to pay the cost of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the department established pursuant to subsection (7).

(5) (a) The special sales tax authorized by this section shall be collected by the Department of Revenue, shall be accounted for separately from the amount of sales tax collected for the state in the municipality and shall be paid to the municipality. The Department of Revenue may retain one percent (1%) of the proceeds of such tax for the purpose of defraying the costs incurred by the department in the collection of the tax. Payments to the municipality shall be made by the Department of Revenue on or before the fifteenth day of the month following the month in which the tax was collected.

(b) The proceeds of the special sales tax shall be placed into a special municipal fund apart from the municipal general fund and any other funds of the municipality, and shall be expended by the municipality solely for the purposes authorized in subsection (4) of this section. The records reflecting the receipts and expenditures of the revenue from the special sales tax shall be audited annually by an independent certified public accountant. The accountant shall make a report of his findings to the governing authorities of the municipality and file a copy of his report with the Secretary of the Senate and the Clerk of the House of Representatives. The audit shall be made and completed as soon as practical after the close of the fiscal year of the municipality, and expenses of the audit shall be paid from the funds derived by the municipality pursuant to this section.

(c) All provisions of the Mississippi Sales Tax Law applicable to filing of returns, discounts to the taxpayer, remittances to the Department of Revenue, enforced collection, rights of taxpayers, recovery of improper taxes, refunds of overpaid taxes or other provisions of law providing for imposition and collection of the state sales tax shall apply to the special sales tax authorized by this section, except where there is a conflict, in which case the provisions of this section shall control. Any damages, penalties or interest collected for the nonpayment of taxes imposed under this section, or for noncompliance with the provisions of this section, shall be paid to the municipality on the same basis and in the same manner as the tax proceeds. Any overpayment of tax for any reason that has been disbursed to a municipality or any payment of the tax to a municipality in error may be adjusted by the Department of Revenue on any subsequent

payment to the municipality pursuant to the provisions of the Mississippi Sales Tax Law. The Department of Revenue may, from time to time, make such rules and regulations not inconsistent with this section as may be deemed necessary to carry out the provisions of this section, and such rules and regulations shall have the full force and effect of law.

(6) If a municipality expands its corporate boundaries, the governing authorities of the municipality may not impose the special sales tax in the annexed area unless the tax is approved at an election conducted, as far as is practicable, in the manner provided in subsection (3) of this section, except that only qualified electors in the annexed area may vote in the election.

(7) (a) Any municipality that levies the special sales tax authorized under this section shall establish a commission as provided for in this section. Expenditures of revenue from the special sales tax authorized by this section shall be in accordance with a master plan adopted by the commission pursuant to this subsection.

(b) The commission shall be composed of ten (10) voting members who shall be known as commissioners appointed as follows:

(i) Four (4) members representing the business community in the municipality appointed by the local chamber of commerce for initial terms of one (1), two (2), four (4) and five (5) years respectively. The members appointed pursuant to this paragraph shall be persons who represent businesses located within the city limits of the municipality.

(ii) Three (3) members shall be appointed at large by the mayor of the municipality, with the advice and consent of the legislative body of the municipality, for initial terms of two (2), three (3) and four (4) years respectively. All appointments made by the mayor pursuant to this paragraph shall be residents of the municipality.

(iii) One (1) member shall be appointed at large by the Governor for an initial term of four (4) years. All appointments made by the Governor pursuant to this paragraph shall be residents of the municipality.

(iv) One (1) member shall be appointed at large by the Lieutenant Governor for an initial term of four (4) years. All appointments made by the Lieutenant Governor pursuant to this paragraph shall be residents of the municipality.

(v) One (1) member shall be appointed at large by the Speaker of the House of Representatives for a term of four (4) years. All appointments made by the Speaker of the House of Representatives pursuant to this paragraph shall be residents of the municipality.

(c) The terms of all appointments made subsequent to the initial appointment shall be made for five (5) years. Any vacancy which may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term. Each member of the commission shall serve until his successor is appointed and qualified.

(d) The mayor of the municipality shall designate a chairman of the commission from among the membership of the commission. The vice chairman and secretary shall be elected by the commission from among the membership of the commission for a term of two (2) years. The vice chairman and secretary may be reelected, and the chairman may be reappointed.

(e) The commissioners shall serve without compensation.

(f) Any commissioner shall be disqualified and shall be removed from office for either of the following reasons:

- (i) Conviction of a felony in any state court or in federal court; or
- (ii) Failure to attend three (3) consecutive meetings without just cause.

If a commissioner is removed for any of the above reasons, the vacancy shall be filled in the manner prescribed in this section and shall be made for the unexpired term.

(g) A quorum shall consist of six (6) voting members of the commission. The commission shall adopt such rules and regulations as may govern the time and place for holding meetings, regular and special.

(h) The commission shall, with input from the municipality, establish a master plan for road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and for water, sewer and drainage projects. Expenditures of the revenue from the tax authorized to be imposed pursuant to this section shall be made at the discretion of the governing authorities of the municipality if the expenditures comply with the master plan. The commission shall monitor the compliance of the municipality with the master plan.

(8) The governing authorities of any municipality that levies the special sales tax authorized under this section are authorized to incur debt, including bonds, notes or other evidences of indebtedness, for the purpose of paying the costs of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the commission established pursuant to subsection (7) of this section. Any bonds or notes issued to pay such costs may be secured by the proceeds of the special sales tax levied pursuant to this section or may be general obligations of the municipality and shall satisfy the requirements for the issuance of debt provided by Sections 21-33-313 through 21-33-323.

(9) This section shall stand repealed from and after July 1, 2035.

SECTION 54. Section 27-67-31, Mississippi Code of 1972, is brought forward as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this chapter

shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, and each succeeding month thereafter, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13.

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 55. Sections 6 and 7 of this act shall take effect and be in force from and after its passage and the remaining sections of this act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2022; TO AMEND SECTION 27-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PERSONAL EXEMPTIONS UNDER THE STATE INCOME TAX LAW FOR SINGLE INDIVIDUALS, MARRIED INDIVIDUALS AND HEAD OF FAMILY INDIVIDUALS AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE AMOUNTS OF SUCH PERSONAL EXEMPTIONS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO REDUCE THE SALES TAX RATE ON RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JANUARY 1 OF THE NEXT SUCCEEDING YEAR AFTER THE DATE THAT THE COMMISSIONER OF REVENUE CERTIFIES THAT THE

REDUCTION IN REVENUE MANDATED BY SECTION 27-7-21, MISSISSIPPI CODE OF 1972, EQUALS OR EXCEEDS THE REMAINING REVENUE PRODUCED BY THE INDIVIDUAL INCOME TAX, THE INDIVIDUAL INCOME TAX SHALL BE REPEALED; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE BUDGET STABILIZATION FUND CREATED BY THIS ACT; TO CREATE THE "BUDGET STABILIZATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE APPROPRIATED BY THE LEGISLATURE FOR BUDGETARY PURPOSES RELATED TO LOSSES OF GENERAL FUND REVENUE; TO PROVIDE THAT ANY UNENCUMBERED MONIES REMAINING IN THE FUND ON JULY 1, 2026, SHALL BE TRANSFERRED TO THE CAPITAL EXPENSE FUND; TO BRING FORWARD SECTION 27-7-3, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE STATE INCOME TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE INCOME TAXATION OF ESTATES AND TRUSTS FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 27-7-22.5, 27-7-22.15, 27-7-22.21, 27-7-22.22, 27-7-22.32, 27-7-22.33, 27-7-22.37, 27-7-22.39, 27-7-22.41 AND 27-7-207, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS INCOME TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 57-62-9 AND 57-62-11, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE MISSISSIPPI ADVANTAGE JOBS ACT; TO BRING FORWARD SECTIONS 27-7-312, 57-62-5 AND 57-62-13, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-89-3 AND 57-89-7, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 57-99-1, 57-99-3 AND 57-99-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM; TO BRING FORWARD SECTIONS 57-99-7, 57-99-21, 57-99-23, 57-99-25 AND 57-99-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-148-3 AND 37-148-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-105-1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-503 AND 27-25-505, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE OIL SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-703 AND 27-25-705, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE GAS SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-65-19, 27-65-22, 27-65-25 AND 27-65-26, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS SALES TAXES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES CERTAIN MUNICIPALITIES TO LEVY A MUNICIPAL SPECIAL SALES TAX, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-65-101, 27-65-103, 27-65-105, 27-65-107 AND 27-65-111, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS SALES TAX EXEMPTIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-67-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF STATE USE TAX REVENUE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Tate moved that the rules be suspended to move to calendar item 120, **S. B. No. 2879**, and the motion prevailed.

Senator Tate called up the following House Amendment to **S. B. No. 2879** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Voting Modernization Act."

SECTION 2. As used in this act:

(a) "Department" means the Department of Finance and Administration.

(b) "Grant program" means the "Mississippi Voting Modernization Grant Program" established in Section 3 of this act.

(c) "Voting system" means any voting machine, voting device, precinct ballot scanner, ballot marking device, tabulation server or vote tabulating device that:

(i) Does not utilize pre-scored punch card ballots; and

(ii) Produces voter-verifiable paper ballots.

SECTION 3. (1) (a) There is established within the department the Mississippi Voting Modernization Grant Program which shall be administered by the department for the purpose of reimbursing counties or disbursing funds to counties for the purchase of modern voting systems.

(b) The grant program shall receive funds appropriated to the Department of Finance and Administration therefor from the Capital Expense Fund or other available source of money.

(2) By August 31, 2022, the department shall develop and promulgate rules to provide for:

(a) The procedures of the grant program not specifically enumerated in this act; and

(b) Other eligible expenses related to the costs of conducting elections where a county has previously purchased voting hardware or software or both that qualifies under the requirements of this act, such as encumbered debt of previously purchased voting machines.

(3) To be eligible for purchase under this grant program, any voting machine, voting device, precinct ballot scanner, ballot marking device or vote tabulating device shall:

(a) Not have the capability of wireless remote connections; or

(b) Have the capacity for all wireless connection capabilities to be disabled.

(4) The department shall review the application for funding submitted by each county and grant or deny the application within thirty (30) days of the receipt of the application.

(5) Before awarding a grant to a county for the future purchase of a voting system, the department shall require the county to provide a verified contract and purchase order.

SECTION 4. (1) For any election held in this state after January 1, 2024, the officials in charge of the election shall only use voting systems as defined by Section 2 of this act.

(2) The board of supervisors of any county may authorize the circuit clerk or election commission to make application for grants under the procedures and within the certification requirements established by the department.

(3) Each county shall be eligible to receive a pro rata share of the funds appropriated or otherwise made available to the grant program based on the number of voting precincts in that county.

(4) Counties may apply for grants for:

(a) Purchasing of voting system hardware, including the software necessary to operate that hardware; and

(b) Incurring of other eligible expenses related to the costs of conducting elections only if:

(i) The county is already in compliance with subsection (1) of this section through previously acquired voting hardware or software or both prior to the effective date of this act that would have been eligible for purchase under this grant program; or

(ii) The county will have funds remaining from its pro rata share provided for in subsection (3) of this section after purchasing the necessary voting systems to bring the county in compliance with subsection (1) of this section.

(5) Any county receiving a grant for the future purchase of a voting system shall submit proof of payment to the department immediately upon completing the purchase.

(6) Any county receiving funds for the incurring of other eligible expenses shall first apply the received funds under this grant program toward any existing indebtedness for the purchase of voting hardware or software.

SECTION 5. (1) The department shall provide a comprehensive report on:

(a) The total number of counties that applied for grants under this act;

(b) The total number of grants issued under the grant program;

(c) The number of grants issued under Section 4(4)(a) of this act;

(d) The number of grants issued under Section 4(4)(b) of this act;

(e) The number of grants issued under Section 4(4)(c) of this act; and

(f) Any recommendations for legislative amendment to the grant program.

(2) By December 31, 2022, the department shall deliver the report to the Lieutenant Governor, the Speaker of the House of Representatives, the Chair of the Senate Elections Committee, and the Chair of the House Apportionment and Elections Committee.

SECTION 6. Sections 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 and 23-15-531.12, Mississippi Code of 1972, which provide the authority for the use of direct recording electronic voting equipment at polling places, shall stand repealed on December 1, 2023.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE MISSISSIPPI VOTING MODERNIZATION ACT FOR THE PURPOSE OF MODERNIZING VOTING SYSTEMS IN THE STATE; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI VOTING MODERNIZATION GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF REIMBURSING COUNTIES OR DISBURSING FUNDS TO COUNTIES FOR THE PURCHASE OF MODERN VOTING SYSTEMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL RECEIVE ANY FUNDS APPROPRIATED THEREFOR; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROMULGATE PROCEDURES; TO PRESCRIBE A TIMEFRAME FOR THE GRANT OR DENIAL OF AN APPLICATION; TO PROVIDE THAT EACH COUNTY IS ELIGIBLE FOR A PRO RATA SHARE OF THE FUNDS APPROPRIATED OR MADE AVAILABLE TO THE PROGRAM; TO PRESCRIBE CERTAIN ELIGIBILITY REQUIREMENTS; TO AUTHORIZE COUNTIES TO APPLY FOR THE GRANT PROGRAM; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REPORT ON THE GRANT PROGRAM; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

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Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 531** passed the Senate as amended.

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.

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Senator Bryan moved that the rules be suspended to move to calendar item 60, **S. B. No. 2421**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2421** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 149 by inserting the following before the period: ", and shall stand repealed on June 30, 2022"

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Senator Whaley moved that the rules be suspended to move to calendar item 150, **S. N. No. 70**, and the motion prevailed.

Senator Whaley called up the following entitled nomination:

**S. N. No. 70:** Gary Lee Rhoads, Flowood, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term beginning September 20, 2021 and ending June 30, 2026, representing the Third Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 70 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Whaley moved that the rules be suspended to move to calendar item 151, **S. N. No. 71**, and the motion prevailed.

Senator Whaley called up the following entitled nomination:

**S. N. No. 71:** Leonard Leon Bentz, II, Biloxi, Mississippi, Commission on Wildlife, Fisheries and Parks, remainder of a five year term effective September 20, 2021 and ending June 30, 2023, representing the Fifth Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 71 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Wallace Burnell Pyron of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of JoAnn Wilkins Thornton of McComb, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 17, 2022.

The motion prevailed, and at 11:48 AM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 3030:** Appropriation; Chiropractic Examiners, Board of.

**S. B. No. 3150:** Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 424:** Audiology and speech-language pathology interstate compact; create.

**H. B. No. 1214:** Carbon dioxide geologic sequestration; revise laws regarding.

**H. B. No. 1388:** Comprehensive Career and Technical Reform Act; create.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1533:** AN ACT TO REENACT AND AMEND CHAPTER 944, LOCAL AND PRIVATE LAWS OF 2010, AS AMENDED BY CHAPTER 949, LOCAL AND PRIVATE LAWS OF 2012, AS AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2026, THE DATE OF REPEAL ON THE LAW THAT AUTHORIZES THE TOWN OF BYHALIA, MISSISSIPPI, TO IMPOSE A TAX

UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS IN THE TOWN; AND FOR RELATED PURPOSES.

**H. B. No. 1534:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE SUNFLOWER COUNTY MINISTERIAL ALLIANCE COUNSELING SERVICE, INC.; AND FOR RELATED PURPOSES.

**H. B. No. 1535:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO DELTA ADVANTAGE CENTER; AND FOR RELATED PURPOSES.

**H. B. No. 1536:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

**H. B. No. 1565:** AN ACT TO AMEND CHAPTER 909, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISIONS OF LAW THAT CREATE THE JACKSON CONVENTION AND VISITORS BUREAU AND IMPOSES A TAX ON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, HOTELS AND MOTELS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUREAU; AND FOR RELATED PURPOSES.

**H. B. No. 1671:** AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS IN THE COUNTY; TO PROVIDE THAT THE REVENUE FROM THE TAX SHALL BE USED BY THE JACKSON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF TOURISM OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS OF JACKSON COUNTY; TO PROVIDE THAT THE BOARD OF SUPERVISORS SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE JACKSON COUNTY HOTEL AND MOTEL TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF JACKSON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; AND FOR RELATED PURPOSES.

**H. B. No. 1674:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF RALEIGH, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE TOWN; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1694:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GULFPORT, MISSISSIPPI, TO FUND A COMMISSION CREATED UNDER SECTIONS 21-27-11 AND 21-27-13, MISSISSIPPI CODE OF 1972, TO CONTROL, MANAGE AND OPERATE A MOTOR VEHICLE TRANSPORTATION SYSTEM; AND FOR RELATED PURPOSES.

**H. B. No. 1735:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OXFORD, MISSISSIPPI, TO EXPAND ITS WATER SYSTEM WITHIN A

CERTAIN DISTANCE OUTSIDE THE CORPORATE LIMITS OF THE CITY OF OXFORD TO PROVIDE SERVICES SOLELY TO THE PUNKIN WATER ASSOCIATION; AND FOR RELATED PURPOSES.

**H. B. No. 1740:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FULTON, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN THREE PERCENT TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE THAT AN ELECTION BE HELD ON THE QUESTION OF THE LEVYING OF SUCH TAX; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 77:** A CONCURRENT RESOLUTION TO CONDEMN THE INVASION OF UKRAINE AND TO SEVER ALL ECONOMIC, FINANCIAL, CULTURAL AND OTHER CONNECTIONS WITH THE RUSSIAN FEDERATION, ITS LEADERS, AND ITS BUSINESSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2495:** Mississippi Outdoor Stewardship Trust Fund; create.

**S. B. No. 3163:** Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3000:** Warren County; authorize contributions to various organizations.

**S. B. No. 3002:** Appropriation; IHL - General support.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3013:** Appropriation; Corrections, Department of.

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

**S. B. No. 3018:** Appropriation; Emergency Management Agency.

**S. B. No. 3021:** Appropriation; Ethics Commission.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.

**S. B. No. 3024:** Appropriation; Revenue, Department of.

**S. B. No. 3025:** Appropriation; Tax Appeals Board.

**S. B. No. 3027:** Appropriation; Mental Health, Department of.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3032:** Appropriation; Funeral Services Board.

**S. B. No. 3038:** Appropriation; Gaming Commission.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3050:** Appropriation; Department of Tourism.

**S. B. No. 3051:** Appropriation; Personnel Board.

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies.

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year.

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Boys State Program.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3041:** Appropriation; Accountancy, Board of Public.

**S. B. No. 3042:** Appropriation; Contractors, Board of.

**S. B. No. 3043:** Appropriation; Audit, Department of.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3052:** Appropriation; Secretary of State.

**S. B. No. 3053:** Appropriation; Treasurer's Office.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obl.

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.

**S. B. No. 3153:** Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

**S. B. No. 3019:** Appropriation; Military Department.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.

**S. B. No. 3023:** Appropriation; Employment Security, Department of.

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3031:** Appropriation; Dental Examiners, Board of.

**S. B. No. 3033:** Appropriation; Massage Therapy, Board of.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.

**S. B. No. 3035:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

**S. B. No. 3036:** Appropriation; Veterinary Examiners, Board of.

**S. B. No. 3037:** Appropriation; Architecture, Board of.

**S. B. No. 3039:** Appropriation; Geologists, Board of Registered Professional.

**S. B. No. 3040:** Appropriation; Motor Vehicle Commission.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**S. C. R. No. 583:** Suspend rules for introduction; codify constitutional provisions of eminent domain. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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#### REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 5:** William O. (Bill) Jacobs, Brookhaven, Mississippi, State Board of Education, unexpired portion of a nine year term effective immediately and ending June 30, 2024, vice Dr. Jason Dean. Do Advise and Consent.

**S. N. No. 25:** Dr. Karen J. Morgan (Karen) Elam, Oxford, Mississippi, State Board of Education, nine year term beginning July 1, 2021 and ending June 30, 2030, representing the Third Supreme Court District. Do Advise and Consent.

**S. N. No. 26:** Matthew David (Matt) Miller, Hattiesburg, Mississippi, State Board of Education, unexpired nine year term effective May 18, 2021 and ending June 30, 2029, representing the Second Supreme Court District. Do Advise and Consent.

**S. N. No. 74:** Gwendolyn Gayle (Wendi) Barrett, Ph.D., Biloxi, Mississippi, State Board of Education as the Schoolteacher representative, unexpired nine year term effective May 19, 2021 and ending June 30, 2027, vice Brittney Perry Rye. Do Advise and Consent.

**S. N. No. 93:** Lee Alexander Durrett, New Albany, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023, vice Ms. Carolyn Willis. Do Advise and Consent.

DEBAR, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination.

Representatives Busby, Massengill, McKnight

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids.

Representatives Zuber, Ford (54th), Bell (65th)

**H. B. No. 400:** Riding bailiffs; revise salary of.

Representatives Bain, Sanford, Oliver

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted.

Representatives Bain, Roberson, Guice

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death".

Representatives Bain, Sanford, Ford (73rd)

**H. B. No. 620:** Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws.

Representatives Bain, Sanford, Miles

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create.

Representatives Yancey, Bain, Creekmore IV

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to.

Representatives Byrd,Taylor,Barton

**H. B. No. 799:** Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting.

Representatives Bain,Sanford,Owen

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi.

Representatives Busby,Massengill,Arnold

**H. B. No. 942:** Hunting and fishing; allow online applicants for a license to elect to be an organ donor.

Representatives Kinkade,Barnett,Hale

**H. B. No. 1005:** Nursing Education Incentive Program; create.

Representatives Mims,McGee,White

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.

Representatives Bounds,Anderson (122nd),Stamps

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish.

Representatives Kinkade,Barnett,Hale

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.

Representatives Pigott,Mangold,Bounds

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain.

Representatives Busby,Massengill,Byrd

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty.

Representatives Bain,Sanford,Miles

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

Representatives Mims,Shanks,White

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2419:** Hospital Nurse and Allied Health Professional Retention Loan Program; create.  
Senators Parks, Boyd, Polk.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1533:** Town of Byhalia; reenact hotel and motel tax and extend repeal date until July 1, 2026. Local and Private.

**H. B. No. 1534:** Sunflower County; authorize contributions to the Sunflower County Ministerial Alliance Counseling Service, Inc. Local and Private.

**H. B. No. 1535:** Sunflower County; authorize contribution to Delta Advantage Center. Local and Private.

**H. B. No. 1536:** Sunflower County; authorize contributions to the Fannie Lou Hamer Cancer Foundation. Local and Private.

**H. B. No. 1565:** City of Jackson; extend repeal date on convention and visitors bureau. Local and Private.

**H. B. No. 1671:** Jackson County; extend repeal date on county's hotel/motel tourism tax and authorize to make certain designation of the use of the tax. Local and Private.

**H. B. No. 1674:** Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

**H. B. No. 1694:** City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission. Local and Private.

**H. B. No. 1735:** City of Oxford; authorize expansion of water system for a certain distance outside of city to serve Punkin Water Association. Local and Private.

**H. B. No. 1740:** City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 424:** AN ACT TO ENACT INTO LAW THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-38-3, 73-38-5, 73-38-7, 73-38-9, 73-38-17, 73-38-25, 73-38-27, 73-38-29 AND 73-38-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 73-38-33 AND

73-38-13, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1214:** AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGISLATIVE FINDINGS REGARDING GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE; TO AMEND SECTION 53-11-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF RESERVOIR; TO AMEND SECTION 53-11-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE OIL AND GAS BOARD'S AUTHORITY WHEN ENTERING AN ORDER APPROVING A GEOLOGIC SEQUESTRATION FACILITY; TO PROVIDE FOR A METHOD FOR THE BOARD TO ENTER A PRELIMINARY TECHNICAL ORDER APPROVING ANY PROPOSED GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE WHEN A MAJORITY INTEREST HAS NOT CONSENTED; TO AMEND SECTION 53-11-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD DURING WHICH A MAJORITY INTEREST MUST HAVE APPROVED IN WRITING OR THE ORDER REQUIRING UNIT OPERATION IS AUTOMATICALLY REVOKED; TO AMEND SECTION 53-11-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF INTERESTED PERSON REGARDING APPEALS TO CHANCERY COURT; AND FOR RELATED PURPOSES.

**H. B. No. 1582:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Wallace Burnell Pyron and JoAnn Wilkins Thornton.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 16, 2022

**S. B. No. 3207:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SHUQUALAK, MISSISSIPPI, TO EXPAND THE TOWN'S WATER SYSTEM WITHIN 15 MILES OF THE TOWN'S CORPORATE LIMITS TO INCLUDE AN AREA EAST OF THE TOWN AND NORTH OF U.S. HIGHWAY 45; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 3208:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO ENTER INTO CERTAIN ROAD IMPROVEMENT CONTRACTS REGARDLESS OF WHETHER THE CONTRACTS MAY EXTEND BEYOND 30 DAYS FROM THE TERMINATION AND END OF THE TERM OF OFFICE OF THE MEMBERS OF THE BOARD OF SUPERVISORS AWARDING THE CONTRACTS; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. C. R. No. 582:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2022 MANCHESTER ACADEMY "LADY MAVERICKS" GIRLS BASKETBALL TEAM AND HEAD COACH EMILY POE FOR WINNING BACK-TO-BACK MHSAA STATE CHAMPIONSHIPS.

By Senator(s) Thomas, Hopson

**S. C. R. No. 583:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES."

By Senator(s) McCaughn, Hopson, DeBar

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SEVENTY-THIRD DAY, THURSDAY, MARCH 17, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Carter. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Carter.

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The invocation was delivered by Reverend Robert Kelly, Pastor, Pine Grove Missionary Baptist Church, Canton, MS.

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Senator Turner-Ford led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2245:** Voyeurism; revise sentencing.  
Senators Fillingane, England, Barnett.

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.  
Senators Fillingane, McCaughn, Thompson.

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.  
Senators Wiggins, McCaughn, Parker.

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.  
Senators Wiggins, Parker, England.

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.  
Senators DeBar, Blount, Boyd.

**S. B. No. 2423:** Teacher license; allow supplemental endorsement and revise provisions of issuance.  
Senators DeBar, Blount, Polk.

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments.  
Senators DeBar, Blount, Johnson.

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.  
Senators DeBar, Blount, Johnson.

**S. B. No. 2451:** Mississippi Equal Pay Act; enact.  
Senators Wiggins, Boyd, Parker.

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions.  
Senators Wiggins, Barrett, McCaughn.

**S. B. No. 2509:** Outdoor advertising signs; revise height limit provisions.  
Senators Wiggins, McCaughn, Barnett.

**S. B. No. 2519:** Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle.  
Senators McCaughn, Sparks, Hickman.

**S. B. No. 2543:** Department of Public Safety; revise provision related to.  
Senators Fillingane, England, Sparks.

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties for purchase unless certain conditions are met.  
Senators Fillingane, Thompson, Whaley.

**S. B. No. 2587:** CDLs; treat certain moving violations as regular license holders.  
Senators Fillingane, Sparks, Thomas.

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.  
Senators Wiggins, Boyd, England.

**S. B. No. 2623:** Involuntary civil commitments; limit county's liability for costs of medical treatment.

Senators Wiggins, Boyd, Simmons (12th).

**S. B. No. 2849:** COVID-19 Destination Marketing Organization Grant Program Fund; create.

Senators Chassaniol, Williams, Polk.

**S. B. No. 2887:** School Boards; allow to purchase electric vehicles for student transportation.

Senators DeBar, Blount, DeLano.

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 8:** Clayton Lamar Legear, Hurley, Mississippi, State Board of Banking Review to represent the state at large, term effective July 27, 2021 for the unexpired balance of the five year term ending March 23, 2026. Do Advise and Consent.

**S. N. No. 32:** Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, remainder of a four year term ending June 30, 2023, vice Luzern Dillon. Do Advise and Consent.

**S. N. No. 138:** Guy Brad Feltenstein, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, term effective January 1, 2022 and ending December 31, 2025. Do Advise and Consent.

CAUGHMAN, Chairman

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MESSAGE FROM THE GOVERNOR  
March 17, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2431:** Procedure for the purchase of textbooks by the State Board of Education; revise provisions of. (March 11, 2022, 4:18 PM)

**S. B. No. 2481:** Memorial highways; designate segment of MS-488 in Leake County as Hunky Cross Highway in memory of Austin Morrow & others. (March 11, 2022, 4:15 PM)

**S. B. No. 2520:** Memorial highways; designate segment of Mississippi Highway 45 for Senator John White. (March 11, 2022, 4:17 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
March 17, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2113:** Critical Race Theory; prohibit. (March 14, 2022, 6:30 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

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Senator Michel called up the following entitled resolution:

**S. C. R. No. 583:** Suspend rules for introduction; codify constitutional provisions of eminent domain.

YEAS AND NAYS On S. C. R. No. 583. On motion of Senator Hopson, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Unanimous consent was granted to add Senators Barrett, Blackwell, Branning, Caughman, England, Fillingane, Hill, Johnson, McDaniel, McLendon, McMahan, Moran, Parker, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley and Younger as co-authors of **S. C. R. No. 583**.

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Senator Harkins called up the motion to reconsider the vote whereby **H. B. No. 531** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.

The foregoing motion prevailed.

Senator DeBar entered a motion to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2885**.

Senator DeBar moved that the rules be suspended for the immediate consideration of **S. B. No. 2885**, and the motion prevailed.

Senator DeBar moved to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2885**.

The foregoing motion prevailed.

Senator DeBar called up the following House Amendment to **S. B. No. 2885** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-69-1, Mississippi Code of 1972, is reenacted as follows:

37-69-1. This chapter shall be known as "The Energy Academy Act."

SECTION 2. Section 37-69-3, Mississippi Code of 1972, is reenacted as follows:

37-69-3. Intent. The intent of the Legislature is to provide an opportunity for motivated students to participate in a curriculum that will prepare them for a career of employment in the energy industry in their home state.

SECTION 3. Section 37-69-5, Mississippi Code of 1972, is reenacted as follows:

37-69-5. Definitions. For purposes of this chapter:

(a) "The Board of Trustees" means the Board of Trustees of the Vicksburg-Warren School District.

(b) "The Board of Education" means the Claiborne County Board of Education.

(c) "Nuclear Facility" means any nuclear generating plant in the State of Mississippi.

(d) "Energy Academy" means an energy high school created under this chapter.

(e) "Partnership Council" means the Energy High School Academy Partnership Council.

(f) "MDA" means the Mississippi Development Authority.

SECTION 4. Section 37-69-7, Mississippi Code of 1972, is reenacted as follows:

37-69-7. (1) The Board of Trustees of the Vicksburg-Warren School District and the Claiborne County Board of Education are authorized to make application to the Mississippi Development Authority for the approval of entering into a Memorandum of Understanding with a nuclear facility and Warren County and the State of Mississippi for the establishment of a partnership for the operation of an Energy High School Academy. The purpose of the Energy High School Academy shall be to provide qualified students attending school in Warren and/or Claiborne County in the eighth through twelfth grade with career education, potential student internships and continuing education for careers in the energy industry.

(2) (a) The Energy High School Academy shall be under the administrative direction of the Energy High School Academy Partnership Council (Partnership Council) consisting of one (1) member from each of the following entities:

(i) The Chief Executive Officer of an enterprise engaged in the generation of nuclear energy located in Claiborne County, or his designee, who shall serve for four (4) years;

(ii) The superintendent of the Vicksburg-Warren School District, who shall serve for four (4) years;

(iii) The superintendent of the Claiborne County School District, who shall serve for four (4) years;

(iv) A designee of the Mississippi Development Authority, appointed by the executive director of MDA, and \* \* \* who may be the executive director, who shall serve three (3) years;

(v) A member of the Board of Trustees of the Vicksburg-Warren School District, appointed by the Vicksburg Mayor and Board of Alderman, who shall serve two (2) years;

(vi) A member of the Claiborne County Board of Education, appointed by the Claiborne County Board of Supervisors, who shall serve two (2) years;

(vii) A member of the Claiborne County Chamber of Commerce, appointed by the chairman of the board of directors, who may appoint himself or herself, and who shall serve one (1) year; and

(viii) A member of the Vicksburg Chamber of Commerce, appointed by the chairman of the board of directors, who may appoint himself or herself, and who shall serve one (1) year.

(b) Members of the Partnership Council shall serve staggered terms, as prescribed in paragraph (a) of this subsection, commencing with the initial appointments made in 2019, and shall thereafter, upon the expiration of the initial term, the succeeding appointees shall serve a term of four (4) years. Members of the council may be reappointed to the council by the original appointing authority without limitation on the number of terms served. In the event of a vacancy on the council, the original appointing authority shall appoint a replacement to complete the unexpired term of the member creating the vacancy.

(c) The Partnership Council shall meet on or before August 1, 2019, and organize for business, elect officers and adopt necessary regulations for the operation of the Energy High School Academy. Meetings shall be held upon the call of the chairman.

(3) The Energy High School Academy Partnership Council shall promulgate administrative rules and regulations to prescribe the criteria to be used in the

establishment of the Energy High School Academy, which shall include student qualifications, application requirements and curriculum components.

(4) (a) There is established in the State Treasury a fund to be known as the "Energy High School Academy Fund." The purpose of the fund is to provide necessary financial support to Vicksburg-Warren/Claiborne County School Districts and the Mississippi Development Authority for start-up costs and costs associated with implementing and operating the Energy Academy established under this section. The fund may consist of monies obtained from grants from any public or private source. The Mississippi Development Authority shall administer the fund pursuant to appropriation by the Legislature, and may apply for any grants from the federal government or private sources.

(b) The Mississippi Development Authority shall prepare a three-year budget proposal for the operation of the Energy Academy which shall include staff and liaison salary estimates, equipment and facility costs and job demand estimates. This budget shall be submitted to the Governor, the Legislative Budget Office and the Partnership Council and updated annually.

SECTION 5. Section 5, Chapter 482, Laws of 2019, is amended as follows:

Section 5. This act shall take effect and be in force from and after July 1, 2019, and shall stand repealed from and after July 1, \* \* \* 2025.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 37-69-1, 37-69-3, 37-69-5, 37-69-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PROVISIONS THAT AUTHORIZE THE BOARD OF TRUSTEES OF THE VICKSBURG-WARREN SCHOOL DISTRICT AND THE CLAIBORNE COUNTY BOARD OF EDUCATION TO ESTABLISH WITH THE ENERGY INDUSTRY LOCATED WITHIN THE STATE OF MISSISSIPPI, WARREN COUNTY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR AN ENERGY HIGH SCHOOL ACADEMY AND THAT PRESCRIBE THE MEMBERSHIP OF THE ENERGY HIGH SCHOOL ACADEMY PARTNERSHIP COUNCIL TO ADMINISTER THE ACADEMY; TO AMEND SECTION 5, CHAPTER 482, LAWS OF 2019 TO EXTEND THE DATE OF REPEAL ON SECTIONS 37-69-1, 37-69-3, 37-69-5 AND 37-69-7, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2885** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Polk called up the following House Amendment to **S. B. No. 2066** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the \*\*\* Fifth, Sixth, Ninth, Tenth, Eleventh, Twelfth, \*\*\* Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth \*\*\* , Twentieth, Twenty-first and Twenty-second Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth \*\*\* , Thirteenth and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint one (1) additional full-time criminal investigator for a total of four (4) full-time criminal investigators.

( \*\*\*5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

( \*\*\*6) The full and complete compensation for all public duties rendered by \*\*\* the criminal investigators shall be not more than \*\*\* Sixty-nine Thousand Five Hundred Dollars (\$69,500.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney. Any amount of the annual compensation for a criminal investigator above the sum of Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) shall be paid only with funds provided by the county other than state funds.

( \*\*\*7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq., Mississippi Code of 1972. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

( \*\*\*8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

[From and after January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the \*\*\* Fifth, Sixth, Ninth, Tenth, Eleventh, Twelfth, \*\*\* Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Twentieth,

Twenty-first, Twenty-second and Twenty-third Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth \* \* \*, Thirteenth and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint one (1) additional full-time criminal investigator for a total of four (4) full-time criminal investigators.

(\* \* \*5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(\* \* \*6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than \* \* \* Sixty-nine Thousand Five Hundred Dollars (\$69,500.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney. Any amount of the annual compensation for a criminal investigator above the sum of Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) shall be paid only with funds provided by the county other than state funds.

(\* \* \*7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(\* \* \*8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 2. Section 25-31-10.1, Mississippi Code of 1972, is amended as follows:

25-31-10.1. In addition to the salaries, expenses and fringe benefits of district attorneys and legal assistants authorized by Section 25-3-35(5) and (6) and criminal investigators authorized by Section 25-31-10(\* \* \*6), the salary of a district attorney may be supplemented in an amount not to exceed Eight Thousand Three Hundred Dollars (\$8,300.00) per year; the salary of a legal assistant may be supplemented in an amount not to exceed Six Thousand Dollars (\$6,000.00) per year; and the salary of a criminal investigator may be supplemented in an amount not to exceed Five Thousand Dollars (\$5,000.00) per year, payable monthly. The supplemental salary, expenses and fringe benefits authorized herein may be paid from office-generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, a county and a municipality, a combination of counties and municipalities, federal funds, grants from private foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration who shall make such information available to the Legislative Budget Office. The supplemental salary, expenses and fringe benefits may either be paid from district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and such funds shall be disbursed to the employees in the same manner as state-funded criminal investigators and full-time legal assistants.

SECTION 3. Section 25-3-35, Mississippi Code of 1972, is amended as follows:

25-3-35. (1) The annual salaries of the following judges are fixed as follows:

\* \* \*

Through December 31, 2022:

Chief Justice of the Supreme Court .....	\$174,000.00
Presiding Justices of the Supreme Court, each .....	169,500.00
Associate Justices of the Supreme Court, each.....	166,500.00

From and after January 1, 2023:

Chief Justice of the Supreme Court .....	\$181,491.45
Presiding Justices of the Supreme Court, each .....	176,737.22
Associate Justices of the Supreme Court, each.....	173,800.00

There are imposed upon the Supreme Court justices the extra duties of taking all necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each justice, from and after January 1, \* \* \* 2023, shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (1).

The fixed salaries in this subsection (1) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than: One Hundred Fifteen Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief Justice's salary in this subsection (1), One Hundred Thirteen Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of a presiding justice in this subsection (1), and One Hundred Twelve Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary of an associate justice in this subsection (1) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of the Chief Justice, a presiding justice and an associate justice to the levels set forth in this subsection (1).

The fixed salaries as specified in this subsection (1) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(2) The annual salaries of the judges of the Court of Appeals of Mississippi are fixed as follows:

\* \* \*

Through December 31, 2022:

Chief Judge of the Court of Appeals .....	\$161,500.00
Associate Judges of the Court of Appeals, each.....	158,500.00

From and after January 1, 2023:

Chief Judge of the Court of Appeals .....	\$169,349.00
Associate Judges of the Court of Appeals, each.....	168,466.71

From and after January 1, \* \* \* 2023, each judge shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (2).

The fixed salaries in this subsection (2) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Eight Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief Judge's salary in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the Chief Judge's salary to the level set forth in this subsection (2). No less than One Hundred Five Thousand Fifty Dollars (\$105,050.00) of the salary of an associate judge in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of an associate judge to the level set forth in this subsection (2).

The fixed salaries as specified in this subsection (2) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(3) The annual salaries of the chancery and circuit court judges are fixed as follows:

\* \* \*

Through December 31, 2022:

Chancery Judges, each .....	\$149,000.00
Circuit Judges, each .....	149,000.00

From and after January 1, 2023:

Chancery Judges, each .....	\$158,000.00
Circuit Judges, each .....	158,000.00

In addition to their present official duties, the circuit and chancery judges shall take necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each judge, from and after January 1, \* \* \* 2023, shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (3).

The fixed salaries in this subsection (3) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Four Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary of a chancery or circuit judge in this subsection (3) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of a chancery or circuit judge to the levels set forth in this subsection (3).

(4) From and after January 1, 2019, and every four (4) years thereafter, the annual salaries of the judges in subsections (1), (2) and (3) shall be fixed at the level of

compensation recommended by the State Personnel Board according to the board's most recent report on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this subsection (4) shall not become effective until the commencement of the next immediately succeeding term of office.

(5) The Supreme Court shall prepare a payroll for chancery judges and circuit judges and submit such payroll to the Department of Finance and Administration.

(6) The annual salary of the full-time district attorneys shall be:

\* \* \*

From and after January 1, 2016, through December 31, 2022:

One Hundred Twenty-five Thousand Nine Hundred Dollars (\$125,900.00).

From and after January 1, 2023:

One Hundred Forty-five Thousand Nine Hundred Dollars (\$145,900.00).

(7) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor more than eighty percent (80%) of the salary of the district attorney for legal assistants who have been licensed to practice law for five (5) years or less; eighty-five percent (85%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least five (5) years but less than fifteen (15) years; and ninety percent (90%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least fifteen (15) years or more.

SECTION 4. Section 25-31-39, Mississippi Code of 1972, is amended as follows:

25-31-39. \* \* \* To the extent the district attorney's office receives funds from any source, the district attorney may employ one or more part-time legal assistants who shall serve at the will and pleasure of the district attorney to assist in the performance of the duties of the district attorney. A part-time legal assistant must not engage in the private practice of law, and must possess the qualifications and be subject to removal as provided in Section 25-31-6. The term "any source" has the meaning ascribed in Section 25-31-5.

SECTION 5. Section 99-19-71, Mississippi Code of 1972, is amended as follows:

99-19-71. (1) Any person who has been convicted of a misdemeanor that is not a traffic violation, and who is a first offender, may petition the justice, county, circuit or municipal court in which the conviction was had for an order to expunge any such conviction from all public records.

(2) (a) Except as otherwise provided in this subsection, a person who has been convicted of a felony and who has paid all criminal fines and costs of court imposed in the sentence of conviction may petition the court in which the conviction was had for an order to expunge one (1) conviction from all public records five (5) years after the successful completion of all terms and conditions of the sentence for the conviction upon a hearing as determined in the discretion of the court; however, a person is not eligible to expunge a felony classified as:

- (i) A crime of violence as provided in Section 97-3-2;
- (ii) Arson, first degree as provided in Sections 97-17-1 and 97-17-3;
- (iii) Trafficking in controlled substances as provided in Section

41-29-139;

- (iv) A third, fourth or subsequent offense DUI as provided in Section 63-11-30(2)(c) and (2)(d);
- (v) Felon in possession of a firearm as provided in Section 97-37-5;
- (vi) Failure to register as a sex offender as provided in Section 45-33-33;
- (vii) Voyeurism as provided in Section 97-29-61;
- (viii) Witness intimidation as provided in Section 97-9-113;
- (ix) Abuse, neglect or exploitation of a vulnerable person as provided in Section 43-47-19; or
- (x) Embezzlement as provided in Sections 97-11-25 and 97-23-19.

A person is eligible for only one (1) felony expunction under this paragraph. For the purposes of this section, the terms "one (1) conviction" and "one (1) felony expunction" mean and include all convictions that arose from a common nucleus of operative facts as determined in the discretion of the court.

(b) The petitioner shall give ten (10) days' written notice to the district attorney before any hearing on the petition. In all cases, the court wherein the petition is filed may grant the petition if the court determines, on the record or in writing, that the applicant is rehabilitated from the offense which is the subject of the petition. In those cases where the court denies the petition, the findings of the court in this respect shall be identified specifically and not generally.

(3) Upon entering an order of expunction under this section, a nonpublic record thereof shall be retained by the Mississippi Criminal Information Center solely for the purpose of determining whether, in subsequent proceedings, the person is a first offender. The order of expunction shall not preclude a district attorney's office from retaining a nonpublic record thereof for law enforcement purposes only. The existence of an order of expunction shall not preclude an employer from asking a prospective employee if the employee has had an order of expunction entered on his behalf. The effect of the expunction order shall be to restore the person, in the contemplation of the law including those laws regulating qualified electors, to the status he occupied before any arrest or indictment for which convicted. No person as to whom an expunction order has been entered shall be held thereafter under any provision of law to be guilty of perjury or to have otherwise given a false statement by reason of his failure to recite or acknowledge such arrest, indictment or conviction in response to any inquiry made of him for any purpose other than the purpose of determining, in any subsequent proceedings under this section, whether the person is a first offender. A person as to whom an order has been entered, upon request, shall be required to advise the court, in camera, of the previous conviction and expunction in any legal proceeding wherein the person has been called as a prospective juror. The court shall thereafter and before the selection of the jury advise the attorneys representing the parties of the previous conviction and expunction.

(4) Upon petition therefor, a justice, county, circuit or municipal court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped or there was no disposition of such case, or the person was found not guilty at trial.

(5) No public official is eligible for expunction under this section for any conviction related to his official duties.

SECTION 6. Section 23-15-11, Mississippi Code of 1972, is amended as follows:

23-15-11. Every inhabitant of this state, except persons adjudicated to be non compos mentis, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he or she seeks to vote, and for thirty (30) days in the incorporated municipality in which he or she seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who has \* \* \* not been convicted of vote fraud or of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. Any person whose conviction for a disenfranchising crime has been expunged, who has not been convicted of any other disenfranchising crime and who meets all other requirements to become a qualified elector in this section shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. If the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary election associated with the general election, may vote in the primary election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary election. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 7. Section 23-15-151, Mississippi Code of 1972, is amended as follows:

23-15-151. The circuit clerk of each county is authorized and directed to prepare and keep in his or her office a full and complete list, in alphabetical order, of persons convicted of voter fraud or of any crime listed in Section 241, Mississippi Constitution of 1890. A certified copy of any enrollment by one clerk to another will be sufficient authority for the enrollment of the name, or names, in another county. A list of such persons convicted of voter fraud, any crime listed in Section 241, Mississippi Constitution of 1890, or any crime interpreted as disenfranchising in later Attorney General opinions, shall also be entered into the Statewide Elections Management System on a quarterly basis. Voters who have been convicted in a Mississippi state court of any disenfranchising crime are not qualified electors as defined by Section 23-15-11 and shall be purged or otherwise removed by the county registrar or county election commissioners from the Statewide Elections Management System. Any person whose conviction for a disenfranchising crime has been expunged, who has not been convicted of any other disenfranchising crime and who meets all other requirements in Section 23-15-11 as a qualified elector shall be considered a qualified elector. Upon the request of such person and proof of expungement, the county registrar or county election commissioner shall enter the person's name into the Statewide Elections Management System.

SECTION 8. Section 23-15-19, Mississippi Code of 1972, is amended as follows:

23-15-19. (1) Any person who has been convicted of vote fraud or any crime listed in Section 241, Mississippi Constitution of 1890, such crimes defined as "disenfranchising," shall not be registered, or if registered the name of the person shall be removed from the Statewide Elections Management System by the registrar or the election commissioners of the county of his or her residence. Whenever any person shall be convicted in the circuit court of his or her county of a disenfranchising crime, the county registrar shall thereupon remove his or her name from the Statewide Elections Management System; and whenever any person shall be convicted of a disenfranchising crime in any other court of any county, the presiding judge of the court shall, on demand, certify the fact in writing to the registrar of the county in which the voter resides, who shall

thereupon remove the name of the person from the Statewide Elections Management System and retain the certificate as a record of his or her office.

(2) Any person whose conviction for a disenfranchising crime has been expunged, who has not been convicted of any other disenfranchising crime and who meets all other requirements in Section 23-15-11 as a qualified elector shall be considered a qualified elector. Upon the request of such person and proof of expungement, the county registrar or county election commissioner shall enter the person's name into the Statewide Elections Management System.

SECTION 9. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. Only the names of those qualified applicants who register within thirty (30) days before an election shall appear on the pollbooks of the election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime, removal from the jurisdiction, or other legal cause, that fact shall be noted in the Statewide Elections Management System and the voter's name shall be removed from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Upon the request of any person whose conviction for a disenfranchising crime has been expunged, who has not been convicted of any other disenfranchising crime and who meets all other requirements to become a qualified elector in Section 23-15-11, the county registrar or county election commissioner shall enter the person's name in the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 10. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime and had his or her right to vote suspended, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand

(225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars (\$150.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(c) The board of supervisors may, in its discretion, pay the election commissioners an additional amount not to exceed Fifty Dollars (\$50.00) for the performance of their duties at any election occurring from July 1, 2020, through December 31, 2020, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

PURPOSE APPLICABLE ACTUAL PER DIEM

DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

\_\_\_\_\_  
\_\_\_\_\_

---

TOTAL NUMBER OF PER DIEM DAYS EARNED  
EXCLUDING ELECTION DAYS \_\_\_\_\_  
PER DIEM RATE PER DAY EARNED X \$100.00  
TOTAL NUMBER PER DIEM DAYS EARNED  
FOR ELECTION DAYS \_\_\_\_\_  
PER DIEM RATE PER DAY EARNED X \$150.00  
TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

(11) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election

commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 11. Section 23-15-165, Mississippi Code of 1972, is amended as follows:

23-15-165. (1) The Office of the Secretary of State, in cooperation with the county registrars and election commissioners, shall procure, implement and maintain an electronic information processing system and programs capable of maintaining a centralized database of all registered voters in the state. The system shall encompass software and hardware, at both the state and county level, software development training, conversion and support and maintenance for the system. This system shall be known as the "Statewide Elections Management System" and shall constitute the official record of registered voters in every county of the state.

(2) The Office of the Secretary of State shall develop and implement the Statewide Elections Management System so that the registrar and election commissioners of each county shall:

(a) Verify that an applicant that is registering to vote in that county is not registered to vote in another county;

(b) Be notified automatically that a registered voter in its county has registered to vote in another county;

(c) Receive regular reports of death, changes of address and convictions for disenfranchising crimes, which cause a voter to have his or her right to vote suspended, that apply to voters registered in the county; \* \* \*

(d) Retain all present functionality related to, but not limited to, the use of voter roll data and to implement such other functionality as the law requires to enhance the maintenance of accurate county voter records and related jury selection and redistricting programs \* \* \*; and

(e) Receive regular reports of voters who have satisfied all of the sentencing requirements of his or her conviction and automatically restore the voter's name into the Statewide Elections Management System, the state's voter roll and the county's pollbooks.

(3) As a part of the procurement and implementation of the system, the Office of the Secretary of State shall, with the assistance of the advisory committee, procure services necessary to convert current voter registration records in the counties into a standard, industry accepted file format that can be used on the Statewide Elections Management System. Thereafter, all official voter information shall be maintained on the Statewide Elections Management System. The standard industry accepted format of data was reviewed and approved by a majority of the advisory committee created in subsection (5) of this section after consultation with the Circuit Clerks Association and the format may not be changed without consulting the Circuit Clerks Association.

(4) The Secretary of State may, with the assistance of the advisory committee, adopt rules and regulations necessary to administer the Statewide Elections Management System. The rules and regulations shall at least:

(a) Provide for the establishment and maintenance of a centralized database for all voter registration information in the state;

(b) Provide procedures for integrating data into the centralized database;

(c) Provide security to ensure that only the registrar, or his or her designee or other appropriate official, as the law may require, can add information to, delete information from and modify information in the system;

(d) Provide the registrar or his or her designee or other appropriate official, as the law may require, access to the system at all times, including the ability to download copies of the industry standard file, for all purposes related to their official duties, including, but not limited to, exclusive access for the purpose of printing all local pollbooks;

(e) Provide security and protection of all information in the system and monitor the system to ensure that unauthorized access is not allowed;

(f) Provide a procedure that will allow the registrar, or his or her designee or other appropriate official, as the law may require, to identify the precinct to which a voter should be assigned; and

(g) Provide a procedure for phasing in or converting existing manual and computerized voter registration systems in counties to the Statewide Elections Management System.

(5) The Secretary of State established an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide Elections Management System. The committee included two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at Mississippi State University, or his or her designee; the Executive Director of the Department of Information Technology Services, or his or her designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chair of the advisory committee.

(6) (a) Social security numbers, telephone numbers and date of birth and age information in statewide, district, county and municipal voter registration files shall be exempt from and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

(b) Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production.

SECTION 12. Section 99-19-37, Mississippi Code of 1972, is amended as follows:

99-19-37. (1) Any person who has lost the right of suffrage by reason of conviction of crime, has not had such conviction expunged and has not been pardoned therefrom, who thereafter served honorably in any branch of the Armed Forces of the United States during the periods of World War I or World War II as hereinafter defined and shall have received an honorable discharge, or release therefrom, shall by reason of such honorable service, have the full right of suffrage restored, provided, however, this does not apply to any one having an unfinished or suspended sentence.

(2) For the purposes of this section the period of World War I shall be from April 6, 1917 to December 1, 1918, and the period of World War II shall be from December 7, 1941 to December 31, 1946.

(3) In order to have restored, and to exercise, the right of franchise under the provisions of this section a person affected hereby shall have his or her discharge, or release, from the Armed Forces of the United States recorded in the office of the chancery

clerk of the county in which such person desires to exercise the right of franchise and if such discharge, or release, appears to be an honorable discharge, or release, and shows such person to have served honorably during either of the periods stated in subsection (2) of this section such person shall have the full right of suffrage restored as though an act had been passed by the Legislature in accordance with Section 253 of the Constitution of the State of Mississippi restoring the right of suffrage to such person.

SECTION 13. Section 97-39-3, Mississippi Code of 1972, is amended as follows:

97-39-3. If any person shall fight a duel, or give or accept a challenge to fight a duel, or knowingly carry or deliver such challenge or the acceptance thereof, or be second to either party to any duel, whether such act be done in the state or out of it, or who shall go out of the state to fight a duel, or to assist in the same as second, or to send, accept, or carry a challenge, shall be disqualified from holding any office, \* \* \* and incapable of holding or being elected to any post of honor, profit or emolument, civil or military, under the constitution and laws of this state; and the appointment of any such person to office, as also all votes given to any such person, are illegal, and none of the votes given to such person for any office shall be taken or counted.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ADDITIONAL APPOINTED CRIMINAL INVESTIGATORS FOR CERTAIN DISTRICT ATTORNEYS; TO INCREASE THE SALARY OF CRIMINAL INVESTIGATORS; TO AMEND SECTION 25-31-10.1, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE IN THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS, EFFECTIVE ON JANUARY 1, 2023; TO AUTHORIZE THE DISTRICT ATTORNEY TO EMPLOY PART-TIME LEGAL ASSISTANTS; TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF DISTRICT ATTORNEYS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM SALARY PAID TO A CRIMINAL INVESTIGATOR IN THE OFFICE OF THE DISTRICT ATTORNEY; TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO QUALIFIED ELECTORS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO HAS HAD A DISENFRANCHISING CRIME CONVICTION EXPUNGED, WHO HAS NOT BEEN CONVICTED OF ANY OTHER DISENFRANCHISING CRIME AND WHO MEETS ALL OTHER REQUIREMENTS TO BECOME A QUALIFIED ELECTOR SHALL BE ALLOWED TO REGISTER TO VOTE AS A QUALIFIED ELECTOR; TO ADD ALL CRIMES THAT ARE IN-ELIGIBLE FOR EXPUNGEMENT UNDER 99-19-71 TO THE LIST OF DISENFRANCHISING CRIMES; TO AMEND SECTIONS 23-15-151 AND 23-15-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY REGISTRAR OR ELECTION COMMISSIONER TO PLACE THE NAME OF ANY PERSON WHOSE DISENFRANCHISING CRIME WAS EXPUNGED, WHO HAS NOT BEEN CONVICTED OF ANOTHER DISENFRANCHISING CRIME AND IS OTHERWISE AN ELIGIBLE VOTER TO BE PLACED INTO THE STATEWIDE ELECTION MANAGEMENT SYSTEM AT THE REQUEST OF THE PERSON; TO AMEND SECTIONS 23-15-125, 23-15-153, 23-15-165 AND 99-19-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 97-39-3, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR DUELING; AND FOR RELATED PURPOSES.

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Senator Michel called up the following House Amendment to **S. B. No. 2738** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-9-351, Mississippi Code of 1972, is amended as follows:

83-9-351. (1) As used in this section:

(a) "Employee benefit plan" means any plan, fund or program established or maintained by an employer or by an employee organization, or both, to the extent that such plan, fund or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, hospital care or other benefits.

(b) "Health insurance plan" means any health insurance policy or health benefit plan offered by a health insurer, and includes the State and School Employees Health Insurance Plan and any other public health care assistance program offered or administered by the state or any political subdivision or instrumentality of the state. The term does not include policies or plans providing coverage for specified disease or other limited benefit coverage.

(c) "Health insurer" means any health insurance company, nonprofit hospital and medical service corporation, health maintenance organization, preferred provider organization, managed care organization, pharmacy benefit manager, and, to the extent permitted under federal law, any administrator of an insured, self-insured or publicly funded health care benefit plan offered by public and private entities, and other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service.

(d) "Telemedicine" means the delivery of health care services such as diagnosis, consultation, or treatment through the use of \* \* \* HIPAA-compliant telecommunication systems, including information, electronic and communication technologies, remote patient monitoring services and store-and-forward telemedicine services. Telemedicine, other than remote patient monitoring services and store-and-forward telemedicine services, must be "real-time" audio visual capable. The Commissioner of Insurance may adopt rules and regulations addressing when "real-time" audio interactions without visual are allowable, which must be medically appropriate for the corresponding health care services being delivered.

(2) All health insurance and employee benefit plans in this state must provide coverage for telemedicine services to the same extent that the services would be covered if they were provided through in-person consultation. All health insurance and employee benefit plans in this state must reimburse providers who are out-of-network for telemedicine services under the same reimbursement policies applicable to other out-of-network providers of healthcare services.

(3) A health insurance or employee benefit plan may charge a deductible, co-payment, or coinsurance for a health care service provided through telemedicine so

long as it does not exceed the deductible, co-payment, or coinsurance applicable to an in-person consultation.

\* \* \*

( \* \* \*4) Nothing in this section shall be construed to prohibit a health insurance or employee benefit plan from providing coverage for only those services that are medically necessary, subject to the terms and conditions of the covered person's policy.

( \* \* \*5) In a claim for the services provided, the appropriate procedure code for the covered services shall be included with the appropriate modifier indicating interactive communication was used. Health insurance and employee benefit plans shall reimburse providers for telemedicine services using the proper medical codes.

( \* \* \*6) The originating site is eligible to receive a facility fee, but facility fees are not payable to the distant site. Health insurance and employee benefit plans shall not limit coverage to provider-to-provider consultations only. Patients in a patient-to-provider consultation shall not be entitled to receive a facility fee.

(7) Nothing in this section shall be interpreted to create new standards of care for health care services delivered through the use of telemedicine.

(8) The Commissioner of Insurance may adopt rules and regulations for the administration of this chapter.

(9) This section shall stand repealed from and after July 1, 2025.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO REQUIRE HEALTH INSURANCE AND EMPLOYEE BENEFIT PLANS TO REIMBURSE PROVIDERS FOR TELEMEDICINE SERVICES USING THE PROPER MEDICAL CODES; AND FOR RELATED PURPOSES.

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Senator Caughman called up the following House Amendment to **S. B. No. 2158** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting all language on lines 228 and 229 and inserting the following in lieu thereof: "This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

AMEND title to conform.

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Senator Moran called up the following House Amendment to **S. B. No. 2076** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-27-71, Mississippi Code of 1972, is amended as follows:

49-27-71. (1) Definitions. As used in the section, the following words and phrases have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(a) "Abandoned vessel" means a vessel left unattended for four (4) or more weeks after a hurricane, tropical storm, or other natural event resulting in a declaration of emergency by the Governor, or, in the absence of a hurricane, tropical storm, or other natural event resulting in a declaration of emergency by the Governor, any of the following:

(i) A vessel left unattended that is moored, anchored, or otherwise in the waters of the state or on public property for a period of more than ten (10) days.

(ii) A vessel that is moored, anchored, or otherwise on or attached to private property for a period of more than ten (10) days without the consent of the owner or lessee of the property or of the public trust tidelands.

Upon notification from the owner of the vessel outlining the circumstances following a hurricane, tropical storm, or other natural event, the department may grant an exception to the time frames indicated above.

(b) "Department" means the Mississippi Department of Marine Resources.

(c) "Derelict vessel" means a vessel in the waters of the State of Mississippi that satisfies any of the following:

(i) Is aground without the ability to extricate itself absent mechanical assistance;

(ii) Is sunk or otherwise resting on the bottom of the waterway;

(iii) Is abandoned;

(iv) Is wrecked, junked, or in a substantially dismantled condition upon any waters of this state:

1. A vessel is "wrecked" if it is sunken or sinking; or remaining after a marine casualty, including, but not limited to, a boating accident, extreme weather, or fire.

2. A vessel is "junked" if it has been substantially stripped of vessel components, if vessel components have substantially degraded or been destroyed, or if the vessel has been discarded by the owner or operator. Attaching an outboard motor to a vessel that is otherwise junked will not cause the vessel to no longer be junked if such motor is not an effective means of propulsion.

3. A vessel is "substantially dismantled" if at least two (2) of the three (3) following vessel systems or components are missing, compromised, incomplete, inoperable, or broken:

- (A) The steering system;
- (B) The propulsion system; or
- (C) The exterior hull integrity.

Attaching an outboard motor to a vessel that is otherwise substantially dismantled will not cause the vessel to no longer be substantially dismantled if such motor is not an effective means of propulsion;

(v) Docked, grounded, or beached upon the property of another without the consent of the owner of the property;

(vi) Is obstructing a waterway or within one hundred (100) yards of the boundaries of any state, county or municipal port;

(vii) Is endangering life or property;

(viii) Has broken loose or is in danger of breaking loose from its anchor, mooring, or ties; or

(iv) A vessel that is otherwise not seaworthy.

(d) "Documented vessel" means a vessel documented under 46 USC, Chapter 121.

(e) "Effective means of propulsion" means a vessel, other than a barge, that is equipped with:

(i) A functioning motor, controls, and steering system; or

(ii) Rigging and sails that are present and in good working order, and a functioning steering system.

A vessel does not have an effective means of propulsion for safe navigation within seventy-two (72) hours after the vessel owner or operator received telephonic notice, in-person notice recorded on an agency-approved body camera, or written notice, which may be provided by facsimile, electronic mail, or other electronic means, stating such from a representative of the department, and the vessel owner or operator is unable to provide a receipt, proof of purchase, or other documentation of having ordered necessary parts for vessel repair. The department may adopt regulations to implement this paragraph.

(f) "Floating building or structure" means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes, but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; a storage or parking facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such. Incidental movement upon water or resting partially or entirely on the bottom does not, in and of itself, preclude an entity from classification as a floating structure.

(g) "Gross negligence" means conduct so reckless or wanting in care that it constitutes a conscious disregard or indifference to the safety of the property to such conduct.

(h) "Moored" means a vessel that is anchored or affixed in some other way to the public trust tidelands, to leased tidelands, to private land, or within the riparian zone of a private or public landowner or leaseholder.

(i) "Registered" means a vessel documented under Section 59-21-5, Mississippi Code of 1972.

(j) "Unseaworthy" means a vessel that is not fit or safe for any normal perils of the sea or has no effective means of propulsion is included.

(k) "Vessel" means every description of watercraft, other than a seaplane, capable of being used as a means of transportation on the water. For the purposes of this section, vessels powered only by hand, foot, oars or paddles, are included. For the purposes of this section, floatable buildings and structure, whether or not they are used for navigation, are included.

(l) "Waters of the state" means any waters located within Harrison, Hancock and Jackson Counties under the jurisdiction of the Mississippi Department of Marine Resources as established pursuant to Section 49-15-23, Mississippi Code of 1972.

(m) "Willful misconduct" means conduct evidencing carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design or to show an intentional and substantial disregard of the interests of the vessel owner.

(2) Jurisdiction. (a) In the waters of Harrison, Hancock and Jackson Counties, a person \* \* \*, firm, corporation or other entity may not leave derelict or at risk of being derelict, any vessel on the coastal wetlands, marine waters, or on public or privately owned lands without the owner's permission.

(b) The Department of Marine Resources has the authority to remove derelict vessels, whether located on private or public property.

(c) Vessels located in ports and harbors are subject to the provisions outlined in Title 50, Mississippi Code of 1972, Ports, Harbors, Landings and Watercraft.

(d) This section does not apply to vessels located in marinas, garages, or repair shops for repairs, improvements, or other work with knowledge of the owner and for which the costs for such services have been unpaid.

(e) Vessels deemed to be derelict pursuant to this chapter are exempt from the salvage provisions in Section 89-17-1 et seq., Mississippi Code of 1972.

(3) Penalties. Violations of this act will be subject to the penalties as provided in Section 49-15-63.

( \* \* \*4) Standing. \* \* \* A party with standing may initiate the derelict vessel procedures in this section. For purpose of this section, the following parties have standing:

(a) The owner of the property where the vessel came to rest or to which the vessel was made fast;

(b) Any harbormaster, police department, municipality or agent of the state that agrees to accept or process a derelict vessel; or

(c) Any professional marine salvager when the salvager is engaged by a person with standing.

(5) Landowner permission may be revoked at any time. The landowner must provide the department sufficient proof that the vessel owner has been notified of the revocation of landowner's permission or proof that the landowner cannot locate the owner of the vessel.

When a vessel is moored upon public trust tidelands that is not otherwise leased to another party, for a period of thirty (30) days or longer, permission must be granted by the Secretary of State's office.

( \*\*6) Notice. Any party with standing, or his or her representative, may initiate the notice process by filing an application with the department to remove the derelict vessel \*\*. Upon receipt and review of the application, \*\* the department may initiate the following notice process:

(a) A department officer \*\* is authorized to board any vessel that has been reported to the department as being derelict or at-risk of being derelict to determine the condition of the vessel and in an attempt to establish ownership of the vessel.

(b) A department officer shall post notice, which must comply with the following requirements:

(i) Be posted on the vessel in a prominent location, visible to an approaching person;

(ii) Require the vessel owner to submit a plan for removal to the department within seven (7) days of the notice; and

( \*\*iii) \*\* Include a space for the owner of the vessel to respond.

(c) If the registered owner responds with a signature in the space or otherwise provides a written response to the department requesting an extension of time, then the registered owner will have an additional five (5) days to \*\* submit the plan for removal.

(d) \*\* The department will notify the respondent of the approval or denial of the removal plan within seven (7) business days.

(e) If the respondent fails to comply with the approved removal plan and fails to submit a satisfactory reason as to why the vessel cannot be moved as planned, the department may present the removal plan and evidence of the owner's noncompliance to the chancery court.

(f) Upon presentation of the required evidence, the chancery court will issue an order allowing the department or its representative to remove the vessel from its current location and make whatever disposition is deemed appropriate, including, but not limited to, immediate disposal, storage pending disposal, use for official purposes, transfer to another state agency or other disposition.

(g) If the vessel is located in an area of coastal wetlands where emergent vegetation is present or where the vessel is embedded in the ground, a wetlands permit may be required prior to removal.

(h) Any party who acts in good faith and without malicious intent in the processing, storing or moving any derelict vessel pursuant to this section is immune from liability for damages to the vessel.

(7) Determining ownership. (a) Upon receipt of an application for the removal of a derelict vessel where no removal plan has been submitted by the owner, the department

must attempt to contact the registered owner of the vessel and any lien holders of record by other available means.

(b) The department must inquire of the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP) as to the status of the vessel in regard to the Mississippi Boating Law of 1960, Section 59-21-1 et seq. or the United States Coast Guard as to the status of the vessel in regard to documentation under 46 USC, Chapter 121.

(c) The inquiry must provide the description of the vessel, including the vessel registration number.

(d) The MDWFP is required to provide the requested information to the department within two (2) business days.

(e) The registered owner of a vessel must comply with Section 59-21-21 to change ownership. In the event a vessel owner fails to notify the MDWFP of a transfer of ownership and supply the new owner's contact information, the owner of the vessel according to MDWFP records is presumed to be the person to whom the vessel is registered.

(f) If there is no registered owner found, the department must make publication on the department's website and in a newspaper with general circulation for three (3) weeks, describing the vessel and the location.

( \*\* \*8) Derelict vessel removal. (a) After the initial notice period described in subsection ( \*\* \*6) has lapsed \*\* \* and the department can show proof of inquiries to ascertain the vessel ownership under subsection (7) of this section, the department may obtain an order from the chancery court for the derelict vessel to be removed from its current location.

(b) \*\* \* The chancery court order may grant the department to make whatever disposition is deemed appropriate, including, but not limited to, immediate disposal of the vessel, storage pending disposal, use for official purposes, transfer to another state agency or other disposition.

(c) \*\* \* If the vessel is located in an area of coastal wetlands where emergent vegetation is present or where the vessel is embedded in the ground, a wetlands permit may be required prior to removal.

(d) Any person who acts in good faith and without malicious intent in the processing, \*\* \* storing or \*\* \* moving of any derelict vessel pursuant to this section is immune from civil liability for damage to the vessel.

( \*\* \*9) Emergency removal. Any derelict vessel that is obstructing a waterway, is within any designated navigation channel or within one hundred (100) yards of the boundaries of any state, county or municipal port may be declared a hazard to navigation and subject to immediate relocation, removal \*\* \* disposal, or other disposition by the department or other party with standing.

(a) Any derelict vessel that is leaking any hazardous substances, chemicals or fuels will be reported to the Mississippi Department of Environmental Quality (MDEQ) and may be declared an environmental hazard and subject to immediate relocation, removal \*\* \* disposal \*\* \* or other disposition by MDEQ, the department or other party with standing.

(b) The \*\* \* registered owner of a vessel removed in accordance with this subsection \*\* \* (9) is liable for the costs associated with the relocation, removal, salvage \*\* \* storage or disposal of the vessel and any damages to the flora and fauna within the affected area.

(c) Any funds derived from salvage or sale of a vessel pursuant to this section will be used to offset the costs to the department associated with the removal, salvage, storage or disposal of the vessel.

(d) Any funds derived from damages to the flora and fauna will be deposited into the Coastal Resource Management Fund.

\*\*\* (e) Any party who relocates or removes a vessel under this section is not liable for damages resulting from relocation or removal unless the damage results from gross negligence or willful misconduct.

(\*\*\*10) Cost recovery. (a) \*\*\* The department may seek full cost recovery from the registered owner of the derelict vessel for any expense incurred as a result of, or incidental to, removing the vessel. The registered owner of the vessel is liable for the costs of removal, storage, disposal, and restoration of affected lands \*\*\*, attorneys' fees and all court costs \*\*\*.

(b) The owner of the vessel is also liable for a fine of Five Hundred Dollars (\$500.00) per day. \*\*\* The fines for emergency removal of vessels under subsection (9) of this section may be imposed by the Executive Director of the Department of Marine Resources upon the recommendation of the Advisory Commission on Marine Resources, under Section 49-15-401 et seq. The fines for removal of all other vessels may be imposed by the chancery court.

(c) Expenses incurred, including, but not limited to, fines, court costs, vessel removal, storage, disposal, restoration of affected lands, and attorneys' fees for derelict vessels will be imposed by the chancery court as outlined in subsection (11) of this section.

(d) If the registered owner should fail to pay fines imposed by the department in accordance with paragraph (b) of this subsection, an enforcement action will be filed with the chancery court which may result in the court issuing an order, including, but not limited to, the collection of fines, court costs, and/or any legal avenue the court finds appropriate to collect such funds.

(e) All proceeds from any activity related to the disposition of a vessel under this chapter will go into the Derelict Vessel Fund, a special fund within the Seafood Fund. However, any fines imposed for the damage to coastal wetlands will be placed in the Coastal Resource Management Fund.

(\*\*\*11) Court process. (a) The chancery court of the county in which the vessel is located has jurisdiction over all matters concerning derelict vessels under this section, including injunctions and demands for damages. If the vessel is allowed to float and/or is otherwise moved to another county after notice has been provided under subsection (6) of this section, the county in which the vessel was first provided notice shall have continuing jurisdiction.

(b) If there is no response to the publication attempts under subsection (7)(e) of this section, the chancery court will issue an order to the department allowing the department to take possession of the vessel and make such use or disposition of the vessel as deemed appropriate under the circumstances. If the department determines that the vessel may be used for official purposes or otherwise sold, the MDWFP will issue a vessel registration number or a hull identification number to the department after proof of publication has been submitted.

(\*\*\*c) The chancery court may, in its discretion, order damages up to Five Hundred Dollars (\$500.00) per day for every day the vessel was left abandoned or derelict, beginning on the day \*\*\* notice was posted on the vessel. \*\*\*

( \*\* \*d) If the department or a party with standing desires to require the registered owner to remove the vessel, then he or she may apply to the chancery court for a writ of mandatory injunction ordering the registered owner to remove the vessel. The chancery court must allow a reasonable time for removal and restoration of the affected lands. The chancery court may order further damages not to exceed Five Hundred Dollars (\$500.00) per day for each day that the violation exists beyond the date set by the court in an injunction for the removal of the vessel and restoration of the affected lands.

( \*\* \*e) Any court-ordered reimbursed costs or damages in excess of the actual costs of removal and restoration must be deposited in a special fund in the State Treasury known as the "Derelict Vessel Fund" administered by the department. Any funds deposited in the fund must be used to cover the administrative costs and removal costs incurred by the department for the removal of vessels. Any remaining funds must be used to cover the costs of removing additional derelict vessels. However, any fines imposed for the damage to coastal wetlands will be placed in the Coastal Resource Management Fund.

( \*\* \*12) Department authorities. (a) The department is authorized to enter into contracts with individuals, firms and corporations, or agreements with other state agencies for the removal and/or temporary storage of vessels prior to removal. The salvage value, if any, of the vessel may be used to offset the costs of the removal of the vessel and the restoration of the affected area. The department may enter into noncompetitive contracts or agreements with any state or federal entity for the removal of vessels.

(b) The \*\* \* department may \*\* \* enter into interstate or intrastate \*\* \* agreements toward this end, and may seek and utilize aid from all federal, state, and local sources in this endeavor.

(c) The Department of Marine Resources shall adopt rules and regulations necessary and appropriate to carry out this section.

(d) The department may promulgate regulations to establish a derelict vessel prevention program to address vessels at risk of becoming derelict. Such program may, but is not required to, include:

(i) Removal, relocation, and destruction of vessels declared a public nuisance due to the lack of proper marine sanitation, derelict or at risk of becoming derelict, or lost or abandoned.

(ii) Creation of a vessel turn-in program allowing the owner of a vessel determined by the department to be at risk of becoming derelict, to turn the vessel and vessel title over to the department to be destroyed without penalty.

(iii) Providing for removal and destruction or other disposition of an abandoned vessel for which an owner cannot be identified or the owner of which is deceased and no heir is interested in acquiring the vessel.

(iv) Purchase of anchor line, anchors, and other equipment necessary for securing vessels at risk of becoming derelict.

(v) Creating or acquiring moorings designated for securing vessels at risk of becoming derelict.

( \*\* \*e) The State of Mississippi, the Commission on Marine Resources, the department, and their employees and representatives shall not be liable for any damages resulting from the removal, towing, storage, sale or disposal of any vessel \*\* \* that is derelict or hazardous under this section.

(f) The department or any party with standing does not incur liability for any resulting damage to the vessel or any damage the vessel may cause to any property or person during the time frame between posting notice and vessel removal. If any damages occur during the period of time between notice and removal of the vessel, the registered vessel owner, according to MDWFP records, is presumed liable for all damages.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-27-71, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATING TO DERELICT VESSELS; TO PROVIDE FOR JURISDICTION IN ACTIONS TO REMOVE DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE REMOVAL OF DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE NOTICE PROCESS FOR THE REMOVAL OF DERELICT VESSELS; TO PROVIDE FOR THE PROCESS FOR DETERMINING OWNERSHIP OF DERELICT VESSELS; TO PROVIDE FOR RECOVERY OF COSTS ASSOCIATED WITH REMOVING DERELICT VESSELS; TO AUTHORIZE CERTAIN POWERS AND DUTIES OF THE DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

Senator Moran called up the following House Amendment to **S. B. No. 2476** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-46, Mississippi Code of 1972, is amended as follows:

49-15-46. (1) Each vessel used to catch, take, carry or transport oysters from the reefs of the State of Mississippi, or engaged in transporting any oysters in any of the waters within the territorial jurisdiction of the State of Mississippi, for commercial use, shall annually, before beginning operations, be licensed by the \* \* \* department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

(b) One Hundred Dollars (\$100.00) on each in-state vessel or boat used for dredging oysters;

(c) One Hundred Dollars (\$100.00) on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand; or

(d) Two Hundred Dollars (\$200.00) on each out-of-state vessel or boat used for dredging oysters \* \* \*.

\* \* \*

(2) \*\*\* Each molluscan shellfish aquaculture operation shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each resident molluscan shellfish aquaculture operation; or

(b) One Hundred Dollars (\$100.00) on each nonresident molluscan shellfish aquaculture operation.

(3) The \*\*\* department may authorize the transfer of a vessel license to a different vessel provided that the owner of both vessels is the same titled owner.

(4) All oysters harvested in the State of Mississippi shall be tagged. Tags shall be issued by the department and shall bear the catcher's name, the date and origin of the catch, the shell stock dealer's name and permit number. The department shall number all tags issued and shall maintain a record of those tags. The \*\*\* department, in its discretion, may adopt any regulations regarding the tagging of oysters and other shellfish.

(5) Each person catching or taking oysters from the waters of the State of Mississippi for personal use shall obtain a permit from the \*\*\* department and pay an annual recreational oyster permit fee of Ten Dollars (\$10.00). Oysters caught under a recreational permit shall not be offered for sale. The limits on the allowable catch of oysters for recreational purposes shall be three (3) sacks per week. The department shall issue tags of a distinguishing color to designate recreationally harvested oysters, which shall be tagged on the same day of harvest in the manner prescribed in subsection (4) of this section for commercially harvested oysters or by regulation of the \*\*\* department.

(6) The \*\*\* department shall assess and collect a shell retention fee for the shells taken from waters within the territorial jurisdiction of the State of Mississippi as follows:

(a) Commercial and recreational harvesters - Fifteen Cents (15¢) per sack paid to the department on the day of harvest;

(b) Initial oyster processor, dealer or factory first purchasing the oysters - Fifteen Cents (15¢) per sack paid to the department no later than the tenth day of the month following the purchase, on forms submitted by the department;

(c) Commercial harvesters transporting their catch out of the state - Fifty Cents (50¢) per sack paid to the department on the day of harvest, in addition to the fees paid in \*\*\* paragraph (a) of this subsection; and

(d) Commercial harvesters not selling their oysters to a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the department on the day of harvest, in addition to fees paid in \*\*\* paragraph (a) of this subsection.

Funds received from the shell retention fee shall be paid into a special fund in the State Treasury to be appropriated by the Legislature for use by the \*\*\* department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

(7) During open seasons, oysters may be taken only by hands, tongs and dredges.

(8) Vessels licensed under Section 49-15-46 may keep in whole, for personal consumption up to thirty-six (36) blue crabs (portunidae family), per day. This exemption for personal consumption does not apply to fish or crabs that are otherwise illegal to possess or catch.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LICENSE MOLLUSCAN SHELLFISH AQUACULTURE OPERATIONS AND TO LICENSE MULTIPLE VESSELS AT SUCH AQUACULTURE OPERATIONS; AND FOR RELATED PURPOSES.

Senator Moran called up the following House Amendment to **S. B. No. 2511** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-64.5, Mississippi Code of 1972, is amended as follows:

49-15-64.5. (1) (a) Each freight boat, ice boat and catching boat used in catching or transporting saltwater shrimp taken from the waters of the State of Mississippi for sale in their fresh state, or for canning, packing, freezing or drying, shall first obtain from the commission an annual privilege license and pay a license fee at the following rates:

(i) Fifty Dollars (\$50.00) for resident boats or vessels under thirty (30) feet in length in overall measurements and One Hundred Dollars (\$100.00) for nonresident boats or vessels under thirty (30) feet in length in overall measurements;

(ii) Seventy-five Dollars (\$75.00) for resident boats or vessels between thirty (30) and forty-five (45) feet in length in overall measurements and One Hundred Dollars (\$100.00) for nonresident boats or vessels between thirty (30) and forty-five (45) feet in length in overall measurements;

(iii) One Hundred Dollars (\$100.00) for resident boats or vessels greater than forty-five (45) feet in length in overall measurements and Two Hundred Dollars (\$200.00) for nonresident boats or vessels greater than forty-five (45) feet in length in overall measurements.

(b) Beginning September 15, 1994, no nonresident shall be issued a commercial fishing license under this chapter for the taking of saltwater shrimp using any type of net if that nonresident's state of domicile prohibits the issuing of commercial fishing licenses to residents of this state to engage in like activity.

(2) Each recreational vessel engaging in shrimping with a net having a corkline length of sixteen (16) feet or less shall pay an annual resident license fee of Fifteen Dollars (\$15.00) or an annual nonresident license fee of Thirty Dollars (\$30.00).

\* \* \*

( \*\* \*3) During open seasons and in open areas, saltwater shrimp may be taken only with shrimp trawls, trawls, butterfly nets, skimmer nets, push trawls, beach seines and cast nets.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-15-64.5, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR A SALTWATER SHRIMP CAPTAIN'S LICENSE ISSUED BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2773** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-73-21, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

[In cases involving business enterprises that received or applied for the job tax credit authorized by this section prior to January 1, 2005, this section shall read as follows:]

57-73-21. (1) Annually by December 31, using the most current data available from the University Research Center, Mississippi Department of Employment Security and the United States Department of Commerce, the State Tax Commission shall rank and designate the state's counties as provided in this section. The twenty-eight (28) counties in this state having a combination of the highest unemployment rate and lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Three areas. The twenty-seven (27) counties in the state with a combination of the next highest unemployment rate and next lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Two areas. The twenty-seven (27) counties in the state with a combination of the lowest unemployment rate and the highest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier One areas. Counties designated by the Tax Commission qualify for the appropriate tax credit for jobs as provided in subsections (2), (3) and (4) of this section. The designation by the Tax Commission is effective for the tax years of permanent business enterprises which begin after the date of designation. For companies which plan an expansion in their labor forces, the Tax Commission shall prescribe certification procedures to ensure that the companies can claim credits in future years without regard to whether or not a particular county is removed from the list of Tier Three or Tier Two areas.

(2) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or

permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties designated by the Tax Commission as Tier Three areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to Two Thousand Dollars (\$2,000.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Chairman of the State Tax Commission may extend this time period for not more two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by ten (10) or more in a Tier Three area are eligible for the credit. Credit is not allowed during any of the five (5) years if the net employment increase falls below ten (10). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of ten (10).

(3) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties that have been designated by the Tax Commission as Tier Two areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to One Thousand Dollars (\$1,000.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Chairman of the State Tax Commission may extend this time period for not more two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by fifteen (15) or more in Tier Two areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below fifteen (15). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of fifteen (15).

(4) Permanent business enterprises primarily engaged in manufacturing, processing, warehousing, distribution, wholesaling and research and development, or permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise, in counties designated by the Tax Commission as Tier One areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to Five Hundred Dollars (\$500.00) annually for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the

disaster the permanent business enterprise is unable to maintain the required number of jobs, the Chairman of the State Tax Commission may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent businesses that increase employment by twenty (20) or more in Tier One areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below twenty (20). The Tax Commission shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of twenty (20).

(5) In addition to the credits authorized in subsections (2), (3) and (4), an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi. A minimum of thirty-five (35) jobs must be created to qualify for the additional credit. The State Tax Commission shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this subsection. As used in this subsection, the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security.

(6) In addition to the credits authorized in subsections (2), (3), (4) and (5), any job requiring research and development skills (chemist, engineer, etc.) shall qualify for an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee.

(7) In lieu of the tax credits provided in subsections (2) through (6), any commercial or industrial property owner which remediates contaminated property in accordance with Sections 49-35-1 through 49-35-25, is allowed a job tax credit for taxes imposed by Section 27-7-5 equal to the amounts provided in subsection (2), (3) or (4) for each net new full-time employee job for five (5) years beginning with years two (2) through six (6) after the creation of the job. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. This subsection shall be administered in the same manner as subsections (2), (3) and (4), except the landowner shall not be required to increase employment by the levels provided in subsections (2), (3) and (4) to be eligible for the tax credit.

(8) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for additional net new full-time jobs created by business enterprises qualified under subsections (2), (3), (4), (5), (6) and (7) of this section. Except as otherwise provided, the Tax Commission shall adjust the credit allowed in the event of employment fluctuations during the additional five (5) years of credit.

(9) (a) The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any business enterprise may not create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the business enterprise. The Tax Commission shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(b) This subsection shall not apply in cases in which a business enterprise has ceased operation, laid off all its employees and is subsequently acquired by another unrelated business entity that continues operation of the enterprise in the same or a similar type of business. In such a case the succeeding business entity shall be eligible for the credit authorized by this section unless the cessation of operation of the business enterprise was for the purpose of obtaining new eligibility for the credit.

(10) Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) years from the close of the tax year in which the qualified jobs were established but the credit established by this section taken in any one (1) tax year must be limited to an amount not greater than fifty percent (50%) of the taxpayer's state income tax liability which is attributable to income derived from operations in the state for that year. If the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the business enterprise is unable to use the existing carryforward, the Chairman of the State Tax Commission may extend the period that the credit may be carried forward for a period of time not to exceed two (2) years.

(11) No business enterprise for the transportation, handling, storage, processing or disposal of hazardous waste is eligible to receive the tax credits provided in this section.

(12) The credits allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

(13) The tax credits provided for in this section shall be in addition to any tax credits described in Sections 57-51-13(b), 57-53-1(1)(a) and 57-54-9(b) and granted pursuant to official action by the Mississippi Development Authority prior to July 1, 1989, to any business enterprise determined prior to July 1, 1989, by the Mississippi Development Authority to be a qualified business as defined in Section 57-51-5(f) or Section 57-54-5(d) or a qualified company as described in Section 57-53-1, as the case may be; however, from and after July 1, 1989, tax credits shall be allowed only under either this section or Sections 57-51-13(b), 57-53-1(1)(a) and Section 57-54-9(b) for each net new full-time employee.

(14) As used in this section, the term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

[In cases involving business enterprises that apply for the job tax credit authorized by this section from and after January 1, 2005, this section shall read as follows:]

57-73-21. (1) Annually by December 31, using the most current data available from the University Research Center, Mississippi Department of Employment Security and the United States Department of Commerce, the Department of Revenue shall rank and designate the state's counties as provided in this section. The twenty-eight (28) counties in this state having a combination of the highest unemployment rate and lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Three areas. The twenty-seven (27) counties in the state with a combination of the next highest unemployment rate and next lowest per capita income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier Two areas. The twenty-seven (27) counties in the state with a combination of the lowest unemployment rate and the highest per capita

income for the most recent thirty-six-month period, with equal weight being given to each category, are designated Tier One areas. Counties designated by the Department of Revenue qualify for the appropriate tax credit for jobs as provided in this section. The designation by the Department of Revenue is effective for the tax years of permanent business enterprises which begin after the date of designation. For companies which plan an expansion in their labor forces, the Department of Revenue shall prescribe certification procedures to ensure that the companies can claim credits in future years without regard to whether or not a particular county is removed from the list of Tier Three or Tier Two areas.

(2) Permanent business enterprises in counties designated by the Department of Revenue as Tier Three areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to ten percent (10%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by ten (10) or more in a Tier Three area are eligible for the credit. Credit is not allowed during any of the five (5) years if the net employment increase falls below ten (10). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of ten (10). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (2).

(3) Permanent business enterprises in counties that have been designated by the Department of Revenue as Tier Two areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to five percent (5%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by fifteen (15) or more in Tier Two areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below fifteen (15). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of fifteen (15). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (3).

(4) Permanent business enterprises in counties designated by the Department of Revenue as Tier One areas are allowed a job tax credit for taxes imposed by Section 27-7-5 equal to two and one-half percent (2.5%) of the payroll of the enterprise for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the minimum number of jobs required by this subsection; however, if the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the permanent business enterprise is unable to maintain the required number of jobs, the Commissioner of Revenue may extend this time period for not more than two (2) years. The number of new full-time jobs must be determined by comparing the monthly average number of

full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. Only those permanent business enterprises that increase employment by twenty (20) or more in Tier One areas are eligible for the credit. The credit is not allowed during any of the five (5) years if the net employment increase falls below twenty (20). The Department of Revenue shall adjust the credit allowed each year for the net new employment fluctuations above the minimum level of twenty (20). Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (4).

(5) (a) In addition to the other credits authorized in this section, an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi. A minimum of twenty (20) jobs must be created to qualify for the additional credit. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this paragraph (a). As used in this paragraph (a), the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (a).

(b) In addition to the other credits authorized in this section, an additional Five Hundred Dollars (\$500.00) credit for each net new full-time employee or an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the average annual wage of the state or an additional Two Thousand Dollars (\$2,000.00) credit for each net new full-time employee who is paid a salary, excluding benefits which are not subject to Mississippi income taxation, of at least two hundred percent (200%) of the average annual wage of the state, shall be allowed for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi. A minimum of twenty (20) new jobs must be created to qualify for the additional credit. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this paragraph (b). As used in this paragraph (b), the average annual wage of the state is the most recently published average annual wage as determined by the Mississippi Department of Employment Security. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this paragraph (b).

(6) In addition to the other credits authorized in this section, any job requiring research and development skills (chemist, engineer, etc.) shall qualify for an additional One Thousand Dollars (\$1,000.00) credit for each net new full-time employee. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (6).

(7) (a) In addition to the other credits authorized in this section, any company that transfers or relocates its national or regional headquarters to the State of Mississippi from outside the State of Mississippi may receive a tax credit in an amount equal to the actual relocation costs paid by the company. A minimum of twenty (20) jobs must be created in order to qualify for the additional credit authorized under this subsection. Relocation costs

for which a credit may be awarded shall be determined by the Department of Revenue and shall include those nondepreciable expenses that are necessary to relocate headquarters employees to the national or regional headquarters, including, but not limited to, costs such as travel expenses for employees and members of their households to and from Mississippi in search of homes and moving expenses to relocate furnishings, household goods and personal property of the employees and members of their households. Medical cannabis establishments as defined in the Mississippi Medical Cannabis Act shall not be eligible for the tax credit authorized in this subsection (7).

(b) The tax credit authorized under this subsection shall be applied for the taxable year in which the relocation costs are paid. The maximum cumulative amount of tax credits that may be claimed by all taxpayers claiming a credit under this subsection in any one (1) state fiscal year shall not exceed One Million Dollars (\$1,000,000.00), exclusive of credits that might be carried forward from previous taxable years. A company may not receive a credit for the relocation of an employee more than one (1) time in a twelve-month period for that employee.

(c) The Department of Revenue shall establish criteria and prescribe procedures to determine if a company creates the required number of jobs and qualifies as a national or regional headquarters for purposes of receiving the credit awarded in this subsection. A company desiring to claim a credit under this subsection must submit an application for such credit with the Department of Revenue in a manner prescribed by the department.

(d) In order to participate in the provisions of this section, a company must certify to the Mississippi Department of Revenue that it complies with the equal pay provisions of the federal Equal Pay Act of 1963, the Americans with Disabilities Act of 1990 and the fair pay provisions of the Civil Rights Act of 1964.

(e) This subsection shall stand repealed on July 1, \* \* \* 2025.

(8) In lieu of the other tax credits provided in this section, any commercial or industrial property owner which remediates contaminated property in accordance with Sections 49-35-1 through 49-35-25, is allowed a job tax credit for taxes imposed by Section 27-7-5 equal to the percentage of payroll provided in subsection (2), (3) or (4) of this section for net new full-time employee jobs for five (5) years beginning with years two (2) through six (6) after the creation of the jobs. The number of new full-time jobs must be determined by comparing the monthly average number of full-time employees subject to Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. This subsection shall be administered in the same manner as subsections (2), (3) and (4), except the landowner shall not be required to increase employment by the levels provided in subsections (2), (3) and (4) to be eligible for the tax credit.

(9) (a) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for increases in the annual payroll for net new full-time jobs created by business enterprises qualified under this section. The Department of Revenue shall adjust the credit allowed in the event of payroll fluctuations during the additional five (5) years of credit.

(b) Tax credits for five (5) years for the taxes imposed by Section 27-7-5 shall be awarded for additional net new full-time jobs created by business enterprises qualified under subsections (5) and (6) of this section and for additional relocation costs paid by companies qualified under subsection (7) of this section. The Department of Revenue shall adjust the credit allowed in the event of employment fluctuations during the additional five (5) years of credit.

(10) (a) The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any business enterprise may not

create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the business enterprise. The Department of Revenue shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(b) This subsection shall not apply in cases in which a business enterprise has ceased operation, laid off all its employees and is subsequently acquired by another unrelated business entity that continues operation of the enterprise in the same or a similar type of business. In such a case the succeeding business entity shall be eligible for the credit authorized by this section unless the cessation of operation of the business enterprise was for the purpose of obtaining new eligibility for the credit.

(11) Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) years from the close of the tax year in which the qualified jobs were established and/or headquarters relocation costs paid, as applicable, but the credit established by this section taken in any one (1) tax year must be limited to an amount not greater than fifty percent (50%) of the taxpayer's state income tax liability which is attributable to income derived from operations in the state for that year. If the permanent business enterprise is located in an area that has been declared by the Governor to be a disaster area and as a direct result of the disaster the business enterprise is unable to use the existing carryforward, the Commissioner of Revenue may extend the period that the credit may be carried forward for a period of time not to exceed two (2) years.

(12) No business enterprise for the transportation, handling, storage, processing or disposal of hazardous waste is eligible to receive the tax credits provided in this section.

(13) The credits allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

(14) As used in this section:

(a) "Business enterprises" means entities primarily engaged in:

(i) Manufacturing, processing, warehousing, warehousing activities, distribution, wholesaling and research and development, or

(ii) Permanent business enterprises designated by rule and regulation of the Mississippi Development Authority as air transportation and maintenance facilities, final destination or resort hotels having a minimum of one hundred fifty (150) guest rooms, recreational facilities that impact tourism, movie industry studios, telecommunications enterprises, data or information processing enterprises or computer software development enterprises or any technology intensive facility or enterprise.

(b) "Telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

(c) "Warehousing activities" means entities that establish or expand facilities that service and support multiple retail or wholesale locations within and outside the state. Warehousing activities may be performed solely to support the primary activities of the

entity, and credits generated shall offset the income of the entity based on an apportioned ratio of payroll for warehouse employees of the entity to total Mississippi payroll of the entity that includes the payroll of retail employees of the entity.

(15) The tax credits provided for in this section shall be in addition to any tax credits described in Sections 57-51-13(b), 57-53-1(1)(a) and 57-54-9(b) and granted pursuant to official action by the Mississippi Development Authority prior to July 1, 1989, to any business enterprise determined prior to July 1, 1989, by the Mississippi Development Authority to be a qualified business as defined in Section 57-51-5(f) or Section 57-54-5(d) or a qualified company as described in Section 57-53-1, as the case may be; however, from and after July 1, 1989, tax credits shall be allowed only under either this section or Sections 57-51-13(b), 57-53-1(1)(a) and Section 57-54-9(b) for each net new full-time employee.

(16) A business enterprise that chooses to receive job training assistance pursuant to Section 57-1-451 shall not be eligible for the tax credits provided for in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES AN INCOME TAX CREDIT FOR ANY COMPANY THAT TRANSFERS OR RELOCATES ITS NATIONAL OR REGIONAL HEADQUARTERS TO THE STATE OF MISSISSIPPI FROM OUTSIDE THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2773** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Harkins called up the following House Amendment to **S. B. No. 2841** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) \* \* \* and (c) \* \* \* of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project,

for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which

reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local

unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to

January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) \* \* \* and (c) \* \* \* of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or

who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, WHICH SETS OUT THE POWERS AND DUTIES OF THE STATE BOND COMMISSION, TO EXTEND THE REVERTER ON THE PROVISION OF LAW GRANTING THE STATE BOND COMMISSION THE AUTHORITY TO DETERMINE THE APPROPRIATE METHOD FOR THE SALE OF BONDS, INCLUDING THE NEGOTIATION OF THE SALE OF BONDS AS AN ALTERNATIVE TO THE ISSUANCE AND SALE BONDS ON SEALED BIDS AT PUBLIC SALE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2841** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Polk called up the following House Amendment to **S. B. No. 2371** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13, Mississippi Code of 1972, as amended by Senate Bill No. 2806 and Senate Bill No. 2818, 2022 Regular Session, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \*\*\* \$75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars

(\$5,000.00) but not more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under \* \* \* Seventy-five Thousand Dollars (\$75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \* \* \* \$75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design \* \* \*, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges \* \* \*. The Public Procurement Review Board must approve

any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of \* \* \* Seventy-five Thousand Dollars (\$75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may

not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as

indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department

of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects,

concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and/or the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2023.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as

purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated

annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2806 AND SENATE BILL NO. 2818, 2022 REGULAR SESSION, TO INCREASE THE THRESHOLD FOR BID REQUIREMENT UNDER THE PUBLIC PURCHASING LAW; TO CLARIFY THAT A PURCHASING ENTITY MAY, IN

ITS DISCRETION, USE REVERSE AUCTION FOR TERM CONTRACT PURCHASES; TO CLARIFY UNDER THE PUBLIC PURCHASING LAW THAT REVERSE AUCTION SHALL NOT BE USED FOR THE IMPROVEMENT, REPAIR OR REMODELING OF ANY PUBLIC FACILITIES, INCLUDING THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS FOR SAME; TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

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Senator Whaley called up the following House Amendment to **S. B. No. 2495** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of Sections 1 through 4 of this act, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

(b) "Conservation land" means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one (1) of the following environmental values or conservation benefits:

(i) Water quality protection for wetlands, rivers, streams, or lakes;

(ii) Protection of wildlife habitat;

(iii) Protection of cultural sites and archeological and historic resources;

(iv) Protection of land around Mississippi's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;

(v) Support of economic development through conservation projects;

(vi) Provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting facilities or similar outdoor activities; or

(vii) Recruiting and/or retention of recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting facilities or similar outdoor activities.

(c) "Nongovernmental entity" means a nonprofit organization primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(d) "Permanently protected conservation areas" means those resources:

(i) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(ii) Owned by the State of Mississippi and dedicated for recreation or conservation or as a natural resource;

(iii) Owned by a state, county or municipal unit of government or authority and subject to:

1. A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land;

2. Contractual arrangements ensuring that if the protected status is discontinued on a parcel, such property will be replaced by other conservation land which at the time of such replacement is of equal or greater monetary and resource protection value; or

3. A permanent restrictive covenant as provided in state law;

or

(iv) Owned by any person or entity and subject to a conservation easement ensuring that the property will be maintained in a manner consistent with conservation land.

(e) "Project proposal" means any application seeking monies from the Mississippi Outdoor Stewardship Trust Fund.

(f) "State agency" means any agency, department, commission or institution of the State of Mississippi.

SECTION 2. (1) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Funds shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund; however, any unobligated monies in excess of Twenty Million Dollars (\$20,000,000.00) remaining in the fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the fund may be used by the Department of Finance and Administration, upon appropriation by the Legislature, based upon the recommendation of the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund for the purposes of providing assistance to counties, municipalities, state agencies and nongovernmental entities, as provided in Sections 1 through 4 of this act. The board may use not more than one percent (1%) of monies in the special fund to defray the expenses of the board in carrying out its duties under Sections 1 through 4 of this act. The Department of Finance and Administration may use not more than three percent (3%) of monies in the special fund to defray the expenses of the department in carrying out its duties under Sections 1 through 4 of this act.

(b) Subject to the provisions of this subsection (1), monies in the fund may be used and expended by the department to provide funds for:

(i) Grants to counties, municipalities, state agencies and nongovernmental entities for:

1. Improvement of state park outdoor recreation features and trails;

2. Restoration or enhancement on privately owned working agricultural lands and forests that support conservation of soil, water, habitat of fish and wildlife resources;

3. Providing funds to counties and municipalities to acquire and improve parks and trails under the control and within the jurisdiction of such counties and municipalities;

4. Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, use or safe enjoyment of permanently protected conservation land; and

5. Restoration or enhancement of wetlands, native forests, native grasslands, and other unique habitats important for Mississippi's fish and wildlife;

6. To acquire critical areas for the provision or protection of clean water, wildlife, hunting or fishing, for military installation buffering, or for natural resource-based outdoor recreation. To the maximum extent possible, encourage existing land uses to be maintained where appropriate, including, but not limited to, farming, active forest management, hunting and fishing. Real property may only be acquired under this item 6 under the following circumstances:

a. Where such property is, at the time of acquisition, being leased by the state as a wildlife management area;

b. Where such property adjoins or is in close proximity to state or federal wildlife management areas, state parks, or would provide better public access to such areas;

c. Lands identified in any wildlife action plan developed by a state agency;

d. Riparian lands so as to protect any drinking water supply; and/or

e. Lands surrounding any military base or military installation.

Acquisition of land under this item 6 may not be made through the exercise of any power of eminent domain or condemnation proceeding.

(ii) Loans to municipalities, counties, nongovernmental entities and state agencies to defray the costs of the projects described in subparagraph (i) of this paragraph.

(c) Unless otherwise authorized by the board, a county, municipality, state agency or nongovernmental entity that receives funds for a project under this section must expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality, state agency or nongovernmental entity receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county,

municipality, state agency or nongovernmental entity must provide an accounting of such unused funds and the reason for failure to expend the funds.

(d) A county, municipality or state agency receiving funds under this section may use the funds for purposes for which the funds were provided to the county, municipality or state agency.

(e) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized under Sections 1 through 4 of this act.

(2) (a) The board shall accept applications from counties, municipalities, state agencies and nongovernmental entities for project proposals eligible for funding under this section. The board shall evaluate the proposals received in accordance with this section and pursuant to priorities established by the board.

(b) (i) A county, municipality, state agency or nongovernmental entity desiring assistance under this section must submit a complete application to the board. The application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board. Nongovernmental entities that submit an application for funding shall submit their most recent audit and disclose any audit deficiencies in the previous five (5) years, their most recent certificate of good standing from the Mississippi Secretary of State's office, and a current list of the applicant's board members for purposes of conflicts of interest.

(ii) The board shall review an application for assistance and determine whether the applicant is eligible for assistance under this section and whether the applicant should receive assistance under this section. In reviewing applications, the board shall give increased priority to projects:

1. That leverage or match other nonfederal and/or federal funds which are available for similar purposes;

2. That support and promote hunting, fishing, and provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting facilities or similar outdoor activities;

3. That contribute to improving the quality and quantity of surface water and ground water;

4. That contribute to the conservation of soil, water, and fish and wildlife resources on privately owned working agricultural lands or forests; and

5. That contribute to achieving the goals and objectives of local, state, regional and national conservation or outdoor recreational plans.

(c) If the board determines that an applicant should receive assistance, then the board shall prepare a recommendation for assistance. A recommendation for assistance shall provide the purpose for which the assistance is to be provided, the type of assistance to be provided, the amount of assistance to be provided and any other information determined necessary by the board. The board shall provide its recommendation for assistance to the Department of Finance and Administration and the department shall use funds from the Mississippi Outdoor Stewardship Trust Fund for the purpose of providing the assistance.

SECTION 3. (1) (a) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of twelve (12) members as follows:

(i) The State Forester, who is an ex-officio nonvoting member;

(ii) The Executive Director of the Mississippi Soil and Water Conservation Commission, who is an ex-officio nonvoting member;

(iii) The Executive Director of the Mississippi Commission on Marine Resources, who is an ex-officio nonvoting member;

(iv) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, who is an ex-officio nonvoting member;

(v) The Commissioner of Agriculture and Commerce, who is an ex-officio nonvoting member

(vi) Four (4) members appointed by the Governor; and

(vii) Three (3) members appointed by the Lieutenant Governor.

Two (2) of the members to be appointed by the Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Governor. All members appointed to the board shall be equally represented from each congressional district as of 2022, and shall live in the district that they represent.

This board shall not approve any funding to a county, municipality, state agency or nongovernmental entity whereby a voting member of this board is an executive, other employee or is a voting member of a governing board with such county, municipality, state agency or nongovernmental entity.

The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to land conservation and outdoor recreation.

(b) (i) One (1) person initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve for a term ending June 30, 2025; and (ii) one (1) person initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve for a term ending June 30, 2026.

After the expiration of the initial terms, all such appointments shall be for terms of four (4) years from the expiration of the previous term.

(c) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings and all actions of the board shall require a majority vote of the voting members of the board.

(d) The board shall annually elect one (1) member to serve as chairman of the board and one (1) member to serve as vice chairman of the board. The vice chairman shall act as chairman in the absence of or upon the disability of the chairman or if there is a vacancy in the office of chairman.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each meeting of the board, including mileage, as provided in Section 25-3-41.

(3) No member of the board shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or

to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(4) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

(5) Following the close of each state fiscal year, the board shall submit an annual report of its activities for the preceding state fiscal year pursuant to Sections 1 through 4 of this act to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Ways and Means Committee of the House of Representatives, Chairman of the Senate Finance Committee, Chairman of the Appropriations Committee of the House of Representatives and Chairman of the Appropriations Committee of the Senate.

SECTION 4. The board shall have all powers necessary to implement and administer Sections 1 through 3 of this act, and the board shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of Sections 1 through 3 of this act.

SECTION 5. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during

the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) On or before August 15, 2022, and each succeeding month thereafter through July 15, 2023, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) of the total sales tax revenue collected during the preceding month under the provisions of this chapter from businesses with the North American Industry Classification System Code of 451110 shall be deposited into the Mississippi Outdoor Stewardship Trust Fund created in Section 2 of this act. On or before August 15, 2023, and each succeeding month thereafter through July 15, 2024, One Million Dollars (\$1,000,000.00) of the total sales tax revenue collected during the preceding month under the provisions of this chapter from businesses with the North American Industry Classification System Code of 451110 shall be deposited into the

Mississippi Outdoor Stewardship Trust Fund created in Section 2 of this act. On or before August 15, 2024, and each succeeding month thereafter, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) of the total sales tax revenue collected during the preceding month under the provisions of this chapter from businesses with the North American Industry Classification System Code of 451110 shall be deposited into the Mississippi Outdoor Stewardship Trust Fund created in Section 2 of this act.

( \*\* \*25) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

( \*\* \*26) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BASED UPON THE RECOMMENDATION OF THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO PROVIDE ASSISTANCE TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR THE SUPPORT OF WILDLIFE, NATURE AND OTHER OUTDOOR ACTIVITY CONSERVATION AND PROMOTION PURPOSES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE FOR THE COMPOSITION OF THE BOARD OF TRUSTEES; TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND SHALL REVIEW APPLICATIONS FOR ASSISTANCE UNDER THIS ACT AND MAKE RECOMMENDATIONS FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED

INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 3163** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Eligible taxpayer" means any railroad that is classified by the United States Surface Transportation Board as a Class II or Class III railroad.

(b) "Eligible transferee" means any taxpayer having a liability for taxes under this chapter.

(c) "Qualified railroad reconstruction or replacement expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad infrastructure, including track, roadbed, bridges, industrial leads and sidings, and track-related structures owned or leased by a Class II or Class III railroad in Mississippi as of January 1, 2022.

(d) "Qualified new rail infrastructure expenditures" means gross expenditures for new construction of industrial leads, switches, spurs and sidings and extensions of existing sidings, for serving new customer locations or expansions in Mississippi, by a Class II or Class III railroad located in Mississippi.

(2) Subject to the provisions of this section, an eligible taxpayer making qualified railroad reconstruction or replacement expenditures shall be allowed a credit against the taxes imposed under this chapter. The credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified railroad reconstruction or replacement expenditures for the taxable year or the product of Five Thousand Dollars (\$5,000.00) multiplied by the number of miles of railroad track owned or leased within the State of Mississippi by the eligible taxpayer as of the close of the taxable year. For qualified new rail infrastructure expenditures, the credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified new rail infrastructure expenditures for the taxable year, capped at One Million Dollars (\$1,000,000.00) per new rail-served customer project. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the taxable year in which the credit was earned. The aggregate amount of credits that may be claimed by all taxpayers claiming a credit under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). In addition, an eligible taxpayer may transfer by written agreement any unused tax credit to an eligible transferee at any time during the year in which the credit is earned and the five (5) years following the taxable year in which the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures are made. The eligible taxpayer and the

eligible transferee must jointly file a copy of the written transfer agreement with the Department of Revenue within thirty (30) days of the transfer. The written agreement must contain the: (a) name, address, and taxpayer identification number of the parties to the transfer; (b) taxable year the eligible taxpayer incurred the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures; (c) amount of credit being transferred; and (d) taxable year or years for which the credit may be claimed by the eligible transferee.

SECTION 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Blood donation" means the voluntary and uncompensated donation of whole blood, or specific components of blood, by an employee, drawn for use by a nonprofit blood bank organization as part of a blood drive.

(b) "Blood drive" means a function held at a specific date and time which is organized by a nonprofit blood bank organization in coordination with an employer or group of employers and is closed to nonemployees.

(c) "Employee" means an individual employed by an employer authorized to claim a tax credit under this section.

(d) "Employer" means a sole proprietor, general partnership, limited partnership, limited liability company, corporation or other legally recognized business entity.

(e) "Verified donation" means a blood donation by an employee, made during a blood drive, which can be documented by an employer.

(2) Subject to the provisions of this section, for calendar year 2023 and each calendar year thereafter, through calendar year 2028, a taxpayer that is an employer shall be allowed a credit against the taxes imposed under this chapter for each verified blood donation made by an employee as part of a blood drive. The credit shall be for an amount equal to Twenty Dollars (\$20.00) for each verified donation. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. The maximum aggregate amount of tax credits that may be claimed by all taxpayers claiming a credit under this section in a taxable year shall not exceed Five Hundred Thousand Dollars (\$500,000.00). The department shall annually calculate and publish a percentage by which the tax credit authorized by this section shall be reduced so the maximum aggregate amount of tax credits claimed by all taxpayers claiming a credit in a taxable year does not exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 3. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

[Through February 1, 2022, this section shall read as follows:]

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the

pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from

whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under the (i) Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses,

Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

[From and after February 2, 2022, this section shall read as follows:]

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;
4. Licensing fees; and
5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

- (i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under the (i) Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 4. Section 27-31-104, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the

Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project as defined in Section 27-31-46, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon

changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project as defined in Section 27-31-46. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project as defined in Section 27-31-46, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital

investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project as defined in Section 27-31-46, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project as defined in Section 27-31-46. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project as defined in Section 27-31-46, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 5. A project as defined in Section 27-31-46, for which initial construction begins on or after July 1, 2022, but not later than December 31, 2024, shall be allowed an exemption from ad valorem taxation as provided in this section. For such a project, one-half (1/2) of that true value of property of the project that is subject to a fee-in-lieu of ad valorem taxes pursuant to an agreement under Section 27-31-104 shall be exempt from ad valorem taxation for a period of ten (10) years from and after the date of the expiration of such fee-in-lieu of ad valorem taxes.

SECTION 6. Sections 1 and 2 of this act shall be codified as new sections in Chapter 7, Title 27, Mississippi Code of 1972. Section 5 of this act shall be codified as a new section in Chapter 31, Title 27, Mississippi Code of 1972.

SECTION 7. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or

accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 8. Section 3 of this act shall take effect and be in force from and after January 1, 2020, Sections 4 and 5 of this act shall take effect and be in force from and after July 1, 2022, and the remaining sections of this act shall take effect and be in force from and after January 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND FOR CERTAIN NEW RAIL INFRASTRUCTURE EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS FOR BLOOD DONATIONS MADE BY EMPLOYEES OF A TAXPAYER DURING A BLOOD DRIVE; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO AMENDMENTS MADE TO THAT SECTION BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH AGREEMENTS FOR PROJECTS TOTALING OVER \$100,000,000.00 BY QUALIFIED BUSINESSES, AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT, MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REVISE THE MINIMUM AMOUNT ALLOWABLE AS A FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; AND FOR RELATED PURPOSES.

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Senator Harkins moved that the rules be suspended to move to calendar item 15, **S. B. No. 2846**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2846** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-10-401, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is reenacted and amended as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for

improvement of the real estate, including surveys, site tests and inspections, subsurface site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities, off-site construction of utility extensions to the boundaries of the real estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act. From and after January 1, 2014, such term also includes the economic development project of a related approved company that is merged into or consolidated with another approved company where the approved companies are engaged in a vertically integrated manufacturing or warehouse operation.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which is:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00); or

(iv) A telecommunications or data processing business.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto, together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-401. As used in Sections 57-10-401 through 57-10-445, the following terms shall have the meanings ascribed to them herein unless the context clearly indicates otherwise:

(a) "Approved company" means any eligible company seeking to locate an economic development project in a county, which eligible company is approved by the corporation.

(b) "Approved costs" means:

(i) Obligations incurred for equipment and labor and to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction and installation of an economic development project;

(ii) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(iii) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction and installation of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(iv) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations, and supervision of construction, as well as for the performance of all the duties required by or consequent upon the acquisition, construction and installation of an economic development project;

(v) All costs which shall be required to be paid under the terms of any contract or contracts for the acquisition, construction and installation of an economic development project;

(vi) All costs, expenses and fees incurred in connection with the issuance of bonds pursuant to Sections 57-10-401 through 57-10-445;

(vii) All costs funded by a loan made under the Mississippi Small Enterprise Development Finance Act; and

(viii) All costs of professionals permitted to be engaged under the Mississippi Small Enterprise Development Finance Act for a loan made under such act.

(c) "Assessment" means the job development assessment fee authorized in Section 57-10-413.

(d) "Bonds" means the revenue bonds, notes or other debt obligations of the corporation authorized to be issued by the corporation on behalf of an eligible company or other state agency.

(e) "Corporation" means the Mississippi Business Finance Corporation created under Section 57-10-167, Mississippi Code of 1972.

(f) "Economic development project" means and includes the acquisition of any equipment or real estate in a county and the construction and installation thereon, and with respect thereto, of improvements and facilities necessary or desirable for improvement of the real estate, including surveys, site tests and inspections, subsurface

site work, excavation, removal of structures, roadways, cemeteries and other surface obstructions, filling, grading and provision of drainage, storm water detention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities, off-site construction of utility extensions to the boundaries of the real estate, and the acquisition, construction and installation of manufacturing, telecommunications, data processing, distribution or warehouse facilities on the real estate, for lease or financial arrangement by the corporation to an approved company for use and occupancy by the approved company or its affiliates for manufacturing, telecommunications, data processing, distribution or warehouse purposes. Such term also includes, without limitation, any project the financing of which has been approved under the Mississippi Small Enterprise Development Finance Act.

If an eligible company closes a facility in this state and becomes an approved company under the provisions of Sections 57-10-401 through 57-10-449, only that portion of the project for which such company is attempting to obtain financing that is in excess of the value of the closed facility shall be included within the definition of the term "economic development project." The Mississippi Business Finance Corporation shall promulgate rules and regulations to govern the determination of the difference between the value of the closed facility and the new facility.

(g) "Eligible company" means any corporation, partnership, sole proprietorship, business trust, or other entity which:

(i) Engaged in manufacturing which meets the standards promulgated by the corporation under Sections 57-10-401 through 57-10-445;

(ii) A private company approved by the corporation for a loan under the Mississippi Small Enterprise Development Finance Act;

(iii) A distribution or warehouse facility employing a minimum of fifty (50) people or employing a minimum of twenty (20) people and having a capital investment in such facility of at least Five Million Dollars (\$5,000,000.00);

(iv) A telecommunications or data/information processing business meeting criteria established by the Mississippi Business Finance Corporation;

(v) National or regional headquarters meeting criteria established by the Mississippi Business Finance Corporation;

(vi) Research and development facilities meeting criteria established by the Mississippi Business Finance Corporation; or

(vii) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Business Finance Corporation.

The term "eligible company" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(h) "Executive director" means the Executive Director of the Mississippi Business Finance Corporation.

(i) "Financing agreement" means any financing documents and agreements, indentures, loan agreements, lease agreements, security agreements and the like, entered into by and among the corporation, private lenders and an approved company with respect to an economic development project.

(j) "Manufacturing" means any activity involving the manufacturing, processing, assembling or production of any property, including the processing resulting in a change in the conditions of the property and any activity functionally related thereto,

together with the storage, warehousing, distribution and related office facilities in respect thereof as determined by the Mississippi Business Finance Corporation; however, in no event shall "manufacturing" include mining, coal or mineral processing, or extraction of Mississippi minerals.

(k) "State agency" means any state board, commission, committee, council, university, department or unit thereof created by the Constitution or laws of this state.

(l) "Revenues" shall not be considered state funds.

(m) "State" means the State of Mississippi.

(n) "Mississippi Small Enterprise Development Finance Act" means the provisions of law contained in Section 57-71-1 et seq.

SECTION 2. Section 57-10-403, Mississippi Code of 1972, is reenacted as follows:

57-10-403. (1) The Legislature finds and declares that the general welfare and material well-being of citizens of the state depend in large measure upon the development and growth of industry in the state.

(2) The Legislature finds and declares further that it is in the best interest of the state to induce the location or expansion of manufacturing facilities within this state in order to advance the public purposes of relieving unemployment by creating new jobs within this state that, but for the inducements to be offered by the corporation to approved companies as herein provided, would not exist, and of creating new sources of tax revenues for the support of the public services provided by this state and country.

(3) The Legislature finds and declares further that the authority granted by this article and the purposes to be accomplished hereby are proper governmental and public purposes for which public monies may be expended, and that the inducement of the location or expansion of manufacturing facilities within the state is of paramount importance, mandating that the provisions of this article be liberally construed and applied in order to advance the public purposes.

SECTION 3. Section 57-10-405, Mississippi Code of 1972, is reenacted as follows:

57-10-405. In addition to its other powers and duties, the corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Sections 57-10-401 through 57-10-445, including, but without limiting the generality of the foregoing, the power:

(a) To provide and finance economic development projects under the provisions of Sections 57-10-401 through 57-10-445, and cooperate with counties, municipalities and eligible companies in order to promote, foster and support economic development within the counties and municipalities;

(b) To conduct hearings and inquiries, in the manner and by the methods as it deems desirable, including, without limitation, appointment of special committees, for the purpose of gathering information with respect to counties, municipalities, eligible companies and economic development projects, for the purpose of making any determinations necessary or desirable in the furtherance of Sections 57-10-401 through 57-10-445;

(c) To negotiate the terms of, and enter into financing agreements with, approved companies, and in connection therewith to acquire, convey, sell, own, lease, mortgage, finance, foreclose or otherwise dispose of any property, real or personal, in connection with an economic development project, and to pay, or cause to be paid, in accordance with the provisions of a financing agreement, the approved costs of an

economic development project from any funds available therefor, including, without limitation, funds available as the result of the issuance of bonds under the Mississippi Small Enterprise Development Finance Act;

(d) To delegate to the executive director the rights and powers of the corporation required for the proper and desirable execution of the purposes of this article;

(e) To consent, if it deems it necessary or desirable in the fulfillment of its purposes, to the modification of the terms of any financing agreements of any kind to which the corporation is a party;

(f) To include in any borrowing the amounts deemed necessary by the corporation to pay financing charges, consultant, advisory and legal fees, fees for bond insurance, letters of credit or other forms of credit enhancement, investment advisory fees, trustees' fees and other expenses necessary or incident to the borrowing;

(g) To make and publish administrative regulations respecting its programs and other administrative regulations necessary or appropriate to effectuate the purposes of Sections 57-10-401 through 57-10-445, and necessary to administer the procedures and program as provided for in Sections 57-10-401 through 57-10-445;

(h) To make, execute and effectuate any and all agreements or other documents with any governmental agency or any person, corporation, association, partnership, or other organization or entity, necessary or appropriate to accomplish the purposes of Sections 57-10-401 through 57-10-445, including any financing agreements with state agencies or any political subdivisions of the state under which funds may be pledged by or to the corporation for the payment of its bonds;

(i) To accept gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and assistance and any other aid from any source and to agree to, and to comply with, conditions attached thereto;

(j) To sue and be sued in its own name, plead and be impleaded; and

(k) To invest any funds held by the corporation or its agents or trustees, under Sections 57-10-401 through 57-10-445, including, but not limited to, the proceeds of bonds issued under Sections 57-10-401 through 57-10-445, reserve or other funds, or any monies not required for immediate disbursement, and the investment income on any of the foregoing, in obligations authorized by Sections 57-10-401 through 57-10-445.

SECTION 4. Section 57-10-407, Mississippi Code of 1972, is reenacted as follows:

57-10-407. The corporation may accept and expend: (a) monies which may be appropriated from time to time by the Legislature; (b) monies which may be available under the Mississippi Small Enterprise Development Finance Act; or (c) monies which may be received from any source, including income from the corporation's operations, under Sections 57-10-401 through 57-10-445, for effectuating the purposes of Sections 57-10-401 through 57-10-445, including, without limitation, the payment of the expenses of administration and operation incurred pursuant to Sections 57-10-401 through 57-10-445 and the establishment and, if deemed desirable, maintenance of a reserve or contingency fund for the administration of Sections 57-10-401 through 57-10-445.

SECTION 5. Section 57-10-409, Mississippi Code of 1972, is reenacted as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted the following during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years:

1. A tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972; plus

2. The aggregate assessment withheld by the approved company in each year.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) (i) The financing agreement shall provide that the assessments, when added to the credit for the state corporate income tax herein granted, shall not exceed the total financing agreement annual payment by the approved company in any year; however, to the extent that financing agreement annual payments exceed credits received and assessments collected in any year, the excess payment may be recouped from excess credits or assessment collections in succeeding years.

(ii) If during any fiscal year of the financing agreement the total of the income tax credit granted to the approved company plus the assessment collected from the wages of the employees equals the annual payment pursuant to the financing agreement, and if all excess payments pursuant to the financing agreement accumulated in prior years have been recouped, the assessment collected from the wages of the employees shall cease for the remainder of the fiscal year of the financing agreement.

(f) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted the following during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years:

1. A tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972; plus

2. The aggregate assessment withheld by the approved company in each year.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) (i) The financing agreement shall provide that the assessments, when added to the credit for the state corporate income tax herein granted, shall not exceed the total financing agreement annual payment by the approved company in any year; however, to the extent that financing agreement annual payments exceed credits received and assessments collected in any year, the excess payment may be recouped from excess credits or assessment collections in succeeding years not to exceed three (3) years following the termination of the period of time during which the financing agreement is in effect.

(ii) If during any fiscal year of the financing agreement the total of the income tax credit granted to the approved company plus the assessment collected from the wages of the employees equals the annual payment pursuant to the financing agreement, and if all excess payments pursuant to the financing agreement accumulated in prior years have been recouped, the assessment collected from the wages of the employees shall cease for the remainder of the fiscal year of the financing agreement.

(f) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1997, or in cases involving an economic development project which has not been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-409. The corporation may enter into, with any approved company, a financing agreement with respect to its economic development project. The terms and provisions of each financing agreement shall be determined by negotiations between the corporation and the approved company, except that each financing agreement shall include the following provisions:

(a) If the corporation issues any bonds in connection with an economic development project, the term of the financing agreement shall not be less than the last maturity of the bonds issued with respect to the economic development project, except that the financing agreement may terminate upon the earlier redemption of all of the bonds issued with respect to the economic development project and may grant to the approved company an option to purchase the economic development project from the corporation upon the termination of the financing agreement for such consideration and under such terms and conditions the corporation may approve. Nothing in this paragraph shall limit

the extension of the term of a financing agreement if there is a refunding of the correlative bonds or otherwise.

(b) If the corporation issues any bonds in connection with an economic development project, the financing agreement shall specify that the annual obligations of the approved company under Sections 57-10-401 through 57-10-445 shall equal in each year at least the annual debt service for that year on the bonds issued with respect to the economic development project; and the approved company shall pay such obligation of the financing agreement to the trustee for bonds issued for the benefit of the approved company, at such time and in such amounts sufficient to amortize such bonds.

(c) If the corporation loans funds to an approved company that is a private company under the Mississippi Small Enterprise Development Finance Act, the financing agreement shall include the terms and conditions of the loan required by Section 57-71-1 et seq.

(d) (i) In consideration for financing agreement payment, the approved company may be permitted a tax credit on the amount provided for in Section 27-7-22.3(2), Mississippi Code of 1972, during the period of time in which the financing agreement is in effect, not to exceed twenty-five (25) years.

(ii) The income tax credited to the approved company referred to herein shall be credited in the fiscal year of the financing agreement in which the tax return of the approved company is filed. The approved company shall not be required to pay estimated tax payments under Section 27-7-319, Mississippi Code of 1972.

(e) The financing agreement shall provide that:

(i) It may be assigned by the approved company only upon the prior written consent of the corporation following the adoption of a resolution by the corporation to such effect; and

(ii) Upon the default by the approved company in the obligation to render its annual payment, the corporation shall have the right, at its option, to declare the financing agreement in default and to accelerate the total of all annual payments that are to be made or to terminate the financing agreement and cause to be sold the economic development project at public or private sale, or to pursue any other remedies available under the Uniform Commercial Code, as from time to time amended, or otherwise available in law or equity.

SECTION 6. Section 57-10-411, Mississippi Code of 1972, is reenacted as follows:

57-10-411. Ninety (90) days after the filing of the tax return of the approved company, the Department of Revenue shall certify to the corporation the state income tax liability for the preceding year of each approved company with respect to an economic development project financed under Sections 57-10-401 through 57-10-445, and the amounts of any tax credits taken under Sections 57-10-401 through 57-10-445.

SECTION 7. Section 57-10-413, Mississippi Code of 1972, is reenacted as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

57-10-413. (1) The approved company may require that each employee whose gross wages are equivalent to Five Dollars (\$5.00) or more per hour, as a condition of employment, agrees to pay a job development assessment fee not to exceed a certain percentage of the gross wages of each such employee whose job was created as a result of the economic development project, for the purpose of retiring the bonds which fund the

economic development project or other indebtedness. The job development assessment fee shall not exceed the following percentages of the gross wages of the employee:

(a) Two percent (2%), if the gross wages of the employee are equivalent to Five Dollars (\$5.00) or more per hour but less than Seven Dollars (\$7.00) per hour;

(b) Four percent (4%), if the gross wages of the employee are equivalent to Seven Dollars (\$7.00) or more per hour but less than Nine Dollars (\$9.00) per hour; and

(c) Six percent (6%), if the gross wages of the employee are equivalent to Nine Dollars (\$9.00) or more per hour.

(2) Each employee so assessed shall be entitled to credits against Mississippi income taxes as provided in Section 27-7-22.3.

(3) If an approved company shall elect to impose the assessment as a condition of employment, it shall deduct the assessment from each paycheck of each employee.

(4) Any approved company collecting an assessment as provided in subsection (1) of this section shall make its payroll books and records available to the corporation at such reasonable times as the corporation shall request and shall file with the corporation documentation respecting the assessment as the corporation may require.

(5) Any assessment of the wages of employees of an approved company in connection with their employment at an economic development project under subsection (1) of this section shall lapse on the date the bonds are retired.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

57-10-413. (1) Except as otherwise provided for in subsection (6) of this section, the approved company may require that each employee whose gross wages are equivalent to Five Dollars (\$5.00) or more per hour, as a condition of employment, agrees to pay a job development assessment fee not to exceed a certain percentage of the gross wages of each such employee whose job was created as a result of the economic development project, for the purpose of retiring the bonds which fund the economic development project or other indebtedness. The job development assessment fee shall not exceed the following percentages of the gross wages of the employee:

(a) Two percent (2%), if the gross wages of the employee are equivalent to Five Dollars (\$5.00) or more per hour but less than Seven Dollars (\$7.00) per hour;

(b) Four percent (4%), if the gross wages of the employee are equivalent to Seven Dollars (\$7.00) or more per hour but less than Nine Dollars (\$9.00) per hour; and

(c) Six percent (6%), if the gross wages of the employee are equivalent to Nine Dollars (\$9.00) or more per hour.

(2) Each employee so assessed shall be entitled to credits against Mississippi income taxes as provided in Section 27-7-22.3.

(3) If an approved company shall elect to impose the assessment as a condition of employment, it shall deduct the assessment from each paycheck of each employee.

(4) Any approved company collecting an assessment as provided in subsection (1) of this section shall make its payroll books and records available to the corporation at such reasonable times as the corporation shall request and shall file with the corporation documentation respecting the assessment as the corporation may require.

(5) Any assessment of the wages of employees of an approved company in connection with their employment at an economic development project under subsection (1) of this section shall lapse on the date the bonds are retired.

(6) If an eligible company closes a facility in this state and becomes an approved company under the provisions of Sections 57-10-401 through 57-10-449, only those jobs created in excess of those that existed at the closed facility at the time of the closure shall be eligible for the imposition of the job development assessment fee. The Mississippi Business Finance Corporation shall promulgate rules and regulations to govern the determination of the number of jobs upon which the job development assessment fee may be imposed.

SECTION 8. Section 57-10-415, Mississippi Code of 1972, is reenacted as follows:

57-10-415. Every issue of bonds under Sections 57-10-401 through 57-10-445 shall be payable solely out of any revenues of the corporation as provided in Sections 57-10-401 through 57-10-445. The bonds additionally may be secured by a pledge of any grant, contribution or guarantee from the federal government or any person or a pledge by the corporation of any revenues from any source.

SECTION 9. Section 57-10-417, Mississippi Code of 1972, is reenacted as follows:

57-10-417. The bonds issued by the corporation under Sections 57-10-401 through 57-10-445 shall be limited obligations of the corporation and shall not constitute a debt, liability or general obligation of the state or any political subdivision thereof (other than the corporation), or a pledge of the faith and credit of the state or any political subdivision thereof (other than the corporation), but shall be payable solely as provided by the corporation under Sections 57-10-401 through 57-10-445. No member or officer of the board of directors of the corporation nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. Each bond issued under Sections 57-10-401 through 57-10-445 shall contain on the face thereof a statement that neither the state, nor any other political subdivision thereof, shall be obligated to pay the same or the interest thereon or other costs incident thereto except from the revenue or money pledged by the corporation and that neither the faith and credit nor the taxing power of the state or any political subdivision thereof is pledged to the payment of the principal of, or the interest on, such bond.

SECTION 10. Section 57-10-419, Mississippi Code of 1972, is reenacted as follows:

57-10-419. (1) The corporation may issue in its own name, from time to time, for the purpose of financing the approved costs of an economic development project, its bonds and may pledge for the payment thereof funds derived in respect of any financing agreement or other arrangement entered into by the corporation and an approved company under Sections 57-10-401 through 57-10-445.

(2) In anticipation of the issuance of bonds, the corporation may provide for the issuance, at one time or from time to time, of bond anticipation notes. The principal of and the interest on the notes shall be payable solely from the funds herein provided for the payment. Any notes may be made payable from the proceeds of bonds or renewal notes; or, if bond or renewal note proceeds are not available, the notes may be paid from any available revenues or assets of the corporation.

(3) The bonds issued under Sections 57-10-401 through 57-10-445 shall be authorized by a resolution of the corporation, shall bear such date or dates, and shall mature at such time or times as such resolution may provide, except that no bond shall mature more than twenty-five (25) years from the date of issue. Bonds which are not subject to taxation shall bear interest at such rate or rates, be in such denominations, be in such form, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, including redemption before maturity, as such resolution may provide. Except as expressly provided otherwise in Sections 57-10-401 through 57-10-445, the provisions of other laws of the state relating to the issuance of revenue bonds shall not apply to bonds issued by the corporation. As to bonds issued hereunder and designated as taxable bonds by the corporation, any immunity to taxation by the United States government of interest on such bonds or notes is hereby waived. Bonds of the corporation may be sold by the corporation at public or private sale, from time to time, and at such price or prices as the corporation shall determine.

(4) The proceeds of any bonds shall be used solely for the purposes for which issued and shall be disbursed in the manner and under the restrictions, if any, that the corporation may provide in the resolution authorizing the issuance of the bonds or in a trust indenture securing the same.

(5) The principal and interest on the bonds issued by the corporation shall be payable solely and only from proceeds derived under a financing agreement and shall be secured solely by the economic development project, the proceeds of the financing agreement, and such other assets as may be available, but not including revenues of the state.

(6) Before the preparation of definitive certificates evidencing the bonds, the corporation may issue, under like restrictions, interim receipts or temporary certificates, with or without coupons, exchangeable for definitive certificates when the certificates have been executed and are available for delivery. The corporation may also provide for the replacement of any certificates which become mutilated or are destroyed or lost.

SECTION 11. Section 57-10-421, Mississippi Code of 1972, is reenacted as follows:

57-10-421. In addition to the requirements provided for in Section 57-10-419, any resolution authorizing the issuance of bonds under Sections 57-10-401 through 57-10-445 may contain provisions as to:

(a) The setting aside of reserves or sinking funds and the regulations and disposition thereof;

(b) Limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding or other bonds;

(c) The procedure, if any, by which the terms of any of the proceedings under which the bonds are being issued may be amended or abrogated, the number or percentage of bondholders who or which must consent thereto, and the manner in which the consent may be given;

(d) The vesting in a trustee or trustees of such property, rights, powers and duties in trust as the company may determine, and limiting or abrogating the right of bondholders to appoint a trustee or limiting the rights, powers and duties of the trustee;

(e) Defining the act or omissions to act which shall constitute a default and the obligations or duties of the corporation to the holders of the bonds, and providing for the rights and remedies of the holders of the bonds in the event of default, which rights

and remedies may include the general laws of the state and other provisions of Sections 57-10-401 through 57-10-445; or

(f) Any other matter, of like or different character, which in any way affects the security or protection of the holders of the bonds.

SECTION 12. Section 57-10-423, Mississippi Code of 1972, is reenacted as follows:

57-10-423. Any pledge made by the corporation shall be valid and binding from the time when the pledge was made. The revenues or properties so pledged and thereafter received by the corporation shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

SECTION 13. Section 57-10-425, Mississippi Code of 1972, is reenacted as follows:

57-10-425. The corporation, subject to the provisions in proceedings relating to outstanding bonds as may then exist, may purchase bonds out of any funds available therefor, which shall thereupon be canceled, at any reasonable price which, if the bonds are then redeemable, shall not exceed the redemption price (and premium, if any) then applicable plus accrued interest to the redemption date thereof.

SECTION 14. Section 57-10-427, Mississippi Code of 1972, is reenacted as follows:

57-10-427. The bonds may be secured by an indenture by and between the corporation and a corporate trustee which may be any bank or other corporation having the power of a trust company or any trust company within or without this state. Such indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the corporation in relation to the exercise of its powers and the custody, safekeeping and application of all money. The corporation may provide by the indenture for the payment of the proceeds of the bonds and revenues to the trustee under the indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as the corporation may determine. If the bonds shall be secured by an indenture, the bondholders shall have no authority to appoint a separate trustee to represent them.

SECTION 15. Section 57-10-429, Mississippi Code of 1972, is reenacted as follows:

57-10-429. In the event that any of the members or officers of the board of directors of the corporation shall cease to be members or officers of the board prior to the delivery of any bonds signed by them, their signatures or facsimiles thereof shall nevertheless be valid and sufficient for all purposes, the same as if such members or officers had remained in office until such delivery.

SECTION 16. Section 57-10-431, Mississippi Code of 1972, is reenacted as follows:

57-10-431. The corporation may create and establish such funds and accounts as may be necessary or desirable for its purposes under Sections 57-10-401 through 57-10-445.

SECTION 17. Section 57-10-433, Mississippi Code of 1972, is reenacted as follows:

57-10-433. The corporation shall have the power to contract with the holders of any of its bonds issued under Sections 57-10-401 through 57-10-445 as to the custody, collection, securing, investment and payment of any money of the corporation, and of any money held in trust or otherwise for the payment of bonds, and to carry out such contract. Money held in trust or otherwise for the payment of bonds or in any way to secure bonds and deposits of money may be secured in the same manner as money of the corporation, and all banks and trust companies are authorized to give security for the deposits.

SECTION 18. Section 57-10-435, Mississippi Code of 1972, is reenacted as follows:

57-10-435. Amendments to Sections 57-10-401 through 57-10-445, enacted after July 1, 1993, shall not limit the rights vested in the corporation with respect to any agreements made with, or remedies available to, the holders of bonds issued under this article or Section 27-7-22.3 prior to the enactment of the amendments until the bonds, together with all interest thereon, and all costs and expenses in connection with any proceeding by or on behalf of the holders, are fully met and discharged.

SECTION 19. Section 57-10-437, Mississippi Code of 1972, is reenacted as follows:

57-10-437. All expenses incurred by the corporation in carrying out the provisions of Sections 57-10-401 through 57-10-445 shall be payable solely from funds provided under Sections 57-10-401 through 57-10-445, or other funds of the corporation. Nothing in Sections 57-10-401 through 57-10-445 shall be construed to authorize the corporation to incur indebtedness or liability on behalf of or payable by the state or any other political subdivision thereof.

SECTION 20. Section 57-10-439, Mississippi Code of 1972, is reenacted as follows:

57-10-439. (1) The corporation is hereby declared to be performing a public function and to be a public body corporate and a political subdivision of the state. Accordingly, the income, including any profit made on the sale thereof from all bonds issued by the corporation, shall at all times be exempt from all taxation by the state or any political subdivision thereof. If, after all indebtedness and other obligations of the corporation are discharged, the corporation is dissolved, its remaining assets shall inure to the benefit of the state.

(2) With the approval of the appropriate local taxing authority, all mortgages or deeds of trust executed as security therefor, all lease or purchase agreements made pursuant to the provisions hereof, and all purchases required to establish the industrial enterprise and financed by proceeds from bonds issued under Sections 57-10-401 through 57-10-445, shall likewise be exempt from all taxation in the State of Mississippi except the contractors' tax imposed by Section 27-65-21 and the tax levied by Section 27-65-24(1)(b), and except ad valorem taxes levied for school district purposes. All projects and the revenue derived therefrom from any lease thereof shall be exempt from all taxation in the State of Mississippi, except the tax levied by Sections 27-65-21 and 27-65-24(1)(b), except the tax levied under Chapter 7, Title 27, Mississippi Code of 1972, and except ad valorem taxes levied for school district purposes.

SECTION 21. Section 57-10-441, Mississippi Code of 1972, is reenacted as follows:

57-10-441. The bonds issued by and under the authority of Sections 57-10-401 through 57-10-445 by the corporation are declared to be legal investments in which all

public officers or public bodies of the state, its political subdivisions, all municipalities and municipal subdivisions, all insurance companies and associations, and other persons carrying on insurance business, all banks, bankers, banking associations, trust companies, savings associations, including savings and loan associations, building and loan associations, investment companies, and other persons carrying on a banking business, all administrators, guardians, executors, trustees and other fiduciaries, and all other persons who are now or may later be authorized to invest in bonds or in other obligations of the state, may invest funds, including capital, in their control or belonging to them. Such bonds are also hereby made securities which may be deposited with and received by all public officers and bodies of the state or any agency or political subdivision of the state and all municipalities and public corporations for any purpose for which the deposit of bonds or other obligations of the state is now or may be later authorized by law.

SECTION 22. Section 57-10-443, Mississippi Code of 1972, is reenacted as follows:

57-10-443. The corporation, within one hundred twenty (120) days of the close of each fiscal year, shall submit an annual report of its activities in regard to Sections 57-10-401 through 57-10-445 for the preceding year to the Governor. The Clerk of the House of Representatives and the Secretary of the Senate each shall receive a copy of the report by making a request for it to the corporation. Each report shall set forth a complete operating and financial statement in regard to Sections 57-10-401 through 57-10-445 for the corporation during the fiscal year it covers.

SECTION 23. Section 57-10-445, Mississippi Code of 1972, is reenacted as follows:

57-10-445. Nothing contained in Sections 57-10-401 through 57-10-445 is to be construed as a restriction or limitation upon any powers which the corporation might otherwise have under any other law of the state. Insofar as the provisions of Sections 57-10-401 through 57-10-445 are inconsistent with the provisions of any other law, the provisions of Sections 57-10-401 through 57-10-445 shall be controlling, and the powers conferred by Sections 57-10-401 through 57-10-445 shall be regarded as supplemental and additional to powers conferred by any other laws. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument or the security therefor, except as provided in Sections 57-10-401 through 57-10-445.

The provisions of Sections 57-10-401 through 57-10-445 shall be liberally construed to accomplish the purposes of Sections 57-10-401 through 57-10-445.

The powers granted and the duties imposed in Sections 57-10-401 through 57-10-445 shall be construed to be independent and severable. If any one or more sections, subsections, sentences or parts of any of Sections 57-10-401 through 57-10-445 shall be adjudged unconstitutional or invalid, such adjudication shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid.

SECTION 24. Section 57-10-447, Mississippi Code of 1972, is reenacted as follows:

57-10-447. No elected or appointed official shall derive any pecuniary benefit, directly or indirectly, as a result of such elected or appointed official's duties under Sections 57-10-401 through 57-10-445. Any member of the Legislature, any elected or appointed official, any member of the immediate family of a member of the Legislature, or any partner or associate of such a member of the Legislature or elected or appointed official, shall not derive any income from the issuance of any bonds under Sections 57-10-401 through 57-10-445, contrary to the provisions of Section 109, Mississippi Constitution of 1890, or Article 3, Chapter 4, Title 25, Mississippi Code of 1972. The provisions of this section shall not apply to any person performing clerical or administrative

functions, which are other than legal services provided by an attorney, that are associated with the issuance of any bonds under Sections 57-10-401 through 57-10-445, such as the printing of bonds or other materials. Any person convicted of a violation of this section shall be punished by imprisonment for not less than one (1) year and not more than five (5) years and a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) and not more than Ten Thousand Dollars (\$10,000.00).

SECTION 25. Section 27-7-22.3, Mississippi Code of 1972, is reenacted as follows:

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, this section shall read as follows:]

27-7-22.3. (1) For taxpayers who are required to pay a job assessment fee as provided in Section 57-10-413, there shall be allowed as a credit against the taxes imposed by this chapter, an amount equal to the amount of the job assessment fee imposed upon such taxpayer pursuant to Section 57-10-413. If the amount allowable as a credit exceeds the tax imposed by this article and Section 27-7-22.3, the amount of such excess shall not be refundable or carried forward to any other taxable year.

(2) For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409. The tax credit allowed in this subsection shall not exceed the amount of taxes due the State of Mississippi.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1994, but has issued bonds for such project prior to July 1, 1997, or in cases involving an economic development project which has been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

27-7-22.3. (1) For taxpayers who are required to pay a job assessment fee as provided in Section 57-10-413, there shall be allowed as a credit against the taxes imposed by this chapter, an amount equal to the amount of the job assessment fee imposed upon such taxpayer pursuant to Section 57-10-413. If the amount allowable as a credit exceeds the tax imposed by this article and Section 27-7-22.3, the amount of such excess shall not be refundable or carried forward to any other taxable year.

(2) For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409. The tax credit allowed in this subsection shall not exceed the amount of taxes due the State of Mississippi. The amount of income of the approved company generated by or arising out of the economic development project shall be determined by a formula adopted by the Mississippi Business Finance Corporation.

[In cases involving an economic development project for which the Mississippi Business Finance Corporation has not issued bonds for the purpose of financing the approved costs of such project prior to July 1, 1997, or in cases involving an economic development project which has not been induced by a resolution of the Board of Directors of the Mississippi Business Finance Corporation that has been filed with the State Tax Commission prior to July 1, 1997, this section shall read as follows:]

27-7-22.3. For any approved company as defined in Section 57-10-401, there shall be allowed against the taxes imposed by this chapter on the income of the approved company generated by or arising out of the economic development project (as defined in Section 57-10-401), a credit in an amount not to exceed the total debt service paid under a financing agreement entered into under Section 57-10-409; provided, however, that the tax credit allowed in this subsection shall not exceed eighty percent (80%) of the amount of taxes due the State of Mississippi prior to the application of the credit. To the extent that financing agreement annual payments exceed the amount of the credit authorized pursuant to this section in any taxable year, such excess payment may be recouped from excess credits in succeeding years not to exceed three (3) years following the date upon which the credit was earned. The amount of income of the approved company generated by or arising out of the economic development project shall be determined by a formula adopted by the Mississippi Business Finance Corporation.

SECTION 26. Section 57-10-449, Mississippi Code of 1972, is amended as follows:

57-10-449. Sections 57-10-401 through \* \* \* 57-10-447 and 27-7-22.3 shall be repealed from and after October 1, \* \* \* 2025.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 57-10-401 THROUGH 57-10-447, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO AMEND REENACTED SECTION 57-10-401, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO CONFORM TO AMENDMENTS MADE TO THAT SECTION BY SENATE BILL NO. 2095, 2022 REGULAR SESSION; TO REENACT SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CREDIT AGAINST STATE INCOME TAXES FOR CERTAIN COMPANIES FOR DEBT SERVICE PAID BY SUCH COMPANIES UNDER FINANCING AGREEMENTS ENTERED INTO WITH THE MISSISSIPPI BUSINESS FINANCE CORPORATION UNDER SECTION 57-10-409; TO AMEND SECTION 57-10-449, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL OCTOBER 1, 2025, THE REPEAL DATE ON SECTIONS 57-10-401 THROUGH 57-10-447 AND SECTION 27-7-22.3; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2846** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator McMahan called up the following House Amendment to **S. B. No. 3000** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Board of Supervisors of Warren County, Mississippi, in its discretion, is authorized to contribute funds, during fiscal year 2022, to the following organizations in amounts not to exceed the following:

Central Mississippi Prevention Services, Inc .....	\$ 3,000.00
Vicksburg Family Development Service .....	\$ 8,000.00
Triumph Ministries, Inc.....	\$ 11,250.00
Women's Restoration Shelter of	
Mountain of Faith Ministries .....	\$ 4,500.00
Good Shepherd, Inc.....	\$ 20,000.00
We Care Community Services, Inc.....	\$ 6,000.00

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC., VICKSBURG FAMILY DEVELOPMENT SERVICE, INC., TRIUMPH MINISTRIES, INC., WOMEN'S RESTORATION SHELTER OF MOUNTAIN OF FAITH MINISTRIES, GOOD SHEPHERD, INC., AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 45-66, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 3002** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and

University of Southern Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 301,607,711.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 947,724,271.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Alcorn State University.....	\$ 254,700.00
Jackson State University.....	\$ 390,600.00
Mississippi Valley State University .....	\$ 254,700.00

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of One Million Six Hundred Fifteen Thousand Nine Hundred Three Dollars (\$1,615,903.00) shall be derived from unexpended balances in the Ayers program funds provided for the purpose in prior-year appropriations enacted by The Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University ..... \$ 1,165,697.00

Alcorn State University ..... \$ 3,275.00

Mississippi Valley State University ..... \$ 446,931.00

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

- (a) For Mississippi State University as interest  
on agricultural land script fund and  
interest on sale of university land, the  
sum of ..... \$ 14,387.00
- (b) For the University of Mississippi as  
interest on original seminary fund, the  
sum of ..... \$ 32,643.00
- (c) For the University of Mississippi as  
interest on 1904 land grant fund, the  
sum of ..... \$ 9,965.00
- (d) For the University of Mississippi as  
interest on LaBauve Fund, the sum  
of ..... \$ 1,420.00
- (e) For Mississippi University for Women  
as interest on funds paid into the  
State Treasury as proceeds of sale of  
land donated to the Industrial Institute  
and College by the United States  
government, the sum of ..... \$ 9,389.00
- (f) For Alcorn State University as interest  
on land script and land sales funds,  
the sum of ..... \$ 12,592.00

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University,  
Delta State University, Jackson State University,  
Mississippi State University, Mississippi University for  
Women, Mississippi Valley State University, University  
of Mississippi, and University of Southern Mississippi  
for the sum of ..... \$ 60,373,070.00.

SECTION 11. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 13. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 14. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 15. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 16. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 17. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health & Education	5,337
Number of Undergraduate Degrees Awarded	

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per 100 Undergraduate Full-Time	
Equivalent (FTE) Enrollment	20.10
Number of Graduate Degrees Awarded per	
100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132

Research

Number of Patents Obtained in Emerging	
Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities....\$ 2,000,000.00.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch..... \$ 900,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 485,000.00.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center..... \$ 155,000.00.

SECTION 24. It is the intent of the Legislature that at the end of Fiscal Year 2023 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 25. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 26. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

\$ 800,000.00.

SECTION 27. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 28. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... \$ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program .....  
\$ 75,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, the University of Mississippi, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen and members of the Senate and House Appropriations Committees.

SECTION 31. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, Eighty-seven Thousand Three Hundred Dollars (\$87,300.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Forty-two Thousand Five Hundred Dollars (\$242,500.00) is provided for defraying the expenses of the DuBard School.

SECTION 35. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars (\$266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 36. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 37. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 38. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

SECTION 39. Of the funds herein appropriated, Seven Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00) shall be provided to the Charter School Authorizer Board. Of this amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$229,890.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

SECTION 40. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 2904, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,911,895.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Delta State University.....	\$ 306,335.00
Mississippi Valley State University .....	\$ 688,116.00
University of Southern Mississippi.....	\$ 917,444.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 41. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 42. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 43. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3003** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 34,427,217.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 45,406,597.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems .....	\$ 4,310,724.00.
Supercomputer for the sum of .....	\$ 631,388.00.
Center for Manufacturing Excellence for	
the sum of .....	\$ 2,669,423.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 338,564.00.
State Court Education Program for the	
sum of .....	\$ 1,860,990.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 821,030.00.
Executive Office of the Board of Trustees for	
the sum of .....	\$ 6,944,740.00.
Mississippi Polymer Institute for	
the sum of .....	\$ 745,961.00.
Mississippi Small Business Development	
Center for the sum of .....	\$ 274,010.00.
Stennis Space Center - Center for Higher	
Learning for the sum of .....	\$ 346,243.00.
Jackson State University Urban Research	

Center for the sum of.....	\$ 507,587.00.
Stennis Institute of Government for the	
sum of .....	\$ 698,286.00.
Commission for Volunteer Services for	
the sum of .....	\$ 697,436.00.
Gulf Coast Research Laboratory for the	
sum of .....	\$ 8,037,807.00.
Mississippi Water Resources Institute for the	
sum of .....	\$ 351,676.00.
Mississippi State Chemical Laboratory for the	
sum of .....	\$ 1,754,122.00.
Research Institute of Pharmaceutical Sciences	
for the sum of .....	\$ 3,437,230.00.
(b) From Special Funds, for the support of:	
Center for Advanced Vehicular Systems for	
the sum of .....	\$ 142,782.00.
Center for Manufacturing Excellence for the	
sum of .....	\$ 142,782.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 535,711.00.
Mississippi State University-Alcohol Safety	
for the sum of .....	\$ 1,818,729.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 1,344,830.00.
Executive Office of the Board of Trustees for	
the sum of .....	\$ 19,655,962.00.
Mississippi Small Business Development	
Center for the sum of.....	\$ 1,563,355.00.
Commission for Volunteer Services for	
the sum of .....	\$ 5,029,169.00.
Gulf Coast Research Laboratory for the	
sum of .....	\$ 1,708,525.00.
Mississippi State Chemical Laboratory for the	
sum of .....	\$ 503,441.00.
Research Institute of Pharmaceutical Sciences	
for the sum of .....	\$ 12,961,311.00.

Of the funds appropriated under the provisions of Section 1 and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2023.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of

Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 and authorized for expenditure in Section 3(b), the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$ 142,782.00.

Center for Manufacturing Excellence.....\$ 142,782.00.

Gulf Coast Research Laboratory.....\$ 142,782.00

Executive Office of the Board of Trustees

for the sum of ..... \$ 402,396.00.

Total.....\$ 830,742.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated, for the University of Mississippi - State Court Education Program for the purpose of reauthorizing the expenditure of General Funds for operational expenditures, as authorized in SB 2905, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 200,000.00.

SECTION 6. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 7. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 9. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3005** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2022, and ending June 30, 2023  
\$ 21,794,531.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 10,304,950.00.

SECTION 3. Of the funds appropriated in Section 2, One Million Two Hundred Thirty-five Thousand Five Hundred Seventy-eight Dollars (\$1,235,578.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries

authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	41.76
Number of Research Publications	233
Appropriated Funds & Extramural Funds	
(Ratio)	1.19
Animal Systems	
Number of Scientist FTE (Scientist Years)	30.14
Number of Research Publications	174
Appropriated Funds & Extramural Funds	
(Ratio)	0.33
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	43.41
Number of Research Publications	152
Appropriated Funds & Extramural Funds	
(Ratio)	0.27

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3006** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 29,921,834.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 14,197,456.00.

SECTION 3. Of the funds appropriated in Section 2, One Million Forty-five Thousand Two Hundred Forty-five Dollars (\$1,045,245.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services

of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Agriculture	
Published Information (Items)	300
Mass Media (Items)	4,500
Number of Direct Educational Contacts	
(Persons)	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Published Information (Items)	150
Number of Direct Educational Contacts	
(Persons)	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	
(Persons)	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	
(Persons)	178,000

Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Published Information (Items)	150
Mass Media (Items)	6,000
Number of Total Contacts (Persons Across all Delivery Methods/Events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3007** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,519,130.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,214,064.00.

SECTION 3. Of the funds appropriated in Section 2, Three Hundred Three Thousand Five Dollars (\$303,005.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3008** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 17,583,311.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 32,636,969.00.

SECTION 3. Of the funds appropriated in Section 2, Six Hundred Twenty-two Thousand Nine Hundred Twenty Dollars (\$622,920.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2023 Target
Instruction	
..... Percent of Year 4 DVM Students Passing	
NAVLE at Graduation.....	95.00
..... Percent of DVM Graduates Reporting	
Employment in the Field within 12 Months	
..... of Graduation .....	95.00
Research	
Number of Grants/Contracts Awarded	
50	
..... Percent of Graduate Students Reporting	
Employment in the Field within 12 Months	
..... of Graduation .....	95.00
Pub-service - Animal Health Ctr	
..... Number of Patient Visits to AHC (AHC	
Caseload Managed).....	30,000

.....	Percent of Client Satisfaction Based on	
Surveys.....		98.00
.....	Percent of Referring Veterinarian	
Satisfaction Based on Surveys.....		95.00
Pub-service - Diagnostic Lab		
Number of Lab Accessions (Test Requests)		
27,249		
Vet Research & Diagnostic Lab		
Number of Diagnostic Tests Performed		
376,000		
Academic Support		
.....	Percent of Vet Campers & Parents	
.....	Indicating "Willing to Recommend" on	
Satisfaction Surveys .....		100.00
.....	Percent of Alumni who Report a	
Satisfactory Level of Engagement with		
.....	the College on Surveys.....	98.00
Operation & Maintenance		
Number of Square Feet O&M/Custodial Services		
483,589		
.....	Cost per Square Foot Maintenance &	
Custodial Services .....		6.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3009** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 48,459,681.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,260,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2022, for assistance through the Assistant Teacher Forgivable Loan established under the provisions of Section 37-106-35, the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made,

and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 1, One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program, authorized by HB 1179 2021 Regular Session.

SECTION 13. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 14. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3010** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 163,211,048.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,638,541,808.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Section 1 and Section 2, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1, and the funds authorized to be expended in Section 2, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within

ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. Of the funds authorized for expenditure in Section 2, Six Million Eight Hundred Eighty-eight Thousand Twenty-nine Dollars (\$6,888,029.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Section 1, the sum of Three Hundred Fifteen Thousand Dollars (\$315,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in House Bill 776, 2013 Regular Session.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated in Section 1 and Section 2, One Million Eight Hundred Thirty Thousand Dollars (\$1,830,000.00) is hereby provided for scholarships for the Rural Physicians' Scholarship Program as described in House Bill 1465, 2007 Regular Session. Of this amount, Thirty Thousand Dollars (\$30,000.00) is provided for a Psychiatrist Scholarship as described in Senate Bill 2524, 2019 Regular Session.

SECTION 13. Of the funds appropriated under the provisions of Sections 1 and 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 14. Of the funds appropriated in Section 2, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 15. Of the funds appropriated in Section 1 and Section 2, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in House Bill 317, 2012 Regular Session.

SECTION 16. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 17. Of the funds appropriated under the provisions of Section 1, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. Of the funds appropriated in Section 1 and Section 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians' Scholarship Program and the Rural Dentists' Scholarship Program.

SECTION 20. Of the funds appropriated under the provisions of Section 1, Three Million Dollars (\$3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB 2912, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 3,681,530.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 22. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3011** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi

Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,954,590.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 94,479,989.00.

SECTION 3. Of the funds appropriated in Section 2, Three Hundred Fifty-six Thousand Dollars (\$356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying the expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 574,386.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	52
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the budget requests of the administrative expenses of the Mississippi Community College Board for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 8. Of the funds appropriated in Sections 1 and 2, funds in the amount of Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) are appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2023 and future fiscal years shall be based only upon funds available in this section and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board, or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2022, or after, and shall not be expended for obligations made prior to this date.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of Twenty-eight Million Dollars (\$28,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2024 Workforce Education Program.

SECTION 10. Of the funds appropriated in Section 2, funds in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million One Hundred Forty-four Thousand Nine Hundred Fourteen Dollars (\$2,144,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 11. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 12. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 13. Of the funds appropriated in Section 1, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 16. Of the funds appropriated in Section 1, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3012** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
 \$ 146,581,404.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the aid and support of public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 49,884,946.00.

SECTION 3. The funds appropriated in this act for the aid and support of the public and community junior colleges shall be apportioned in accordance with the following assigned weights:

	FTE
Formula Section	Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree	
Nursing	1.19
(d) Associate Degree	
Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2022, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

SECTION 4. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in the act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 5. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board.

SECTION 6. The following public community and junior colleges which qualify shall participate in the funds provided by Sections 1 and 2 of this act:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 7. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 26,943,342.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 9. In addition to funds appropriated in Section 8, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 400,000.00.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,750,000.00.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .... \$ 179,050.00.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,099,160.00.

SECTION 13. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Instruction	
Number of Total Degrees Awarded per 100	
FTE Enrollment (%)	31.29
Number of Associate Degrees Awarded per	

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100 FTE Enrollment (%)	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment (%)	7.00
Number of Certificates Awarded per 100 FTE Enrollment (%)	9.50
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.50
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End of Year Two	46.82
Percent of Associate Degree Nursing & Practical Nursing Licensure Exam Pass Rates	42.51
Percent of Total Student Success, Which Includes Graduates, Transfers, & Retention (Those Still Enrolled)	80.78
Percent of Graduates	33.50
Percent of Transfers	20.78
Percent of Retention	8.34
Percent of Students Enrolled in Career/ Technical & Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical & Health Science Graduates	90.10
Percent of Developmental English Students (Unduplicated Headcount) who Enrolled in English Composition I who Successfully Completed English	

Composition I During the Academic Year	51.50
Percent of Developmental Math Students (Unduplicated Headcount) who Enrolled in College Algebra who Successfully Completed College Algebra During the Academic Year	38.30
Number of High School Equivalencies Awarded	2,320

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 15. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 2,556,922.00.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board and to enroll low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 3,000,000.00.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2022 on, or before, August 1, 2023.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in

the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 20. Of the funds appropriated in Section 2, Five Million Dollars (\$5,000,000.00) is provided for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college and the remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 21. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3013** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 319,144,993.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 22,777,822.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 22,767,422.00
Special Funds .....	4,448,957.00
Total .....	\$ 27,216,379.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	163
	Part Time .....	0
Time-Limited:	Full Time .....	9
	Part Time .....	0

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	2,183,073.00
Total .....	\$ 2,183,073.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	5
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 708,060.00
Special Funds .....	0.00
Total .....	\$ 708,060.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	8
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 55,753,370.00
Special Funds .....	0.00
Total .....	\$ 55,753,370.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

MEDICAL SERVICES

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Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 75,436,021.00
Special Funds .....	266,174.00
Total .....	\$ 75,702,195.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	2
	Part Time .....	0

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 43,850,472.00
Special Funds .....	0.00
Total .....	\$ 43,850,472.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 7,438,367.00
Special Funds .....	0.00
Total .....	\$ 7,438,367.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 21,389,794.00
Special Funds .....	10,888,142.00
Total .....	\$ 32,277,936.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	476
	Part Time .....	0
Time-Limited:	Full Time .....	72
	Part Time .....	0

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 27,007,235.00
Special Funds .....	1,446,839.00
Total .....	\$ 28,454,074.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	530
	Part Time .....	1
Time-Limited:	Full Time .....	4
	Part Time .....	0

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 29,350,146.00
Special Funds .....	2,090,578.00
Total .....	\$ 31,440,724.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	505
	Part Time .....	9
Time-Limited:	Full Time .....	9
	Part Time .....	0

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 20,038,937.00
Special Funds .....	1,454,059.00
Total .....	\$ 21,492,996.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	347
	Part Time .....	0
Time-Limited:	Full Time .....	3
	Part Time .....	0

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 8,674,362.00
Special Funds .....	0.00
Total .....	\$ 8,674,362.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	96
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 6,730,807.00
Special Funds .....	0.00
Total .....	\$ 6,730,807.00

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	81
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
General Administration	
Support as a Percent of Total Budget	10.30
Number of State Prisoners per 100,000	
Population (Includes Only Inmates	
Sentenced to More Than a Year)	585
Average Annual Incarceration Cost per Inmate	50.63
Percent of Offenders Returning to	
Incarceration with 3 Years of Release	36.00
Farming Operations	
Annual Income from Farm Sales	1,251,034.00
Parole Board	
Number of Inmates Paroled	5,275
Private Prisons	
Number of ABE Program Slots Available	510
Number of VOC-ED Program Slots Available	174
Number of A&D Program Slots Available	125
Medical Services	
Number of Inmate Days in a Hospital	5,130
Regional Facilities	
Number of ABE Program Slots Available	585
Number of VOC-ED Program Slots Available	700
Number of A&D Program Slots Available	445
Probation/parole	
Recidivism Rate within 12 Months of	
Release to Field Supervision (%)	10.00
Recidivism Rate within 36 Months of	
Release to Field Supervision (%)	14.00
Community Work Centers	

Recidivism Rate within 12 Months of Release (%)	10.30
Recidivism Rate within 36 Months of Release (%)	20.00
Restitution Centers	
Recidivism Rate within 12 Months (%)	16.80
Recidivism Rate within 36 Months (%)	35.50
Local Confinement	
Number of Inmates Housed in County Jails (Inmate Days)	503,327
Institutional Security	
Number of Assaults on Inmates per 100 Inmates	20
Number of Assaults on Officers per 100 Officers	31
Youthful Offender School	
Recidivism Rate within 12 Months of Release (%)	24.00
Recidivism Rate within 36 Months of Release (%)	50.00
Evidenced Based Intervention	
Recidivism Rate for Inmates who Complete the ABE Program (%)	20.20
Recidivism Rate for Inmates who Complete a Vocational Program (%)	19.00
Recidivism Rate for Inmates who Complete the A&D Program (%)	19.22
Percent of Offenders Possessing GED Certificate or High School Diploma at Time of Release	40.00
Percent of Offenders Obtaining Marketable Job Skills During	

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars (\$31.00) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972, however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars (\$31.00) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for

any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund effective July 1, 2022. Of the amounts appropriated in Section 2, an amount not exceeding Six Million Dollars (\$6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 16. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 17. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2023, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total

reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 19. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 20. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3014** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 108,661,269.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 102,031,849.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	1,696
	Part Time .....	0
Time-Limited:	Full Time .....	78
	Part Time .....	2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual

personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Mississippi Department of Transportation shall transfer Five Million Dollars (\$5,000,000.00), for the operations of the Department of Public Safety Office of Commercial Transportation Enforcement Division that was authorized to be relocated in Senate Bill 2825, 2021 Regular Session.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds

expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
<b>Enforcement</b>	
Increased Enforcement - Citations (%)	6.40
Decrease Fatalities (%)	4.50
Percent Increase in DUI Arrests (Includes Felony DUI)	6.00
Number of Criminal Investigations	36,600
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.88
Number of Alcohol Impaired Driving Fatalities per 100,000 Population	1.60
Number of Driving Under the Influence (DUI) Arrests per 100,000 Population	232
Percent Increase in Seatbelt/Child Restraint Citations	7.00
<b>Driver Services</b>	
Number of Driver's License/ID Cards Issued	604,249
Cost per License Document Produced	24.00
Number of Drivers Suspended	31,676
Number of Accident Reports Processed	1,653
Average Wait Time (Minutes)	20
Number of Documented Complaints	11
Percent Change in Wait Time	67.00
Percent Change in Complaints	10.00
Percent Increase in Regular & Commercial Driver Licenses Issued	10.00

## Support Services

Number of Financial Transactions Processed	40,200
Number of Employees Supported	1,300

## Forensic Analysis

Number of Reports Issued (Cases)	20,000
Number of Court Testimonies (Cases)	250
Cost per Case Analyzed	518.00
Cost per Testimony	500.00
Percent of Days for Reports Issued	40.00

## Dna Analysis

Number of Known Felony Offender Samples in Database	139,000
Number of Proficiency Samples	500
Number of Casework Samples Examined	10,500
Cost per Sample	650.00
Maintain the Integrity of the CODIS Database	99.00

## Forensic Pathology

Number of Deaths Investigated	25,500
Number of Autopsies Performed SME Office	1,375
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	2.50
Percent of Coroners Educated by ME's Office	30.00
Percent Change in the Number of Autopsies Performed at SME Office	2.00

## Training Academy

Number of Basic Students to Graduate	240
Number of Basic Refresher Students to Graduate	70
Number of In-Service & Advanced Students to Graduate	2,600
Percent of Law Enforcement Officers Trained	100.00

Drug Enforcement

Number of Drug Suspects Arrested	1,575
Number of Drug Cases Prosecuted	1,350
Number of Drug Organization Disrupted and/or Dismantled	12
Percent Change in Number of Drug Suspects Arrested	0.50
Percent Change in Number of Drug Cases Prosecuted	0.50
Percent Change in Number of Drug Orgs Disrupted and/or Dismantled	0.50

Jail Officer Training

Number of Jail & Youth Detention Officers Certified	300
Number of Certification Transactions	3,300
Number of Administrative Review Actions	15
Percent of Appointed Jail & Youth Detention Officers Obtaining Certification	75.00
Percent of Administrative Review Actions Taken within One Year	3.00

Law Enforcement Training

Number of Basic Law Enforcement Officers Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	90.00
Percent of Appointed Part-Time, Reserve, & Auxiliary Officers Obtaining Certification	85.00

Percent of Administrative Disciplinary	
Actions Taken within One Year	3.50
Highway Safety	
Number of Federal Applications Funded &	
Statewide Pgms Supported	10
Percent Decrease in the Number of	
Unrestrained Passenger Vehicle Occupant	
Fatalities by 5%	2.00
Percent Decrease in the Number of	
Fatalities in Crashes Involving a Driver	
or Motorcycle Operator with a BAC of	
.08 & Above	1.00
Justice	
Number of Juvenile Jail/Detention	
Alternatives	5
Number of Hot Spots Policing Programs Funded	4
Emerg Telecommunications Tng	
Number of Emergency Telecommunicators	
Certified	400
Number of Certification Transactions	1,600
Percent of Appointed Emergency	
Telecommunicators Obtaining	
Certification	75.00
Percent of Appointed Emergency	
Telecommunicators Obtaining	
Recertification	75.00
Percent of Administrative Review Actions	
Taken within One Year	2.00
Council On Aging	
Number of Triad Programs Established	2
Number of Training Programs Conducted	0
Provide On-Site-Training	0

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Percent Change in the Number of Operational Triad Programs	3.00
Percent Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected	125
Number of Strategic Plans Implemented	20
Percent of Admin Review Actions Taken within One Year	80.00
Homeland Security	
Number of OHS Grants for Jurisdictions	107
Number of First Responder Classes	136
Percent Increase in Emergency Task Force Responder Training & Exercises	2.00
Percent Increase in Citizen & Community Preparedness Training & Exercises	2.00
Percent Increase in Requests for Information	2.00
Percent Increase in National Incident Mgmt Training & Exercises	2.00
Investigations	
Number of Human Trafficking Cases Initiated	300
Number of Human Trafficking Arrests	55
Number of Human Trafficking Child Recoveries	20
Capitol Police	
Number of Patrols	45
Number of Emergencies (Medical, Weather, Active Shooter, etc.)	214
Average Time to Respond to an Emergency (minutes)	3
Motor Carrier	
Number of Compliance Reviews	49,803
Number of On-Site Examinations at Scales	22,677

Number of Trucks Weighed

5,721,069

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 16. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 17. Of the funds appropriated in Sections 1 and 2, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 18. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2023.

SECTION 19. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2023. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 20. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of House Bill 812, 2017 Regular Session, Section 1. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund.....	\$ 99,003.00.
Adult Driver Training.....	\$ 75,794.00.
Information Exchange Network Fund.....	\$ 264,007.00.
Forensics Lab MS – MS Forensics Lab – Implied Consent Law Fund.....	\$ 404,795.00.
Forensics Lab Forensics Laboratory – DNA Identification Fund.....	\$ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust Fund.....	\$ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers Training Fund.....	\$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement.	\$ 13,573.00.
Federal – State Alcohol Program Fund.....	\$ 160,431.00.
MS Leadership Council on Aging Fund.....	\$ 197,691.00.

SECTION 22. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 23. Of the funds appropriated by this act, pursuant to House Bill No 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 24. Of the funds appropriated by this act, pursuant to House Bill 1283, 2019 Regular Session, Two Hundred Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 2916, 2021 Regular Session to provide for repairs and renovations at the Department of Public Safety Mississippi Law Enforcement Officers Training Academy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 1,469,885.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 26. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 2916, 2021 Regular Session to provide for Bullet Proof Vests Program at the Department of Public Safety for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 27. With the funds appropriated herein, the Department of Public Safety is authorized to make payment for expenses incurred during Fiscal Years 2019 and 2020 as follows:

Vendor	Fiscal Year	Amount
Buford Plumbing	2019	\$1,095.00
Broadway Line	2019	\$1,406.88
Kirk Auto World Inc. – DBA –		
Sunset Chrysler Dodge Jeep	2020	\$28,893.00

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3015** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 8,422,827.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,468,036.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	206
	Part Time .....	8
Time-Limited:	Full Time .....	13
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00) and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department ..... \$ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in	
Full Compliance	205
Number of Dealer Inspections in Full	
Compliance	110

Number of Agricultural & Non-Agricultural Pesticide Application Inspections in Full Compliance	1,200
Number of Agricultural & Non-Agricultural Record Inspections in Full Compliance	350
Percent of Marketplace Inspections in Full Compliance	85.00
Percent of Dealer Inspections in Full Compliance	96.00
Percent of Agricultural & Non-Ag Pesticide Application Inspections in Full Compliance	93.00
Percent of Agricultural & Non-Ag Record Inspections in Full Compliance	95.00
<b>Museum</b>	
Total Attendance	125,000
Number of Students in School Groups	18,000
Number of Private Revenue Generating Functions	1,700
Percent Change in Number of Private Revenue Generating Functions	1.00
Percent Change in Revenue from Private Functions	1.00
Percent Increase in Attendance from Prior Year	2.00
Percent Increase of School Students in Attendance from Prior Year	2.00
Revenue Generated from Functions (\$)	312,000.00
<b>Regulatory</b>	
Number of Retail Motor Fuel Devices Inspected	55,100

Number of Food Sanitation Inspections	5,000
Percent of Total Retail Motor Fuel Devices Inspected	100.00
Percent of Total Retail Food Sanitation Inspections	100.00
Percent of Consumer Complaints Answered within 48 Hours	97.00
Marketing	
Number of Persons Reached by Marketing Means	1,138,150
Percent Increase of Persons Reached by Marketing Means	3.00
Administration	
Maintain Administrative Cost at 18% of Total Budget (%)	25.00
Livestock Theft	
Number of Cases Investigated	200
Number of Cases Cleared	30
Percent of Cases Prosecuted	20.00
Farmer's Market	
Number of Retail Spaces Rented (Average per Week)	35
Amount of Revenue Generated through Rental Space Rented (\$)	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test (Average Depending on Type of Seed)	20
Number of Hours to Evaluate TZ Test	1
Mississippi State Fairgrounds	
Number of Event Days	520
Estimated Total Attendance	1,250,000

Egg Marketing Board

Percent Increase of the Number of Eggs

Purchased 2.00

Cost of Outreach in Relation to

Consumers Reached. (This Number is the

Percent of the Budget Dedicated to

Advertising) 80.00

Percent Increase of Consumption of Eggs 2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is

further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3016** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account, to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 954,150.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a

minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 11,884.00.

(g) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 42,730.00.

SECTION 3. Of the funds in Section 2, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3017** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 1,310,437.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 758,857.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	20
	Part Time .....	0
Time-Limited:	Full Time .....	5
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3018** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 3,996,691.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 26,711,221.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	113
	Part Time .....	0
Time-Limited:	Full Time .....	69
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 356,788,307.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

- 1604        Hurricane Katrina
- 4175        Severe Storms, Tornadoes, Flooding - Cities  
of Louisville & Tupelo
- Hazard Mitigation
- Other Needs Assistance
- Mississippi Temporary Housing Program
- Pre-Disaster Response
- Emergency Preparedness Programs
- 4429        Feb 22-March 29, 2019 Flooding
- 4450        Severe Weather April 13, 2019
- 4470        Severe Weather October 26, 2019
- 4478        Severe Weather January 10-11, 2020
- 4528        Coronavirus Pandemic
- 4536        Severe Weather April 12, 2020 Easter Tornadoes
- 4538        Flooding Feb 10-18, 2020 (Pearl River Flood)

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- 4248 Severe Storms, Tornadoes, Flooding - North  
Mississippi/Holly Springs
- 4268 Delta Flooding
- 4295 Pine Belt Tornado/Flooding
- 4314 Severe Storms, Flooding in Adams, Calhoun,  
Carroll, Claiborne, Holmes, Jefferson, Montgomery,  
Webster & Yazoo Counties
- 4350 Hurricane Nate
- 4415 Severe Storms, Flooding & Tornado in Clarke,  
Covington, Forrest, Greene, Jasper, Jones,  
Marion, Newton, Perry & Wayne Counties
- 4551 Severe Weather April 22-23, 2020
- 3544 Hurricane Sally
- 3548 Hurricane Delta
- 4576 Hurricane Zeta
- 4598 2021 Winter Storm

SECTION 7. None of the funds appropriated in Section 4 shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Emergency Mgmt Preparedness	

Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services (Hrs)	24
Recovery	
Number of Ongoing Projects	1,200
Number of Meetings Conducted	3,500
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	14
Number of Ongoing Projects	140
Average Cost per Project	50,000.00
Percent Reduction in Damage Due to Natural & Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 2917, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 75,500.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 17. It is the intention of the Legislature that the Mississippi Emergency Management Agency is hereby authorized to pay invoices submitted by eTech Channel for reimbursement for prior fiscal year commodities in an amount not to exceed One Hundred Fifteen Thousand Dollars (\$115,000.00).

SECTION 18. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3021** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023  
\$ 643,439.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	6
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the

expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3022** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 621,855.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 40,029.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	5
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3024** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of

Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and the Enforcement Division, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 42,759,427.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 20,702,849.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	660
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	14.06
Cost per Call Center Call Answered	3.53
Audit	
Cost per Audit	721.01
Tax Production per Audit (\$)	8,173.08
Tax Enforcement	
Cost per Dollar Collected in Recovery	
Actions	0.06
General Administration	
Average Cost per Return Processed	4.18
ROI - Revenue Collected per Dollar of	
Expense	127.88
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.31
Cost per Title Issued	2.62
ABC Liquor Distribution Center	
Cost per Case Shipped	2.18
ROI - GF Dollars Returned per Dollar of Cost	14.05

Enforcement

Number of Violations-Medical Cannabis	20
Number of Permits-Medical Cannabis	200
Number of Permits-Alcohol	2,400
Enforcement and Permitting Cost Per	
Permit-Medical Cannabis	4,761.00
Enforcement and Permitting Cost Per	
Permit-Alcohol	1,039.58
Average Number of Days to Issue	
Permit-Medical Cannabis	30
Average Number of Days to Issue	
Permit-Alcohol	23
Percent of Medical Cannabis Permits	
Receiving Administrative Actions	10.00
Percent of Medical Cannabis Permits	
Receiving Criminal Actions	10.00
Percent of Medical Cannabis Permits	
Inspected	100.00
Percent of Permit Applications	
Approved-Medical Cannabis	75.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 90,600,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform

strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 4,200,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. None of the funds appropriated under the provisions of Sections 1 and 2 of this act shall be expended unless an advisory committee continues to coordinate, in an advisory capacity only, with the Department of Revenue in the determination of the collection of statistical data and information related to economic and tax policy. This advisory committee shall consist of the following members or their designees: the Director of the Legislative Budget Office, the Director of the Joint Legislative PEER Committee, the State Economist, the President of the Mississippi Economic Council and the Director of the Mississippi Economic Policy Center.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 15. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars

(\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 16. Of the funds appropriated by this act, it is the intention of the Legislature that the department make certain that funds required to be appropriated to defray rent expenses for the department's headquarters located in Clinton, Mississippi, do not exceed Two Million Five Hundred Ninety Thousand Dollars (\$2,590,000.00).

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for facility repairs, as authorized in Senate Bill No. 2923, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 900,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3025** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 521,698.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	6
	Part Time .....	0
Time-Limited:	Full Time .....	0

Part Time ..... 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3027** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 220,733,786.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 424,827,839.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

- \$ 16,797,843.00 Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
- \$ 379,417.00 Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
- \$ 636,374.00 Crisis Centers
- \$ 1,138,252.00 Physician services at community mental health centers.
- \$ 18,951,886.00 TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	6,290
	Part Time .....	18
Time-Limited:	Full Time .....	452
	Part Time .....	8

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	60
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	212
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional	

Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations & Do Not Respond to Traditional Treatment	25.00
Number Served by the Program of Assertive Community Treatment (PACT), Intensive Community Outreach and Recovery Teams (ICORT), and Intensive Community Support Services (ICSS)	2,200
Number of Individuals Employed through Supported Employment	300
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	35,176
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center & Scheduled an Appointment	10,211
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	29,093
Increase the Number of Certified Peer Supt Specialists in the State	315
Idd Services	
Number of Individuals on Planning List for Home & Community-Based Services	3,000
Percent of DMH Institutionalized Clients who Could be Served in the Community	87.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	87.00

Number of People Added from Planning	
List to ID/DD Waiver Services	100
Children & Youth Services	
Percent of Children with Serious Mental	
Illness Served by Local	
Multidisciplinary Assessment & Planning	
(MAP) Teams	2.30
Number Served by MAP Teams	890
Number of Children & Youth that are	
Served by Wraparound Facilitation	2,381
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made	
Available Statewide Due to the Three	
Percent Tax Supplements	226
Number Receiving Residential Substance	
Use Disorder Treatment	1,589
Crisis Stabilization Units	
Average Length of Time from Mental	
Health Crisis to Receipt of Community	
Mental Health Crisis Service (Minutes)	1
Percent of People Receiving Mental	
Health Crisis Services who were Treated	
at Community Mental Health Centers vs.	
Institutions	98.00
Diversion Rate of Admissions to State	
Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,900
Number of Voluntary Admissions	1,700
Mi - Institutional Care	
Number Served Adult Acute Psychiatric	1,950
Maintain Readmission Rates within	
National Trends (%)	3.35

Mi - Support Services

Support as an Overall Percent of Total

Budget 4.95

Idd - Institutional Care

Number of People Served in Residential

IID Programs 755

Number of People Transitioned from

Facility to ICF/IID Community Home 28

Idd - Group Homes

Number of People Served in the 10-Bed

ICF/IID Community Homes 564

Percent of People Served in the

Community vs. in an Institutional  
 Setting 41.68

Idd - Community Programs

Number of People Added from Planning

List to ID/DD Waiver Services 97

Number of People Enrolled in the 1915i 1,053

Idd - Support Services

Support as a Percent of Total Budget 3.82

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2023.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating

counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-three Million Three Hundred Twenty-nine Thousand Dollars (\$23,329,000.00) is provided to the Department of Mental Health to expand those community-based

services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2022, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2023. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the thirteen (13) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars

(\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. Of the funds appropriated in Section 1 & 2, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2022 appropriated amount shall be allocated to the ID/DD Home and Community Based Waiver slots.

SECTION 24. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Department of Mental Health for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for a mental health services pilot program with the Department of Corrections, as authorized in Senate Bill No. 2926, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 600,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 25. It is the intention of the Legislature that the Department of Mental Health shall provide a report on the pilot program created to provide mental health services to former inmates of the Department of Corrections who are no longer incarcerated within a correctional institution of the Department of Corrections. This report shall be provided on December 15th of the current fiscal year to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 26. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023...\$ 4,900,389.00.

The purpose of these funds is to provide to the Department of Mental Health for Mississippi State Hospital forensic unit.

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3028** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State

Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 189,630,040.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	51
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the

same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Administrative	
Percent of Administrative Costs as	
Compared to Construction Costs	4.00
Percent of State Aid Construction Funds	
Allocated to Counties	95.00
Number of Projects Let to Contract	175
Percent of Personnel Devoted to	
Construction Programs	81.00
Federal Percent of Total Project Fund	
Obligations	35.00
Construction	
Percent Reduction of Structurally	
Deficient Bridges	0.00
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds	
Available Programmed or Obligated to	
Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to	
Completion of a Fed Project (Days)	450

Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges	
on the State Aid System	5,000
Average Cost of a State Aid/Federal	
Bridge Project	1,550,000.00
 Local System Bridge	
Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects	
per County	1
Percent of LSBP Funds Available	
Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	5,000
Average Time From Initiation to	
Completion of a LSBP Project (Days)	450
Percent of Counties Utilizing All of	
Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and

65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3032** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 302,871.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent: 2  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed

Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3032** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 68-74, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 3038** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,580,212.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 1,652,921.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	106
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual

personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 2, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues	2,000,000,000.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State	
Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	25
Number of Bingo Halls Regulated	68
Average Cost per Employee to Total State	
Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3046** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 2,662,182.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 665,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	38
	Part Time .....	1
Time-Limited:	Full Time .....	7
	Part Time .....	0

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.



Senator Hopson called up the following House Amendment to **S. B. No. 3047** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 25,394,150.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as provided in Senate Bill 2779, 2018 Legislative Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 25,014,598.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	126
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

.....\$ 10,231,394.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	7
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3048** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 20,438,373.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 82,963,650.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	190
	Part Time .....	2
Time-Limited:	Full Time .....	46
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Global Business	
Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contracts	1,000
Number of Qualified National Prospects	225
Return on Investment (ROI)	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000
Minority & Small Business Dev	
Number of Minority & Small Business Contacts	8,000
Number of Minority Business	
Certification Applications Processed	190
Technical Assistance to Disadvantaged	
Contacts	2,300
State Contracting with Minority Business (\$)	45,000,000.00
Financial Resources	
Number of Requests for Financing or	
Incentives	225
Existing Industry & Business	
Number of Interactions with Interested	
Businesses	2,500
Number of Qualified Contacts	750
Number of Expansions	30
Number of Jobs Created from Expansions	3,000
Energy	
Number of Energy Efficiency & Renewable	
Energy Direct Contacts	12,000
Community Services	
Awarded Grants & Loans for Community &	
Economic Development (\$)	50,000,000.00

Number of Grants & Loans Awarded	100
Support Services	
Administration as a Percent of Total Budget	9.50
Tourism	
Number of Tourist Inquiries Generated	37,875
Number of Visitors per Year	26,000,000
Travel Revenue (\$ in Billions)	6.67
Welcome Centers	
Number of Tourists Registered	2,448,600

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. Of the funds appropriated in Section 2, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2023, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the MDA Site Development Grant Program Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 10,000,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 14. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 15. Of the funds appropriated in Section 1, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 16. Of the funds appropriated in Section 1, Zero Dollars (\$0.00) shall be transferred to Innovate Mississippi.

SECTION 17. Of the funds appropriated in Section 1, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established by Senate Bill No. 2928, 2019 Regular Session.

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 2951, 2021

Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..\$ 246,431.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 19. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3050** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Tourism for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 0.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	0
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Department of Tourism shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall be contingent upon the passage of Senate Bill 2164, 2022 Regular Session, which creates the Mississippi Department of Tourism, and shall

take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3051** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,074,385.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	40
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3055** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of

the Attorney General for the period July 1,2021, and ending June 30, 2022 .....\$ 1,068,068.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756...\$ 21,452.00.

(b) Pickett v. Mississippi Board of Animal Health, 2:18-cv-00214-KS-JCG (S.D. Miss) \$ 211,616.00.

(c) IHS Pharmacy v. Mississippi Department of Corrections, Hinds County Circuit Court, Cause No. 17-572..... \$ 625,000.00.

(d) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Claimant No. 2009-0457-CV..... \$ 35,000.00.

(e) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-CV-00150 ..... \$ 50,000.00.

(f) Harvill Payne Richardson v. State of Mississippi, Circuit Court of Harrison County, Mississippi, Second Judicial District, Cause No. A2402-2020-87.. \$ 50,000.00.

(g) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi Cause No. 2021-0026-CV1C..... \$ 50,000.00.

(h) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi Cause No. 2021-0026-CV1C for statutory attorneys' fees..... \$ 25,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act and ending June 30, 2023 ..... \$ 1,300,000.00.

(a) Amos et al. v. Taylor, et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB-RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss); and Alexander, et al. v. Hall, et al., 4:30-CV-21-SA-JMV (attorney fees)..... \$ 500,000.00.

(b) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss)(expert payments)..... \$ 100,000.00.

(c) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss)(attorney fees)..... \$ 200,000.00.

(d) Special Master as Required by Order of the Federal Court for United States v. State of Mississippi, 3:16-cv-00622-CWR-FKB (S.D. Miss) ..... \$ 300,000.00.

(e) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:03cv251(L)(N)..... \$ 200,000.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the period July 1, 2021, and ending June 30, 2022 ..... \$ 606,242.00.

This additional appropriation is made for contractually obligated system maintenance.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's

Office, to defray the expenses of the Joint Committee on Reapportionment for the period July 1, 2021, and ending June 30, 2022 ..... \$ 15,000.00.

This additional appropriation is for the purpose of agency operations.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Veterans Affairs Board for the period July 1, 2021, and ending June 30, 2022 ..... \$ 103,113.00.

This additional appropriation is for the purpose of paying an ACA penalty.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of Office of Student Financial Aid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2021, and ending June 30, 2022 .....  
\$ 3,500,000.00.

This additional appropriation is for administration of a summer grant program.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office – Division of Medicaid, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2021, and ending June 30, 2022 ..... \$ 466,786,240.00.

This additional appropriation is for federal matching funds for Medicaid medical services.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Coronavirus Local Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office, to the Department of Finance and Administration to make payments for the period July 1, 2021, and ending June 30, 2022. .... \$ 8,046,958.00.

This additional appropriation is for paying Non-Entitlement Units in accordance with the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines.

SECTION 9. This act shall take effect and be in force from and after passage.

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Senator McMahan moved that the rules be suspended for the consideration en bloc of calendar items 75-78, and the motion prevailed.

Senator McMahan called up the following House Amendment to **S. B. No. 3065** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Supervisors of Jackson County, Mississippi, in its discretion, may contribute funds annually in an amount not to exceed Five Thousand Dollars (\$5,000.00), out of any available county funds, to the Friends of Arts, Culture and Education (F.A.C.E.), a nonprofit charitable organization that is instrumental in developing and promoting the arts to citizens of Jackson County and the community.

(2) The provisions of this section shall be repealed on July 1, 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FRIENDS OF ARTS, CULTURE AND EDUCATION (F.A.C.E.); AND FOR RELATED PURPOSES.

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Senator McMahan called up the following House Amendment to **S. B. No. 3066** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Supervisors of Jackson County, Mississippi, in its discretion, may contribute funds annually in an amount not to exceed Five Thousand Dollars (\$5,000.00), out of any available county funds, to the Junior Auxiliary of Pascagoula-Moss Point, a nonprofit organization that is dedicated to community improvement by meeting the needs of children, youth and families.

(2) The provisions of this section shall be repealed on July 1, 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE JUNIOR AUXILIARY OF PASCAGOULA-MOSS POINT; AND FOR RELATED PURPOSES.

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Senator McMahan called up the following House Amendment to **S. B. No. 3067** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 943, Local and Private Laws of 1993, as amended by Chapter 983, Local and Private Laws of 1999, is amended as follows:

Section 1. (1) (a) Subject to the provisions of subsection (2) of this section, the governing authorities of the City of Meridian, Mississippi, are authorized, in their discretion, to provide for the payment of minimum monthly benefits of not less than Four Hundred Dollars (\$400.00) per month from monies accumulated in the Meridian Police

and Fire Disability and Relief Fund to all persons now or hereafter entitled to receive benefits under any provision of Section 21-29-101 et seq., Mississippi Code of 1972, by virtue of service as a member of, or through a member of, the fire and/or police department of the City of Meridian.

(b) Persons who, on June 30, 1999, are receiving a retirement allowance under Section 21-29-101 et seq. shall receive an increase in monthly benefits equal to three and nine-tenths percent (3.9%). If the resulting increased benefit amount is less than Six Hundred Dollars (\$600.00) per month, such benefit amount shall be increased to a minimum payment of Six Hundred Dollars (\$600.00) per month. Any retiree, or beneficiary thereof, who retires on or after July 1, 1999, shall receive a benefit in an amount equal to no less than Six Hundred Dollars (\$600.00) per month.

(c) The governing authorities of the City of Meridian, Mississippi, are authorized to increase, by two percent (2%) every July 1, beginning July 1, 2022, the monthly benefits of persons who, on June 30, 2022, are receiving a retirement allowance under Section 21-29-101 et seq.

(d) The governing authorities of the City of Meridian are authorized to levy such millage as is necessary, in addition to any other tax authorized by law, to make the minimum payment provided herein and maintain the retirement fund on a sound actuarial basis. The proceeds of any such additional millage shall be excluded from the ten percent (10%) increase limitation under Section 27-39-321, Mississippi Code of 1972, for the first year of such additional levy and shall be included within such limitation in any year thereafter.

(2) Payment of the minimum monthly benefits authorized under subsection (1) of this section shall not be established unless the Meridian Police and Fire Disability and Relief Fund is actuarially sound, as shown by the most recent actuarial study required by Section 21-29-119, Mississippi Code of 1972, and the fund will remain actuarially sound if the minimum monthly benefits are made, as shown by a certified statement from the actuarial firm that prepared the most recent actuarial study.

(3) After the governing authorities of the City of Meridian have adopted a resolution specifying the amount of the minimum monthly benefits authorized under subsection (1) of this section, and the advisory board provided for in Section 21-29-105, Mississippi Code of 1972, has adopted a resolution supporting the payment of the specified amount of the minimum monthly benefits, and after the Board of Trustees of the Public Employees' Retirement System has received these resolutions and the most recent actuarial study of the disability and relief fund and the certified statement from the actuarial firm, pursuant to subsection (2) of this section, that the fund will remain actuarially sound if the minimum monthly benefits are paid, then the board of trustees shall pay those benefits to the persons authorized and entitled to receive the payments.

(4) Persons eligible to receive the minimum monthly benefits authorized under this section shall receive such payments monthly effective January 1, 1994. In the event of death of a person or a beneficiary thereof receiving monthly benefits, any remaining amounts shall be paid in a lump sum to the designated beneficiary.

Section 2. (1) (a) Subject to the provisions of subsection (2) of this section, the governing authorities of the City of Meridian, Mississippi, are authorized, in their discretion, to provide for the payment of minimum monthly benefits of not less than Four Hundred Dollars (\$400.00) per month from monies accumulated in the Meridian General Municipal Employee Retirement Fund to all persons now or hereafter entitled to receive benefits under any provision of Section 21-29-1 et seq., Mississippi Code of 1972, by virtue of service as an employee of the City of Meridian.

(b) Persons who, on June 30, 1999, are receiving a retirement allowance under Section 21-29-1 et seq. shall receive an increase in monthly benefits equal to three

and nine-tenths percent (3.9%). If the resulting increased benefit amount is less than Six Hundred Dollars (\$600.00) per month, such benefit amount shall be increased to a minimum payment of Six Hundred Dollars (\$600.00) per month. Any retiree, or beneficiary thereof, who retires on or after July 1, 1999, shall receive a benefit in an amount equal to no less than Six Hundred Dollars (\$600.00) per month.

(c) The governing authorities of the City of Meridian, Mississippi, are authorized to increase, by two percent (2%) every July 1, beginning July 1, 2022, the monthly benefits of persons who, on June 30, 2022, are receiving a retirement allowance under Section 21-29-1 et seq.

(d) The governing authorities of the City of Meridian are authorized to levy such millage, in addition to any other tax authorized by law, as is necessary to make the minimum payment provided herein and maintain the retirement fund on a sound actuarial basis. The proceeds of any such additional millage shall be excluded from the ten percent (10%) increase limitation under Section 27-39-321, Mississippi Code of 1972, for the first year of such additional levy and shall be included within such limitation in any year thereafter.

(2) Payment of the minimum monthly benefits authorized under subsection (1) of this section shall not be established unless the Meridian General Municipal Employee Retirement Fund is actuarially sound, as shown by the most recent actuarial study required by Section 21-29-27, Mississippi Code of 1972, and the fund will remain actuarially sound if the minimum monthly benefits are made, as shown by a certified statement from the actuarial firm that prepared the most recent actuarial study.

(3) After the governing authorities of the City of Meridian have adopted a resolution specifying the amount of the minimum monthly benefits authorized under subsection (1) of this section, and the advisory board provided for in Section 21-29-9, Mississippi Code of 1972, has adopted a resolution supporting the payment of the specified amount of the minimum monthly benefits, and after the Board of Trustees of the Public Employees' Retirement System has received these resolutions and the most recent actuarial study of the disability and relief fund and the certified statement from the actuarial firm, pursuant to subsection (2) of this section, that the fund will remain actuarially sound if the minimum monthly benefits are paid, then the board of trustees shall pay those benefits to the persons authorized and entitled to receive the payments.

(4) Persons eligible to receive the minimum monthly benefits authorized under this section shall receive such payments monthly effective January 1, 1994. In the event of death of a person or a beneficiary thereof receiving monthly benefits, any remaining amounts shall be paid in a lump sum to the designated beneficiary.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 943, LOCAL AND PRIVATE LAWS OF 1993, AS AMENDED BY CHAPTER 983, LOCAL AND PRIVATE LAWS OF 1999, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF MERIDIAN, MISSISSIPPI, TO INCREASE, BY 2% EVERY JULY 1, BEGINNING JULY 1, 2022, THE MONTHLY BENEFITS OF PERSONS WHO, ON JUNE 30, 2022, ARE RECEIVING BENEFITS FROM THE MERIDIAN POLICE AND FIRE DISABILITY AND RELIEF FUND OR THE MERIDIAN GENERAL MUNICIPAL EMPLOYEE RETIREMENT FUND; AND FOR RELATED PURPOSES.

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Senator McMahan called up the following House Amendment to **S. B. No. 3068** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The governing authorities of the City of Vicksburg, Mississippi, in their discretion, may contribute an amount not to exceed One Thousand Three Hundred Seventy-five Dollars (\$1,375.00), out of any available funds of the city, to the American Legion Boys State Program.

(2) This section shall be repealed from and after July 1, 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE AMERICAN LEGION BOYS STATE PROGRAM; AND FOR RELATED PURPOSES.

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Senator Hopson called up the following House Amendment to **S. B. No. 3041** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 703,999.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current

employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars (\$42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3041** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 3042** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the expenses of said board, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 4,152,163.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNTS:

Permanent:	16
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2) enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3042** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 81-96, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 3043** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 8,529,070.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,967,531.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	158
	Part Time .....	1
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Finance & Compliance	
County Government Audits - Percent	
Audited by CPA Firms	65.00
County Government Audits - Percent	
Audited by OSA	35.00
Single Audit Federal Program Coverage -	
Percent Audited by CPA Firms	25.00
Single Audit Federal Program Coverage -	
Percent Audited by OSA	75.00
ACFR Opinion Units - Percent General	
Fund Assets	75.00
ACFR Opinion Units - Percent General	
Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,200
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of	
70% or Higher	75.00
Investigations	
Recovered Embezzled and/or Misspent	
Funds as a Result of Investigations	

Conducted by this Office (\$)	600,000.00
Recovered Funds as a Percent of Total	
Misspent Funds	18.00
Performance Audits	
Number of Performance Audit Reports	
Completed	10
Number of Positive Changes Recommended	
in Performance Audits or Bond Monitoring	
Reports	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3044** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 10,628,279.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	78
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville

Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3045** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 34,894,775.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 30,266,593.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	335
	Part Time .....	1
Time-Limited:	Full Time .....	1
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 6,546,034.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	8
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 39,995.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,265.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	1
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current

employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,603,897.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Positions in Section 3 of this bill may be used for performing related administrative duties of the State Property Insurance program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning

July 1, 2022, and ending June 30, 2023 ..... \$ 1,810,227.00.

SECTION 12. The funds appropriated herein shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years.

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Coronavirus Local Fiscal Recovery Fund not otherwise appropriated for the Department of Finance and Administration for the purpose of reauthorizing the expenditure of Coronavirus Local Fiscal Recovery Funds, as authorized in Senate Bill 2948, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$140,000,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

The purpose of allocating these funds to nonentitlement units of local government in accordance with the provisions applicable to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines.

SECTION 16. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 17. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes

of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 20. Of the funds appropriated in Section 2, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 21. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 22. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 23. Of the funds appropriated in Section 2, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 24. Of the funds appropriated in Section 2, Twelve Million Dollars (\$12,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 25. Of the funds appropriated under the provisions of this act, the department is authorized to enter into a contract for use by state agencies to establish a pilot program for Fleet Management Services, to include vehicle leasing and disposal, without being subject to the provisions of law otherwise applicable to fleet management.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. With the funds appropriated herein, the Department of Finance and Administration is authorized to make payment for expenses incurred during Fiscal Years 2018, 2019, and 2020 as follows:

Vendor	Fiscal Year	Amount
Mississippi Interactive LLC	2018	\$ 4,940.00
Mississippi Interactive LLC	2019	\$ 4,940.00
City of Jackson	2020	\$ 358.68

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3049** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, non-governmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 0.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$52,793,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds appropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... \$ 13,500,000.00.

(b) To assist the University of Southern Mississippi Ocean Enterprise ..... \$ 4,500,000.00.

(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass ..... \$ 2,500,000.00.

(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment ..... \$ 2,500,000.00.

(e) To assist the City of Ocean Springs

and the OHOS Development LLC with a

Public/Private Development..... \$ 6,000,000.00.

(f) To assist the Pascagoula Redevelopment

with downtown revitalization project..... \$ 3,000,000.00.

(g) To assist Long Beach High School with

the Long Beach High School Career and Technical

Education Center..... \$ 2,500,000.00.

(h) To assist the City of Diamondhead with

the Town Center District – Commercial District

Project \$ 2,000,000.00.

(i) To assist Stone County School District

with the Stone County High School Career and

Technical Education Center..... \$ 3,200,000.00.

(j) To assist Hancock County Port and

Harbor Assault Landing Strip..... \$ 2,500,000.00.

(k) To assist the City of Gulfport with

flood control and/or drainage for the

Forest Heights Project..... \$ 2,100,000.00.

(l) To assist the City of Moss Point with

the Interstate 10 Frontage Roads, North and

South \$ 2,000,000.00.

(m) To assist the City of Picayune with the

Friendship Park Revitalization Project ..... \$ 1,900,000.00.

(n) To assist Pearl River Community College

PRCC Aviation Aerospace Academy..... \$ 1,900,000.00.

(o) To assist the City of Bay St. Louis with

the Court Street Parking facility, expansion and

improvements..... \$ 1,000,000.00.

(p) To assist the Walter Anderson Museum with

Phase 3 and Phase 4..... \$ 636,000.00.

(q) To assist the City of Lucedale with

Ventura Drive Improvements..... \$ 577,000.00.

(r) To assist George County with the Scott

Road Project, widening and infrastructure ..... \$ 480,000.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$49,925,069.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades ..... \$ 1,550,000.00.

(b) To assist the City of Bay St. Louis with the Old Town Police Department..... \$ 1,000,000.00.

(c) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District..... \$ 1,500,000.00.

(d) To assist the City of Diamondhead with the Commercial District Transformation Project..... \$ 1,500,000.00.

(e) To assist the Stone County School District with the Stone County High School Career and Technical Education Center ..... \$ 3,144,128.00.

(f) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I ..... \$ 6,305,093.00.

(g) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II..... \$ 515,957.00.

(h) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..... \$ 2,000,000.00.

(i) To assist the Gulfport School with a STEM Exploration Lab..... \$ 85,410.00.

(j) To assist the City of Biloxi with downtown revitalization at the Saenger Theater ..... \$ 950,328.00.

(k) To assist Hancock County Port and Harbor Commission with the multiuser aero strip at Stennis Airport ..... \$ 2,500,000.00.

Of the funds appropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with

the Harrison County Law Enforcement Training Academy ..... \$ 2,813,258.00.

(b) To assist George Regional Health System with a multi-specialty medical office complex..... \$ 1,901,193.00.

(c) To assist George Regional Health System with a cafeteria expansion and renovation..... \$ 820,469.00.

(d) To assist Mississippi State University

Research and Technology Corporation with the design and construction of the Mississippi Cyber Center..... \$ 3,430,624.00.  
(e) To assist the Port of Pascagoula

with the North Rail Connector..... \$ 6,600,000.00.  
(f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier..... \$ 1,356,650.00.  
(g) To assist the Pascagoula Redevelopment

Authority with the Innovation Center ..... \$ 1,000,000.00.  
(h) To assist the Pascagoula Redevelopment

Authority with the City Center ..... \$ 1,993,952.00.  
(i) To assist the Institute for Marine

Mammal Studies with Educational Classrooms and Dorms..... \$ 3,000,000.00.  
(j) To assist the City of Pass Christian

with redevelopment and revitalization ..... \$ 750,000.00.  
(k) To assist the City of Long Beach

with development and revitalization ..... \$ 2,000,000.00.  
(l) To assist the City of Long Beach

with the Quarles House ..... \$ 2,000,000.00.  
(m) To assist George County with a rail connection project:  
(1) George County rail and highway

improvements for Enviva project..... \$ 600,000.00.  
(2) Mississippi Export Railroad for

the Enviva project..... \$ 608,007.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$5,500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section the following sums are provided for the following programs:

(a) For the Mississippi Development Authority

and the Air Service Development Incentive Program ..... \$2,500,000.00.  
(b) For the Mississippi Development Authority

and the Quality of Place Incentives Program ..... \$3,000,000.00.  
Of these funds, One Million Dollars (\$1,000,000.00) is provided for the development of a South Mississippi defense and space industry strategy for small

companies to compete for defense related contracts to include government, industry and academia.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$500,000.00.

These funds are provided for Mississippi Development Authority's administrative expenses as outlined in Section 57-119-7, Mississippi Code of 1972. Prior to expending any funds in this section, the Mississippi Development Authority shall implement a project management system that provides for full tracking and reporting of the amounts appropriated, reappropriated and expended for each project funded by the Gulf Coast Restoration Fund in this act. The Mississippi Development Authority shall provide quarterly reports on the status of these projects to the Legislative Budget Office and the Department of Finance and Administration. The Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

\_\_\_\_\_  
Senator Hopson called up the following House Amendment to **S. B. No. 3052** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 11,794,282.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 15,673,069.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	95
	Part Time .....	0
Time-Limited:	Full Time .....	13
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully	
Complete the Online Training Program	150
Number of Voter Registrations Updated on	
Secure Online Website	6,400
Percent of Poll Workers who Successfully	
Complete the Online Poll Manager	
Training on Their First Attempt	65.00
Publications	
Number of Visits to the Secretary of	
State's Website	11,700,000
Public Lands	
Number of Tax-Forfeited Properties Sold	900
Support Services	
Support Services as a Percent of Total	
Agency Expenditures	27.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. Of the funds appropriated in Section 1, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), or so much thereof as may be necessary, is

appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2, One Million Five Hundred Thousand Dollars (\$1,500,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2, Eleven Million Four Hundred Fifty-five Thousand Two Hundred Forty-seven Dollars (\$11,455,247.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3053** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,441,463.00.

SECTION 2. Of the funds appropriated in Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	39
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or

selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program .....	\$	1,854,655.00.
(b) Mississippi Affordable College Savings program.....	\$	177,860.00.
(c) Treasury Office - Support programs .....	\$	3,408,948.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3054** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2023, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2023..... \$ 433,923,299.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2023.....  
\$ 25,501,575.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2023..... \$ 35,599,225.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2022, and June 30, 2023.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3056** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 7 in its entirety and inserting the following:

"SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3057** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 7 in its entirety and inserting the following:

"SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3058** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 6 in its entirety and inserting the following:

"SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3059** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 6 in its entirety and inserting the following:

"SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3060** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 7 in its entirety and inserting the following:

"SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3061** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 6 in its entirety and inserting the following:

"SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3062** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

AMEND by deleting Section 12 in its entirety and inserting the following:

"SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3063** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 7 in its entirety and inserting the following:

"SECTION 7. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 3064** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 8 in its entirety and inserting the following:

"SECTION 8. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022."

Senator Harkins called up the following House Amendment to **S. B. No. 3153** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall apply to every section of this act that relates to the issuance of bonds unless otherwise provided in this act.

(2) As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "State" means the State of Mississippi.

(b) "Commission" means the State Bond Commission.

(3) The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such

bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (1) of the applicable section of this act. The proceeds of such bonds shall be disbursed from the special fund under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof. As used in this section, the "accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (a) the stated initial value of such bond, plus (b) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(16) This act shall be deemed to be full and complete authority for the exercise of the powers granted in this act that relate to the issuance of bonds, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state that relates to the issuance of bonds.

SECTION 2. (1) (a) (i) A special fund, to be designated as the "2022 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,040,000.00
	Preplanning for repair, renovation, and expansion of and upgrades and improvements to the David L. Whitney Complex and Wellness Center; campus safety and security project, including open space	

development, sprinkler  
systems for dormitories,  
security camera  
installation, card access  
systems, street lighting,  
and emergency kiosks; and  
repair, renovation and  
upgrading of campus  
infrastructure.....\$ 1,040,000.00

Repair and renovation of  
and upgrades and  
improvements to the Math  
and Science Building.....\$ 4,000,000.00

Delta State University ..... \$ 5,640,000.00

Repair, renovation and  
replacement of and  
upgrades and  
improvements to HVAC systems  
and related equipment and  
infrastructure.....\$ 3,937,500.00

Repair and renovation  
for ADA compliance  
for the Bologna Performing  
Arts Center.....\$ 1,702,500.00

Jackson State University ..... \$ 12,000,000.00

Construction, furnishing  
and equipping of a new  
dining facility and  
related facilities.....\$ 12,000,000.00

Mississippi State University ..... \$ 14,680,000.00

Repair, renovation, construction,  
acquisition of property, furnishing  
and equipping of related  
facilities to house the  
College of Architecture,  
Art and Design.....\$ 14,680,000.00

Mississippi State University/Division of  
Agriculture, Forestry and Veterinary Medicine ..... \$ 9,610,000.00

Repair and renovation  
of and upgrades and  
improvements to  
Dorman Hall and  
related facilities.....\$ 9,610,000.00

Mississippi University for Women ..... \$ 2,500,000.00

Repair, renovation,  
and upgrading of  
campus buildings  
and facilities.....\$ 2,500,000.00

Mississippi Valley State University..... \$ 10,200,000.00

Repair, renovation,  
furnishing and  
equipping of the  
Charles Lackey  
Recreation Center.....\$ 10,200,000.00

University of Mississippi ..... \$ 5,500,000.00

Construction, furnishing  
and equipping of a new  
mechanical and power  
plant building and related

facilities.....	\$ 4,500,000.00
Preplanning for construction, furnishing and equipping of a new building and related facilities to house the School of Accountancy.....	\$ 1,000,000.00
University of Mississippi Medical Center .....	\$ 8,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 8,000,000.00
University of Southern Mississippi .....	\$ 11,000,000.00
Construction, furnishing and equipping of a new science research facility...	\$ 11,000,000.00
IHL Education and Research Center .....	\$ 1,400,000.00
Repair and replacement of chillers and related equipment for the campus air conditioning and heating system.....	\$ 1,400,000.00
TOTAL .....	\$ 85,570,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall

be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Eighty-five Million Five Hundred Seventy Thousand Dollars (\$85,570,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 3. (1) (a) (i) A special fund, to be designated as the "2022 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1,625,092.00
Copiah-Lincoln .....	1,896,610.00
East Central.....	1,788,344.00
East Mississippi.....	2,069,283.00
Hinds.....	3,835,672.00
Holmes .....	2,710,687.00
Itawamba.....	2,451,082.00
Jones.....	2,302,608.00
Meridian .....	1,892,071.00
Mississippi Delta.....	1,705,028.00
Mississippi Gulf Coast .....	3,415,612.00
Northeast Mississippi.....	2,199,052.00
Northwest Mississippi .....	2,860,867.00
Pearl River.....	2,559,381.00
Southwest Mississippi.....	1,688,611.00
GRAND TOTAL.....	\$35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued

by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Thirty-five Million Dollars (\$35,000,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 4. (1) (a) (i) A special fund, to be designated as the "2022 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES.....\$ 80,000,000.00

Department of Corrections.....\$ 6,000,000.00

Planning, critical repair

and renovation of and code

and security upgrades and improvements

to department buildings,

facilities and infrastructure

and facilities under

the care and control

of the department.....\$ 6,000,000.00

Department of Finance and Administration.....\$ 21,500,000.00

Continuation of planning,

repair, restoration of

and improvements to the

New Capitol Grounds.....\$ 5,000,000.00

Phase II of repair,

renovation, furnishing

and equipping of the

660 North Street Building..\$ 9,500,000.00

Phase II of repair,

renovation, furnishing

and equipping of the

350 High Street Building..\$ 7,000,000.00

Department of Mental Health.....\$ 7,750,000.00

Phase II of ligature

compliance measures

at the Mississippi

State Hospital.....\$ 1,250,000.00

Planning, construction,

furnishing and equipping

of new north entry gate

security station and

perimeter fencing at

the Boswell Regional

Center.....\$ 1,500,000.00

Planning, repair

and renovation, furnishing

and equipping of Buildings

#42, #49 and #50 at

Ellisville State School...\$ 3,000,000.00

Planning, construction,

furnishing and equipping

of new entry security

station and reconstruction  
of north passage bridge  
at North Mississippi

Regional Center.....\$ 2,000,000.00

Department of Public Safety.....\$ 36,000,000.00

Continuation of construction,  
furnishing and equipping of  
a headquarters replacement  
building and related  
facilities adjacent  
to the State Crime Lab....\$ 32,000,000.00

Continuation of construction,  
furnishing and equipping of  
new Troop G Highway Patrol  
Substation in Starkville..\$ 4,000,000.00

Mississippi Military Department.....\$4,000,000.00

Planning, repairs,  
renovations, expansions,  
upgrades and furnishing  
and equipping of Readiness  
Centers.....\$ 4,000,000.00

Department of Wildlife, Fisheries and Parks.....\$ 4,750,000.00

Phase I of planning, repair,  
renovation, replacement,  
furnishing and equipping  
of existing park buildings,  
facilities, and infrastructure  
and planning, construction,  
furnishing and equipping of  
new park buildings, facilities

and infrastructure.....\$ 3,000,000.00

Planning, repair, renovations,

and improvements to the

Natural Science Museum..\$ 1,750,000.00

TOTAL.....\$ 80,000,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the agency for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the agency. In addition, any amounts allocated to an agency for the projects at such agency that are described in paragraph (a) of this subsection shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 Regular Session specifically for such purposes.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a

certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Eighty Million Dollars (\$80,000,000.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 5. (1) (a) (i) A special fund, to be designated as the "2022 Department of Finance and Administration Statewide Repair and Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such

resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 6. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,675,000.00
	Phase I of repair and	
	renovation of and	
	upgrades and improvements	
	to campus dormitories.....	\$ 5,675,000.00

Delta State University ..... \$ 10,800,000.00

Renovation and expansion

of and upgrades,

improvements and additions

to the Robert E. Smith

School of Nursing

Building and related

facilities.....\$ 7,800,000.00

Repair, renovation

and upgrading of

campus buildings

and facilities.....\$ 3,000,000.00

Jackson State University ..... \$ 6,500,000.00

Phase III of repair,

renovation and

upgrading of campus

buildings, facilities,

and infrastructure.....\$ 6,000,000.00

Preplanning for

construction, furnishing

and equipping of a new

dining facility and

related facilities.....\$ 500,000.00

Mississippi State University ..... \$ 15,000,000.00

\* \* \* Repair, renovation,

construction, acquisition

of property, furnishing

and equipping of \* \* \*

related facilities to

house the College of

Architecture, Art  
and Design.....\$ 15,000,000.00

Mississippi State University/Division of  
Agriculture, Forestry and Veterinary Medicine ..... \$ 8,000,000.00

Repair and renovation of  
and upgrades and  
improvements to Dorman Hall  
and related facilities.....\$ 8,000,000.00

Mississippi University for Women ..... \$ 2,750,000.00

Repair, renovation,  
and upgrading of  
campus buildings  
and facilities.....\$ 2,750,000.00

Mississippi Valley State University..... \$ 500,000.00

Preplanning for repair,  
renovation, furnishing  
and equipping of the  
Charles Lackey  
Recreation Center.....\$ 500,000.00

University of Mississippi ..... \$ 12,000,000.00

Construction, furnishing  
and equipping of a new  
mechanical and power  
plant building and related  
facilities.....\$ 12,000,000.00

University of Mississippi Medical Center ..... \$ 8,000,000.00

Repair, renovation,  
and upgrading of  
campus buildings

and facilities.....\$ 8,000,000.00

University of Southern Mississippi ..... \$ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....\$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...\$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses ..... \$ 5,800,000.00

Construction, furnishing

and equipping of

Executive Education

and Conference Center

and related facilities

on the Gulf Park

Campus.....\$ 4,800,000.00

Repair, renovation

life safety, and

ADA code upgrades,

furnishing and equipping

of campus buildings

and facilities

at the Gulf Coast

Research Laboratory,

Halstead Campus.....\$ 1,000,000.00

IHL Education and Research Center ..... \$ 600,000.00

Planning, repair, renovation,

life safety and ADA code

upgrades of buildings,  
facilities and infrastructure,  
including the Paul B. Johnson  
Tower, Edsel E. Thrash  
Universities Center and  
the Mississippi Public

Broadcasting Building.....\$ 600,000.00

TOTAL ..... \$ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in

subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 7. Sections 6 through 20, Chapter 521, Laws of 1995, as amended by Section 17, Chapter 503, Laws of 2003, as amended by Section 2, Chapter 477, Laws of 2004, as amended by Section 2, Chapter 456, Laws of 2006, as amended by Section 3, Chapter 492, Laws of 2008, as amended by Section 47, Chapter 533, Laws of 2010, as amended by Section 13, Chapter 480, Laws of 2011, as amended by Section 35, Chapter 569, Laws of 2013, as amended by Section 8, Chapter 452, Laws of 2018, as amended by Section 12, Chapter 454, Laws of 2019, as amended by Section 25, Chapter 492, Laws of 2020, are amended as follows:

Section 6. The board created in Section 41-3-16, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred by the board in constructing new water systems or repairing existing water systems described in Section 41-3-16. Upon the adoption of a resolution by the board declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the board shall deliver a certified copy of its resolution or resolutions to the State Bond Commission. Upon receipt of such resolution, the State Bond Commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the tax exempt or taxable bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The amount of bonds issued under Sections 6 through 20 of this act shall not exceed \* \* \* Forty-one Million Two Hundred Ninety-three Thousand Dollars (\$41,293,000.00), the proceeds of which shall be deposited in the revolving fund and Five Million Dollars (\$5,000,000.00), the proceeds of which shall be deposited in the emergency fund.

Section 7. The principal of and interest on the bonds authorized under Section 6 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the State Bond Commission.

Section 8. The bonds authorized by Section 6 of this act shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be affixed thereto, attested by the Secretary of the State Bond Commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds

shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 9. All bonds and interest coupons issued under the provisions of Sections 6 through 20 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by Sections 6 through 20 of this act, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 10. The State Bond Commission shall act as the issuing agent for the bonds authorized under Sections 6 through 20 of this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 6 through 20 of this act from the proceeds derived from the sale of the bonds. The State Bond Commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of Sections 6 through 20 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 11. The bonds issued under the provisions of Sections 6 through 20 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 12. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 6 through 20 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest on the bonds, on their due dates.

Section 13. Upon the issuance and sale of bonds under the provisions of Sections 6 through 20 of this act, the State Bond Commission shall transfer the proceeds of any

sale or sales of bonds to the revolving fund and the emergency fund in the amounts specified in Section 6 of this act. After such transfer, all investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the revolving fund and the emergency fund, and shall be used only for the purposes established in Section 41-3-16. The proceeds of such bonds shall be disbursed solely upon the order of the board created in Section 1 of this act under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 14. The bonds authorized under Sections 6 through 20 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 6 through 20 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 6 through 20 of this act shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

Section 15. The bonds authorized under the authority of Sections 6 through 20 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 16. Any holder of bonds issued under the provisions of Sections 6 through 20 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights granted under Sections 6 through 20 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 6 through 20 of this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 17. All bonds issued under the provisions of Sections 6 through 20 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 18. Bonds issued under the provisions of Sections 6 through 20 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 19. The proceeds of the bonds issued under the provisions of Sections 6 through 20 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 20. Sections 6 through 20 of this act shall be deemed to be full and complete authority for the exercise of the powers granted, but Sections 6 through 20 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the

bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-5-145, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers

and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) \* \* \* Fifty-six Million Fifty Thousand Dollars (\$56,050,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the

United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and

organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This

subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 10. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the

form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00); however, not more than Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00) of such bonds may be issued to match the annual CWSRF appropriations and not more than One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of such bonds may be issued to match the supplemental IJA appropriations.

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the

date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants

program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, Section 16 of Chapter 492, Laws of 2020, \* \* \* Section 137 of Chapter 480, Laws of 2021, and Section

10 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

SECTION 12. Section 18, Chapter 492, Laws of 2020, is amended as follows:

Section 18. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the grant program authorized in Section 19 of this act. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Three Million Dollars (\$3,000,000.00). No bonds authorized under this section shall be issued after July 1, 2024.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Dam Safety Fund created pursuant to \* \* \* Section 19, Chapter 492, Laws of 2020. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell

such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Dam Safety Fund created in \* \* \* Section 19, Chapter 492, Laws of 2020. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 13. (1) (a) (i) A special fund, to be designated as the "2022 Tate County - Erosion Control and Repair Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Environmental Quality, to assist Tate County, Mississippi, in paying costs associated with ditch erosion control, repair and rehabilitation along and near the project described in Section 27-104-301(2)(mm), Mississippi Code of 1972, and on property located along and near such project, including, but not limited to, creation of detention areas along ditches, replacement of drainage structures along ditches, rock stabilization at downstream ends of ditches and reestablishing vegetative cover on all disturbed areas.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2026.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued

under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 14. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Building Fund for the Arts created pursuant to Section 39-11-13, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Building Fund for the Arts created pursuant to Section 39-11-13, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same

effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Building Fund for the Arts created in Section 39-11-13, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-11-13, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to

taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 15. Section 39-11-13, Mississippi Code of 1972, is amended as follows:

39-11-13. (1) (a) A special fund, to be designated as the "Building Fund for the Arts," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any money designated for deposit therein from any source, including, but not limited to, any state general obligation bonds issued for the purposes described in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Money deposited into the fund shall be disbursed, in the discretion of the Mississippi Arts Commission, to provide grants to nonprofit organizations that are qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code and units of local government to pay the costs of:

(i) Repair, upgrading, expansion, renovation or enhancement of existing buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities;

(ii) Construction of new buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture equipment and/or technology for such buildings or facilities; or

(iii) The development, construction, equipping and furnishing of an entertainment and film center and museum and completion of a sound stage project.

Two Hundred Thousand Dollars (\$200,000.00) of the monies in the fund shall be used to provide grant funds for the establishment of a band and music program for a nonprofit organization in this state that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(c) The entity to which such grants are made shall provide matching funds from local, federal or private sources equal to forty percent (40%) of the proposed project cost in order to be eligible for a grant under this section.

(d) The maximum aggregate amount of monies in the special fund that may be used to provide grant funds to an entity or combination of entities under paragraph (b)(iii) of this subsection shall not exceed One Million Dollars (\$1,000,000.00), and no monies in the special fund may be used to provide grant funds under paragraph (b)(iii) of this subsection after July 1, 2003. The maximum aggregate amount of grant funds that may be provided to an entity or combination of entities under paragraph (b)(iii) of this subsection during a fiscal year shall not exceed Five Hundred Thousand Dollars (\$500,000.00).

(2) (a) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in the special fund are derived from proceeds of bonds issued under Sections 3 through 18 of Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of 2002, as amended by Chapter 519, Laws of 2003, as amended by Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by Chapter 538, Laws of 2006, as amended by Section 1 of Chapter 607, Laws of 2007, and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Mississippi Arts Commission shall provide an accounting of such unused monies to the State Bond Commission.

(b) [Repealed]

(3) The Mississippi Arts Commission is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of money deposited into the special fund shall be under the direction of the Mississippi Arts Commission, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration upon request of the Mississippi Arts Commission, which warrants shall be issued upon requisitions signed by the Executive Director of the Mississippi Arts Commission, or his or her designee.

(4) The Mississippi Arts Commission shall adopt necessary rules and regulations to govern the administration of the program described in subsection (1) of this section, including, but not limited to, rules and regulations governing applications for grants and rules and regulations providing for the distribution of grant funds. The Mississippi Arts Commission shall comply with the provisions of the Mississippi Administrative Procedures Law.

SECTION 16. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded

semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-701. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds authorized under this section shall be issued after July 1, 2026.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Site Development Grant Fund created pursuant to Section 57-1-701. Any investment earnings on bonds issued pursuant to this section shall be used to pay

debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due,

then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Site Development Grant Fund created in Section 57-1-701. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 18. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

( \*\* \*c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property; \* \* \*

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned \* \* \*;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

( \*\* \*d) "MDA" means the Mississippi Development Authority.

( \*\* \*e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, \* \* \* Section 8 of Chapter 480, Laws of 2021, or Section 17 of this act may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An

accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 19. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of \* \* \* Four Hundred Seven Million Five Hundred Thousand Dollars (\$407,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 20. Section 57-61-36, Mississippi Code of 1972, is amended as follows:

57-61-36. (1) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Fourteen Million Five Hundred Thousand Dollars (\$14,500,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants to municipalities through a Development Infrastructure Grant Fund to complete infrastructure related to new or expanded industry.

(2) [Repealed]

(3) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize the monies transferred from the Housing Development Revolving Loan Fund and not more than \* \* \* One Hundred Fourteen Million One Hundred Thousand Dollars (\$114,100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants or loans to municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements as determined by the Mississippi Development Authority, the purchase of equipment and in the purchase, construction or repair and renovation of public facilities.

Any bonds previously issued for the Development Infrastructure Revolving Loan Program which have not been loaned or applied for are eligible to be administered as grants or loans. In making grants and loans under this section, the Mississippi Development Authority shall attempt to provide for an equitable distribution of such grants and loans among each of the congressional districts of this state in order to promote economic development across the entire state.

The requirements of Section 57-61-9 shall not apply to any grant made under this subsection. The Mississippi Development Authority may establish criteria and guidelines to govern grants made pursuant to this subsection.

(4) [Repealed]

(5) (a) The Mississippi Development Authority may establish a Capital Access Program and may contract with any financial institution to participate in the program upon such terms and conditions as the authority shall consider necessary and proper. The Mississippi Development Authority may establish loss reserve accounts at financial institutions that participate in the program and require payments by the financial institution and the borrower to such loss reserve accounts. All monies in such loss reserve accounts is the property of the Mississippi Development Authority.

(b) Under the Capital Access Program a participating financial institution may make a loan to any borrower the Mississippi Development Authority determines to be qualified under rules and regulations adopted by the authority and be protected against losses from such loans as provided in the program. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit claims for the reimbursement for losses incurred as a result of default on loans by qualified borrowers.

(c) Under the Capital Access Program a participating financial institution may make a loan that is secured by the assignment of the proceeds of a contract between the borrower and a public entity if the Mississippi Development Authority determines the loan to be qualified under the rules and regulations adopted by the authority. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit an application to the authority requesting that a loan secured pursuant to this paragraph be funded under the Capital Access Program.

(d) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority may utilize not more than One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making payments to loan loss reserve accounts established at financial institutions that participate in the Capital Access Program established by the Mississippi Development Authority; however, any portion of the bond proceeds authorized to be utilized by this paragraph that are not utilized for making payments to loss reserve accounts may be utilized by the Mississippi Development Authority to advance funds to financial institutions that participate in the Capital Access Program pursuant to paragraph (c) of this subsection.

(6) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Hundred Thousand Dollars (\$200,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting Warren County, Mississippi, in the continuation and completion of the study for the proposed Kings Point Levee.

(7) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of developing a long-range plan for coordinating the resources of the state institutions of higher learning, the community and junior colleges, the Mississippi

Development Authority and other state agencies in order to promote economic development in the state.

(8) Notwithstanding any other provision of this chapter to the contrary, the Mississippi Development Authority shall use not more than One Hundred Fifty Thousand Dollars (\$150,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of providing assistance to municipalities that have received Community Development Block Grant funds for repair, renovation and other improvements to buildings for use as community centers. Assistance provided to a municipality under this subsection shall be used by the municipality to match such Community Development Block Grant funds. The maximum amount of assistance that may be provided to a municipality under this subsection shall not exceed Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(9) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Million Dollars (\$2,000,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting in paying the costs of constructing a new spillway and related bridge and dam structures at Lake Mary in Wilkinson County, Mississippi, including construction of a temporary dam and diversion canal, removing existing structures, removing and stockpiling riprap, spillway construction, dam embankment construction, road access, constructing bridges and related structures, design and construction engineering and field testing.

(10) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting the City of Holly Springs, Mississippi, in providing water and sewer and other infrastructure services in the Marshall, Benton and Tippah Counties area.

SECTION 21. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed \* \* \* Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to

expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of

the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials

herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing

bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed \* \* \* Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project

area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e) and (f) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority

shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so

published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer

and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund

at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 22. Section 65-4-25, Mississippi Code of 1972, is amended as follows:

65-4-25. The Mississippi Development Authority, acting through its executive director, is authorized, at one time or from time to time, to declare by resolution the necessity for issuance of negotiable general obligation bonds of the State of Mississippi to provide funds for the Economic Development Highway Fund established in Section 65-4-15, Mississippi Code of 1972. Upon the adoption of a resolution by the Executive Director of the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, the executive director shall deliver a certified copy of his resolution or resolutions to the State Bond Commission. Upon receipt of the resolution, the State Bond Commission, in its discretion, shall act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The principal amount of bonds issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not exceed \* \* \* Three Hundred Ninety-eight Million Five Hundred Thousand Dollars (\$398,500,000.00) in the aggregate. However, an additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, in an amount not to exceed Seven Million Dollars (\$7,000,000.00), and the proceeds of any such additional bonds issued shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972. An additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, in an amount not to exceed One Million Dollars (\$1,000,000.00), the proceeds of which shall be used

to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(v).

SECTION 23. Section 25, Chapter 533, Laws of 2010, as amended by Section 4, Chapter 30, Laws of 2010 Second Extraordinary Session, as amended by Section 1, Chapter 301, Laws of 2011, as amended by Section 6, Chapter 480, Laws of 2011, as amended by Section 1, Chapter 1, Laws of 2011 First Extraordinary Session, as amended by Section 8, Chapter 421, Laws of 2019, as amended by Section 14, Chapter 480, Laws of 2021, is amended as follows:

Section 25. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-221. Upon the adoption of a resolution by the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Five Hundred Fourteen Million Dollars (\$514,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Industry Incentive Financing Revolving Fund created pursuant to Section 57-1-221. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the

bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 24. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES AND STATE AGENCIES; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR MISSISSIPPI STATE UNIVERSITY MAY BE USED; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2019, TO INCREASE FROM \$36,843,000 TO \$41,293,000 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS

IMPROVEMENTS REVOLVING LOAN FUND; AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,490,000 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO PROVIDE THAT NOT MORE THAN \$2,870,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE ANNUAL CLEAN WATER STATE REVOLVING FUND APPROPRIATIONS AND THAT NOT MORE THAN \$1,620,000 OF SUCH BONDS MAY BE ISSUED TO MATCH THE SUPPLEMENTAL INFRASTRUCTURE AND INVESTMENT JOBS ACT APPROPRIATIONS; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND"; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH DITCH EROSION CONTROL, REPAIR AND REHABILITATION IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE BUILDING FUND FOR THE ARTS; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$50,000,000 FOR THE ACE FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO, AND TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$80,000,000 TO \$83,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO EXTEND THE REPEALER ON THE PROVISIONS THAT AUTHORIZE THE STATE BOND COMMISSION TO NEGOTIATE THE SALE OF BONDS ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2159** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Short title. Sections 1 through 10 of this act shall be known and may be cited as the "Mississippi Flexible Tax Incentive Act."

SECTION 2. Definitions. For purposes of Sections 1 through 10 of this act, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Affiliate" means, with respect to a specified entity, (i) another person or entity that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with the specified person or entity, where the term "control" means the ownership or possession, directly or indirectly, of the power to direct more than fifty percent (50%) of the voting equity securities or a similar ownership interest in the specified controlled entity, or (ii) any member of an affiliated group of corporations, of which the specified entity is also a member, which are each subject to income taxation in Mississippi and may elect to file a combined Mississippi income tax return in accordance with state law.

(b) "Authority" means the Mississippi Development Authority.

(c) "Annual report" means the report described in Section 7 of this act.

(d) "Applicable accounting rules" shall mean the accounting principles generally recognized as applicable to a qualified business or industry and pursuant to which such qualified business or industry regularly prepares and maintains its financial and accounting books and records, and which specifically incorporate Generally Accepted Accounting Principles or International Financial Reporting Standards, as appropriate.

(e) "Applicant" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof that applies to the authority, in the manner prescribed by Sections 1 through 10 of this act, seeking (i) certification by the authority that such applicant is a qualified business or industry and that its proposed new project or expansion of an existing business or industrial operation is a qualified economic development project, and (ii) an award in connection therewith of an mFlex tax incentive.

(f) "Average state or county wage" shall mean, as of the project certification date, the lesser of the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state or the county in which the qualified project is or will be located; provided that, if a qualified project is or will be located in two (2) or more counties, the average state or county wage, as used in Sections 1 through 10 of this act, shall mean, as of the project certification date, only the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state.

(g) "Average employer wage" means the qualified annual payroll for all new full-time jobs created in the State of Mississippi by a qualified business or industry divided

by the number of new full-time jobs thereof for which such qualified annual payroll was paid or is otherwise payable.

(h) "Base full-time job" means a job (i) for which an employee was already hired by the qualified business or industry before, and is employed as of, the project certification date; (ii) that offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee was hired before, and is employed as of, the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and (iii) the employee holding such job receives salary or wages subject to state income tax withholdings. The term "base full-time job" also means a base-leased employee. Part-time jobs may not be combined to add up to a base full-time job.

(i) "Base-leased employee" means a nontemporary employee:

(i) Who was leased by the qualified business or industry before the project certification date from another business or enterprise that is 1. in the business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is leased as of the project certification date;

(iii) Who is not otherwise an employee of such qualified business or industry;

(iv) Who, as of the project certification date, was already performing services for, and under the supervision of, the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(v) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased before the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(vi) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as base-leased employees.

(j) "Contractor tax" shall mean the tax levied by Section 27-65-21, except for the tax upon the sale of manufacturing or processing machinery for a manufacturer or custom processor.

(k) "Construction contract" shall mean any contract or portion of any contract for any one or more of the activities described in Section 27-65-21 for which the contractor tax applies and is payable by the contractor that is party thereto.

(l) "Manufacturing machinery," as used in Sections 1 through 10 of this act, shall have the same meaning ascribed to such term in Section 27-65-11, as interpreted

by any regulations promulgated by the Department of Revenue with respect to such section.

(m) "mFlex agreement" means the written agreement entered into between a qualified business or industry and the authority in accordance with Section 5(d)(iii) of this act.

(n) "mFlex tax incentive" means the tax incentive authorized by Sections 1 through 10 of this act to be calculated and awarded by the authority, and thereafter applied as a credit to offset state taxes, in accordance with, and subject to, Sections 1 through 10 of this act.

(o) "Minimum job creation requirement" means the creation by the qualified business or industry, following the project certification date, of at least ten (10) new full-time jobs in the state.

(p) "Minimum qualified investment" means a qualified investment of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(q) "New full-time job" means a job:

(i) For which an employee is hired by the qualified business or industry after the project certification date;

(ii) That offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee is hired after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and

(iii) The employee holding such job receives salary or wages subject to state income tax withholdings. The term "new full-time job" also means new-leased employee. Part-time jobs may not be combined to add up to a new full-time job.

(r) "New-leased employee" means a nontemporary employee:

(i) Who is leased by the qualified business or industry after the project certification date from another business or enterprise that is 1. in business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is not otherwise an employee of such qualified business or industry;

(iii) Who performs services for the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(iv) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(v) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as a new-leased employees.

(s) "Nonmanufacturing equipment" means all tangible personal property that is not manufacturing machinery, including, but not limited to, office furniture, fixtures, office computers and communications equipment, and warehouse equipment such as racking and shelving.

(t) "Part-time job" means a job (i) for which an employee is hired by the qualified business or industry that requires fewer than one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., requires fewer than thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is hired and is compensated based on fewer than one thousand eight hundred twenty (1,820) hours for such annual period; and (iii) for which the employee holding such job receives salary or wages subject to state income tax withholdings.

(u) "Project certification date" means the actual date of the authority's certification, or the effective date of certification determined and prescribed by the authority, of the qualified business or industry and its qualified economic development project as eligible for the state tax credits determined and awarded by the authority, as authorized by, and in accordance with, Sections 1 through 10 of this act.

(v) "Qualified annual payroll" means the sum of the annual salary and wages for new full-time jobs of the qualified business or industry, excluding the amount or value of any benefits that are not subject to state income taxes.

(w) "Qualified business or industry" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof, which makes a qualified minimum investment in a qualified economic development project.

(x) "Qualified economic development project" or "qualified project" means the location in the state of one or more of the following enumerated enterprises for which a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity, or subunit or affiliate thereof, makes or causes to be made from the minimum qualified investment and/or satisfies or causes to be satisfied the minimum job creation requirement:

(i) A new warehouse and/or distribution enterprise or an expansion of an existing warehouse and/or distribution enterprise; provided that, in any such instance, such warehouse and/or distribution enterprise or expansion thereof is certified by the authority to qualify as such;

(ii) A new manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or an expansion of an existing manufacturing, remanufacturing, assembly, processing and/or refinery enterprise; provided that, in any such instance, such manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or expansion thereof is certified by the authority to qualify as such;

(iii) A new research or research and development enterprise or an expansion of an existing research or research and development enterprise; provided that, in any such instance, such research and development enterprise or an expansion thereof is certified by the authority to qualify as such;

(iv) A new regional or national headquarters of the qualified business or industry or an expansion of an existing regional or national headquarters of the qualified business or industry; provided that, in any such instance, such regional or national headquarters or expansion thereof is certified by the authority to qualify as such;

(v) An air transportation, repair and/or maintenance enterprise or an expansion of an existing air transportation, repair and/or maintenance enterprise; provided that, in either instance, such air transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vi) A ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or an expansion of an existing ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise; provided that, in either instance, the ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vii) A new data/information processing enterprise or an expansion of an existing new data/information processing enterprise; provided that, in any such instance such data/information processing enterprise or expansion thereof is certified by the authority to qualify as such;

(viii) A new technology intensive enterprise or an expansion of an existing technology intensive enterprise; provided that, in either instance, the technology intensive enterprise or expansion thereof is certified by the authority to qualify as such; provided further, that a business or enterprise primarily engaged in creating computer programming codes to develop applications, websites and/or software shall qualify as a technology intensive enterprise;

(ix) A new telecommunications enterprise principally engaged in the creation, display, management, storage, processing, transmission and/or distribution, for compensation, of images, text, voice, video or data by wire or by wireless means, or engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities, or an expansion of an existing telecommunications enterprise as herein described; provided that, in any such instance, any such telecommunications enterprise or expansion thereof is certified by the authority to qualify as such; provided further, that commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprise";

(x) A new data center enterprise principally engaged in the utilization of hardware, software, technology, infrastructure and/or workforce, to store, manage or manipulate digital data, or an expansion of an existing data center enterprise as herein described; provided that, in such instance, any such data center enterprise or expansion thereof is certified by the authority to qualify as such.

(y) "Qualified investment" means any expenditures made or caused to be made by the qualified business or industry following the project certification date for construction, installation, equipping and operation of a qualified economic development project from any source or combination of sources, excluding any funds contributed by the state or any agency or other political subdivision thereof, or by any local government or any agency or other political subdivision thereof, to the extent such expenditures can be capitalized under applicable accounting rules or otherwise by the Internal Revenue Code, whether or not the qualified business or industry elects to capitalize the same, as reflected in its financial statements, including, but not limited to, all costs associated with the acquisition, installation and/or construction of, or capital leasehold interest in, any buildings and other real property improvements, fixtures, equipment, machinery, landscaping, fire protection, depreciable fixed assets, engineering and design costs.

(z) "Reporting year" means the twelve-month period ending on the last day of the month during which the annual anniversary of a project certification date occurs, and for which an annual report must be filed with the authority by a qualified business or industry in accordance with Section 7 of this act.

(aa) "State" means the State of Mississippi.

(bb) "State tax" means:

(i) Any sales and use tax imposed on, and payable directly to the Department of Revenue by, the qualified business or industry in accordance with state law, except for contractor's tax and the taxes levied by Section 27-65-24(1)(b);

(ii) All income tax imposed pursuant to law on income earned by the qualified business or industry pursuant to state law;

(iii) Franchise tax imposed pursuant to state law on the value of capital used, invested or employed by the business enterprise certified by the Mississippi Development Authority; and

(iv) Withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.

SECTION 3. Application for the mFlex tax incentive. Business or industrial enterprises wishing to apply for the mFlex tax incentive authorized by Sections 1 through 10 of this act shall make application to the authority, on a form prescribed thereby; provided that the application shall, at a minimum, contain:

(a) A brief overview of the applicant's business or industry, including its formation type (e.g., corporation, limited liability company, limited partnership, etc.), its date of incorporation or formation thereof, and the location of its principal headquarters, together with its principal place of business in the state, if the applicant already has one or more facilities located in the state;

(b) The location of the selected project site or locations of selected project sites, if multiple locations will be involved;

(c) A description of the proposed project;

(d) The amount of the qualified investment proposed to be made as a result of the proposed project, including a breakout of projected expenditures for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the proposed project;

(e) If the proposed project will be an expansion of an existing business or industrial operation, the current number of base full-time jobs;

(f) The number of new full-time jobs proposed to be created as a result of the proposed project;

(g) The average employer wage proposed to be paid by the applicant for new full-time jobs disclosed in the application;

(h) A description of benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom such benefits are not made available (e.g., part-time employees);

(i) The length of time necessary for the applicant to meet its qualified investment and new full-time job creation projections;

(j) A list of all affiliates of the qualified business or industry known at the time of the application, including the Federal Employer Identification Number for each such affiliate, which have or are expected to have any state tax liability that may be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry;

(k) An acknowledgment that the applicant, if awarded an mFlex tax incentives pursuant to Sections 1 through 10 of this act, will be required to provide the annual report prescribed by Section 7 of this act to demonstrate the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, and the number of new full-time jobs created and maintained as a result of the project; and

(l) Any other information as may be requested by the authority.

SECTION 4. Certification and award of mFlex tax incentive, terms of such incentive, nontransferability of such certification and incentive; mandatory and permissive conditions to certifications and incentive awards. (1) The authority shall evaluate an application to determine whether the applicant's proposed project is a qualified economic development project and whether it is therefore eligible for an award by the authority of an mFlex tax incentive, as calculated in accordance with Section 5 of this act.

(2) Upon approval of an applicant's application, the authority shall issue a certification (a) designating the applicant's project as a "qualified economic development project" and eligible for the mFlex tax incentive authorized by Sections 1 through 10 of this act; (b) awarding the initial mFlex tax incentive calculated pursuant to Section 5 of this act; and (c) imposing those mandatory conditions pursuant to subsection (4) of this section and any discretionary conditions otherwise imposed by the authority.

(3) Upon the issuance of the certification and execution of the mFlex agreement by a qualified business or industry and the authority, the qualified business or industry may apply the amount of its mFlex tax incentive as a credit to offset (a) any state taxes (except for withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.), as incurred thereby, up to the full amount of the mFlex tax incentive awarded by the authority for the associated qualified economic development project, and (b) only up to twenty percent (20%) of the mFlex tax incentive amount may be applied as a credit during the course of any reporting year to offset withholding tax deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.; provided that the amount of the mFlex tax incentive available to be applied as a credit to offset such state taxes shall be subject to (a) any subsequent adjustments made by the authority to such award pursuant to Section 7 of this act, and (b) any performance requirements set out in the mFlex agreement. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes described in Section 2(aa)(i) of this act shall be limited to those such taxes payable directly by the qualified business or industry to the Department of Revenue pursuant to a direct pay permit issued by the Department of Revenue under Section 27-65-93. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes may not be applied as a credit to offset any state taxes incurred prior to the issuance of the certification by the authority and execution of the mFlex agreement by the qualified business or industry and the authority.

(4) The following conditions shall apply to each such certification made, and each mFlex tax incentive awarded, by the authority in accordance with Sections 1 through 10 of this act:

(a) Any certification and mFlex tax incentive award issued by the authority under Sections 1 through 10 of this act is nontransferable and cannot be applied, used or assigned to any other person or business or tax account without prior approval by the authority, except for one or more affiliates of the qualified business or industry disclosed thereby on its application or in a subsequent annual report submitted to the authority in accordance with Sections 1 through 10 of this act;

(b) No qualified business or industry may claim or use the mFlex tax incentive awarded thereto under Sections 1 through 10 of this act unless the qualified business or industry is in full compliance with all state and local tax laws, and related ordinances, permits and other applicable governmental approvals; and

(c) Each qualified business or industry must enter into an agreement with the authority which sets out, at a minimum, (i) the obligation of the business or industry to provide an annual report to the authority pursuant to Section 7 of this act that demonstrates the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, the number of new full-time jobs created and maintained as a result of the project, and any other relevant information as may be required by the authority; and (ii) terms for readjustment or recapture of all or a portion of the mFlex tax incentive awarded thereto pursuant to Section 7 of this act if the applicant 1. fails to satisfy the minimum job creation requirement if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, or 2. fails to satisfy the minimum qualified investment if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, and/or 3. fails to otherwise satisfy any other additional performance requirements of the qualified business or industry or its qualified economic development project that are imposed by the authority.

(5) In addition to those mandatory conditions prescribed by Sections 1 through 10 of this act that apply to each certification and award of an mFlex tax incentive made by the authority in accordance herewith, the authority is authorized to impose any other conditions upon any certification and award of an mFlex tax incentive made by the authority as it shall find best promotes economic development in the state.

(6) Upon certifying a qualified business or industry as eligible for, and awarding, an mFlex tax incentive under Sections 1 through 10 of this act, the authority shall forward the certification along with any other necessary information to the Department of Revenue so that the mFlex tax incentive awarded to the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(7) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each certification made, together with a copy of each mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 5. Calculation and application of an mFlex tax incentive award. The total amount of the initial mFlex tax incentive determined and awarded by the authority to the certified applicant shall be calculated by the authority as follows:

(a) One and one-half percent (1.5%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all manufacturing or processing machinery acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(b) Seven percent (7%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all nonmanufacturing equipment,

other than tagged over-the-road vehicles, acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(c) Two percent (2%) of the total contract price or compensation paid to any contractor pursuant to any construction contract entered into following the project certification date by the qualified business or industry or any affiliate thereof, to construct, build, erect, repair or add to any building, facility, structure or other improvement to real property described in Section 27-65-21(1)(a)(i) to establish and construct the qualified economic development project; plus, if applicable,

(d) To the extent that the average employer wage is equal to or more than seventy-five percent (75%) of the average state or county wage, then an additional fifteen percent (15%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; plus, if applicable,

(e) (i) To the extent that 1. the qualified economic development project is an enterprise enumerated in Section 2(x)(i) or Section 2(x)(ii) of this act; 2. the number of new full-time jobs totals fifty (50) or more; 3. the qualified investment totals Ten Million Dollars (\$10,000,000) or more; 4. the average employer wage is equal to or more than one hundred ten percent (110%) of the average state or county wage; and 5. all full-time employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; or

(ii) To the extent that subparagraph (i) of this paragraph (e) does not apply, but 1. the number of new full-time jobs totals twenty-five (25) or more; 2. the average employer wage is equal to or more than one hundred twenty-five percent (125%) of the average state or county wage; and 3. all full-time employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; provided, however, that the initial mFlex tax incentive award amount determined by the authority and awarded on the project certification date shall be based upon estimates provided by the qualified business or industry to the authority with respect to paragraphs (a) through (d) of this section, which estimates shall be memorialized as project performance measures agreed to by the qualified business or industry in the mFlex agreement; provided, further, that such initial award amount shall be subject to any subsequent adjustments made by the authority pursuant to Section 7 of this act.

SECTION 6. Exclusive utilization of mFlex tax incentive. A qualified business or industry awarded any mFlex tax incentive by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act shall not be eligible for, nor shall it apply for or claim, any one or more of the following tax credits, exemptions or incentives for such qualified project:

(a) For any new full-time job, any state income tax credit authorized by Sections 27-7-22.17, 22-7-22.18, 22-7-22.19, 27-7-22.27, 27-7-22.29, 27-7-22.34, 27-7-22.36 and 57-73-21(2) through (5);

(b) For any new full-time job, any withholding tax rebate authorized by Sections 57-62-1 through 57-62-7 or Sections 57-100-1 through 57-100-9;

(c) Any exemption from state income tax authorized by Section 27-7-30, Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27;

(d) Any state income tax credit authorized by Section 27-7-22.20 or Section 22-7-22.35;

(e) Any exemption from state sales or use tax authorized by Section 27-65-101(1)(q), (r), (v), (w), (x), (y), (cc), (dd), (ff), (gg), (hh), (kk), (ll), (mm), (nn), (qq), (uu), (vv), (2) or (3); Sections 57-10-255(2) and 57-10-439(2); Sections 57-80-1 through 57-80-11; Sections 57-113-1 through 57-113-7; and Sections 57-113-21 through 57-113-27;

(f) Any exemption from state franchise tax authorized by Section 27-13-5(4), Section 27-13-7(4), Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27.

SECTION 7. Taxpayer annual performance reporting to, and reviews by, the Mississippi Development Authority; subsequent adjustments by the Mississippi Development Authority to mFlex tax incentive award; deadline for mFlex tax incentive utilization. (1) Unless its mFlex agreement prescribes a longer reporting period or additional reporting requirements, each qualified business or industry shall file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, by the authority in accordance with Sections 1 through 10 of this act, for the longer of the following periods: (a) until the reporting year during which all or any remaining portion of the mFlex tax incentive amount awarded to such qualified business or industry has been applied to offset state taxes, or (b) until the seventh reporting year, provided that an annual report shall in either instance be due in the final reporting year prescribed hereby or by the mFlex agreement. Each annual report shall be due to the authority no later than the last business day of the month following the month during which the annual anniversary of its project certification date occurred. Each annual report shall include the information set forth in this section, together with any other information required to be provided by the qualified business or industry pursuant to its mFlex agreement, for the immediately preceding twelve-month period ending on the last day of the month during which the annual anniversary of its project certification date occurred.

(2) Each annual report submitted to the authority by a qualified business or industry shall, at a minimum, contain the following information:

(a) The total qualified investment made between the project certification date through the end of the reporting year, including a breakout of actual expenditures made by the qualified business or industry for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(b) The incremental qualified investment made during the reporting year, including a breakout of actual expenditures made by the qualified business or industry for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(c) If applicable, the total number of base full-time jobs;

(d) The total number of people employed in new full-time jobs as of the last day the year preceding the reporting year;

(e) The total number of people employed in new full-time jobs as of the last day the year of the reporting year;

(f) The average employer wage for the reporting year;

(g) The percentage and number, as of the last day of the reporting year, of new full-time employees who are eligible for and offered a health insurance coverage

funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees);

(h) A description of employee benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom the benefits are not made available (e.g., part-time employees);

(i) The total amount of the mFlex tax incentive awarded thereto, which the qualified business or industry has already applied and taken as a credit to offset state taxes through the end of the reporting period;

(j) A list of all affiliates of the qualified business or industry, including the Federal Employer Identification Number for each affiliate, for which any state tax liability thereof has been or is expected to be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry, which list shall further identify (i) any affiliate of the qualified business or industry that was not disclosed as such on its application or annual report submitted for the prior reporting period, whichever was more recent, but which has either become an affiliate of the qualified business or industry as of the date the current annual report or which the qualified business or industry desires to utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report; (ii) any change in the name of any previously disclosed affiliate since the date the qualified business or industry filed its application or annual report for the prior reporting period, whichever was more recent; (iii) any prior affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which is no longer an affiliate of the qualified business or industry as of the date the current annual report; and (iv) any affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which the qualified business or industry no longer desires that the affiliate utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report.

(3) The authority shall prescribe a form or forms for the annual report.

(4) Notwithstanding the obligation of a qualified business or industry to file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, the authority is authorized to request from the qualified business or industry at any other time any of the information set forth herein that must be included in an annual report for purposes of determining whether a qualified business or industry has met any of the project performance measures set forth in its mFlex agreement on or before the respective deadlines imposed with respect thereto. Upon any such written request by the authority, the qualified business or industry shall, within thirty (30) days after receipt of the request, provide to the authority a certified copy of the information requested.

(5) If a qualified business or industry fails to either file an annual report with the authority on or before the deadline mandated by subsection (1) of this section, or provide any information requested by the authority pursuant to subsection (4) of this section within the time period mandated by such subsection, the authority shall provide written notice to the qualified business or industry of the failure to report, and the qualified business or industry shall have thirty (30) additional days to cure the reporting failure following its receipt of the notice. If the qualified business or industry thereafter fails to file its annual report with the authority, or provide such information requested by the authority within the thirty-day-cure period, the authority is authorized to suspend or revoke, at the discretion thereof, all or a portion of the amount of the mFlex tax incentive previously awarded to the qualified business or industry for its qualified economic development project.

(6) If a qualified business or industry either fails to achieve or exceeds any project performance measure set forth in its mFlex agreement within or for any time period required by such agreement, the authority shall, following its (a) review of any annual report filed by the qualified business or industry or of any certified information provided by the qualified business or industry pursuant to subsection (4) of this section, and (b) verification based upon such information that the qualified business or industry either failed to achieve or exceeded any of the project performance measures set forth in its mFlex agreement within or for any time period required by such agreement, adjust the mFlex tax incentive awarded thereto for its qualified economic development project such that the award is no longer based upon any one or more of the performance measures set forth in its mFlex agreement but is instead based upon one or more of the following, as applicable, as of the end of the most recent reporting year for which the annual report was filed: (a) the actual expenditures made by the qualified business or industry for purposes of the calculation prescribed by Section 5(a), (b) and (c) of this act; and (b)(i) the actual number of new full-time jobs created by the qualified business or industry, together with (ii) the actual average employer wage associated therewith, for purposes of the calculations prescribed by Section 5(d) and (e) of this act.

(7) A qualified business or industry and the authority may, at any time, amend or restate an mFlex agreement in order to modify the performance measures of the qualified business or industry with respect to its qualified economic development project, and in connection with such amendment or amendment and restatement, the authority shall modify the amount of the mFlex tax incentive awarded for the qualified economic development project to comport with the modified performance measures; provided that the modified award amount shall thereafter be subject to the adjustment requirements of subsection (6) of this section.

(8) If the authority adjusts any mFlex tax incentive award pursuant to subsection (6) or subsection (7) of this section, the authority shall issue an amended certification of the corresponding qualified economic development project, which shall specify the amount of mFlex tax incentive award adjustment. The authority shall forward the amended certification, along with any other necessary information, to the Department of Revenue so that the mFlex tax incentive award adjustment for the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(9) If at any time the authority reduces the mFlex tax incentive award granted for the qualified economic development project to an amount less than the total amount of credits already applied and taken by the qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes thereof, the Department of Revenue shall charge the qualified business or industry, or such affiliate or affiliates, with an assessment for the amount of state taxes for which no mFlex tax incentive is available, following such reduction by the authority, for application as a tax credit, beginning with those state taxes against which the qualified business or industry most recently applied the credit, and such state tax assessment shall be immediately due and payable.

(10) Any portion of an mFlex tax incentive awarded to the qualified business or industry by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act that has not been applied, on or before the tenth annual anniversary of the project certificate date, as a credit by such qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes otherwise payable, shall expire.

(11) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each amendment to any certification made, together with a copy of each amendment to any mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 8. Audits and interagency cooperation. (1) No provisions of Sections 1 through 10 of this act shall in any way limit or restrict the authority of the Department of Revenue to perform audits for all state tax liabilities for any qualified business or industry that is awarded any mFlex tax incentives by the authority.

(2) The Department of Revenue is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby as a result of the performance by Department of Revenue of any audit of state tax liabilities of any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, as amended.

(3) If any audit by the Department of Revenue results in a reclassification of component building materials, manufacturing equipment or nonmanufacturing equipment, as previously reported by a qualified business or industry, to a different property classification, or a change in the number of new full-time employees or average employer wage, as previously reported by a qualified business or industry, the authority is authorized to adjust the amount of the mFlex tax incentive awarded to the qualified business or industry for a qualified economic development project to comport with any property reclassification or change in the number of new full-time employees or average employer wage in the manner prescribed by Section 7 of this act.

(4) The Department of Employment Security is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby with respect to any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, Section 25-61-1 et seq.

(5) The State Auditor may conduct performance and compliance audits under Sections 1 through 10 of this act according to Section 7-72-11(o).

(6) Upon written request made by the Director of the University Research Center Division of the Mississippi Institutions of Higher Learning, the authority shall provide to the director a copy of any certification, together with any amendments thereto, made by the authority, and/or any mFlex agreement, together with any amendments thereto, approved and executed by the authority pursuant to Sections 1 through 10 of this act, described in such request for the purpose of the University Research Center conducting an economic impact analysis and other analyses performed by the University Research Center with respect thereto; provided that any such analyses conducted by the University Research Center with respect to one or more particular qualified economic development projects shall be communicated and provided only to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority.

SECTION 9. Implementation and exclusive jurisdiction. (1) The authority and the Department of Revenue shall implement the provisions of Sections 1 through 10 of this act and exercise all powers as authorized in Sections 1 through 10 of this act; however, the application of Sections 1 through 10 of this act and the offering and awarding of any mFlex tax incentive as to any particular qualified business or industry shall be carried out at the discretion of the authority subject to, and in compliance with, Sections 1 through 10 of this act. The exercise of powers conferred by Sections 1 through 10 of this act shall be deemed and held to be the performance of essential public purposes.

(2) The authority shall have sole and exclusive jurisdiction and authority to determine whether an applicant qualifies as a qualified business or industry, whether an applicant's project qualifies as a qualified economic development project, whether to certify an applicant and its project as a qualified business or industry undertaking a

qualified economic development project and the eligibility thereof for the mFlex tax incentive, the initial calculation of any mFlex tax incentive award, any terms or conditions or further requirements to be included in any mFlex agreement, and any subsequent adjustments any mFlex tax incentive award or any revocation thereof, in all instances in accordance with Sections 1 through 10 of this act.

(3) Nothing in Sections 1 through 10 of this act shall be construed to constitute a guarantee or assumption by the State of Mississippi of any debt of any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof nor to authorize the credit of the state to be given, pledged or loaned to any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof. Further, nothing in Sections 1 through 10 of this act gives any right to any qualified business or industry to the incentives authorized by Sections 1 through 10 of this act unless such incentive is awarded by Sections 1 through 10 of this act.

SECTION 10. Promulgation of rules and regulations. The authority and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, Section 25-43-1.101 et seq. and all application forms and other forms necessary to implement their respective duties and responsibilities under the provisions of Sections 1 through 10 of this act.

SECTION 11. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

(b) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

(8) Any employer who is required to deduct and withhold from wages for any monthly or quarterly period pursuant to this article, and who is also eligible to apply as a credit against any amount to be deducted and withheld for such period from wages by such employer under this article a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act, may apply the tax credit in the amount available for such purpose, or such lesser amount determined by such employer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for any monthly or quarterly reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 12. Section 27-7-311, Mississippi Code of 1972, is amended as follows:

27-7-311. Every employer shall file an annual statement of withholding for each employee. The annual statement shall be in the form prescribed by the commissioner and shall be filed with the commissioner and two (2) copies thereof furnished the employee on or before the thirty-first day of January following the close of the calendar year. Provided, if the employment of the employee is terminated during the calendar year, the employer shall furnish such statement to the employee at the time of the termination of employment. Such statement shall show:

( \*\*a) The name and withholding account number of the employer;

( \*\*b) The name of the employee and his social security account number;

( \*\*c) The total compensation paid to the employee; and

( \*\*d) The total amount withheld by the employer pursuant to this article for the year or part of a calendar year where the employee worked for less than a full calendar year, and such other information as the commissioner shall require by rule or regulation. The total amount withheld by the employer shall reflect the gross amount withheld by the employer pursuant to this article for such year or part of such calendar year prior to, and expressly excluding, the application of any credit applied and taken by the employer of any tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act.

SECTION 13. Section 27-13-5, Mississippi Code of 1972, is amended as follows:

27-13-5. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, to be paid and collected as hereinafter provided, a franchise or excise tax upon every corporation, association or joint-stock company or partnership treated as a corporation under the income tax laws or regulations, organized or created for pecuniary gain, having privileges not possessed by individuals, and having authorized capital stock now existing in this state, or hereafter organized, created or established, under and by virtue of the laws of the State of Mississippi, equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value

of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment to the State of Mississippi of this tax for the right granted by the laws of this state to exist as such organization, and to enjoy, under the protection of the laws of this state, the powers, rights, privileges and immunities derived from the state by the form of such existence.

(2) Annual report of domestic corporations. Each domestic corporation shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);

2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and

3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until

the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 14. Section 27-13-7, Mississippi Code of 1972, is amended as follows:

27-13-7. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, levied and assessed upon every corporation, association or joint-stock company, or partnership treated as a corporation under the income tax laws or regulations as hereinbefore defined, organized and existing under and by virtue of the laws of some other state, territory or country, or organized and existing without any specific statutory authority, now or hereafter doing business or exercising any power, privilege or right within this state, as hereinbefore defined, a franchise or excise tax equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) of each One Thousand Dollars (\$1,000.00), or fraction thereof, of the value of capital used, invested or employed within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of

any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value

of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment of a tax by all organizations not organized under the laws of this state, measured by the amount of capital or its equivalent, for which such organization receives the benefit and protection of the government and laws of the state.

(2) Annual report of foreign corporations. Each foreign corporation authorized to transact business in this state shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);

2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and

3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 15. Section 27-65-93, Mississippi Code of 1972, is amended as follows:

27-65-93. (1) The commissioner shall, from time to time, promulgate rules and regulations, not inconsistent with the provisions of the sales tax law, for making returns and for the ascertainment, assessment and collection of the tax imposed by the sales tax law as he may deem necessary to enforce its provisions; and, upon request, he shall furnish any taxpayer with a copy of the rules and regulations.

(2) All forms, necessary for the enforcement of the sales tax law, shall be prescribed, printed and furnished by the commissioner.

(3) The commissioner may adopt rules and regulations providing for the issuance of permits to manufacturers, utilities, construction contractors, companies receiving bond financing through the Mississippi Business Finance Corporation or the Mississippi Development Authority, and other taxpayers as determined by the commissioner, and the commissioner shall adopt rules and regulations providing for the issuance of a permit to any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, to purchase tangible personal property taxed under Section 27-65-17, items taxed under Section 27-65-18, items taxed under Section 27-65-19, services taxed under Section 27-65-23, items taxed under Section 27-65-24, and items taxed under Section 27-65-26 without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to report and pay the tax directly to the commissioner in instances where the commissioner determines that these provisions will facilitate and expedite the collection of the tax at the proper rates which may be due on purchases by the permittee. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

SECTION 16. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit

to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

(4) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

(5) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 17. Section 57-1-14, Mississippi Code of 1972, is amended as follows:

57-1-14. (1) Except as otherwise provided in subsection (3) of this section, any records of the Mississippi Development Authority which contain client information concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the department. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(2) Except as otherwise provided in subsection (3) of this section, confidential client information in public records held by the department shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during the period of review and negotiation on a project proposal and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year by the department in writing.

(3) Any breakouts or subcategories of the total qualified investment amounts reported pursuant to Sections 3(d), 7(2)(a) and 7(2)(b) of this act, and information reported pursuant to Sections 3(g), 3(h), 3(j), 7(2)(f), 7(2)(g), 7(2)(h) and 7(2)(i) of this act shall not be subject to any disclosure under the Mississippi Public Records Act of 1983. In addition, any information and documentation, including without limitation, copies of any certifications, together with any amendments thereto, made by the Mississippi Development Authority, and copies of any mFlex agreements, together with any amendments thereto, approved and executed by the Mississippi Development Authority, pursuant to the Mississippi Flexible Tax Incentive Act, which are (a) provided by the

authority to the Governor, Lieutenant Governor and/or Speaker of the House of Representatives pursuant to Section 4(7) or Section 7(11) of this act; (b) provided by the authority to the University Research Center division of the Mississippi Institutions of Higher Learning pursuant to Section 8(5) of this act; and (c) provided by the University Research Center division of the Mississippi Institutions of Higher Learning to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority, shall not be subject to any disclosure under the Mississippi Public Records Act of 1983.

SECTION 18. Section 27-7-22, Mississippi Code of 1972, which provides income tax credits for qualified businesses and qualified companies as defined in certain repealed code sections, is repealed.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 29, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE

APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO REPEAL SECTION 27-7-22, MISSISSIPPI CODE OF 1972, WHICH PROVIDES INCOME TAX CREDITS FOR QUALIFIED BUSINESSES AND QUALIFIED COMPANIES AS DEFINED IN CERTAIN REPEALED CODE SECTIONS; AND FOR RELATED PURPOSES.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of calendar items 100-109, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2862** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 6 in its entirety and inserting the following:

"SECTION 6. This act shall take effect from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 2863** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 6 in its entirety and inserting the following:

"SECTION 6. This act shall take effect from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 2864** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 7 in its entirety and inserting the following:

"SECTION 7. This act shall take effect from and after July 1, 2022, and shall stand repealed on June 30, 2022."

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Senator Hopson called up the following House Amendment to **S. B. No. 2865** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by deleting Section 8 in its entirety and inserting the following:

"SECTION 8. This act shall take effect from and after July 1, 2022, and shall stand repealed on June 30, 2022."

Senator Hopson called up the following House Amendment to **S. B. No. 3004** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,308,585.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 69,322.00.

SECTION 3. Of the funds appropriated in Section 2, Sixty-nine Thousand Three Hundred Twenty-two Dollars (\$69,322.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds appropriated in Section 1, One Hundred Eighty-five Thousand Dollars (\$185,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3019** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,760,591.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 140,807,637.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	836
	Part Time .....	0
Time-Limited:	Full Time .....	23
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 6. Of the funds appropriated in Section 1, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 7. Of the funds provided under the provisions of this act, Six Hundred Twenty-six Thousand Five Hundred Five Dollars (\$626,505.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 8. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 9. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 10. Of the funds provided in Sections 1 and 2, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 11. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3020** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,253,409.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,172,448.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

Permanent:	Full Time .....	32
	Part Time .....	0
Time-Limited:	Full Time .....	29
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 46,243,661.00.

SECTION 5. Of the funds authorized for expenditure under the provision of Section 4 of this act, the following positions are authorized:

Permanent:	Full Time .....	53	
	Part Time .....	0	
Time Limited:	Full Time .....		511
	Part Time .....		76

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Executive Director of the State Veteran Affairs Board has the authority to transfer spending authority between and within budgets, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veteran Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 7. Of the funds appropriated under the provisions of Sections 1 and 2, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 8. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 9. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board is hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars (\$5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. The State Veterans Affairs Board shall have the authority to escalate and expend increased federal funds obtained by virtue of Public Law 109-461 (38 CFR Part 51).

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3023** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the

expenses incurred by said department for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 160,390,485.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	339
	Part Time .....	95
Time-Limited:	Full Time .....	50
	Part Time .....	130

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated under the provisions of Section 2, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, the Mississippi Department of Employment Security is authorized to expend up to Three Million Dollars (\$3,000,000.00) from the State Workforce Investment Funds for the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the State Workforce Investment Funds collected.

SECTION 8. Of the funds appropriated under the provisions of Section 2, the Mississippi Department of Employment Security is authorized to expend up to Fifteen Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated in Section 1, an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3026** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 5,411,751.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

SECTION 3. With the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	55
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The

Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that with the funds appropriated in Section 1, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Adjudication	
Number of Cases Resolved at the	
Administrative or Commission Level	
within 3 Months	900
Number of Cases Resolved at the	
Administrative or Commission Level	
within 6 Months	950
Number of Cases Resolved at the	

Administrative or Commission Level	
within 9 Months	900
Number of Cases Resolved at the	
Administrative or Commission Level	
within 1 Year	900
Self-insurance	
Percent of Individual Self-Insurers	
Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer	
Reviews Conducted in the Past Fiscal	
Year Showing That Reserves are	
Insufficient to Cover Claims	5.00
Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews	
Conducted Showing That Reserves are	
Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a %	
of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the Commission Chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 3029** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 152,785.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 231,461.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	2
	Part Time .....	1
Time-Limited:	Full Time .....	0
	Part Time .....	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3031** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,116,971.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 8  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current

employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3031** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following House Amendment to **S. B. No. 3033** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Massage Therapy Fund, for the purpose of defraying the expenses of the Mississippi State Board of Massage Therapy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 192,736.00.

SECTION 2. It is the intention of the Legislature that the Board of Massage Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3033** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

Senator Hopson called up the following House Amendment to **S. B. No. 3034** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 3,339,575.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	18
	Part Time .....	0
Time-Limited:	Full Time .....	0
	Part Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Licensure	
Percent of Licenses Issued within Ten Business Days	100.00
Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	45
Percent of Written Complaints Resolved within Six Months	100.00
Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	16
Number of Investigations Conducted Due to the Pharmacists & Pharmacy Technicians	28
Recidivism Rate for Those Receiving Disciplinary Actions (% Avg of Three Years)	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 29, 2022.

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Senator Hopson called up the following House Amendment to **S. B. No. 3035** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 273,109.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3035** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 3036** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Veterinary Examiners for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 192,617.00.

SECTION 2. Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Veterinary Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3036** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 3037** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 354,697.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the

Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3037** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 3039** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 137,883.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3039** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Hopson called up the following House Amendment to **S. B. No. 3040** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said commission, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ... \$ 363,839.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	3
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3040** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 583.

**S. C. R. No. 583:** Suspend rules for introduction; codify constitutional provisions of eminent domain.

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Senator DeBar offered the following report of the Conference Committee on **H. B. No. 530** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 530: The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each \* \* \* public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

\* \* \*

2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	45,500.00	44,000.00	43,000.00	41,500.00
1	46,100.00	44,550.00	43,525.00	41,900.00
2	46,700.00	45,100.00	44,050.00	42,300.00
3	47,300.00	45,650.00	44,575.00	42,700.00
4	47,900.00	46,200.00	45,100.00	43,100.00

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5	49,250.00	47,500.00	46,350.00	44,300.00
6	49,850.00	48,050.00	46,875.00	44,700.00
7	50,450.00	48,600.00	47,400.00	45,100.00
8	51,050.00	49,150.00	47,925.00	45,500.00
9	51,650.00	49,700.00	48,450.00	45,900.00
10	53,000.00	51,000.00	49,700.00	47,100.00
11	53,600.00	51,550.00	50,225.00	47,500.00
12	54,200.00	52,100.00	50,750.00	47,900.00
13	54,800.00	52,650.00	51,275.00	48,300.00
14	55,400.00	53,200.00	51,800.00	48,700.00
15	56,750.00	54,500.00	53,050.00	49,900.00
16	57,350.00	55,050.00	53,575.00	50,300.00
17	57,950.00	55,600.00	54,100.00	50,700.00
18	58,550.00	56,150.00	54,625.00	51,100.00
19	59,150.00	56,700.00	55,150.00	51,500.00
20	60,500.00	58,000.00	56,400.00	52,700.00
21	61,100.00	58,550.00	56,925.00	53,100.00

22	61,700.00	59,100.00	57,450.00	53,500.00
23	62,300.00	59,650.00	57,975.00	53,900.00
24	62,900.00	60,200.00	58,500.00	54,300.00
25	65,400.00	62,700.00	61,000.00	56,800.00
26	66,000.00	63,250.00	61,525.00	57,200.00
27	66,600.00	63,800.00	62,050.00	57,600.00
28	67,200.00	64,350.00	62,575.00	58,000.00
29	67,800.00	64,900.00	63,100.00	58,400.00
30	68,400.00	65,450.00	63,625.00	58,800.00
31	69,000.00	66,000.00	64,150.00	59,200.00
32	69,600.00	66,550.00	64,675.00	59,600.00
33	70,200.00	67,100.00	65,200.00	60,000.00
34	70,800.00	67,650.00	65,725.00	60,400.00
35				
& above	71,400.00	68,200.00	66,250.00	60,800.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. \* \* \* However, \* \* \* school districts are authorized, in their discretion, to negotiate the salary levels applicable to \* \* \* licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school

year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board \* \* \*. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. \* \* \*

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its \* \* \* adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying

certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding \* \* \* licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of

each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria. \* \* \*

(5) (a) \* \* \* If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 2. Section 37-21-7, Mississippi Code of 1972, is amended as follows:

37-21-7. (1) This section shall be referred to as the "Mississippi Elementary Schools Assistant Teacher Program," the purpose of which shall be to provide an early childhood education program that assists in the instruction of basic skills. The State Board of Education is authorized, empowered and directed to implement a statewide system of assistant teachers in kindergarten classes and in the first, second and third grades. The assistant teacher shall assist pupils in actual instruction under the strict supervision of a licensed teacher.

(2) (a) Except as otherwise authorized under subsection (7), each school district shall employ the total number of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction

of skills such as verbal and linguistic skills, logical and mathematical skills, and social skills.

(b) If a licensed teacher to whom an assistant teacher has been assigned is required to be absent from the classroom, the assistant teacher may assume responsibility for the classroom in lieu of a substitute teacher. However, no assistant teacher shall assume sole responsibility of the classroom for more than three (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant teacher has been assigned.

(3) Assistant teachers shall have, at a minimum, a high school diploma or a High School Equivalency Diploma equivalent, and shall show demonstrable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the state.

(4) (a) In order to receive funding, each school district shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; and

(ii) Develop a plan of educational accountability and assessment of performance, including pretests and posttests, for reading in Grades 1 through 6.

(b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the role of assistant teachers, with emphasis on program goals;

(ii) Hold periodic workshops for administrators and teachers on the effective use and supervision of assistant teachers;

(iii) Provide training annually on specific instructional skills for assistant teachers;

(iv) Annually evaluate their program in accordance with their educational accountability and assessment of performance plan; and

(v) Designate the necessary personnel to supervise and report on their program.

(5) The State Department of Education shall:

(a) Develop and assist in the implementation of a statewide uniform training module, subject to the availability of funds specifically appropriated therefor by the Legislature, which shall be used in all school districts for training administrators, teachers and assistant teachers. The module shall provide for the consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a team, and shall require further periodic training for administrators, teachers and assistant teachers regarding the role of assistant teachers;

(b) Annually evaluate the program on the district and state level. Subject to the availability of funds specifically appropriated therefor by the Legislature, the department shall develop: (i) uniform evaluation reports, to be performed by the principal or assistant principal, to collect data for the annual overall program evaluation conducted by the department; or (ii) a program evaluation model that, at a minimum, addresses process evaluation; and

(c) Promulgate rules, regulations and such other standards deemed necessary to effectuate the purposes of this section. Noncompliance with the provisions of this section and any rules, regulations or standards adopted by the department may result in a violation of compulsory accreditation standards as established by the State Board of Education and the Commission on School Accreditation.

(6) In addition to other funds allotted under the Minimum Education or Adequate Education Program, each school district shall be allotted sufficient funding for the purpose of employing assistant teachers. No assistant teacher shall be paid less than the amount he or she received in the prior school year. No school district shall receive any funds under this section for any school year during which the aggregate amount of the local contribution to the salaries of assistant teachers by the district shall have been reduced below such amount for the previous year.

For assistant teachers, the minimum annual salary shall be as follows:

\* \* \*

2022-2023 and Subsequent Years Minimum Salary..... \$17,000.00

In addition, for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds five percent (5%) in fiscal year 2006, as certified by the Legislative Budget Office to the State Board of Education and subject to the specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale in the appropriate year to provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). The assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

(7) (a) As an alternative to employing assistant teachers, any school district may use the allotment provided under subsection (6) of this section for the purpose of employing licensed teachers for kindergarten, first-, second- and third-grade classes; however, no school district shall be authorized to use the allotment for assistant teachers for the purpose of employing licensed teachers unless the district has established that the employment of licensed teachers using such funds will reduce the teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for assistant teachers shall be applied to reducing teacher:student ratio in Grades K-3.

It is the intent of the Legislature that no school district shall dismiss any assistant teacher for the purpose of using the assistant teacher allotment to employ licensed teachers. School districts may rely only upon normal attrition to reduce the number of assistant teachers employed in that district.

(b) Districts meeting the highest levels of accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (4) of this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and the amendments to subparagraphs (ii), (iv) and (v) of Section 37-19-7(2)(a) in this act shall be retroactive to July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF PROVIDING FOR AN INCREASE TO THE MINIMUM TEACHER SALARY SCALE; TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE TO THE MINIMUM BASE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Richard Bennett

Kent McCarty

Kevin Felsher

CONFEREES FOR THE SENATE

Dennis DeBar, Jr.

Hob Bryan

W. Briggs Hopson III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 530** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Carter. Total--1.

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Senator Polk moved that the Senate stand in recess until 11:40 AM.

The motion prevailed, and at 11:26 AM, the Senate stood in recess.

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The Senate resumed business at 11:40 AM, pursuant to recess, with President Hosemann presiding.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Julian Carroll of Avalon, MS/Greenwood, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of James Jeffrey Plummer, Jr. of Winona, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Jordan Jamaal Herrington of Natchez, MS.

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Senators Jackson (11th), Simmons S. (13th) and Jordan moved that when the Senate adjourns, it adjourn in memory of Shirley Ruth Housley of Sharkey Road, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Gayle Marie Thornton Wheeler of Texas.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Leslie Wayne Mills, Earnest Gayle Mize, Eugene Leslie "Gene" Malone, Dr. William Clair "Bill" Baker, Ralph Maury Dean and Dr. Jere Richmond Hoar of Oxford, MS.

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#### REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 88:** Ronald Len (Ron) Beckham, Oxford, Mississippi, Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 91:** Thomas Henry Watts, Natchez, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024. Do Advise and Consent.

SEYMOUR, Chairman

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**MESSAGE FROM THE HOUSE**

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 974:** Airport authorities; authorize to provide dependent health insurance coverage as employment benefit.

**H. B. No. 1187:** Mississippi Insurance E-Commerce Model Act; enact.

**H. B. No. 1222:** Line-Item Appropriation Transparency Act; make certain technical amendments to.

**H. B. No. 1378:** Memorial highways; designate in Prentiss County.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, March 18, 2022.

The motion prevailed, and at 11:49 AM, the Senate stood in recess.

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**MESSAGE FROM THE HOUSE**

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 545:** Recognize public service of longtime Hinds County Circuit Court Judge and former State Representative Tomie T. Green.

**S. C. R. No. 549:** Commemorate the 150th Anniversary of the founding of The Carthaginian Newspaper (1872-2022) and recognize its contributions.

**S. C. R. No. 552:** Recognize United States District Judge Debra Brown as Mississippi's first African American female Chief Federal Judge.

**S. C. R. No. 553:** Congratulate the "Pride of DeSoto Central High School Marching Band" for winning the 2021 Class 6A Marching Band Championship.

**S. C. R. No. 554:** Commend Millicent Gunter for receiving Mississippi's Presidential Award for Excellence in Math and Science.

**S. C. R. No. 555:** Commend Stone County High School "Lady Cats" Girls Soccer Team for first State Championship.

**S. C. R. No. 556:** Recognize February 2022 as "Self Care Month in Mississippi."

**S. C. R. No. 559:** Recognize outstanding public service of former U.S. Marshal and State Parole Board Member Nehemiah Flowers, Jr.

**S. C. R. No. 560:** Commend Bay Springs High School "Bulldogs" Football Team for first State Championship.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 61:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING HUNTER LUIS MELENDEZ ON BEING SELECTED AS THE 2021 STATE GAMES OF MISSISSIPPI OVERALL MALE ATHLETE OF THE YEAR.

**H. C. R. No. 62:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COOPER CONNER FOR BEING SELECTED AS THE 2021 STATE GAMES OF MISSISSIPPI OVERALL YOUTH ATHLETE OF THE YEAR.

**H. C. R. No. 63:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING TERE TURNER OF COLUMBUS, MISSISSIPPI, FOR BEING NAMED THE 2021 STATE GAMES OF MISSISSIPPI FEMALE ATHLETE OF THE YEAR.

**H. C. R. No. 64:** A CONCURRENT RESOLUTION HONORING AND CONGRATULATING ESTEEMED EDUCATOR AND BELOVED KINDERGARTEN MATH TEACHER MS. LAURA BIVINS OF ANN SMITH ELEMENTARY SCHOOL IN MADISON COUNTY FOR WINNING THE UNITED STATES PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST AWARD OF ITS KIND FROM THE UNITED STATES GOVERNMENT.

**H. C. R. No. 65:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MADELINE ZIMMERMAN FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE JACKSON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 66:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. JO ANNE DANIELS FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE JEFFERSON DAVIS CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 67:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MONICA DONOHUE FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE HARRISON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 68:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MANDY WITHROW FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE GEORGE COUNTY CENTER OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 69:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. DARLENE BUSH FOR BEING SELECTED AS INSTRUCTOR

OF THE YEAR AT THE PERKINSTON CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 70:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. ANGELA BUTLER FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE PERKINSTON CAMPUS OF THE MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 71:** A CONCURRENT RESOLUTION RECOGNIZING AND ACKNOWLEDGING INTERNATIONAL WOMEN'S MONTH AND DESIGNATING THE MONTH OF MARCH 2022 AS THE PERIOD OF OBSERVATION AND CELEBRATION THROUGHOUT THE STATE OF MISSISSIPPI.

**H. C. R. No. 72:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED LEGAL AND JUDICIAL CAREER AND PUBLIC SERVICE OF THE HONORABLE JUDGE TOMIE TURNER GREEN AND CONGRATULATING HER UPON THE OCCASION OF HER RETIREMENT.

**H. C. R. No. 73:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. JOHN GIRARD GUTHRIE.

**H. C. R. No. 74:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIVES AND LEGACIES OF ZEB ANDREWS HUGHES AND JAMESON MED GUNNER PALMER, EXPRESSING DEEPEST SYMPATHY TO THEIR FAMILIES AND FRIENDS UPON THEIR PASSING, AND RAISING AWARENESS OF BOATING SAFETY BY ENCOURAGING MISSISSIPPI'S OBSERVATION OF NATIONAL SAFE BOATING WEEK DURING THE WEEK OF MAY 21-27, 2022.

**H. C. R. No. 75:** A CONCURRENT RESOLUTION COMMENDING THE LIFE, SERVICE AND ACCOMPLISHMENTS OF MRS. HILDA LOUISE SMITH CASIN AND ACKNOWLEDGING HER SIGNIFICANT EDUCATIONAL AND CIVIC CONTRIBUTION TO PIKE COUNTY, MISSISSIPPI.

**H. C. R. No. 76:** A CONCURRENT RESOLUTION COMMENDING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION FOR ITS OUTSTANDING ACCOMPLISHMENTS AND COMMEMORATING ITS CENTENNIAL ANNIVERSARY.

**H. C. R. No. 78:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI FARM BUREAU FEDERATION UPON THE AUSPICIOUS OCCASION OF ITS 100TH ANNIVERSARY.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 3:** Olivia Ann (Olivia) Host, Ridgeland, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027. Do Advise and Consent.

**S. N. No. 12:** ElBrascian Antoine (Antoine) Anderson, Canton, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small

business, unexpired six year term effective Sept. 23, 2021 and ending March 31, 2026, vice Jabari Edwards. Do Advise and Consent.

**S. N. No. 15:** Colby Ryan (Colby) Jordan, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026, vice Josh Mars. Do Advise and Consent.

**S. N. No. 16:** Keith Allen Williams, Jr., Gulfport, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 8, 2021 and ending March 31, 2025. Do Advise and Consent.

**S. N. No. 14:** Bobby Milton James, Jr., Jackson, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, six year term beginning April 1, 2021 and ending March 31, 2027. Do Advise and Consent.

**S. N. No. 117:** Christopher Thomas Graham, Clinton, Mississippi, Commissioner, Mississippi Department of Revenue, six year term effective July 1, 2022 and ending June 30, 2028. Do Advise and Consent.

HARKINS, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2769:** AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO ANY FOUNDATION ORGANIZED AS A NONPROFIT CORPORATION THAT IS EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT RECEIVES, INVESTS AND ADMINISTERS PRIVATE SUPPORT FOR A STATE-SUPPORTED INSTITUTION OF HIGHER LEARNING, A PUBLIC COMMUNITY COLLEGE OR JUNIOR COLLEGE LOCATED IN THIS STATE OR A NONPROFIT PRIVATE UNIVERSITY OR COLLEGE LOCATED IN THIS STATE, OR BY ANY ENTITY WHOLLY OWNED AND WHOLLY CONTROLLED BY SUCH A FOUNDATION; TO EXEMPT FROM AD VALOREM TAXATION ALL PROPERTY BELONGING TO A FEDERALLY QUALIFIED HEALTH CENTER; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1388:** AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM ACT"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, TO PILOT A CAREER COACHING PROGRAM TO SUPPORT MIDDLE SCHOOLS AND HIGH SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND CONNECTED TO CAREER AVENUES WITHIN AND BEYOND THE CLASSROOM SETTING; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO

ENSURE ALIGNMENT OF CAREER AND TECHNICAL EDUCATION COURSES ACROSS THE PUBLIC SCHOOL SYSTEM AND COMMUNITY COLLEGE SYSTEM; TO REQUIRE THE STATE WORKFORCE INVESTMENT BOARD TO CREATE A SINGLE LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR CERTAIN REIMBURSEMENTS; TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFYING INDUSTRY CERTIFICATION"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO WORK IN PARTNERSHIP WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM INVENTORY AND RETURN ON INVESTMENT ANALYSIS OF WORKFORCE DEVELOPMENT PROGRAMS IN THE STATE; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG K-12 EDUCATION, EMPLOYERS AND INDUSTRY AND POSTSECONDARY EDUCATION TO COMPLETE CERTAIN OBJECTIVES; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF A CAREER-READINESS ASSESSMENT, SUCH AS, BUT NOT LIMITED TO, THE ACT WORKKEYS ASSESSMENT, DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT WITHIN THE DEPARTMENT OF EDUCATION SHALL HAVE THE DUTY OF ESTABLISHING CERTAIN STANDARDS, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF EDUCATION, FOR SUPPLEMENTAL ENDORSEMENTS TO THE LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS; TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND RENEW ALL LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS WITHIN 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION IF THE APPLICANT HAS OTHERWISE MET ALL ESTABLISHED REQUIREMENTS FOR THE LICENSE OR CERTIFICATION; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIFORM STATEWIDE TESTING PROGRAM SHALL PROVIDE FOR THE ADMINISTRATION OF A CAREER-READINESS ASSESSMENT, SUCH AS, BUT NOT LIMITED TO, THE ACT WORKKEYS ASSESSMENT, DEEMED APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMINOLOGY USED FOR CAREER EDUCATION FROM "TRACK" TO "CAREER TECHNICAL EDUCATION PATHWAYS"; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO PROVIDE THAT THE CAREER TECHNICAL EDUCATION PATHWAYS COURSES MAY BE TAILORED TO THE INDIVIDUAL NEEDS OF EACH SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3030:** AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2023.

**S. B. No. 3150:** AN ACT TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS AMENDED BY SECTION 1, CHAPTER 437, LAWS OF 2020, TO INCREASE BY \$20,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE MONEY IN THE FUND TO BE UTILIZED AS A LOAN TO HINDS COUNTY, MISSISSIPPI, TO ASSIST IN FUNDING INFRASTRUCTURE IMPROVEMENTS, INCLUDING DEVELOPMENT AND CONSTRUCTION OF A STRUCTURED PARKING FACILITY, AND OTHER IMPROVEMENTS ASSOCIATED WITH A CERTAIN ENTERTAINMENT DEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

**S. C. R. No. 503:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER STATE SENATOR JOSEPH (JO) THOMAS STOGNER OF SANDY HOOK, MARION COUNTY, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

Joseph Thomas, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 61:** Hunter Luis Melendez; commend upon being named 2021 MS State Games - Male Athlete of the Year. Rules.

**H. C. R. No. 62:** Cooper Conner; commend and upon being named 2021 MS State Games - Youth Athlete of the Year. Rules.

**H. C. R. No. 63:** Tere Turner; commend upon being named 2021 MS State Games - Female Athlete of the Year. Rules.

**H. C. R. No. 64:** Laura Bivins; commend and congratulate upon winning the U.S. Presidential Award for Excellence in Mathematics and Science. Rules.

**H. C. R. No. 65:** Madeline Zimmerman; commend for being selected as Instructor of the Year at the Jackson County Campus of MGCCC. Rules.

**H. C. R. No. 66:** Jo Anne Daniels; commend for being selected as Instructor of the Year at the Jefferson Davis Campus of MGCCC. Rules.

**H. C. R. No. 67:** Monica Donohue; commend for being selected as Instructor of the Year at the Harrison County Campus of MGCCC. Rules.

**H. C. R. No. 68:** Mandy Withrow; commend for being selected as Instructor of the Year at the George County Center of MGCCC. Rules.

**H. C. R. No. 69:** Darlene Bush; commend for being selected as Instructor of the Year at the Perkinston Campus of MGCCC. Rules.

**H. C. R. No. 70:** Angela Butler; commend for being selected as Instructor of the Year at the Perkinston Campus of the MGCCC. Rules.

**H. C. R. No. 71:** International Women's Month; designate month of March 2022 as for statewide observance. Rules.

**H. C. R. No. 73:** John Girard Guthrie; commend life and legacy upon his passing. Rules.

**H. C. R. No. 74:** Zeb Andrews Hughes and Jameson Med Gunner Palmer; commend lives and legacies of and encourage boating safety awareness. Rules.

**H. C. R. No. 75:** Hilda Louise Smith Casin; commend life, service and accomplishments of. Rules.

**H. C. R. No. 76:** Mississippi High School Activities Association; commend and congratulate upon its centennial anniversary. Rules.

**H. C. R. No. 78:** Mississippi Farm Bureau Federation; commend upon 100th anniversary of. Rules.

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MESSAGE FROM THE ATTORNEY GENERAL  
March 17, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Sherri Carr (Sherri) Smith, Gulfport, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 11, 2022 and expiring June 30, 2025.

Curtis Leon (Curt) Hebert, Jr., Madison, Mississippi, Mississippi Motor Vehicle Commission, remainder of term beginning March 10, 2022 and expiring June 30, 2022, vice Michael W. Williams.

Curtis Leon (Curt) Hebert, Madison, Mississippi, Mississippi Motor Vehicle Commission, four year term beginning July 1, 2022 and ending June 30, 2026.

Lynn Fitch  
ATTORNEY GENERAL

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The executive nominations in the foregoing message were referred to committees as follows:

Sherri Carr (Sherri) Smith, Mississippi Commission on the Status of Women, unexpired term beginning March 11, 2022 and expiring June 30, 2025, Rules.

Curtis Leon (Curt) Hebert, Jr., Mississippi Motor Vehicle Commission, remainder of term beginning March 10, 2022 and expiring June 30, 2022, Highways and Transportation.

Curtis Leon (Curt) Hebert, Mississippi Motor Vehicle Commission, four year term beginning July 1, 2022 and ending June 30, 2026, Highways and Transportation.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Gayle Marie Thornton Wheeler, Julian Carroll, Dr. Jere

Richmond Hoar, James Jeffrey Plummer, Jr., Jordan Jamaal Herrington, Shirley Ruth Housley, Leslie Wayne Mills, Earnest Gayle Mize, Eugene Leslie "Gene" Malone, Dr. William Clair "Bill" Baker and Ralph Maury Dean.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 17, 2022

**S. C. R. No. 584:** Rules

A CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE COLUMBUS COMMERCIAL DISPATCH NEWSPAPER (1921-2022) IN COLUMBUS, MISSISSIPPI, THE ONLY FAMILY-OWNED NEWSPAPER IN THE STATE, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

By Senator(s) Younger

**S. R. No. 44:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING SHARICKA GRAY OF FAIRVIEW ELEMENTARY SCHOOL IN COLUMBUS, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2022 BY CURRICULUM ASSOCIATES.

By Senator(s) Younger

**S. R. No. 45:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING BECKI COPE OF PLEASANT HILL ELEMENTARY SCHOOL IN OLIVE BRANCH, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2022 BY CURRICULUM ASSOCIATES.

By Senator(s) Parker

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SEVENTY-FOURTH DAY, FRIDAY, MARCH 18, 2022

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Absent--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

The Secretary announced a quorum present.

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Leave of absence was granted to Senators Barnett and Carter.

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The invocation was delivered by Reverend Hugh M. Johnson, Sr., Pastor, Magnolia Missionary Baptist Church, Port Gibson, MS and Mt. Zion Missionary Baptist Church, Port Gibson, MS.

Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on.

Representatives Horan,Shanks,Rushing

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification.

Representatives Carpenter,Newman,Hopkins

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

Representatives Horan,Felsher,Turner

**H. B. No. 906:** Corrections omnibus bill; enact.

Representatives Horan,Goodin,Rosebud

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction.

Representatives Horan,Yates,Anthony

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development.

Representatives Horan,Turner,Felsher

**H. B. No. 1068:** Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward.

Representatives Huddleston, Scoggin, Bounds

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department.

Representatives Carpenter, Newman, Hopkins

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

Representatives Weathersby, Bennett, Barton

**H. B. No. 1323:** Tallahatchie River Authority; create.

Representatives Brown (20th), Clark, Lancaster

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District.

Representatives Weathersby, Holloway, Morgan

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE SPEAKER  
March 17, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Mary C. Werner, Saltillo, Mississippi, State Board of Education, term pending.

Philip Gunn  
SPEAKER

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The executive nomination in the foregoing message was referred to committee as follows:

Mary C. Werner, State Board of Education, term pending, Education.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

Senators Kirby, Boyd, Michel.

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President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 3:** Olivia Ann (Olivia) Host, Ridgeland, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 3 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 12:** ElBrascian Antoine (Antoine) Anderson, Canton, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective Sept. 23, 2021 and ending March 31, 2026, vice Jabari Edwards.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 12 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 15:** Colby Ryan (Colby) Jordan, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 23, 2021 and ending March 31, 2026, vice Josh Mars.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 15 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T.

(12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 16:** Keith Allen Williams, Jr., Gulfport, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 8, 2021 and ending March 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 16 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 117:** Christopher Thomas Graham, Clinton, Mississippi, Commissioner, Mississippi Department of Revenue, six year term effective July 1, 2022 and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 117 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Michel called up the following House Amendment to **S. B. No. 2669** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-15-205, Mississippi Code of 1972, is amended as follows:

27-15-205. Upon the receipt of the application herein required, and payment of the amount shown thereby to be due for the privilege to be exercised, the officer to whom the application is made shall determine if the application is in proper form, and if the correct amount be tendered, and may require the applicant to furnish such other and further information as in his opinion is necessary to ascertain the correct amount of tax due. When the correct amount of the tax has been so ascertained, the officer shall issue to the applicant taxpayer a privilege license according to such application, and shall date the same as of the first day of the month of its issuance, except that licenses issued by the Commissioner of Insurance will be effective as of the date the license is issued. The officer issuing the license shall countersign the same when issued by him, and he shall enter the same in the register prescribed by law therefor. The license issued by collectors as herein provided shall be executed in duplicate, the original shall be delivered to the licensee by the officer, and the duplicate shall be attached to the application therefor, and preserved by the officer as a public record.

If, however, such officer, shall, before issuing the license, or at any time thereafter, have reason to believe that the statements of the business contained in the application are incorrect or false in any material particular, the officer shall duly notify the applicant wherein the supposed discrepancy lies, and he is hereby empowered to require the applicant to render such other information as will enable him to determine the proper tax due. After making such determination of the proper tax due, if the license has not been issued, the officer shall forthwith proceed to collect the amount of tax due; and if the license shall have been issued under the original application, he shall collect the difference between the sum shown to be properly due, and the sum paid with the original application, and shall issue an additional license therefor which shall expire at the same time as the original. If the additional tax is paid within sixty (60) days after the determination by the office of the proper amount due, no penalty shall be applied. If the taxpayer shall willfully fail or refuse to furnish the information requested by such officer, he shall be liable for damages as in other cases of payment of an insufficient privilege tax, and may be proceeded against civilly or criminally as otherwise provided herein, and shall suffer the penalties provided herein therefor.

The license issued pursuant to this section shall be good, usable, and valid for one (1) year after the date thereof, or for such other period as is fixed by law for the privilege, which period shall be so designated in the license. Except as provided in Title 83, Mississippi Code of 1972, for licenses issued by the Commissioner of Insurance, all statewide licenses shall be issued for a period no longer than one (1) year.

The officer issuing the license shall be authorized to suspend any license issued to any person pursuant to this section for being out of compliance with an order for support, as defined in 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

SECTION 2. Section 27-15-223, Mississippi Code of 1972, is amended as follows:

27-15-223. It shall be the duty of the officer collecting the taxes to prepare and have printed the proper privilege tax license blanks necessary to carry into effect the laws relating to privilege taxes and there shall be printed on each license at the bottom thereof, the words: "This license shall not make lawful any act or thing declared to be unlawful by the State of Mississippi." Except as provided in Title 83, Mississippi Code of 1972, for

licenses issued by the Commissioner of Insurance, all such privilege tax license blanks shall be printed in the form prescribed by the officer collecting the tax and shall be imprinted with the fiscal year for which the blanks are to be issued, and shall be numbered consecutively beginning with number one (1) of each fiscal year; and shall be made in duplicate, the original and duplicate to bear the same serial number and be alike in all respects, except that they be marked "original," "duplicate," and be of different colors.

SECTION 3. Section 83-5-71, Mississippi Code of 1972, is amended as follows:

83-5-71. \* \* \* (1) Notwithstanding any other provision of law, this section establishes the exclusive authority with respect to the duration of a privilege license or certificate of authority for an insurer subject to this chapter and licensed or holding a certificate of authority, or both, to transact business in this state under this Title 83.

(2) An insurer must make an initial application in a form prescribed by the commissioner and, upon being granted approval to transact business in this state, a license or certificate of authority, or both, shall be issued and remain in effect until suspended, revoked, surrendered or forfeited.

(3) Before being issued an initial license or certificate of authority, an insurer must pay the required privilege tax fee required by Section 27-15-83, along with other required fees, and must continue to pay the aforementioned fees on an annual basis on or before March 1 of each year in order to keep the license or certificate of authority in good standing.

(4) Amendments to a license or certificate of authority will require payment by the insurer of the applicable fees.

(5) Insurers who were issued a license or certificate of authority, or both, before the effective date of this law will receive an amended license or certificate of authority, or both.

SECTION 4. Section 83-17-25, Mississippi Code of 1972, is amended as follows:

83-17-25. No certificate of authority shall be issued to any agent who has not previously obtained from the commissioner a privilege license to act as an insurance agent; provided that agents or organizers of fraternal orders shall not be required to have such privilege license.

\* \* \*

The privilege license of an individual to act as an insurance producer, limited lines producer, limited lines credit insurance producer, supervising general agent or managing general agent shall continue from the date of issuance of original licenses or from the expiration date for existing licenses until the last day of the month of the licensee's birthday in the second year following issuance or renewal of the license, with a minimum term of thirteen (13) months.

The privilege license of a business entity to act as insurance producer, limited lines producer, limited lines credit insurance producer, supervising general agent or managing general agent shall continue from the date of issuance until May 31 in the second year following issuance or renewal of the license, with a minimum term of thirteen (13) months.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 27-15-205, 27-15-223, 83-5-71 AND 83-17-25, MISSISSIPPI CODE OF 1972, TO MAKE THE TERM OF CERTAIN LICENSES AND CERTIFICATES ISSUED BY THE COMMISSIONER OF INSURANCE PERPETUAL UNTIL SUCH TIME AS THE COMMISSIONER OF INSURANCE REVOKES THE LICENSE OR CERTIFICATE, OR THE LICENSE OR CERTIFICATE IS FORFEITED BY THE LICENSEE OR CERTIFICATE HOLDER; AND FOR RELATED PURPOSES.

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Senator Michel called up the following House Amendment to **S. B. No. 2357** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In all counties of this state maintaining a paid or volunteer fire department, the personnel of which department is actively and exclusively engaged in fire duty or emergency medical services, the board of supervisors of such county may pay out of the general fund of such county reasonable hospital and medical expenses for any member of said fire department on account of any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department. Where hospital and medical expenses are to be paid directly from the county's general fund, the board of supervisors of such county shall be the sole judge as to whether such illness or such injury was contracted or sustained in the line of duty of any such employee, and the reasonableness of said expenses.

Further, the board of supervisors of such county may pay out of the general fund insurance premiums for the purchase of insurance covering hospital and medical expenses for any member of said fire department on account of any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department.

In addition, the board of supervisors of such county may pay out of the general fund insurance premiums for the purchase of accident, death or disability insurance covering any member of said fire department for expenses associated with any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department.

SECTION 2. Section 21-25-9, Mississippi Code of 1972, is amended as follows:

21-25-9. In all municipalities of this state maintaining a paid or volunteer fire department, the personnel of which department is actively and exclusively engaged in fire duty or emergency medical services, the governing authorities of such municipality may pay out of the general fund of such municipality reasonable hospital and medical expenses for any member of said fire department on account of any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department. Where hospital and medical expenses are to be paid directly from the municipality's general fund, the governing authorities of such city shall be the sole judge as to whether such illness or such injury was contracted or sustained in the line of duty of any such employee, and the reasonableness of said expenses.

Further, the governing authorities of such municipality may pay out of the general fund insurance premiums for the purchase of insurance covering hospital and medical expenses for any member of said fire department on account of any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department.

In addition, the governing authorities of such municipality may pay out of the general fund insurance premiums for the purchase of accident, death or disability insurance covering any member of said fire department for expenses associated with any occupational disease contracted or for any accident or injury sustained by said member by reason of his service or discharge of his duty in said department.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ALLOW COUNTIES TO PAY THE REASONABLE HOSPITAL AND MEDICAL EXPENSES FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS SUFFERING INJURY OR ILLNESS INCURRED IN THE LINE OF DUTY; TO ALLOW COUNTIES TO PROVIDE ACCIDENT, DEATH OR DISABILITY POLICIES TO PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO ALLOW COUNTIES TO PURCHASE INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY OF PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO AMEND SECTION 21-25-9, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO PAY THE PREMIUMS FOR ACCIDENT, DEATH AND DISABILITY POLICIES AND INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; AND FOR RELATED PURPOSES.

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Senator Michel called up the following House Amendment to **S. B. No. 2319** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 304 by inserting the following after "2022": ", and shall stand repealed on June 30, 2022".

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Senator Michel moved that the rules be suspended for the consideration en bloc of calendar items 24 and 25, and the motion prevailed.

Senator Michel called up the following House Amendment to **S. B. No. 2335** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-11-7, Mississippi Code of 1972, is amended as follows:

45-11-7. (1) There is hereby created a State Fire Academy for the training and education of persons engaged in municipal, county and industrial fire protection. The Commissioner of Insurance shall appoint an Executive Director of the State Fire Academy who, along with his employees, shall be designated as a division of the Insurance Department. The executive director shall serve at the pleasure of the Commissioner of Insurance. The State Fire Academy shall be under the supervision and direction of the Executive Director of the State Fire Academy. State Fire Academy training programs for fire personnel shall be conducted at the academy with seminars to be conducted in other sections of the state as and when the State Fire Academy Advisory Board considers it necessary and advisable.

The Commissioner of Insurance may establish and charge reasonable fees for the training programs and other services provided by the academy. A record of all funds received pursuant to this paragraph shall be maintained as is required for other monies pursuant to Section 45-11-5.

The Executive Director of the State Fire Academy is authorized and empowered to purchase, operate and maintain mobile firefighting equipment as he may find necessary and proper for the operation of the academy subject to approval of the Commissioner of Insurance. The equipment may be utilized wherever training sessions may be held at the discretion of the State Fire Academy Advisory Board.

(2) The Commissioner of Insurance shall be authorized to undertake appropriate action to accomplish and fulfill the purposes of the State Fire Academy, including the hiring of instructors and personnel, the lease and purchase of appropriate training equipment and to lease, purchase or construct suitable premises and quarters for conducting annual school and seminars, as the State Fire Academy Advisory Board may deem necessary and required for such purposes. Any contract entered into under and by virtue of the provisions of this section shall first be submitted to and approved by the Public Procurement Review Board, and construction pursuant to the contract shall be under the supervision of the Governor's Office of General Services.

(3) Vouchers for operating expense for the State Fire Academy shall be signed by the Executive Director of the State Fire Academy and payment thereof shall be made from such funds to be derived from a special allocation from the State Fire Academy Fund as provided in Section 45-11-5.

(4) The State Fire Academy is hereby officially designated as the agency of this state to conduct training for fire personnel on a statewide basis in which members of all duly constituted fire departments may participate. This subsection shall not be construed to affect the authority of any fire department to conduct training for its own personnel.

(5) Each state agency, private agency or federal agency which provides training for the fire service shall coordinate such efforts with the State Fire Academy to prevent duplication of cost and to \* \* \* ensure standardization of training.

(6) The State Fire Academy shall present an appropriate certificate signifying the successful completion of its prescribed courses.

(7) National firefighter standards approved by the Mississippi Fire Personnel Minimum Standards and Certification Board shall be used as the basis for classroom instruction at the fire academy.

(8) The Commissioner of Insurance, Executive Director of the State Fire Academy, and the Mississippi Fire Personnel Minimum Standards and Certification Board shall coordinate all state programs related to fire department operations.

(9) The Commissioner of Insurance is hereby authorized and empowered to establish standard guidelines for the use of, and accountability for, municipal and county fire protection funds distributed pursuant to the provisions of Sections 83-1-37 and 83-1-39, Mississippi Code of 1972. Such guidelines shall include requirements for the establishment of record keeping and reports to the Commissioner of Insurance by municipalities and counties relating to the receipt and expenditure of fire protection funds, the training of fire department personnel and the submission to the Commissioner of Insurance of other data reasonably related to local fire protection responsibilities which the Commissioner of Insurance deems necessary for the performance of the duties of the State Fire Academy Advisory Board.

(10) In order that the Commissioner of Insurance may more effectively execute the duties imposed upon him by subsection (9) of this section, there is hereby created within the State Fire Academy a Division of Fire Services Development. The division shall be staffed by a Fire Services Development Coordinator, appointed by the executive director of the academy from his current staff and by such other personnel as deemed by the Commissioner of Insurance. The division shall work with municipal and county fire coordinators to ensure effective implementation of guidelines established pursuant to subsection (9) of this section and shall serve in an advisory capacity for all aspects of fire service improvement. The Fire Service Coordinator shall annually notify the Department of Finance and Administration of those municipalities and counties which are not eligible to receive a portion of fire protection fund distributions because of failure to comply with requirements imposed in Sections 83-1-37 and 83-1-39 as a prerequisite to receipt of such funds.

(11) There is created in the State Treasury a separate account to be known as the "State Fire Academy Construction Fund." The State Treasurer shall transfer on July 1, 1997, the sum of Six Hundred Seventy-five Thousand Dollars (\$675,000.00) and on July 1, 1998, the sum of Six Hundred Seventy-five Thousand Dollars (\$675,000.00) from the State Fire Academy Fund 3502 into the separate account created in this subsection. Monies in such account shall be expended solely, upon legislative appropriations, to defray expenses related to the construction of capital improvements project known as "Fire Safety and Education Building" and parking areas at the State Fire Academy by the Bureau of Building, Grounds and Real Property Management of the Office of General Services and to pay any indebtedness incurred to accomplish such construction. Funds not used after the completion of this capital improvements project shall be transferred back into State Fund 3502.

(12) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(13) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

(14) The State Fire Academy is designated as an authorized training program for Emergency Medical Response and Emergency Medical Technician, and is authorized to provide initial and national continued competency program training, including Emergency Medical Responder, Emergency Medical Technician-Basic and Emergency Medical Technician-Advanced. The State Fire Academy shall be limited to a total of one hundred twenty (120) students per year for \* \* \* Emergency Medical Technician-Basic and Emergency Medical Technician-Advanced training; however, no limitation shall apply to the number of Emergency Medical Responder students. The training program established by the State Fire Academy shall meet or exceed the requirements of the most current training program national standard curriculum as developed by the United States Department of Transportation, National Highway Traffic Safety Administration, and shall also meet the minimum testing and certification requirements established by the State Board of Health. Successful graduates of the State Fire Academy Emergency Medical

Response and Emergency Medical Technician training shall be eligible for certification by the State Board of Health for the training level achieved, provided that their training meets or exceeds the minimum testing and certification requirements established by the State Board of Health for these respective skills, and such certification may be obtained in coordination with the State Board of Health pursuant to Chapters 59 and 60, Title 41, Mississippi Code of 1972.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-11-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATION ON THE NUMBER OF EMERGENCY MEDICAL RESPONDER STUDENTS THE STATE FIRE ACADEMY MAY TRAIN PER YEAR; AND FOR RELATED PURPOSES.

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Senator Michel called up the following House Amendment to **S. B. No. 2336** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-15, Mississippi Code of 1972, is amended as follows:

25-15-15. (1) The board is authorized to determine the manner in which premiums and contributions by the state agencies, local school districts, colleges, universities, community/junior colleges and public libraries shall be collected to provide the self-insured health insurance program for employees as provided under this article. The state shall provide fifty percent (50%) of the cost of the above life insurance plan for all active full-time employees. The state shall provide one hundred percent (100%) of the cost of the health insurance plan for active full-time employees initially employed before January 1, 2006, except as otherwise provided in this section. For active full-time employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance, except as otherwise provided in this section, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The board, if determined to be necessary, may assess active full-time employees a portion of the active employee premium in an amount not to exceed Twenty Dollars (\$20.00) per month, notwithstanding any language in this section to the contrary. All active full-time employees shall be given the opportunity to purchase coverage for their eligible dependents with the premiums for such dependent coverage, as well as the employee's fifty percent (50%) share for his life insurance coverage, to be deductible from the employee's salary by the agency, department or institution head, which deductions, together with the fifty percent (50%) share of such life insurance premiums of such employing agency, department or institution head from funds appropriated to or authorized to be expended by the employing agency, department or institution head, shall be deposited directly into a depository bank or special fund in the State Treasury, as determined by the board. These funds and interest earned on these funds may be used for the disbursement of claims and shall be exempt from the appropriation process.

(2) The state shall provide annually, by line item in the Mississippi Library Commission appropriation bill, such funds to pay one hundred percent (100%) of the cost of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for full-time library staff members in each public library in Mississippi initially employed before January 1, 2006. For full-time library staff members initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The commission shall allot to each public library a sufficient amount of those funds appropriated to pay the costs of insurance for eligible employees. Any funds so appropriated by line item which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year. If any premiums for the health insurance and/or late charges and interest penalties are not paid by a public library in a timely manner, as defined by the board, the Mississippi Library Commission, upon notice by the board, shall immediately withhold all subsequent disbursements of funds to that public library.

(3) The state shall annually provide one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for public school district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers, if such employees and school bus drivers were initially employed before January 1, 2006. For such employees and school bus drivers initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. Where federal funding is allowable to defray, in full or in part, the cost of participation in the program by district employees who work no less than twenty (20) hours during the week and regular nonstudent bus drivers, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of such federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that school districts contribute the cost of participation for such employees from local funds, except that parent fees for child nutrition programs shall not be increased to cover such cost.

(4) The state shall provide annually, by line item in the community/junior college appropriation bill, such funds to pay one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for community/junior college district employees initially employed before January 1, 2006, who work no less than twenty (20) hours during each week. For such employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan.

(5) When the use of federal funding is allowable to defray, in full or in part, the cost of participation in the insurance plan by community/junior college district employees who work no less than twenty (20) hours during each week, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of the federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that community/junior college districts contribute the cost of participation for such employees from local funds.

(6) Any community/junior college district may contribute to the cost of coverage for any district employee from local community/junior college district funds, and any public school district may contribute to the cost of coverage for any district employee from nonminimum program funds. Any part of the cost of such coverage for participating employees of public school districts and public community/junior college districts that is not paid by the state shall be paid by the participating employees, which shall be deducted from the salaries of the employees in a manner determined by the board.

(7) Any funds appropriated for the cost of insurance by line item in the community/junior colleges appropriation bill which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year.

(8) The board may establish and enforce late charges and interest penalties or other penalties for the purpose of requiring the prompt payment of all premiums for life and health insurance permitted under this chapter. All funds in excess of the amount needed for disbursement of claims shall be deposited in a special fund in the State Treasury to be known as the State and School Employees Insurance Fund. The State Treasurer shall invest all funds in the State and School Employees Insurance Fund and all interest earned shall be credited to the State and School Employees Insurance Fund. Such funds shall be placed with one or more depositories of the state and invested on the first day such funds are available for investment in certificates of deposit, repurchase agreements or in United States Treasury bills or as otherwise authorized by law for the investment of Public Employees' Retirement System funds, as long as such investment is made from competitive offering and at the highest and best market rate obtainable consistent with any available investment alternatives; however, such investments shall not be made in shares of stock, common or preferred, or in any other investments which would mature more than one (1) year from the date of investment. The board shall have the authority to draw from this fund periodically such funds as are necessary to operate the self-insurance plan or to pay to the insurance carrier the cost of operation of this plan, it being the purpose to limit the amount of participation by the state to fifty percent (50%) of the cost of the life insurance program and not to limit the contracting for additional benefits where the cost will be paid in full by the employee. The state shall not share in the cost of coverage for retired employees.

(9) The board shall also provide for the creation of an Insurance Reserve Fund and funds therein shall be invested by the State Treasurer with all interest earned credited to the State and School Employees Insurance Fund.

(10) Any retired employee electing to purchase retired life and health insurance will have the full cost of such insurance deducted monthly from his State of Mississippi retirement plan check or direct billed for the cost of the premium if the retirement check is insufficient to pay for the premium. If the board determines actuarially that the premium paid by the participating retirees adversely affects the overall cost of the plan to the state, then the board may impose a premium surcharge, not to exceed fifteen percent (15%), upon such participating retired employees who are under the age for Medicare eligibility and who were initially employed before January 1, 2006. For participating retired employees who are under the age for Medicare eligibility and who were initially employed on or after January 1, 2006, the board may impose a premium surcharge in an amount the board determines actuarially to cover the full cost of insurance.

(11) The board may not impose a premium surcharge or any other premium differential upon any class of participant of the plan based on the use or nonuse of tobacco-related products.

(12) This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed from and after June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE MANAGEMENT BOARD TO MAKE PREMIUM PAYMENTS INTO THE STATE PLAN; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2842** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-117-1, Mississippi Code of 1972, is reenacted as follows:

57-117-1. This chapter shall be known and may be cited as the "Mississippi Health Care Industry Zone Act."

SECTION 2. Section 57-117-3, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is reenacted and amended as follows:

57-117-3. In this chapter:

(a) "Health care industry facility" means:

(i) A business engaged in the research and development of pharmaceuticals, biologics, biotechnology, diagnostic imaging, medical supplies, medical equipment or medicine and related manufacturing or processing, medical service providers, medical product distribution, or laboratory testing that creates a minimum of twenty-five (25) new full-time jobs and/or Ten Million Dollars (\$10,000,000.00) of capital investment after July 1, 2012; or

(ii) A business that \* \* \* 1. is located on land owned by or leased from an academic health science center with a medical school accredited by the Liaison Committee on Medical Education and a hospital accredited by the Joint Committee on Accreditation of Healthcare Organizations and \* \* \* 2. creates a minimum of twenty-five (25) new jobs and/or Twenty Million Dollars (\$20,000,000.00) of capital investment after July 1, 2012.

The term "health care industry facility" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "MDA" means the Mississippi Development Authority.

(c) "Health care industry zone" means a geographical area certified by the MDA as provided for in Section 57-117-5.

(d) "Local government unit" means any county or incorporated city, town or village in the State of Mississippi.

(e) "Person" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity.

(f) "Qualified business" means a business or health care industry facility that meets the requirements of Section 57-117-7 and any other requirements of this chapter. The term "qualified business" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

SECTION 3. Section 57-117-5, Mississippi Code of 1972, is reenacted as follows:

57-117-5. (1) The MDA may certify an area as a health care industry zone if the following requirements are met:

(a) The area is located within:

(i) Three (3) contiguous counties which have certificates of need of more than three hundred seventy-five (375) acute care hospital beds; and/or

(ii) A county which has a hospital with a minimum capital investment of Two Hundred Fifty Million Dollars (\$250,000,000.00) and for which construction is completed before July 1, 2017;

(b) The health care industry facility is located within a five-mile radius of:

(i) A facility with a certificate of need for hospital beds; and/or

(ii) A university or college that is:

1. Accredited by the Southern Association of Colleges and Schools and awards degrees and/or trains workers for jobs in health care or pharmaceutical fields of study and/or work, and

2. Located along or near Mississippi Highway 67 within a master planned community as defined in Section 19-5-10; and

(c) The zoning of the local government unit, if applicable, allows the construction or operation in the proposed health care industry zone of the health care industry facility.

(2) A health care industry facility that engages in an activity for which a certificate of need is required must comply with the provisions of Section 41-7-191 in order to be certified as a qualified business.

(3) The MDA may adopt and promulgate such rules and regulations, in compliance with the Mississippi Administrative Procedures Law, as are necessary for the efficient and effective administration of this section in keeping with the purposes for which it is enacted.

SECTION 4. Section 57-117-7, Mississippi Code of 1972, is reenacted as follows:

57-117-7. (1) Businesses and health care industry facilities shall apply to the MDA for certification as a qualified business. If the health care industry facility or business is located in a health care industry zone and meets the requirements of this chapter, the MDA shall certify it as a qualified business.

(2) A health care industry facility or business certified by the MDA as a qualified business within a health care industry zone that constructs or renovates a health care industry facility within a health care industry zone shall qualify for the following:

(a) An accelerated state income tax depreciation deduction. The accelerated depreciation deduction shall be computed by accelerating depreciation period required by Mississippi Administrative Code, to a ten-year depreciation period.

(b) A sales tax exemption as authorized in Section 27-65-101(pp).

(c) A fee-in-lieu of taxes as authorized in Section 27-31-104.

(d) An ad valorem tax exemption as authorized in Section 27-31-101.

SECTION 5. Section 57-117-9, Mississippi Code of 1972, is reenacted as follows:

57-117-9. If the qualified business has not created the requisite number of jobs required by this chapter, the health care industry zone certification may be revoked by MDA after five (5) years have elapsed from the effective date of certification. A revocation under this section shall not act retroactively to remove any incentives granted by this chapter.

SECTION 6. Section 57-117-11, Mississippi Code of 1972, is reenacted and amended as follows:

57-117-11. Sections 57-117-1 through 57-117-11 of this act shall be repealed from and after July 1, \* \* \* 2025.

SECTION 7. Section 27-31-101, Mississippi Code of 1972, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten (10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of

exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

(i) Warehouse and/or distribution centers;

(ii) Manufacturing, processors and refineries;

(iii) Research facilities;

(iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;

(v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;

(vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;

(vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;

(viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;

(ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;

(x) Health care industry facilities as defined in Section 57-117-3;

(xi) Data centers as defined in Section 57-113-21; and

(xii) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the

State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten (10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem

taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

- (i) Warehouse and/or distribution centers;
- (ii) Manufacturing, processors and refineries;
- (iii) Research facilities;
- (iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;
- (v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;
- (vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;
- (vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;
- (viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;
- (ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;
- (x) Data centers as defined in Section 57-113-21; and
- (xi) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises."

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 8. Section 27-31-104, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county

board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third ( $1/3$ ), or one-tenth ( $1/10$ ) if the project is also a project as defined in Section 27-31-46, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third ( $1/3$ ) of that amount or one-tenth ( $1/10$ ) of that amount if the project is also a project as defined in Section 27-31-46. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third ( $1/3$ ) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project as defined in Section 27-31-46, one-tenth ( $1/10$ ) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that

is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project as defined in Section 27-31-46, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project as defined in Section 27-31-46. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project as defined in Section 27-31-46, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the

boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 9. Section 27-65-101, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as

registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to

be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q). The exemption provided in this paragraph (q) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The exemption provided in this subparagraph (i) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The exemption provided in this subparagraph (ii) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.

For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]

(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority. The exemption provided in this paragraph (ff) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi

Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, \*\*\* 2025.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;
4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and
5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the

manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i)1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. The exemption provided in this subsection (2) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter. The exemption provided in this subsection (3) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 57-117-1, 57-117-3, 57-117-5, 57-117-7, 57-117-9 AND 57-117-11, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND REENACTED SECTION 57-117-3, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO CONFORM TO AMENDMENTS MADE TO THAT SECTION BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND TO MAKE MINOR FORMATTING REVISIONS; TO AMEND REENACTED SECTION 57-117-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT CERTAIN AD VALOREM TAX EXEMPTIONS, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH EXEMPTIONS FOR HEALTH CARE INDUSTRY FACILITIES AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH AGREEMENTS FOR PROJECTS TOTALING OVER \$100,000,000.00 BY QUALIFIED BUSINESSES, AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT, MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, WHICH PROVIDES INDUSTRIAL EXEMPTIONS TO THE SALES TAX, TO EXTEND THE DATE OF REPEAL ON THE EXEMPTION OF SALES OF MATERIALS USED IN THE CONSTRUCTION OF A HEALTH CARE INDUSTRY FACILITY, OR ADDITIONS OR IMPROVEMENTS THEREON, AND SALES OF CERTAIN RELATED MACHINERY AND EQUIPMENT TO QUALIFIED BUSINESSES AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; AND FOR RELATED PURPOSES.

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Senator McMahan called up the following House Amendment to **S. B. No. 3069** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 919, Local and Private Laws of 2020, is amended as follows:

Section 1. The Board of Supervisors of Marshall County, Mississippi, in its discretion, is authorized to contribute annually, in an aggregate amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00), to qualified charitable organizations with valid and current 501(c)(3) designations, for the support of food pantries operated by the organizations. The organizations to which the board may contribute are North Mississippi Research Training and Development, Inc., Food Pantry, Hearts and Hands Food Pantry, Hearn Grove Church Food Pantry, Mt. Zion Church Food Pantry, Care Now Food Pantry, and Davis Temple Church of the Living God Food Pantry.

Section 2. This act shall be repealed from and after October 1, 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2020, TO ADD CARE NOW FOOD PANTRY AS A 501(C)(3) QUALIFIED CHARITABLE ORGANIZATION TO WHICH THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, MAY CONTRIBUTE ANNUALLY; AND FOR RELATED PURPOSES.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 29:** Howard Lee Jones, III, Natchez, Mississippi, State Board of Registration for Foresters to represent the state at large, five year term beginning July 1, 2021 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 29 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 30:** John Beecher Mitchell, Sr., Corinth, Mississippi, State Board of Registration for Foresters to represent the Northeast Forestry Commission District, five year term beginning July 1, 2021 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 30 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 97:** Charles Bradley (Brad) Campbell, Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, unexpired balance of a five year term ending June 30, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 97 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 98:** Jerome Marvin (Jerry) Foxworth, III, Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, unexpired balance of a five year term ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 98 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 99:** Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, unexpired balance of a five year term ending June 30, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 99 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T.

(12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 100:** Matthew Michael Raff, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, five year term beginning July 1, 2022 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 100 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Caughman called up the following entitled nomination:

**S. N. No. 8:** Clayton Lamar Legear, Hurley, Mississippi, State Board of Banking Review to represent the state at large, term effective July 27, 2021 for the unexpired balance of the five year term ending March 23, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 8 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Caughman called up the following entitled nomination:

**S. N. No. 32:** Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, remainder of a four year term ending June 30, 2023, vice Luzern Dillon.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 32 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Caughman called up the following entitled nomination:

**S. N. No. 138:** Guy Brad Feltenstein, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, term effective January 1, 2022 and ending December 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 138 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Seymour called up the following entitled nomination:

**S. N. No. 88:** Ronald Len (Ron) Beckham, Oxford, Mississippi, Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 88 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Seymour called up the following entitled nomination:

**S. N. No. 91:** Thomas Henry Watts, Natchez, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 91 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barnett, Branning, Carter, Chassaniol, Chism, Hill, Parks, Tate. Total--8.

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Senator Wiggins moved that the rules be suspended for the consideration en bloc of calendar items 34 and 35, and the motion prevailed.

Senator Wiggins called up the following House Amendment to **S. B. No. 2034** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 33 by adding the following after "2022": ", and shall stand repealed on June 30, 2022"

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Senator Wiggins called up the following House Amendment to **S. B. No. 2338** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 83 after "2022" by inserting the following:

", and shall stand repealed on June 30, 2022"

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Donald Bunch of Aberdeen, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Rev. Emmett C. Burns, Jr. of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Terri Tew Kazery of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William H. Cooke, Jr. of Madison, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of John Wayne "Johnny" Stewart, Earl Babb, Norman L. Gillespie, Dr. Luther Augustus Knight, Jr., Dr. Andrew Criddle Fox, Lt. Col. Michael Colin Chatham, BJ Jordan and Gerald W. Walton of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Ann Caroline McIntosh, Benjamin David McNeely, Betty Jean Denton Johnson, Kenneth Edward Lambert, Mary Kay Kiamie Churchill, Harrison Hopper, Nancy Lavinia Warren Parkinson and Jaden Christopher Sebastian Taylor of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Martha Stairs, Travis "Lee" Cobb, Richard Karsten, Judy Phillips, Robert Phillips, Kerri Coleman, Nancy Clemons and Laura Sale of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Donald Walter Cook, John R. Hailman, Judith Hale Freeman, Kay Goodwin, Dawn Worsham, Wilbur Thompson, Stephanie Webb and Sean Carlos Burt of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Kenya Jones, Thomas Parham, Ollie Redmond, Jr., Paulette McIntosh, Queenie Dixon, Leon Thompson, Charles "Mohawk" Smith and Izetta Barringer of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of John Adams, II, Evelyn Goliday, Jimmie Lou Frierson, Dr. Anthony J. Verlangieri, Clemont Leroy Mullins, Jr., Will King, Mike Bridge and Mike McCauley of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Robert William "Bill" Mustin, Rickey Dean Britt, Sr., Ralph Wayne Churchill, William "Bill" Gurley, Ann Houston Huggins and Janie Carolyn Gossett Daniels of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Dr. Thomas L. Windham, Janis Mitchell Weems, Mack Bowles, Dicki Lee King and Jim Reeves of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of William Patrick "Pat" Richardson, Harvie Bryant Watkins and Barbara Faye Ward Hobgood of Abbeville, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Robert Lee Callahan of Water Valley, MS.

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Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 21, 2022.

The motion prevailed, and at 9:40 AM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2514:** City of Hattiesburg; extend repeal date on hotel, motel and restaurant tax.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 256:** Manufactured and mobile homes; require certain notice to tax collector when relocated to another county.

**H. B. No. 684:** Small Business and Grocer Investment Act; extend repealer on.

**H. B. No. 1164:** Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010.

**H. B. No. 1550:** Appropriation; add'l to DFA for phased construction of new DPS headquarters; add'l to DOH for Office Against Interpersonal Violence.

**H. B. No. 1581:** Appropriation; Athletic Commission.

**H. B. No. 1583:** Appropriation; Barber Examiners, Board of.

**H. B. No. 1584:** Appropriation; Cosmetology, Board of.

**H. B. No. 1585:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

**H. B. No. 1588:** Appropriation; Nursing Home Administrators, Board of.

**H. B. No. 1590:** Appropriation; Physical Therapy Board.

**H. B. No. 1591:** Appropriation; Psychology, Board of.

**H. B. No. 1592:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

**H. B. No. 1596:** Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

**H. B. No. 1615:** Appropriation; Foresters, Board of Registration for.

**H. B. No. 1618:** Appropriation; Pat Harrison Waterway District.

**H. B. No. 1620:** Appropriation; Port Authority, State.

**H. B. No. 1622:** Appropriation; Yellow Creek State Inland Port Authority.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1742:** AN ACT TO AMEND CHAPTER 878, LOCAL AND PRIVATE LAWS OF 1990, AS LAST AMENDED BY CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2027, ON THE PROVISIONS OF LAW THAT CREATE THE HATTIESBURG TOURISM COMMISSION AND AUTHORIZES A TAX ON THE GROSS PROCEEDS OF HOTELS AND MOTELS FROM OVERNIGHT ROOM RENTALS TO FUND THE COMMISSION; AND FOR RELATED PURPOSES.

**H. B. No. 1743:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF KOSCIUSKO, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1744:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO PROVIDE SERVICES, COMMODITIES AND EQUIPMENT AND TO CONTRIBUTE FUNDS TO NONPROFIT ORGANIZATIONS THAT PROVIDE RECREATIONAL AND/OR SPORTS OPPORTUNITIES TO THE YOUTH OF THE COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 1745:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF GEORGE COUNTY, MISSISSIPPI, TO REPAIR THE PARKING LOT OF CROSSROADS UNITED METHODIST CHURCH THAT WAS DAMAGED DURING THE REPAIR AND RESTORATION OF A PORTION OF MISSISSIPPI STATE HIGHWAY 26 THAT WASHED AWAY; AND FOR RELATED PURPOSES.

**H. B. No. 1747:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1748:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SHUQUALAK, MISSISSIPPI, TO EXPAND ITS WATER DISTRIBUTION SYSTEM WITHIN A CERTAIN DISTANCE OUTSIDE THE CORPORATE LIMITS OF THE TOWN OF SHUQUALAK; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1752:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BYHALIA AREA ARTS COUNCIL; AND FOR RELATED PURPOSES.

**H. B. No. 1754:** AN ACT TO AMEND CHAPTER 1019, LOCAL AND PRIVATE LAWS OF 2004, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON, MISSISSIPPI, TO LEVY AN ADDITIONAL TAX IN AN AMOUNT NOT TO EXCEED ONE PERCENT ON HOTELS AND MOTELS FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDING TO SUPPORT THE JACKSON CONVENTION CENTER; TO REQUIRE THAT THE LEVY OF THE ADDITIONAL TAX MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; AND FOR RELATED PURPOSES.

**H. B. No. 1755:** AN ACT TO AMEND CHAPTER 958, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MOSS POINT, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN TWO PERCENT UPON THE GROSS PROCEEDS DERIVED FROM THE SALE OF PREPARED FOODS BY RESTAURANTS IN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1756:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NEW ALBANY, MISSISSIPPI TO EXPAND ITS GAS SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS OF THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1757:** AN ACT TO AMEND CHAPTER 1012, LOCAL AND PRIVATE LAWS OF 2004, TO CLARIFY THAT THE TWO PERCENT TAX LEVIED ON ROOM RENTALS OF HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, WHICH SUPPORTS THE IMPROVEMENT AND EXPANSION OF THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF THE HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; TO AMEND CHAPTER 58, LAWS OF THE EXTRAORDINARY SESSION OF 1954, AS LAST AMENDED BY CHAPTER 1012, LOCAL AND PRIVATE LAWS OF 2004, TO CLARIFY THAT THE THREE PERCENT TAX LEVIED ON HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, FOR THE PURPOSES OF PROVIDING FUNDING TO PROMOTE TOURISM AND CONVENTIONS IN THE COUNTY, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF SUCH HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; TO PROVIDE FOR AN INDIRECT REFERENDUM ON THE LEVYING OF SUCH TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1759:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO PROVIDE CERTAIN COMPENSATION TO COUNTY PATROL OFFICERS; AND FOR RELATED PURPOSES.

**H. B. No. 1760:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE DURANT FOUNDATION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids.  
Senators Michel, Boyd, Frazier.

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to.  
Senators Polk, Thompson, Turner-Ford.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 77:** Russian invasion of Ukraine; condemn. Rules.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.  
Senators Whaley, Simmons (12th), Blackwell.

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.  
Senators Harkins, McCaughn, Thompson.

**S. B. No. 2066:** District attorneys and investigators; increase annual salaries of.  
Senators Polk, Blackwell, Hopson.

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.  
Senators Harkins, Parker, Kirby.

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

Senators Harkins, Boyd, England.

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements.

Senators Fillingane, Turner-Ford, McCaughn.

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

Senators Barnett, Chassaniol, Parker.

**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

Senators Barnett, Chassaniol, Carter.

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property.

Senators Michel, Boyd, Younger.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

Senators Michel, DeLano, Horhn.

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

Senators Michel, McLendon, Frazier.

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

Senators Michel, Blackwell, DeLano.

**S. B. No. 2437:** Pilot Work Initiative; authorize the establishment of at CMCF.

Senators Barnett, Sparks, DeBar.

**S. B. No. 2495:** Mississippi Outdoor Stewardship Trust Fund; create.

Senators Whaley, Hopson, Polk.

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office.

Senators Whaley, Polk, Sparks.

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration.

Senators Whaley, Suber, Younger.

**S. B. No. 2506:** Bow hunting; establish a three-day season the last weekend between September 10th and 20th for legal bucks.

Senators Whaley, McCaughn, Michel.

**S. B. No. 2536:** Offender registry; create registry of individuals whose crimes involve public funds.

Senators Fillingane, England, Suber.

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

Senators Seymour, DeLano, Turner-Ford.

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited.

Senators Michel, Thomas, Kirby.

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services.

Senators Michel, Boyd, Younger.

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service.

Senators Blackwell, Parker, Blount.

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises.

Senators Harkins, Sparks, Simmons (12th).

**S. B. No. 2772:** State Small Business Credit Initiative; update citations to federal law.

Senators Harkins, Fillingane, Blount.

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework.

Senators Polk, Blackwell, Blount.

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

Senators Harkins, Johnson, Carter.

**S. B. No. 3153:** Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements.

Senators Harkins, Johnson, Sparks.

**S. B. No. 3163:** Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure.

Senators Harkins, Fillingane, England.

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate.

Senators Harkins, Johnson, Parker.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement and clarify use of reverse auction.

Senators Polk, Butler (36th), Parks.

**S. B. No. 2600:** Recidivism; create study committee to review means to reduce through support, supervision and skills attainment.

Senators Barnett, Sparks, Simmons (12th).

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

Senators Harkins, Chassaniol, Barnett.

**S. B. No. 2803:** Sheriffs; increase annual salaries of.

Senators Polk, Butler (36th), Harkins.

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## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 974:** AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN REGIONAL AIRPORT AUTHORITIES TO PROVIDE DEPENDENT HEALTH INSURANCE COVERAGE AS AN EMPLOYMENT BENEFIT; AND FOR RELATED PURPOSES.

**H. B. No. 1187:** AN ACT TO ENACT THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT; TO PROVIDE THE PURPOSE OF THE ACT; TO PROVIDE DEFINITIONS FOR THE ACT; TO REGULATE THE ELECTRONIC DELIVERY OF INSURANCE DOCUMENTS AND NOTICES; AND FOR RELATED PURPOSES.

**H. B. No. 1222:** AN ACT TO AMEND SECTION 27-104-351, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS BY WHICH A STATE AGENCY MAY PROVIDE A RECIPIENT ENTITY PASS-THROUGH FUNDING UNDER THE LINE-ITEM APPROPRIATION TRANSPARENCY ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1378:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 130 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "CORPORAL WALTER GANN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1525:** AN ACT TO AMEND CHAPTER 938, LOCAL AND PRIVATE LAWS OF 1998, AS AMENDED BY CHAPTER 981, LOCAL AND PRIVATE LAWS OF 1999, AS AMENDED BY CHAPTER 960, LOCAL AND PRIVATE LAWS OF 2001, AS AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEALER FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF RICHLAND, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS SALES OF BARS AND RESTAURANTS IN AN AMOUNT NOT TO EXCEED TWO PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM, PARKS AND RECREATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1526:** AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF RICHLAND, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS AND MOTELS WITHIN THE CITY FOR THE PURPOSE OF PROMOTING TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1547:** AN ACT TO AMEND CHAPTER 950, LOCAL AND PRIVATE LAWS OF 1994, AS LAST AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JUNE 30, 2022, TO JUNE 30, 2026, ON THE CITY OF STARKVILLE'S ECONOMIC DEVELOPMENT, TOURISM AND CONVENTION TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1549:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CHARLESTON, MISSISSIPPI, TO EXPEND CITY FUNDS TO PURCHASE ASPHALT TO MAKE CERTAIN TALLAHATCHIE COUNTY ROAD REPAIRS THAT ARE NEEDED DUE TO THE REPAIR OF CITY SEWER AND WATER PIPES THAT ARE LOCATED UNDER SUCH COUNTY ROADS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 54:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE RALEIGH HIGH SCHOOL LIONS FOOTBALL TEAM UPON WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 3A SOUTH STATE CHAMPIONSHIP.

**H. C. R. No. 55:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE CAREER AND PUBLIC SERVICE OF FORMER REPRESENTATIVE MICHAEL WESTON JANUS, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

**H. C. R. No. 57:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS REBELS ALL GIRL CHEERLEADING TEAM AND COACH TROY ALLEN FOR WINNING THE 2022 UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) DIVISION 1A GAME DAY NATIONAL CHAMPIONSHIP.

**H. C. R. No. 58:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING COLONEL STANLEY A. MARTIN UPON THE OCCASION OF HIS RETIREMENT.

**H. C. R. No. 59:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE, SERVICE AND LEGACY OF MR. ROGER "BIG JOHN" EARL ROBINSON AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 60:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SIMPSON ACADEMY COUGARS BOYS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A BOYS BASKETBALL STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Donald Bunch, Rev. Emmett C. Burns, Jr., BJ Jordan, Gerald W. Walton, Ann Caroline McIntosh, Benjamin David McNeely, Betty Jean Denton Johnson, Kenneth Edward Lambert, Mary Kay Kiamie Churchill, Harrison Hopper, Nancy Lavinia Warren Parkinson, Jaden Christopher Sebastian Taylor, Terri Tew Kazery, Martha Stairs, Travis "Lee" Cobb, Richard Karsten, Judy Phillips, Robert Phillips, Kerri Coleman, Nancy Clemons, Laura Sale, Donald Walter Cook, John R. Hailman, William H. Cooke, Jr., Judith Hale Freeman, Kay Goodwin, Dawn Worsham, Wilbur Thompson, Stephanie Webb, Sean Carlos Burt, Kenya Jones, Thomas Parham, Ollie Redmond, Jr., Paulette McIntosh, John Wayne "Johnny" Stewart, Queenie Dixon, Leon Thompson, Charles "Mohawk" Smith, Izetta Barringer, John Adams, II, Evelyn Goliday, Jimmie Lou Frierson, Dr. Anthony J. Verlangieri, Clemont Leroy Mullins, Jr., Will King, Earl Babb, Mike Bridge, Mike McCauley, Robert William "Bill" Mustin, Rickey Dean Britt, Sr., Ralph Wayne Churchill, William "Bill" Gurley, Ann Houston Huggins, Janie Carolyn Gossett Daniels, Dr. Thomas L. Windham, Janis Mitchell Weems, Norman L. Gillespie, Mack Bowles, Dicki Lee King, Jim Reeves, William Patrick "Pat" Richardson, Harvie Bryant Watkins, Barbara Faye Ward Hobgood, Robert Lee Callahan, Dr. Luther Augustus Knight, Jr., Dr. Andrew Criddle Fox and Lt. Col. Michael Colin Chatham.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR FRIDAY, MARCH 18, 2022

**S. C. R. No. 585:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO ENACT THE "MISSISSIPPI STOP EMINENT DOMAIN ABUSE ACT"; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT

DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES."  
By Senator(s) McDaniel, Sojourner

**S. C. R. No. 586:** Rules

A CONCURRENT RESOLUTION DESIGNATING APRIL 14, 2022, AS "REMAN DAY" IN MISSISSIPPI.  
By Senator(s) Parks

**S. R. No. 46:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING MATTHEW LAMBERT OF BELL ACADEMY IN BOYLE, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2022 BY CURRICULUM ASSOCIATES.  
By Senator(s) Simmons (13th)

**S. R. No. 47:** Rules

A RESOLUTION EXTENDING THE BEST WISHES OF THE MISSISSIPPI SENATE TO FORMER STATE SENATOR NEVIN SLEDGE OF CLEVELAND, MISSISSIPPI, ON THE OCCASION OF HIS 100TH BIRTHDAY CELEBRATION AND COMMENDING HIS RECORD OF PUBLIC SERVICE, MILITARY DUTY AND HARD WORK.

By Senator(s) Simmons (13th), Jackson (11th), Jordan, Hill, Caughman, McMahan, Blackwell, Chassaniol, England, Thompson, Kirby, Butler (36th), Butler (38th), Moran, Hopson, Norwood, Polk, Turner-Ford, Hickman, Thomas, Bryan, DeBar, Younger, Fillingane, Williams, Barrett, Branning, Chism, Simmons (12th), Blackmon, Michel, DeLano, Johnson, Sparks

**S. R. No. 48:** Rules

A RESOLUTION MOURNING THE PASSING OF LONGTIME OXFORD ALDERMAN DR. WILLIAM CLAIR "BILL" BAKER AND RECOGNIZING HIS MANY CIVIC AND CHARITABLE CONTRIBUTIONS.  
By Senator(s) Boyd

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SEVENTY-SEVENTH DAY, MONDAY, MARCH 21, 2022

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Absent--Barrett, McDaniel, Tate. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Dion F. Porter, Senior Pastor, Terry Grove Missionary Baptist Church, Terry, MS.

Senator Blount led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1742:** City of Hattiesburg; extend repealer on tourism commission and hotel/motel tax. Local and Private.

**H. B. No. 1744:** Rankin County; authorize contributions to nonprofit organizations that provide recreational/sports activities for county youth. Local and Private.

**H. B. No. 1745:** George County; authorize the repair of certain parking lot located in. Local and Private.

**H. B. No. 1748:** Town of Shuqualak; authorize expansion of water services provided by. Local and Private.

**H. B. No. 1752:** Marshall County; authorize contributions to the Byhalia Area Arts Council. Local and Private.

**H. B. No. 1755:** City of Moss Point; extend date of repeal on city's restaurant tax. Local and Private.

**H. B. No. 1756:** City of New Albany; authorize expansion of its gas system within a certain area outside its corporate limits. Local and Private.

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals. Local and Private.

**H. B. No. 1759:** Holmes County; authorize to provide certain compensation for county patrol officers. Local and Private.

**H. B. No. 1760:** Holmes County; authorize contributions to the Durant Foundation. Local and Private.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

Representatives Horan,Rushing,Faulkner

**S. B. No. 2275:** Pilot Work Release Program; extend repealer.

Representatives Horan,Bain,Mickens

**S. B. No. 2437:** Pilot Work Initiative; authorize the establishment of at CMCF.

Representatives Horan,Roberson,Goodin

**S. B. No. 2600:** Recidivism; create study committee to review means to reduce through support, supervision and skills attainment.

Representatives Horan,Yates,Ford (73rd)

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

Representatives Hood,White,Deweese

**H. B. No. 658:** Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes.

Representatives Hood,White,Deweese

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.

Representatives Horan,Mickens,Roberson

**H. B. No. 1487:** State song; designate "One Mississippi" as official.

Representatives Currie,Gibbs (72nd),Oliver

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1754:** City of Jackson; authorize increase hotel/motel tax to provide funding for Jackson Convention Center. Local and Private; Finance.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2514:** AN ACT TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE PROVISIONS OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO LEVY AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS, PROVIDING THAT THE PROCEEDS OF THE TAX SHALL BE USED BY THE CITY TO PROMOTE TOURISM AND PARKS AND RECREATION, AUTHORIZING THE CITY TO DISTRIBUTE A PORTION OF THE TAX TO THE UNIVERSITY OF SOUTHERN MISSISSIPPI TO BE USED BY THE UNIVERSITY FOR IMPROVEMENTS TO ITS ATHLETIC FACILITIES, AND AUTHORIZING THE CITY TO RECEIVE AND EXPEND REVENUES FROM ANY SOURCE FOR THE PURPOSES AUTHORIZED IN THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2773:** AN ACT TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES AN INCOME TAX CREDIT FOR ANY COMPANY THAT TRANSFERS OR RELOCATES ITS NATIONAL OR REGIONAL HEADQUARTERS TO THE STATE OF MISSISSIPPI FROM OUTSIDE THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**S. B. No. 2841:** AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, WHICH SETS OUT THE POWERS AND DUTIES OF THE STATE BOND COMMISSION, TO EXTEND THE REVERTER ON THE PROVISION OF LAW GRANTING THE STATE BOND COMMISSION THE AUTHORITY TO DETERMINE THE APPROPRIATE METHOD FOR THE SALE OF BONDS, INCLUDING THE NEGOTIATION OF THE SALE OF BONDS AS AN ALTERNATIVE TO THE ISSUANCE AND SALE BONDS ON SEALED BIDS AT PUBLIC SALE; AND FOR RELATED PURPOSES.

**S. B. No. 2846:** AN ACT TO REENACT SECTIONS 57-10-401 THROUGH 57-10-447, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ISSUANCE OF BONDS BY THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO FINANCE ECONOMIC DEVELOPMENT PROJECTS IN ORDER TO INDUCE THE LOCATION OR EXPANSION OF CERTAIN BUSINESSES WITHIN THIS STATE; TO AMEND REENACTED SECTION 57-10-401, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO CONFORM TO AMENDMENTS MADE TO THAT SECTION BY SENATE BILL NO. 2095, 2022 REGULAR SESSION; TO REENACT SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CREDIT AGAINST STATE INCOME TAXES FOR CERTAIN COMPANIES FOR DEBT SERVICE PAID BY SUCH COMPANIES UNDER FINANCING AGREEMENTS ENTERED INTO WITH THE MISSISSIPPI BUSINESS FINANCE CORPORATION UNDER SECTION 57-10-409; TO AMEND SECTION 57-10-449, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL OCTOBER 1, 2025, THE REPEAL DATE ON SECTIONS 57-10-401 THROUGH 57-10-447 AND SECTION 27-7-22.3; AND FOR RELATED PURPOSES.

**S. B. No. 2885:** AN ACT TO REENACT SECTIONS 37-69-1, 37-69-3, 37-69-5, 37-69-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PROVISIONS THAT AUTHORIZE THE BOARD OF TRUSTEES OF THE VICKSBURG-WARREN SCHOOL DISTRICT AND THE CLAIBORNE COUNTY BOARD OF EDUCATION TO ESTABLISH WITH THE ENERGY INDUSTRY LOCATED WITHIN THE STATE OF MISSISSIPPI, WARREN COUNTY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR AN ENERGY HIGH SCHOOL ACADEMY AND THAT PRESCRIBE THE MEMBERSHIP OF THE ENERGY HIGH SCHOOL ACADEMY PARTNERSHIP COUNCIL TO ADMINISTER THE ACADEMY; TO AMEND SECTION 5, CHAPTER 482, LAWS OF 2019 TO EXTEND THE DATE OF REPEAL ON SECTIONS 37-69-1, 37-69-3, 37-69-5 AND 37-69-7, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

**S. B. No. 3031:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2023.

**S. B. No. 3032:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2023.

**S. B. No. 3033:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2023.

**S. B. No. 3035:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2023.

**S. B. No. 3036:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3037:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2023.

**S. B. No. 3039:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2023.

**S. B. No. 3040:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2023.

**S. B. No. 3041:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2023.

**S. B. No. 3042:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 549:** A CONCURRENT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE CARTHAGINIAN NEWSPAPER (1872-2022) IN CARTHAGE, MISSISSIPPI, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

**S. C. R. No. 552:** A CONCURRENT RESOLUTION RECOGNIZING UNITED STATES DISTRICT JUDGE OF THE NORTHERN DISTRICT OF MISSISSIPPI, DEBRA M. BROWN, AS MISSISSIPPI'S FIRST AFRICAN AMERICAN FEMALE CHIEF FEDERAL JUDGE.

**S. C. R. No. 559:** A CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING PUBLIC SERVICE OF FORMER UNITED STATES MARSHAL NEHEMIAH FLOWERS, JR., ON THE OCCASION OF HIS RETIREMENT FROM THE STATE PAROLE BOARD.

**S. C. R. No. 560:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL "BULLDOGS" FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THEIR FIRST STATE FOOTBALL CHAMPIONSHIP.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 256:** AN ACT TO AMEND SECTION 27-53-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A MANUFACTURED HOME OR MOBILE HOME IS RELOCATED FROM ONE COUNTY TO ANOTHER COUNTY, THEN THE OWNER OF THE MANUFACTURED HOME OR MOBILE HOME SHALL PROVIDE NOTICE TO THE TAX COLLECTOR OF THE COUNTY FROM WHICH THE MANUFACTURED HOME OR MOBILE HOME WAS RELOCATED; TO BRING FORWARD SECTION 27-53-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A PENALTY FOR VIOLATIONS OF THE LAWS PROVIDING FOR THE REGISTRATION AND ASSESSMENT OF MANUFACTURED HOMES AND MOBILE HOMES FOR AD VALOREM TAX PURPOSES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 684:** AN ACT TO REENACT SECTIONS 57-10-701 THROUGH 57-10-709, MISSISSIPPI CODE OF 1972, WHICH CREATE THE SMALL BUSINESS AND GROCER INVESTMENT ACT; TO AMEND SECTION 57-10-711, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SECTIONS OF LAW

THAT CREATE THE SMALL BUSINESS AND GROCER INVESTMENT ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1164:** AN ACT TO AMEND SECTION 57-10-601, MISSISSIPPI CODE OF 1972, WHICH DESIGNATES THE MISSISSIPPI DEVELOPMENT AUTHORITY AS THE AGENCY TO IMPLEMENT A STATE PROGRAM AND PARTICIPATE IN THE FEDERAL STATE SMALL BUSINESS CREDIT INITIATIVE ACT OF 2010, TO UPDATE CITATIONS TO FEDERAL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 1550:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS FOR PHASED CONSTRUCTION OF A NEW DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS BUILDING FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH - OFFICE AGAINST INTERPERSONAL VIOLENCE FOR THE FISCAL YEAR 2022.

**H. B. No. 1581:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1583:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2023.

**H. B. No. 1590:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2023.

**H. B. No. 1591:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2023.

**H. B. No. 1592:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2023.

**H. B. No. 1596:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1618:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1620:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1743:** City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 3000:** Warren County; authorize contributions to various organizations. Senators McMahan, Kirby, Whaley.

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.). Senators McMahan, Blackmon, Whaley.

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point. Senators McMahan, Blackmon, Whaley.

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year. Senators McMahan, Blackmon, Whaley.

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Boys State Program. Senators McMahan, Kirby, Whaley.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property. Senators Turner-Ford, Harkins, Barrett.

**S. B. No. 2530:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. Senators DeLano, Williams, Boyd.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers. Senators Hopson, Blackwell, Thompson.

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds. Senators Hopson, Polk, Blackwell.

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriation bills. Senators Hopson, DeLano, Parker.

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

Senators Hopson, Polk, Michel.

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

Senators Hopson, Polk, Parks.

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

Senators Hopson, Polk, DeLano.

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds.

Senators Hopson, Polk, DeLano.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

Senators Hopson, Polk, Sparks.

**S. B. No. 3002:** Appropriation; IHL - General support.

Senators Hopson, Parks, Williams.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

Senators Hopson, Parks, Parker.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

Senators Hopson, Parks, Butler (36th).

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Senators Hopson, Parks, Williams.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Senators Hopson, Parks, Harkins.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Senators Hopson, Parks, McCaughn.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Senators Hopson, Parks, Williams.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

Senators Hopson, Parks, DeBar.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

Senators Hopson, Parks, Blount.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

Senators Hopson, Frazier, DeLano.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Senators Hopson, Frazier, DeLano.

**S. B. No. 3013:** Appropriation; Corrections, Department of.  
Senators Hopson, Wiggins, Hickman.

**S. B. No. 3014:** Appropriation; Public Safety, Department of.  
Senators Hopson, Wiggins, DeBar.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.  
Senators Hopson, DeLano, Butler (38th).

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.  
Senators Hopson, DeLano, Butler (38th).

**S. B. No. 3017:** Appropriation; Animal Health, Board of.  
Senators Hopson, DeLano, Butler (38th).

**S. B. No. 3018:** Appropriation; Emergency Management Agency.  
Senators Hopson, DeLano, Polk.

**S. B. No. 3019:** Appropriation; Military Department.  
Senators Hopson, DeLano, Moran.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.  
Senators Hopson, DeLano, Seymour.

**S. B. No. 3021:** Appropriation; Ethics Commission.  
Senators Hopson, Norwood, Branning.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.  
Senators Hopson, Norwood, Branning.

**S. B. No. 3023:** Appropriation; Employment Security, Department of.  
Senators Hopson, Michel, McCaughn.

**S. B. No. 3024:** Appropriation; Revenue, Department of.  
Senators Hopson, Michel, McCaughn.

**S. B. No. 3025:** Appropriation; Tax Appeals Board.  
Senators Hopson, Michel, McCaughn.

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.  
Senators Hopson, Michel, McCaughn.

**S. B. No. 3027:** Appropriation; Mental Health, Department of.  
Senators Hopson, Hill, Michel.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road  
Construction, Office of.  
Senators Hopson, Branning, Polk.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development  
Authority.  
Senators Hopson, Sparks, Parks.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.  
Senators Hopson, Butler (36th), Suber.

**S. B. No. 3038:** Appropriation; Gaming Commission.  
Senators Hopson, Turner-Ford, Blount.

**S. B. No. 3043:** Appropriation; Audit, Department of.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.  
Senators Hopson, Polk, Simmons (13th).

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.  
Senators Hopson, Polk, Williams.

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi  
Development Authority.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3050:** Appropriation; Department of Tourism.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3051:** Appropriation; Personnel Board.  
Senators Hopson, Polk, Simmons (13th).

**S. B. No. 3052:** Appropriation; Secretary of State.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3053:** Appropriation; Treasurer's Office.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3055:** Appropriations; additional appropriations for various state  
agencies.  
Senators Hopson, Polk, Jackson (11th).

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS  
Water and Wastewater Infrastructure Act-ARPA funds.  
Senators Hopson, Polk, Michel.

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA  
Nurse/Health Science Workforce Programs-ARPA funds.  
Senators Hopson, Polk, Parker.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied  
Health Loan Repayment Program-ARPA funds.  
Senators Hopson, Polk, Parks.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant  
Program, -ARPA.  
Senators Hopson, Polk, Williams.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19  
Hospital Capacity Program and operations-ARPA funds.

Senators Hopson, Polk, Butler (36th).

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.  
Senators Hopson, Polk, Frazier.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.  
Senators Hopson, Polk, Butler (36th).

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.  
Senators Hopson, Polk, Wiggins.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.  
Senators Hopson, Polk, Parks.

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President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 14:** Bobby Milton James, Jr., Jackson, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, six year term beginning April 1, 2021 and ending March 31, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 14 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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Senator Barnett called up the following House Amendment to **S. B. No. 2584** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Reentry Court Act of 2022."

SECTION 2. For purposes of this act, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "MDOC" means the Mississippi Department of Corrections.

(b) "Offender Rehabilitation and Workforce Development Program" or "program" means the Offender Rehabilitation and Workforce Development Program established by MDOC under Section 4(1) of this act.

SECTION 3. (1) (a) Any Senior Circuit Court Judge of a Circuit Court District in the state may establish a pilot reentry court in his or her district.

(b) Any reentry court shall have the jurisdiction over a defendant necessary to effectuate the purposes of this act.

(2) Any defendant placed in the reentry court shall be counted in determining funding allocations to the court from the Administrative Office of Courts.

SECTION 4. (1) MDOC shall establish the Offender Rehabilitation and Workforce Development Program that can be completed in no more than three (3) years.

(2) Notwithstanding any provision of law to the contrary, any defendant sentenced to the program shall not be eligible for parole pursuant to Section 47-7-3, nor accumulate earned time or trusty time pursuant to Section 47-5-138, 47-5-138.1, 47-5-139 or 47-5-142 for the duration of his or her participation in the program.

(3) In the event that a defendant does not successfully complete the program, MDOC shall not use the time served in the program to calculate the defendant's parole date.

SECTION 5. Any reentry court shall work in conjunction with MDOC and the Mississippi Intervention Court Commission to establish best practices for the reentry court, including standards for eligibility and suitability for sentencing to the program.

SECTION 6. (1) A defendant is eligible to be sentenced to the program if all of the following criteria are met:

(a) The defendant has been previously convicted of one or more felony offenses in this state or any other state or federal court;

(b) The defendant meets the eligibility and suitability standards for sentencing to the program established under Section 3 of this act;

(c) The court determines that it is in the best interest of the community and in the interest of justice that the defendant be sentenced to the program;

(d) The defendant's suspended sentence for the charge before the court shall not exceed a term of incarceration of twenty (20) years;

(e) The defendant shall not have any prior felony convictions for any offenses defined as a sex offense in Section 45-33-23 or for any substantially similar offenses in another state or substantially similar federal offenses;

(f) The crime before the court shall not be a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1);

(g) The defendant cannot be sentenced in the present charge as a habitual offender pursuant to Section 99-19-81 or 99-19-83;

(h) Other criminal proceedings alleging commission of a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1), shall not be pending against the defendant; and

(i) The crime before the court shall not be a charge of any crime that resulted in the death of a person.

(2) The reentry court shall consider the following factors in determining whether sentencing to the program is in the interest of justice and of benefit to the defendant and the community:

(a) The nature of the crime charged and the circumstances surrounding the crime;

(b) Any special characteristics or circumstances of the defendant;

(c) Whether there is a probability that the defendant will cooperate with and benefit from the program;

(d) Whether the program is appropriate to meet the needs of the defendant;

(e) The impact of the defendant's sentencing upon the community;

(f) Recommendations, if any, of the district attorney;

(g) Recommendations, if any, of the involved law enforcement agency;

(h) Recommendations, if any, of the victim;

(i) Provisions for and the likelihood of obtaining restitution from the defendant;

(j) Any mitigating circumstances; and

(k) Any other circumstances reasonably related to the defendant's case.

(3) If the reentry court determines that the defendant is not eligible or suitable for sentencing in the program, the reentry court shall state the reasons for that determination on the record and return the defendant to the circuit court.

SECTION 7. (1) If a defendant is eligible for sentencing to the program and the reentry court has confirmed that there is adequate bed space available, the reentry court shall advise the defendant of the following:

(a) Before sentencing to the program, the defendant shall waive the right to a trial and shall enter a plea of guilty to the charge and be sentenced for the offense with the stipulation that the defendant shall be sentenced to the program in the custody of the Department of Corrections, and after successful completion of the program, the reentry court shall suspend the remainder of the defendant's sentence and place the defendant on probation under the intensive supervision of the reentry court for not more than three (3) years;

(b) The reentry court may impose any conditions reasonably related to the rehabilitation of the defendant, including ordering the defendant to participate and complete a substance abuse treatment program;

(c) A defendant who is placed under the supervision of the reentry court may be ordered to pay the cost of any assessments, substance abuse tests, and treatment programs to which he or she is assigned and the cost of any additional

supervision that may be required, to the extent of his or her financial resources, as determined by the reentry court as guided by Section 99-19-20.1(1); and

(d) Notwithstanding any provision of law to the contrary, any offender sentenced under this section shall not be eligible for parole pursuant to Section 47-7-3, nor accumulate earned time or trusty time pursuant to Sections 47-5-138, 47-5-138.1, 47-5-139 or 47-5-142 while in the program.

(2) Before sentencing a defendant to the program, the court shall determine if the defendant consents to being sentenced to the program.

SECTION 8. (1) If the reentry court determines that the defendant shall be sentenced to the program, the reentry court shall accept the defendant's guilty plea and sentence the defendant to the custody of the Department of Corrections for a term of years subject to participation in the program.

(2) Upon successful completion of the program and all other reentry court requirements, the reentry court shall suspend the remainder of the defendant's sentence and place the person on probation for not more than three (3) years under the intensive supervision of the reentry court, notwithstanding any provision of Section 47-7-33 or 47-7-47 to the contrary.

(3) If the defendant fails to complete the program, the reentry court shall order the defendant to serve all or part of the remainder of the sentence for the original charge.

SECTION 9. (1) For a nontechnical violation of probation imposed pursuant to this act, the court may revoke the probation and order the defendant to serve all or part of the sentence previously imposed and suspended.

(2) For a technical violation of probation imposed under this act, the court may impose a sentence of not more than ninety (90) days to be served at the Technical Violation Center. The term of the revocation for a technical violation shall begin on the date the court orders the revocation. Upon completion of the imposed sentence for the technical revocation, the defendant shall return to active supervised probation for a period equal to the remainder of the original period of probation subject to any additional conditions imposed by the court.

SECTION 10. No law enforcement officer shall refer to, mention and/or offer participation in this program as an inducement to any statement, confession or waiver of any constitutional rights of any person accused of a crime.

SECTION 11. The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall conduct a review of all reentry courts active after three (3) years and the Offender Rehabilitation and Workforce Development Program and produce a report to the Legislature on the courts' effectiveness and the effectiveness of the program by December 1, 2025. The PEER Committee may seek the assistance of the Administrative Office of Courts or any other criminal justice experts it deems necessary during its review.

SECTION 12. This act shall stand repealed on July 1, 2025.

SECTION 13. Section 9-23-9, Mississippi Code of 1972, is amended as follows:

9-23-9. (1) The State Intervention Courts Advisory Committee is established to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of intervention courts. The committee must provide the proposed evaluation plans to the Chief Justice and the Administrative Office of Courts. The committee shall be chaired by the Director of the Administrative Office of Courts or a designee of the director and shall consist of eleven (11) members all of whom shall be

appointed by the Supreme Court. The members shall be broadly representative of the courts, mental health, veterans affairs, law enforcement, corrections, criminal defense bar, prosecutors association, juvenile justice, child protective services, fentanyl and drug abuse prevention and treatment and substance abuse treatment communities.

(2) The State Intervention Courts Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to intervention court policies and procedures including the intervention court certification process. The committee may make suggestions as to the criteria for eligibility, and other procedural and substantive guidelines for intervention court operation.

(3) The State Intervention Courts Advisory Committee shall act as arbiter of disputes arising out of the operation of intervention courts established under this chapter and make recommendations to improve the intervention courts; it shall also make recommendations to the Supreme Court necessary and incident to compliance with established rules. The State Intervention Courts Advisory Committee may promulgate rules and regulations that authorize the Administrative Office of Courts to review funding for and provide additional funding to intervention courts based on the financial needs of the court or the number of participants the court serves.

(4) The State Intervention Courts Advisory Committee shall establish through rules and regulations a viable and fiscally responsible plan to expand the number of adult and juvenile intervention court programs operating in Mississippi. These rules and regulations shall include plans to increase participation in existing and future programs while maintaining their voluntary nature.

(5) The State Intervention Courts Advisory Committee shall receive and review the monthly reports submitted to the Administrative Office of Courts by each certified intervention court and provide comments and make recommendations, as necessary, to the Chief Justice and the Director of the Administrative Office of Courts.

(6) The State Intervention Courts Advisory Committee may create a funding formula that allows the Administrative Office of Courts to reallocate funding, provide additional funding based on the financial needs of the intervention court and/or the number of participants the court serves.

SECTION 14. Section 9-23-11, Mississippi Code of 1972, is amended as follows:

9-23-11. (1) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all intervention courts and other problem-solving courts including juvenile courts, veterans courts or any other court designed to adjudicate criminal actions involving an identified classification of criminal defendant to ensure funding for intervention courts supports effective and proven practices that reduce recidivism and substance dependency among their participants.

(2) The Administrative Office of Courts shall establish a certification process that ensures any new or existing intervention court meets minimum standards for intervention court operation.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate interventions;

(ii) Targeting medium to high-risk offenders for participation;

(iii) The use of current, evidence-based interventions proven to reduce dependency on drugs or alcohol, or both;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all intervention court program personnel involving the use of graduated clinical interventions;

(vi) Ongoing judicial interaction with each participant; \* \* \*

(vii) Monitoring and evaluation of intervention court program implementation and outcomes through data collection and reporting \* \* \*; and

(viii) Providing mental health services.

(b) Intervention court certification applications shall include:

(i) A description of the need for the intervention court;

(ii) The targeted population for the intervention court;

(iii) The eligibility criteria for intervention court participants;

(iv) A description of the process for identifying appropriate participants including the use of a risk and needs assessment and a clinical assessment;

(v) A description of the intervention court intervention components which shall include mental health services, including anticipated budget and implementation plan;

(vi) The data collection plan which shall include collecting the following data:

1. Total number of participants;

2. Total number of successful participants;

3. Total number of unsuccessful participants and the reason why each participant did not complete the program;

4. Total number of participants who were arrested for a new criminal offense while in the intervention court program;

5. Total number of participants who were convicted of a new felony or misdemeanor offense while in the intervention court program;

6. Total number of participants who committed at least one (1) violation while in the intervention court program and the resulting sanction(s);

7. Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; \* \* \*

8. Total number of applications for screening by race, gender, offenses charged, indigence and, if not accepted, the reason for nonacceptance; \* \* \*

9. Any other data or information as required by the Administrative Office of Courts \* \* \*; and

10. Total number of participants who were provided mental health services and a description of the services provided.

(c) Every intervention court shall be certified under the following schedule:

(i) An intervention court application submitted after July 1, 2014, shall require certification of the intervention court based on the proposed drug court plan.

(ii) An intervention court initially established and certified after July 1, 2014, shall be recertified after its second year of funded operation on a time frame consistent with the other certified courts of its type.

(iii) A certified adult felony intervention court in existence on December 31, 2018, must submit a recertification petition by July 1, 2019, and be recertified under the requirements of this section on or before December 31, 2019; after the recertification, all certified adult felony intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 \* \* \* of every odd calendar year.

(iv) A certified youth, family, misdemeanor or chancery intervention court in existence on December 31, 2018, must submit a recertification petition by July 31, 2020, and be recertified under the requirements of this section by December 31, 2020. After the recertification, all certified youth, family, misdemeanor and chancery intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 \* \* \* of every even calendar year.

(3) All certified intervention courts shall measure successful completion of the drug court based on those participants who complete the program without a new criminal conviction.

(4) (a) All certified drug courts must collect and submit to the Administrative Office of Courts each month, the following data:

(i) Total number of participants at the beginning of the month;

(ii) Total number of participants at the end of the month;

(iii) Total number of participants who began the program in the month;

(iv) Total number of participants who successfully completed the intervention court in the month;

(v) Total number of participants who left the program in the month;

(vi) Total number of participants who were arrested for a new criminal offense while in the intervention court program in the month;

(vii) Total number of participants who were convicted for a new criminal arrest while in the intervention court program in the month; \* \* \*

(viii) Total number of participants who committed at least one (1) violation while in the intervention court program and any resulting sanction(s) \* \* \*; and

(ix) Total number of participants who received mental health services from the court program.

(b) By August 1, 2015, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) All certified intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with the rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified intervention court may appoint the full- or part-time employees it deems necessary for the work of the intervention court and shall fix the compensation of those employees. Such employees shall serve at the will and pleasure of the judge or the judge's designee.

(7) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process and make any other policies not inconsistent with this section to carry out this process.

(8) A certified intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-23-17.

SECTION 15. Section 41-113-1, Mississippi Code of 1972, is amended as follows:

41-113-1. (1) The Mississippi Legislature recognizes the devastating impact that tobacco use \* \* \*, fentanyl use and drug abuse have on the citizens of our state. Tobacco use \* \* \*, fentanyl use and drug abuse are the \* \* \* most preventable causes of death and disease in this country and this state. Each year, thousands of Mississippians lose their lives to diseases caused by tobacco use, fentanyl use and drug abuse, and the cost to the state is hundreds of millions of dollars. Tobacco use \* \* \*, fentanyl use and drug abuse are a large burden on the families and businesses of Mississippi. It is therefore the intent of the Legislature that there be developed, implemented and fully funded a comprehensive and statewide tobacco use, fentanyl use and drug abuse education, prevention and cessation program that is consistent with the Best Practices for Tobacco Control Programs \* \* \* and youth high risk drug use prevention guidelines from the federal Centers for Disease Control and Prevention, as periodically amended. It is also the intent of the Legislature that all reasonable efforts be made to maximize the amount of federal funds available for this program.

(2) The goals of the tobacco use, fentanyl use and drug abuse education, prevention and cessation program include, but are not limited to, the following:

(a) Preventing the initiation of use of tobacco products, fentanyl and abuse of drugs by youth;

(b) Encouraging and helping smokers to quit and reducing the numbers of youth and adults who use tobacco products, fentanyl or abuse drugs;

(c) Assisting in the protection from secondhand smoke;

(d) Supporting the enforcement of laws prohibiting youth access to tobacco products, fentanyl and youth drug abuse;

(e) Eliminating the racial and cultural disparities related to use of tobacco products, fentanyl and youth drug abuse; and

(f) Educating the public and changing the cultural perception of use of tobacco products, fentanyl and youth drug abuse in Mississippi.

SECTION 16. Section 41-113-3, Mississippi Code of 1972, is amended as follows:

41-113-3. (1) There is hereby created the Office of Tobacco Control (office) which shall be an administrative division of the State Department of Health.

(2) The Office of Tobacco Control, with the advice of the Mississippi Tobacco Control Advisory Board, shall develop and implement a comprehensive and statewide tobacco, fentanyl and drug abuse education, prevention and cessation program that is consistent with the recommendations for effective program components and funding recommendations in the 1999 Best Practices for Comprehensive Tobacco Control Programs of the federal Centers for Disease Control and Prevention, as those Best Practices may be periodically amended by the Centers for Disease Control and Prevention and the youth high risk drug use resources created by the federal Centers for Disease Control and Prevention.

(3) At a minimum, the program shall include the following components, and may include additional components that are contained within the Best Practices for Comprehensive Tobacco Control Programs of the federal Centers for Disease Control and Prevention, as periodically amended, and that based on scientific data and research have been shown to be effective at accomplishing the purposes of this section:

(a) The use of mass media, including paid advertising and other communication tools to discourage the use of tobacco products, fentanyl and drug abuse and to educate people, especially youth, about the health hazards from the use of tobacco products and/or drug abuse, which shall be designed to be effective at achieving these goals and shall include, but need not be limited to, television, radio, and print advertising, as well as sponsorship, exhibits and other opportunities to raise awareness statewide;

(b) Evidence-based curricula and programs implemented in schools to educate youth about tobacco, fentanyl and drug abuse and to discourage their use of tobacco products, fentanyl and abuse of drugs, including, but not limited to, programs that involve youth, educate youth about the health hazards from the use of tobacco products, fentanyl and/or the abuse of drugs, help youth develop skills to refuse tobacco products, and demonstrate to youth how to stop using tobacco products;

(c) Local community programs, including, but not limited to, youth-based partnerships that discourage the use of tobacco products, fentanyl and abuse of drugs and involve community-based organizations in tobacco, fentanyl and drug abuse education, prevention and cessation programs in their communities;

(d) Enforcement of laws, regulations and policies against the sale or other provision of tobacco products, fentanyl and/or drugs to minors, and the possession of tobacco products, fentanyl and/or drugs by minors;

(e) Programs to assist and help people to stop using tobacco products, fentanyl and/or abusing drugs; and

(f) A surveillance and evaluation system that monitors program accountability and results, produces publicly available reports that review how monies expended for the program are spent, and includes an evaluation of the program's effectiveness in reducing and preventing the use of tobacco products, fentanyl and the abuse of drugs, and annual recommendations for improvements to enhance the program's effectiveness.

(4) All programs or activities funded by the State Department of Health through the tobacco, fentanyl and drug abuse education, prevention and cessation program, whether part of a component described in subsection (2) or an additional component, must be consistent with the Best Practices for Comprehensive Tobacco Control Programs of the federal Centers for Disease Control and Prevention, as periodically amended, and all resources and guidelines established by the federal Centers for Disease Control and Prevention to reduce and prevent fentanyl use and drug abuse by youth, as periodically

amended, all funds received by any person or entity under any such program or activity must be expended for purposes that are consistent with those Best Practices and guidelines. The State Department of Health shall exercise sole discretion in determining whether components are consistent with the Best Practices for Comprehensive Tobacco Control Programs of the federal Centers for Disease Control and Prevention.

(5) Funding for the different components of the program shall be apportioned between the components based on the recommendations in the Best Practices for Comprehensive Tobacco Control Programs of the federal Centers for Disease Control and Prevention, as periodically amended, or any additional programs as determined by the State Board of Health to provide adequate program development, implementation and evaluation for effective control of the use of tobacco products and preventive measures for fentanyl use and drug abuse. While the office shall develop annual budgets based on strategic planning, components of the program shall be funded using the following areas as guidelines for priority:

- (a) School nurses and school programs;
- (b) Mass media (counter-marketing);
- (c) Cessation programs (including media promotions);
- (d) Community programs;
- (e) Surveillance and evaluation;
- (f) Law enforcement; and

(g) Administration and management; however, not more than five percent (5%) of the total budget may be expended for administration and management purposes.

(6) In funding the components of the program, the State Department of Health may provide funding for health care programs at the University of Mississippi Medical Center and Mississippi Quality Health Center Grants that are related to the prevention and cessation of the use of tobacco products and the treatment of illnesses that are related to the use of tobacco products.

(7) No statewide, district, local, county or municipal elected official shall take part as a public official in mass media advertising under the provisions of this chapter.

SECTION 17. Section 41-113-5, Mississippi Code of 1972, is amended as follows:

41-113-5. (1) The Office of Tobacco Control shall be under the management of a director, who shall be appointed by the State Health Officer. The responsibility for implementation of the comprehensive and statewide tobacco, fentanyl and drug abuse education, prevention and cessation program shall be vested in the director. The director shall be an individual who has knowledge and experience in public health, medical care, health care services, mental health care services, preventive health measures \* \* \*, tobacco use control or drug abuse prevention and/or treatment measures. The director shall be the administrative officer of the Office of Tobacco Control, and shall perform the duties that are required of him or her by law and such other duties as may be assigned to him or her by the State Board of Health. The director shall receive such compensation as may be fixed by the State Board of Health, subject to the approval of the State Personnel Board.

(2) The State Health Officer may employ such other persons as may be necessary to carry out the provisions of this chapter. The compensation and the terms and conditions of their employment shall be determined by the State Board of Health in accordance with applicable state law and rules and regulations of the State Personnel Board.

SECTION 18. Section 41-113-7, Mississippi Code of 1972, is amended as follows:

41-113-7. The Office of Tobacco Control shall perform the following duties, with the advice of the Mississippi Tobacco Control Advisory Council:

- (a) Develop and implement appropriate policies and procedures for the operation of the tobacco, fentanyl and drug abuse education, prevention and cessation program;
- (b) Develop and implement a \* \* \* strategic plan for \* \* \* a tobacco, fentanyl and drug abuse education, prevention and cessation program;
- (c) Develop and maintain an annual operating budget and oversee fiscal management of the tobacco, fentanyl and drug abuse education, prevention and cessation program;
- (d) Execute any contracts, agreements or other documents with any governmental agency or any person, corporation, association, partnership or other organization or entity that are necessary to accomplish the purposes of this chapter;
- (e) Receive grants, bequeaths, gifts, donations or any other contributions made to the office to be used for specific purposes related to the goals of this chapter;
- (f) Submit an annual report to the Legislature regarding the operation of the office;
- (g) Submit to the State Auditor any financial records that are necessary for the Auditor to perform an annual audit of the office as required by law; and
- (h) Take any other actions that are necessary to carry out the purposes of this chapter.

SECTION 19. Section 41-114-1, Mississippi Code of 1972, is amended as follows:

41-114-1. (1) As used in this section:

- (a) The term "public facility" means any building, gymnasium, athletic field, recreational area or park to which the public is invited, whether there is charge for admission or not.
- (b) The term "smoke" or "smoking" means inhaling, exhaling, burning, vaporizing, carrying or otherwise possessing any lighted cigarette, cigar, pipe, "alternative nicotine product" or any other object or device of any form that contains lighted tobacco or any other smoking or vaporizing product.

(2) During any time that persons under eighteen (18) years of age are engaged in an organized athletic event at a public facility in Mississippi, no participant in or spectator of the athletic event shall smoke in the facility, if the facility is enclosed, or within one hundred (100) feet of the facility, if the facility is not enclosed, except as permitted under subsection (3)(c) of this section.

(3) The person, agency or entity having jurisdiction or supervision over a public facility shall not allow smoking at the facility in violation of this section, and shall use reasonable efforts to prevent smoking at the facility. The person, agency or entity may take the following steps:

- (a) Posting appropriate signs informing persons that smoking is prohibited at the public facility.

(b) Securing the removal of persons who smoke at the public facility in violation of this section.

(c) Providing a designated area separate from the fields of activity, to which smoking shall be restricted.

(4) Any person who violates this section shall, upon conviction, be subject to a civil fine and shall be liable as follows:

(a) For a first conviction, a warning;

(b) For a second conviction, a fine of Seventy-five Dollars (\$75.00); and

(c) For all later convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00).

Anyone convicted under this section shall be recorded as being guilty of a civil penalty and not for violating a criminal statute. Any such violation shall be triable in any justice court or municipal court with proper jurisdiction.

(5) It is the responsibility of all law enforcement officers and law enforcement agencies of this state to ensure that the provisions of this section are enforced.

(6) If the actions of a person violate both this section and Section 97-32-29, the person shall be liable only under this section or Section 97-32-29, but not under both sections.

SECTION 20. Section 41-113-9, Mississippi Code of 1972, is brought forward as follows:

41-113-9. (1) There is created the Mississippi Tobacco Control Advisory Council, which shall consist of thirteen (13) members. The thirteen (13) members of the advisory council shall consist of the following:

(a) Four (4) members appointed by the Governor, with one (1) member from a list of three (3) physicians recommended by the Mississippi State Medical Association, one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Heart Association, and two (2) individuals who are not affiliated with the tobacco industry who possess knowledge, skill, and prior experience in scientifically proven smoking prevention, reduction and cessation programs, health care services or preventive health measures;

(b) Two (2) members appointed by the Lieutenant Governor, with one (1) member from a list of three (3) nurses recommended by the Mississippi Nurses' Association, and one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Lung Association;

(c) Two (2) members approved by the Speaker of the House of Representatives, with one (1) member from a list of three (3) social workers recommended by the Mississippi Chapter of the National Association of Social Workers (NASW), and one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Cancer Society;

(d) The Attorney General, or his or her designee;

(e) The State Superintendent of Public Education, or his or her designee;

(f) The Vice-Chancellor of Health Affairs of the University of Mississippi Medical Center, or his or her designee;

(g) The Dean of the College of Health at the University of Southern Mississippi, or his or her designee; and

(h) The Administrator of the School of Health Sciences of the College of Public Service at Jackson State University, or his or her designee.

(2) The Lieutenant Governor shall appoint one (1) member of the Senate and the Speaker of the House shall appoint one (1) Representative to attend meetings of the Tobacco Control Advisory Council.

(3) For those members that are required to be appointed from lists of individuals recommended by certain nominating groups, if none of the recommended names are acceptable to the appointing official, then the nominating group shall submit another list of three (3) different individuals until an acceptable individual is submitted to the appointing official.

(4) The members who are state officials or university officials shall serve as members for as long as they hold the designated office or university position. The appointed members shall serve for terms that are concurrent with the terms of the appointing officials, or until their successors are appointed and qualified.

(5) Any vacancy in an appointed member position shall be filled within thirty (30) days of the vacancy by the original appointing official, and the individual appointed to fill the vacancy shall meet the same qualifications as required for the former member.

(6) The initial appointments to the advisory council shall be made not later than forty-five (45) days after March 30, 2007, and the first meeting of the advisory council shall be held within sixty (60) days after March 30, 2007, at a time, date and location specified by the State Board of Health.

(7) The advisory council shall annually elect a chairman from among its members. The advisory council shall meet at least quarterly. A quorum for meetings of the advisory council shall be a majority of the voting members of the advisory council. The members of the advisory council shall receive the per diem compensation provided under Section 25-3-69 plus expense reimbursement as provided under Section 25-3-41 for attending meetings and necessary business of the advisory council.

(8) The Mississippi Tobacco Advisory Council shall advise and make recommendations to the State Board of Health regarding rules and regulations promulgated pursuant to this program.

SECTION 21. Section 41-113-11, Mississippi Code of 1972, is brought forward as follows:

41-113-11. (1) There is established in the State Treasury a special fund to be known as the Tobacco Control Program Fund, which shall be comprised of the funds specified in subsection (2) of this section and any other funds that are authorized or required to be deposited into the special fund.

(2) From the tobacco settlement installment payments that the State of Mississippi receives during each calendar year, the sum of Twenty Million Dollars (\$20,000,000.00) shall be deposited into the special fund.

(3) Monies in the fund shall be expended solely for the purposes specified in this chapter. None of the funds in the special fund may be transferred to any other fund or appropriated or expended for any other purpose.

(4) All income from the investment of the funds in the Tobacco Control Program Fund shall be credited to the account of the Tobacco Control Program Fund. Any funds in the Tobacco Control Program Fund at the end of a fiscal year shall not lapse into the State General Fund. Any funds appropriated from the Tobacco Control Program Fund that are unexpended at the end of a fiscal year shall lapse into the Tobacco Control Program Fund. However, beginning with fiscal year 2020, any funds appropriated from the Tobacco Control Program Fund that are unexpended at the end of the fiscal year shall lapse into the Health Care Expendable Fund.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE "REENTRY COURT ACT OF 2022"; TO DEFINE TERMS; TO AUTHORIZE PILOT REENTRY COURTS IN CERTAIN COUNTIES; TO GRANT THE NECESSARY JURISDICTION TO REENTRY COURTS TO EFFECTUATE THE PURPOSES OF THIS ACT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO REQUIRE REENTRY COURTS TO WORK IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND THE MISSISSIPPI INTERVENTION COURT COMMISSION TO ESTABLISH BEST PRACTICES; TO REQUIRE THE REENTRY COURT TO ENSURE THAT A DEFENDANT CONSENTS TO BE SENTENCED TO THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AFTER CERTAIN DISCLOSURES TO THE DEFENDANT; TO AUTHORIZE THE REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY SECOND OR SUBSEQUENT OFFENDER TO SENTENCE THE DEFENDANT TO THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SUBJECT TO PARTICIPATION IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM; TO PROVIDE THAT UPON SUCCESSFUL COMPLETION OF THE PROGRAM AND ANY OTHER TERMS REQUIRED BY THE REENTRY COURT, THE REENTRY COURT SHALL SUSPEND THE REMAINDER OF THE DEFENDANT'S SENTENCE AND PLACE THE DEFENDANT ON INTENSIVE SUPERVISION OF THE REENTRY COURT; TO PROVIDE THAT IN THE EVENT OF A DEFENDANT FAILING TO COMPLETE THE PROGRAM, THE REENTRY COURT SHALL ORDER THE DEFENDANT TO SERVE ALL OR PART OF THE REMAINDER OF THE SENTENCE FOR THE ORIGINAL CHARGE; TO PROVIDE PUNISHMENTS FOR THE VIOLATION OF PROBATION; TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM MENTIONING OR OFFERING PARTICIPATION IN THE PROGRAM AS AN INDUCEMENT TO ANY PERSON ACCUSED OF A CRIME; TO REQUIRE PEER TO FILE A REPORT WITH THE LEGISLATURE; TO PROVIDE THAT THE ACT SHALL REPEAL ON A DATE CERTAIN; TO AMEND SECTION 9-23-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE INTERVENTION COURTS ADVISORY COMMITTEE TO PROMULGATE RULES AND REGULATIONS THAT ALLOW THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE ADDITIONAL FUNDING TO INTERVENTION COURTS BASED ON THE FINANCIAL NEEDS OF THE COURT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM CERTIFICATION STANDARDS FOR OPERATION OF AN INTERVENTION COURT OR PROBLEM SOLVING COURT BY REQUIRING THE PROVISION OF MENTAL HEALTH SERVICES; TO AMEND SECTION 41-113-1, MISSISSIPPI CODE OF 1972, TO INCLUDE DRUG ABUSE IN THE LEGISLATIVE INTENT FOR THE TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-113-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE DIRECTOR OF THE OFFICE OF TOBACCO CONTROL

TO INCLUDE IMPLEMENTATION OF A FENTANYL DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-114-1, MISSISSIPPI CODE OF 1972, TO INCLUDE VAPORIZING DEVICES IN THE DEFINITION OF "SMOKE" OR "SMOKING" FOR THE PROVISIONS OF LAW THAT RESTRICT TOBACCO USE IN PUBLIC FACILITIES; TO BRING FORWARD SECTIONS 41-113-9 AND 41-113-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI TOBACCO CONTROL ADVISORY COUNCIL AND THE TOBACCO CONTROL PROGRAM FUND, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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Senator Hill called up the following House Amendment to **S. B. No. 2913** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-17-17, Mississippi Code of 1972, is amended as follows:

19-17-17. The clerk of the board of supervisors, as county auditor, is authorized and required to examine the accounts, dockets and records of clerks, sheriffs and other officers of \* \* \* the clerk's county, to ascertain if any money payable into the county treasury is properly chargeable to them, and \* \* \* the clerk shall charge them with such money. \* \* \*

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-17-17, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE CLERK OF THE BOARD OF SUPERVISORS TO REPORT TO THE GRAND JURY THE RESULTS OF THE AUDIT REQUIRED BY THIS SECTION; TO DELETE THE CRIMINAL PENALTY AGAINST THE CLERK OF THE BOARD OF SUPERVISORS FOR FAILING TO REPORT TO THE GRAND JURY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2913** by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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Senator Caughman called up the following House Amendment to **S. B. No. 2499** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 433 by inserting the following language before the period: ", and shall stand repealed on June 30, 2022"

AMEND further the title to conform.

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Senator McMahan called up the following House Amendment to **S. B. No. 2981** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Supervisors of Bolivar County, Mississippi, in its discretion, is authorized to contribute funds to the following organizations in amounts not to exceed the following:

Bolivar County Community Action Agency, Inc.....	\$ 50,000.00
Fannie Lou Hamer Breast Cancer Foundation .....	\$ 10,000.00

(2) This section shall stand repealed on January 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND THE FANNIE LOU HAMER BREAST CANCER FOUNDATION; AND FOR RELATED PURPOSES.

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Senator Moran called up the following entitled nomination:

**S. N. No. 34:** Joseph Read Hendon, Ph.D., Ocean Springs, Mississippi, Gulf States Marine Commission as the Mississippi citizen representative, unexpired three year term effective May 28, 2021 and ending January 9, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 34 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--None.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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Senator DeBar moved that the rules be suspended for the consideration en bloc of S. N. No. 5, S. N. No. 26 and S. N. No. 74 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

**S. N. No. 5:** William O. (Bill) Jacobs, Brookhaven, Mississippi, State Board of Education, unexpired portion of a nine year term effective immediately and ending June 30, 2024, vice Dr. Jason Dean.

**S. N. No. 26:** Matthew David (Matt) Miller, Hattiesburg, Mississippi, State Board of Education, unexpired nine year term effective May 18, 2021 and ending June 30, 2029, representing the Second Supreme Court District.

**S. N. No. 74:** Gwendolyn Gayle (Wendi) Barrett, Ph.D., Biloxi, Mississippi, State Board of Education as the Schoolteacher representative, unexpired nine year term effective May 19, 2021 and ending June 30, 2027, vice Brittney Perry Rye.

YEAS AND NAYS on consideration en bloc of S. N. No. 5, S. N. No. 26 and S. N. No. 74. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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Senator DeBar called up the following entitled nomination:

**S. N. No. 25:** Dr. Karen J. Morgan (Karen) Elam, Oxford, Mississippi, State Board of Education, nine year term beginning July 1, 2021 and ending June 30, 2030, representing the Third Supreme Court District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 25 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Hill. Total--1.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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Senator DeBar called up the following entitled nomination:

**S. N. No. 93:** Lee Alexander Durrett, New Albany, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023, vice Ms. Carolyn Willis.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 93 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barrett, McDaniel, Tate. Total--3.

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President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Mrs. Dorothy L. Walker of Mendenhall, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Brian Napp of Biloxi, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Doris Christine Everitt of Pearl, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Carolyn Sue Bradley of Natchez, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 22, 2022.

The motion prevailed, and at 4:26 PM, the Senate stood in recess.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.  
Senators Parker, England, Younger.

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REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 66:** Colonel Clifford Allen (Allen) McDaniel, II, Flowood, Mississippi, State Veterans Affairs Board to represent the state at large, unexpired five year term effective September 1, 2021 and ending May 31, 2025. Do Advise and Consent.

**S. N. No. 67:** BG Billy Lamar Pierce, (Ret.), Decatur, Mississippi, State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, unexpired five year term effective September 1, 2021 and ending May 31, 2025. Do Advise and Consent.

**S. N. No. 77:** SFC James Max Fenn, Jr., USA, Ret., McComb, Mississippi, State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, unexpired five year term effective July 27, 2021 and ending May 31, 2026. Do Advise and Consent.

**S. N. No. 89:** Dan Henry (Hank) Singley, Jr., DMD, Meridian, Mississippi, Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 90:** Richard D. (Dickie) Stevens, Isola, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2023. Do Advise and Consent.

**S. N. No. 107:** Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, unexpired four year term effective February 4, 2022 and ending June 30, 2022, representing the Fifth Congressional District. Do Advise and Consent.

**S. N. No. 108:** Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, four year term effective July 1, 2022 and ending June 30, 2026, representing the Fifth Congressional District. Do Advise and Consent.

SEYMOUR, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1005:** Nursing Education Incentive Program; create.  
Senators Parks, Polk, Boyd.

**H. B. No. 1323:** Tallahatchie River Authority; create.  
Senators Parker, Sparks, Younger.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.  
Senators Parks, Williams, Boyd.

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer.  
Senators Parks, Harkins, Polk.

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MESSAGE FROM THE ATTORNEY GENERAL  
March 21, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Whitney Holliday Lipscomb, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 10, 2022 and expiring June 30, 2024.

Lynn Fitch  
ATTORNEY GENERAL

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The executive nomination in the foregoing message was referred to committee as follows:

Whitney Holliday Lipscomb, Mississippi Commission on the Status of Women, unexpired term beginning March 10, 2022 and expiring June 30, 2024, Rules.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2034:** Intestacy; revise provisions for venue.  
Senators Wiggins, McCaughn, Simmons (12th).

**S. B. No. 2076:** Derelict vessels; provide certain requirements for the removal of.  
Senators Moran, Wiggins, Thompson.

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violation to the State Auditor.  
Senators Wiggins, England, Barrett.

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.  
Senators Moran, Thompson, England.

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.  
Senators Moran, Thompson, England.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 400:** Riding bailiffs; revise salary of.  
Senators Fillingane, Hopson, DeBar.

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on.  
Senators Barnett, Sparks, Carter.

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted.  
Senators Fillingane, Wiggins, Sparks.

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death".  
Senators Fillingane, England, Sparks.

**H. B. No. 620:** Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws.  
Senators Fillingane, Hopson, England.

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.  
Senators Blackwell, Fillingane, Wiggins.

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create.  
Senators Fillingane, Sparks, Barnett.

**H. B. No. 799:** Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting.  
Senators Fillingane, McCaughn, Thompson.

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.  
Senators Barnett, Parker, Sparks.

**H. B. No. 906:** Corrections omnibus bill; enact.  
Senators Barnett, Parker, Sparks.

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.  
Senators Barnett, Norwood, Whaley.

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction.  
Senators Barnett, Wiggins, Blackwell.

**H. B. No. 942:** Hunting and fishing; allow online applicants for a license to elect to be an organ donor.  
Senators Whaley, Suber, Younger.

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish.  
Senators Whaley, McCaughn, Michel.

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development.  
Senators Barnett, Parker, Sparks.

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.  
Senators Whaley, Hill, Parker.

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty.  
Senators Fillingane, England, DeBar.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Dorothy L. Walker, Brian Napp, Doris Christine Everitt and Carolyn Sue Bradley.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 21, 2022

**S. B. No. 3209:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF HERNANDO, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN 1% UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO SUPPORT CAPITAL IMPROVEMENTS RELATED TO PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE THAT AN ELECTION BE HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER 2022 ON THE QUESTION OF THE LEVYING OF SUCH TAX; TO PROVIDE THAT THE TAX SHALL BE SUBJECT TO REAUTHORIZATION BY THE VOTERS AT EACH MUNICIPAL GENERAL ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. R. No. 49:** Rules

A RESOLUTION EXTENDING THE RECOGNITION AND CONGRATULATIONS OF THE MISSISSIPPI SENATE TO AWARD-WINNING COUNTRY SINGER, SONGWRITER AND MUSICIAN CHARLIE WORSHAM FROM JACKSON, MISSISSIPPI.

By Senator(s) Chassaniol

**S. R. No. 50:** Rules

A RESOLUTION RECOGNIZING THE 45TH ANNIVERSARY OF THE FOUNDING OF THE MU XI CHAPTER OF ALPHA PHI ALPHA FRATERNITY ON THE CAMPUS OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI.

By Senator(s) Jackson (11th), Barnett, Hickman

SEVENTY-EIGHTH DAY, TUESDAY, MARCH 22, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Walker D. Wright, Pastor, White Stone Missionary Baptist Church, Memphis, TN.

Senator Blackwell led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.  
Senators Younger, McCaughn, Seymour.

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.  
Senators Younger, Caughman, Whaley.

**S. B. No. 2077:** Mississippi Farms and Families Program; create.  
Senators Younger, Whaley, Jackson (11th).

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.  
Senators McDaniel, Caughman, DeLano.

**S. B. No. 2479:** Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license.  
Senators Younger, McCaughn, Chassaniol.

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.  
Senators Branning, Harkins, Parks.

**S. B. No. 2508:** Personal delivery devices; regulate.  
Senators Branning, Harkins, Boyd.

**S. B. No. 2517:** Commercial motor vehicles; authorize voluntary inspection program.  
Senators Branning, Sparks, McCaughn.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 658:** Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes.  
Senators Blackwell, Fillingane, Wiggins.

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi.  
Senators Branning, Kirby, England.

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination.  
Senators Branning, DeLano, Williams.

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.  
Senators Carter, Parks, Harkins.

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain.  
Senators Branning, Whaley, Butler (36th).

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 581:** Commend Jackson State University "Lady Tigers" Basketball Team for back-to-back SWAC Tournament Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 582:** Commend Manchester Academy "Lady Mavericks" Basketball team for back-to-back State Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 584:** Commemorate the 100th Anniversary of the founding of The Columbus Commercial Dispatch Newspaper (1921-2022). Title Sufficient. Do Be Adopted.

**S. C. R. No. 586:** Designate April 14, 2022, as "Reman Day" in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 39:** Celebrate the Quadrennial service of Bishop C. James King, Jr., Christian Methodist Episcopal Church. Title Sufficient. Do Be Adopted.

**S. R. No. 40:** Commend service of Dr. Mike McGrevey on his retirement from MDA. Title Sufficient. Do Be Adopted.

**S. R. No. 41:** Commend Mississippi High School Activities Association on its 100th Anniversary. Title Sufficient. Do Be Adopted.

**S. R. No. 42:** Commend judicial career of Honorable Norman L. Gillespie of Oxford and extend sympathy on his passing. Title Sufficient. Do Be Adopted.

**S. R. No. 43:** Commend Sister Paula Blouin upon retirement from Assisi Early Learning Center. Title Sufficient. Do Be Adopted.

**S. R. No. 44:** Commend Sharicka Gray, Fairview Elementary in Columbus, Mississippi, Extraordinary Educator Award. Title Sufficient. Do Be Adopted.

**S. R. No. 45:** Commend Becki Cope, Pleasant Hill Elementary in Olive Branch, Extraordinary Educator Award. Title Sufficient. Do Be Adopted.

**S. R. No. 46:** Commend Matthew Lambert of Bell Academy in Boyle, Mississippi, Extraordinary Educator Award. Title Sufficient. Do Be Adopted.

**S. R. No. 47:** Extend best wishes to former Senator Nevin Sledge on his 100th Birthday and commend his public service. Title Sufficient. Do Be Adopted.

**S. R. No. 48:** Mourn the passing of longtime Oxford Alderman Dr. William Clair "Bill" Baker and recognizing his civic contributions. Title Sufficient. Do Be Adopted.

**H. C. R. No. 38:** MS Funeral Directors Association; commend and express gratitude to funeral service professionals for selfless work during COVID-19 pandemic. Title Sufficient. Do Be Adopted.

**H. C. R. No. 61:** Hunter Luis Melendez; commend upon being named 2021 MS State Games - Male Athlete of the Year. Title Sufficient. Do Be Adopted.

**H. C. R. No. 62:** Cooper Conner; commend and upon being named 2021 MS State Games - Youth Athlete of the Year. Title Sufficient. Do Be Adopted.

**H. C. R. No. 63:** Tere Turner; commend upon being named 2021 MS State Games - Female Athlete of the Year. Title Sufficient. Do Be Adopted.

**H. C. R. No. 64:** Laura Bivins; commend and congratulate upon winning the U.S. Presidential Award for Excellence in Mathematics and Science. Title Sufficient. Do Be Adopted.

**H. C. R. No. 65:** Madeline Zimmerman; commend for being selected as Instructor of the Year at the Jackson County Campus of MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 66:** Jo Anne Daniels; commend for being selected as Instructor of the Year at the Jefferson Davis Campus of MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 67:** Monica Donohue; commend for being selected as Instructor of the Year at the Harrison County Campus of MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 68:** Mandy Withrow; commend for being selected as Instructor of the Year at the George County Center of MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 69:** Darlene Bush; commend for being selected as Instructor of the Year at the Perkinston Campus of MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 70:** Angela Butler; commend for being selected as Instructor of the Year at the Perkinston Campus of the MGCCC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 71:** International Women's Month; designate month of March 2022 as for statewide observance. Title Sufficient. Do Be Adopted.

**H. C. R. No. 73:** John Girard Guthrie; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 74:** Zeb Andrews Hughes and Jameson Med Gunner Palmer; commend lives and legacies of and encourage boating safety awareness. Title Sufficient. Do Be Adopted.

**H. C. R. No. 75:** Hilda Louise Smith Casin; commend life, service and accomplishments of. Title Sufficient. Do Be Adopted.

**H. C. R. No. 76:** Mississippi High School Activities Association; commend and congratulate upon its centennial anniversary. Title Sufficient. Do Be Adopted.

**H. C. R. No. 78:** Mississippi Farm Bureau Federation; commend upon 100th anniversary of. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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REPORT OF COMMITTEE ON RULES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 145:** Sherri Carr (Sherri) Smith, Gulfport, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 11, 2022 and expiring June 30, 2025. Do Advise and Consent.

KIRBY, Chairman

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Senator Seymour moved that the rules be suspended for the consideration en bloc of S. N. No. 66, S. N. No. 67, S. N. No. 77, S. N. No. 89, S. N. No. 90, S. N. No. 107 and S. N. No. 108 and the motion prevailed.

Senator Seymour called up the following entitled nominations:

**S. N. No. 66:** Colonel Clifford Allen (Allen) McDaniel, II, Flowood, Mississippi, State Veterans Affairs Board to represent the state at large, unexpired five year term effective September 1, 2021 and ending May 31, 2025.

**S. N. No. 67:** BG Billy Lamar Pierce, (Ret.), Decatur, Mississippi, State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, unexpired five year term effective September 1, 2021 and ending May 31, 2025.

**S. N. No. 77:** SFC James Max Fenn, Jr., USA, Ret., McComb, Mississippi, State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, unexpired five year term effective July 27, 2021 and ending May 31, 2026.

**S. N. No. 89:** Dan Henry (Hank) Singley, Jr., DMD, Meridian, Mississippi, Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2024.

**S. N. No. 90:** Richard D. (Dickie) Stevens, Isola, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 and ending June 30, 2023.

**S. N. No. 107:** Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, unexpired four year term effective February 4, 2022 and ending June 30, 2022, representing the Fifth Congressional District.

**S. N. No. 108:** Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, four year term effective July 1, 2022 and ending June 30, 2026, representing the Fifth Congressional District.

YEAS AND NAYS on consideration en bloc of S. N. No. 66, S. N. No. 67, S. N. No. 77, S. N. No. 89, S. N. No. 90, S. N. No. 107 and S. N. No. 108. On motion of Senator Seymour, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Bryan moved that the rules be suspended to move to calendar item 2, **S. B. No. 2899**, and the motion prevailed.

Senator Bryan called up the following House Amendments to **S. B. No. 2899** and moved that the Senate decline to concur in the Amendments, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 70 by inserting the following before the period: ", and shall stand repealed on June 30, 2022"

AMENDMENT NO. 2:

AMEND by deleting the underlined language on lines 29 through 31 and inserting the following: ", which must include the treatment of mental illness by community mental health centers operated by a regional commission established under Section 41-19-33 or by a public or private entity under contract with a regional commission to operate the center,"

AMEND FURTHER on line 36 by inserting after the word "center" the following: "described in paragraph (b) of this section"

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Senator Bryan moved that the rules be suspended to move to calendar item 6, **S. B. No. 2735**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2735** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-75-1, Mississippi Code of 1972, is amended as follows:

41-75-1. For the purpose of this chapter:

(a) "Ambulatory surgical facility" means a publicly or privately owned institution that is primarily organized, constructed, renovated or otherwise established for the purpose of providing elective surgical treatment of "outpatients" whose recovery, under normal and routine circumstances, will not require "inpatient" care. The facility defined in this paragraph does not include the offices of private physicians or dentists, whether practicing individually or in groups, but does include organizations or facilities primarily engaged in that outpatient surgery, whether using the name "ambulatory surgical facility" or a similar or different name. That organization or facility, if in any manner considered to be operated or owned by a hospital or a hospital holding, leasing or management company, either for profit or not for profit, is required to comply with all licensing agency ambulatory surgical licensure standards governing a "hospital affiliated" facility as adopted under Section 41-9-1 et seq., provided that the organization or facility does not intend to seek federal certification as an ambulatory surgical facility as provided for at 42 CFR, Parts 405 and 416. If the organization or facility is to be operated or owned by a hospital or a hospital holding, leasing or management company and intends to seek federal certification as an ambulatory facility, then the facility is considered to be "freestanding" and must comply with all licensing agency ambulatory surgical licensure standards governing a "freestanding" facility.

If the organization or facility is to be owned or operated by an entity or person other than a hospital or hospital holding, leasing or management company, then the organization or facility must comply with all licensing agency ambulatory surgical facility standards governing a "freestanding" facility.

(b) "Hospital affiliated" ambulatory surgical facility means a separate and distinct organized unit of a hospital or a building owned, leased, rented or utilized by a hospital and located in the same county in which the hospital is located, for the primary purpose of performing ambulatory surgery procedures. The facility is not required to be separately licensed under this chapter and may operate under the hospital's license in compliance with all applicable requirements of Section 41-9-1 et seq.

(c) "Freestanding" ambulatory surgical facility means a separate and distinct facility or a separate and distinct organized unit of a hospital owned, leased, rented or utilized by a hospital or other persons for the primary purpose of performing ambulatory surgery procedures. The facility must be separately licensed as defined in this section and must comply with all licensing standards promulgated by the licensing agency under this chapter regarding a "freestanding" ambulatory surgical facility. Further, the facility must be a separate, identifiable entity and must be physically, administratively and financially independent and distinct from other operations of any other health facility, and shall maintain a separate organized medical and administrative staff. Furthermore, once licensed as a "freestanding" ambulatory surgical facility, the facility shall not become a component of any other health facility without securing a certificate of need to do that.

(d) "Ambulatory surgery" means surgical procedures that are more complex than office procedures performed under local anesthesia, but less complex than major procedures requiring prolonged postoperative monitoring and hospital care to ensure safe recovery and desirable results. General anesthesia is used in most cases. The patient must arrive at the facility and expect to be discharged on the same day. Ambulatory

surgery shall only be performed by physicians or dentists licensed to practice in the State of Mississippi.

(e) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substances or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth or to remove a dead fetus. Abortion procedures after the first trimester shall only be performed at a Level I abortion facility or an ambulatory surgical facility or hospital licensed to perform that service.

(f) "Abortion facility" means a facility operating substantially for the purpose of performing abortions and is a separate identifiable legal entity from any other health care facility. Abortions shall only be performed by physicians licensed to practice in the State of Mississippi. All physicians associated with the abortion facility must have admitting privileges at a local hospital and staff privileges to replace local hospital on-staff physicians. All physicians associated with an abortion facility must be board certified or eligible in obstetrics and gynecology, and a staff member trained in CPR shall always be present at the abortion facility when it is open. The term "abortion facility" includes physicians' offices that are used substantially for the purpose of performing abortions. An abortion facility operates substantially for the purpose of performing abortions if any of the following conditions are met:

(i) The abortion facility is a provider for performing ten (10) or more abortion procedures per calendar month during any month of a calendar year, or one hundred (100) or more in a calendar year.

(ii) The abortion facility, if operating less than twenty (20) days per calendar month, is a provider for performing ten (10) or more abortion procedures, or performing a number of abortion procedures that would be equivalent to ten (10) procedures per month, if the facility were operating twenty (20) or more days per calendar month, in any month of a calendar year.

(iii) The abortion facility holds itself out to the public as an abortion provider by advertising by any public means, such as newspaper, telephone directory, magazine or electronic media, that it performs abortions.

(iv) The facility applies to the licensing agency for licensure as an abortion facility.

(g) "Licensing agency" means the State Department of Health.

(h) "Operating" an abortion facility means that the facility is open for any period of time during a day and has on site at the facility or on call a physician licensed to practice in the State of Mississippi available to provide abortions.

An abortion facility may apply to be licensed as a Level I facility or a Level II facility by the licensing agency. Level II abortion facilities shall be required to meet minimum standards for abortion facilities as established by the licensing agency. Level I abortion facilities shall be required to meet minimum standards for abortion facilities and minimum standards for ambulatory surgical facilities as established by the licensing agency.

Any abortion facility that begins operation after June 30, 1996, shall not be located within one thousand five hundred (1,500) feet from the property on which any church, school or kindergarten is located. An abortion facility shall not be in violation of this paragraph if it is in compliance with this paragraph on the date it begins operation and the property on which a church, school or kindergarten is located within one thousand five hundred (1,500) feet from the facility.

(i) "Freestanding emergency room" is a facility open twenty-four (24) hours a day for the treatment of urgent and emergent medical conditions which is not located on a hospital campus. In order to be eligible for licensure under this chapter, the freestanding emergency room shall be located at least fifteen (15) miles from the nearest hospital-based emergency room in any rural community where the federal CMMS had previously designated a rural hospital as a critical access hospital and that designation has been revoked.

(j) "Post-acute residential brain injury rehabilitation facility" is a facility containing no more than twelve (12) beds providing medically directed long-term but nonacute rehabilitation to patients who have acquired brain injury. In order to be eligible for licensure under this chapter, the post-acute residential brain injury rehabilitation facility shall be located at least twenty-five (25) miles from the nearest acute care rehabilitation hospital and at least five (5) miles from the boundaries of any municipality having a population of ten thousand (10,000) or more, according to the most recent federal decennial census, at the time that facility is established.

(k) "Pilot freestanding emergency room" is a facility open twenty-four (24) hours a day for the treatment of urgent and emergent medical conditions that is not located on a hospital campus. In order to be eligible for licensure under this chapter, the pilot freestanding emergency room shall be located at least fifteen (15) miles from the nearest hospital-based emergency room in a county without emergency hospital care that is open twenty-four (24) hours a day.

SECTION 2. Section 41-75-13, Mississippi Code of 1972, is amended as follows:

41-75-13. (1) The licensing agency shall adopt, amend, promulgate and enforce rules, regulations and standards, including classifications, with respect to ambulatory surgical facilities and abortion facilities, freestanding emergency rooms and post-acute residential brain injury rehabilitation facilities licensed, or which may be licensed, to further the accomplishment of the purpose of this chapter in protecting and promoting the health, safety and welfare of the public by ensuring adequate care of individuals receiving services from such facilities. The licensing agency also shall adopt, amend, promulgate and enforce rules, regulations and standards with respect to the enforcement of the informed consent requirements of Sections 41-41-31 through 41-41-39 at abortion facilities. Such rules, regulations and standards for freestanding emergency rooms shall include a patient transfer policy under which the freestanding emergency room enters into an agreement with a general hospital for a protocol for patient transfers. Such rules, regulations and standards shall be adopted and promulgated by the licensing agency in accordance with the provisions of Section 25-43-1 et seq., and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules and Regulations for Operation of Ambulatory Surgical Facilities and Abortion Facilities, Freestanding Emergency Room Facilities and Post-Acute Residential Brain Injury Rehabilitation Facilities." The book shall be open and available to all ambulatory surgical facilities and abortion facilities, freestanding emergency rooms and post-acute residential brain injury rehabilitation facilities and the public during regular business hours.

(2) The licensing agency shall not issue licenses for more than five (5) pilot freestanding emergency rooms. The licensing agency shall adopt criteria for determining which applicants will have priority for receiving a license if there are more than five (5) applications for pilot freestanding emergency room licenses.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-75-1, MISSISSIPPI CODE OF 1972, TO CREATE A DEFINITION FOR PILOT FREESTANDING EMERGENCY ROOMS FOR THE PURPOSE OF LICENSURE; TO AMEND SECTION 41-75-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL NOT ISSUE LICENSES FOR MORE THAN FIVE PILOT FREESTANDING EMERGENCY ROOMS; AND FOR RELATED PURPOSES.

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Senator Bryan moved that the rules be suspended to move to calendar item 17, **S. B. No. 2818**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2818** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND by inserting the following new Section 9 after line 2010 and renumbering the following section:

"SECTION 9. In the negotiation and execution of all information technology contracts as necessary under the Mississippi Medical Cannabis Act, the executive director of the State Department of Health and the executive director of the Department of Revenue may negotiate a limitation on the liability of prospective contractors to the state, provided that such limitation affords the state reasonable protection."

AMEND FURTHER the title on line 45 by inserting the following after the semicolon: "TO AUTHORIZE THE EXECUTIVE DIRECTORS OF THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE NEGOTIATE A LIMITATION ON THE LIABILITY OF PROSPECTIVE CONTRACTORS TO THE STATE IN THE NEGOTIATION AND EXECUTION OF ALL INFORMATION TECHNOLOGY CONTRACTS AS NECESSARY UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT;"

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2818** by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--40.

Nays--Barrett, Branning, Chism, Hill, Hopson, McDaniel, McLendon, Parks, Suber, Thompson, Williams. Total--11.

Absent and those not voting--Tate. Total--1.

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Senator Bryan entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2818**.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of George Louis Hauersperger and Florence Elaine Jamieson of Saucier Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Elnora Jean Anderson Williams of Big Level Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charlotte Johnson of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John Travis Owens of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Bennie Joe Key, Sr. of East Central Community, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Reverend Roy Hawkins of Yazoo City, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Carrie Elizabeth Myers of Natchez, MS.

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Senators Carter, England, Thompson and Wiggins moved that when the Senate adjourns, it adjourn in memory of Doris Klein Ishee of Gulfport, MS.

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#### REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 18:** John Peter (Johnny Pete) McRight, Greenville, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the Second Congressional District as it existed in 1986. Do Advise and Consent.

**S. N. No. 19:** Luke Crane Montgomery, Fulton, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the First Congressional District as it existed in 1986. Do Advise and Consent.

**S. N. No. 20:** William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board, unexpired term effective May 4, 2021 and ending June 30, 2021, representing the Fifth Congressional District, vice Mr. Todd Hairston. Do Advise and Consent.

**S. N. No. 21:** William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing Fifth Congressional District. Do Advise and Consent.

**S. N. No. 39:** Ormella Cummings, Ph.D., Fulton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030. Do Advise and Consent.

**S. N. No. 40:** Teresa Aven Hubbard, Oxford, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030. Do Advise and Consent.

**S. N. No. 41:** Roy Hal Parker, Jr., Bolton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, nine year term effective May 18, 2021 and ending May 8, 2030. Do Advise and Consent.

**S. N. No. 42:** Gregory Charles (Gregg) Rader, Columbus, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030. Do Advise and Consent.

**S. N. No. 120:** Jeffrey Ward (Jeff) Bertucci, Sr., Gulfport, Mississippi, Board of Directors of the College Savings Plan of Mississippi, five year term effective September 15, 2021 and ending June 30, 2026, representing the Fifth Congressional District. Do Advise and Consent.

**S. N. No. 121:** Donald Geaty (Don) Brown, Vicksburg, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 122:** Tyler Norman, Meridian, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, remainder of five year term effective September 23, 2021 and ending June 30, 2024, vice Jason Branning. Do Advise and Consent.

PARKS, Chairman

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 23, 2022.

The motion prevailed, and at 10:41 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 82:** Mark Timothy Wiggins, Oxford, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2022 and ending March 31, 2028. Do Advise and Consent.

**S. N. No. 13:** Noel Everett Daniels, Brandon, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, unexpired six year term effective June 3, 2021 and ending March 31, 2027. Do Advise and Consent.

**S. N. No. 128:** Lisa Renee Rice, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, remainder of four year term effective February 10, 2022 and ending January 10, 2024, vice Charles R. Russell. Do Advise and Consent.

**S. N. No. 127:** David A. Jackson, Ridgeland, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2024, vice David McNamara. Do Advise and Consent.

**S. N. No. 137:** Kimberly Leigh (Kim) LaRosa, Pass Christian, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective February 15, 2022 and ending December 31, 2026. Do Advise and Consent.

**S. N. No. 129:** George Edward (Ed) Tucker, Jr., Brandon, Mississippi, MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, remainder of four year term effective January 31, 2022 and ending January 10, 2024, vice S. Keith Winfield. Do Advise and Consent.

HARKINS, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement and clarify use of reverse auction.

Representatives Bell (21st),White,McCarty

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.

Representatives Bell (21st),Hale,White

**S. B. No. 3002:** Appropriation; IHL - General support.

Representatives Read,Beckett,Bounds

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

Representatives Read,Beckett,Bounds

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

Representatives Read,Beckett,Bounds

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Representatives Read,Beckett,Bounds

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Representatives Read,Beckett,Bounds

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Representatives Read,Beckett,Bounds

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Representatives Read,Beckett,Bounds

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

Representatives Read,Beckett,Bounds

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

Representatives Read,Beckett,Bounds

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

Representatives Read,Barton,Hale

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Representatives Read,Barton,Hale

**S. B. No. 3013:** Appropriation; Corrections, Department of.

Representatives Read,Horan,Barton

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of.

Representatives Read,Oliver,Mims

**H. B. No. 1587:** Appropriation; Nursing, Board of.

Representatives Read,Oliver,Currie

- H. B. No. 1589:** Appropriation; Optometry, Board of.  
Representatives Read, Oliver, Currie
- H. B. No. 1593:** Appropriation; Insurance, Department of.  
Representatives Read, Oliver, Beckett
- H. B. No. 1594:** Appropriation; Fire Academy.  
Representatives Read, Oliver, Hale
- H. B. No. 1595:** Appropriation; Public Employees' Retirement System.  
Representatives Read, Oliver, Huddleston
- H. B. No. 1597:** Appropriation; Legislative expenses.  
Representatives Read, White, Oliver
- H. B. No. 1598:** Appropriation; Arts Commission.  
Representatives Read, Bennett, Ladner
- H. B. No. 1599:** Appropriation; Archives and History, Department of.  
Representatives Read, Bennett, Ladner
- H. B. No. 1600:** Appropriation; Education, Department of.  
Representatives Read, Bennett, Eure
- H. B. No. 1601:** Appropriation; Educational Television, Authority for.  
Representatives Read, Bennett, Eure
- H. B. No. 1602:** Appropriation; Library Commission.  
Representatives Read, Bennett, Eure
- H. B. No. 1604:** Appropriation; Environmental Quality, Department of.  
Representatives Read, Bounds, Beckett
- H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.  
Representatives Read, Bounds, Beckett
- H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.  
Representatives Read, Bounds, Mims
- H. B. No. 1607:** Appropriation; Mississippi Broadband Commission.  
Representatives Read, Bounds, Beckett
- H. B. No. 1608:** Appropriation; Oil and Gas Board.

Representatives Read,Bounds,Mims

**H. B. No. 1609:** Appropriation; Public Service Commission.

Representatives Read,Bounds,Beckett

**H. B. No. 1610:** Appropriation; Public Utilities Staff.

Representatives Read,Bounds,Beckett

**H. B. No. 1611:** Appropriation; Human Services, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1613:** Appropriation; Medicaid, Division of.

Representatives Read,Hood,White

**H. B. No. 1614:** Appropriation; Health, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1616:** Appropriation; Forestry Commission.

Representatives Read,Pigott,Mangold

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.

Representatives Read,Pigott,Mangold

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District.

Representatives Read,Ladner,Currie

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management District.

Representatives Read,Ladner,Arnold

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board.

Representatives Read,Huddleston,Barton

**H. B. No. 1624:** Appropriation; Marine Resources, Department of.

Representatives Read,Eure,Bennett

**H. B. No. 1625:** Appropriation; District attorneys and staff.

Representatives Read,Cockerham,Eure

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.

Representatives Read,Cockerham,Hines

**H. B. No. 1627:** Appropriation; State Public Defender, Office of.

Representatives Read, Cockerham, Young

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Representatives Read, Cockerham, White

**H. B. No. 1629:** Appropriation; Attorney General.

Representatives Read, Cockerham, Boyd

**H. B. No. 1630:** Appropriation; Transportation, Department of.

Representatives Read, Busby, Mangold

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of.  
Senators Hopson, Jackson (11th), Blackwell.

**H. B. No. 1587:** Appropriation; Nursing, Board of.  
Senators Hopson, Jackson (11th), Thompson.

**H. B. No. 1593:** Appropriation; Insurance, Department of.  
Senators Hopson, Michel, Hickman.

**H. B. No. 1594:** Appropriation; Fire Academy.  
Senators Hopson, Michel, Hickman.

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System.  
Senators Hopson, Polk, Williams.

**H. B. No. 1597:** Appropriation; Legislative expenses.  
Senators Hopson, Polk, Blackwell.

**H. B. No. 1598:** Appropriation; Arts Commission.  
Senators Hopson, Moran, Suber.

**H. B. No. 1599:** Appropriation; Archives and History, Department of.  
Senators Hopson, Michel, Jackson (11th).

**H. B. No. 1600:** Appropriation; Education, Department of.  
Senators Hopson, DeBar, McCaughn.

**H. B. No. 1601:** Appropriation; Educational Television, Authority for.  
Senators Hopson, DeBar, Norwood.

**H. B. No. 1602:** Appropriation; Library Commission.  
Senators Hopson, DeBar, Michel.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

Senators Hopson, Moran, Polk.

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.  
Senators Hopson, DeLano, Whaley.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.  
Senators Hopson, Moran, Suber.

**H. B. No. 1607:** Appropriation; Mississippi Broadband Commission.  
Senators Hopson, DeLano, Carter.

**H. B. No. 1608:** Appropriation; Oil and Gas Board.  
Senators Hopson, Turner-Ford, DeLano.

**H. B. No. 1609:** Appropriation; Public Service Commission.  
Senators Hopson, DeLano, Moran.

**H. B. No. 1610:** Appropriation; Public Utilities Staff.  
Senators Hopson, DeLano, DeBar.

**H. B. No. 1611:** Appropriation; Human Services, Department of.  
Senators Hopson, Blackwell, Wiggins.

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.  
Senators Hopson, Blackwell, McLendon.

**H. B. No. 1613:** Appropriation; Medicaid, Division of.  
Senators Hopson, Blackwell, Butler (36th).

**H. B. No. 1614:** Appropriation; Health, Department of.  
Senators Hopson, Hill, Michel.

**H. B. No. 1616:** Appropriation; Forestry Commission.  
Senators Hopson, Turner-Ford, McCaughn.

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.  
Senators Hopson, Moran, Younger.

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District.  
Senators Hopson, Branning, Parks.

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management  
District.  
Senators Hopson, Branning, Butler (38th).

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board.  
Senators Hopson, DeLano, Moran.

**H. B. No. 1624:** Appropriation; Marine Resources, Department of.  
Senators Hopson, Moran, Polk.

**H. B. No. 1625:** Appropriation; District attorneys and staff.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1627:** Appropriation; State Public Defender, Office of.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senators Hopson, Norwood, Sparks.

**H. B. No. 1629:** Appropriation; Attorney General.

Senators Hopson, Norwood, DeBar.

**H. B. No. 1630:** Appropriation; Transportation, Department of.

Senators Hopson, Branning, Polk.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2419:** Hospital Nurse and Allied Health Professional Retention Loan Program; create.

Representatives Read, Oliver, White

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

Representatives Read, Cockerham, White

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriation bills.

Representatives Read, Cockerham, Oliver

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

Representatives Read, Oliver, White

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 2864:** Appropriation; National Guard, -ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

Representatives Read,Cockerham,Turner

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

Representatives Read,Pigott,Mangold

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

Representatives Read,Pigott,Mangold

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

Representatives Read,Pigott,Mangold

**S. B. No. 3018:** Appropriation; Emergency Management Agency.

Representatives Read,Bennett,Eure

**S. B. No. 3019:** Appropriation; Military Department.

Representatives Read,Huddleston,Barton

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.

Representatives Read,Huddleston,Boyd

**S. B. No. 3021:** Appropriation; Ethics Commission.

Representatives Read,Cockerham,White

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.

Representatives Read,Cockerham,White

**S. B. No. 3023:** Appropriation; Employment Security, Department of.

Representatives Read,Oliver,Mangold

**S. B. No. 3024:** Appropriation; Revenue, Department of.

Representatives Read,Bounds,Beckett

**S. B. No. 3025:** Appropriation; Tax Appeals Board.

Representatives Read,Bounds,Mims

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.

Representatives Read,Oliver,Mangold

**S. B. No. 3027:** Appropriation; Mental Health, Department of.

Representatives Read,Mims,Beckett

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Representatives Read,Busby,Hale

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Representatives Read,Ladner,Currie

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.

Representatives Read,Oliver,Mims

**S. B. No. 3038:** Appropriation; Gaming Commission.

Representatives Read,Eure,Bennett

**S. B. No. 3043:** Appropriation; Audit, Department of.

Representatives Read,Bounds,Mims

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.

Representatives Read,Oliver,Ladner

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.

Representatives Read,Barton,Horan

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.

Representatives Read,White,Oliver

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.

Representatives Read,Bounds,Beckett

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.

Representatives Read,Bennett,Eure

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Representatives Read,Bennett,Eure

**S. B. No. 3050:** Appropriation; Department of Tourism.

Representatives Read,Bennett,Currie

**S. B. No. 3051:** Appropriation; Personnel Board.

Representatives Read,Beckett,Bounds

**S. B. No. 3052:** Appropriation; Secretary of State.

Representatives Read,Bennett,Eure

**S. B. No. 3053:** Appropriation; Treasurer's Office.

Representatives Read,Oliver,White

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obl.

Representatives Read, Oliver, White

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies.

Representatives Read, Cockerham, Oliver

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA.

Representatives Read, Oliver, White

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building, -ARPA Funds.

Representatives Read, Oliver, White

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.

Representatives Read, Oliver, White

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

Representatives Read, Oliver, White

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate

in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

Representatives Currie, Oliver, Lamar

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create.

Representatives Read, Oliver, White

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish.

Representatives Read, Oliver, White

**H. B. No. 1353:** Budget process; bring forward various sections relating to.

Representatives Read, Cockerham, White

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

Representatives Read, Oliver, White

**H. B. No. 1425:** ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health.

Representatives Read, Oliver, White

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to.

Representatives Read, Oliver, White

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

Representatives Read, Oliver, White

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

Representatives Read, Oliver, White

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.

Representatives Read, Oliver, White

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program.

Representatives Read, Oliver, White

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program.

Representatives Read,Oliver,White

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

Representatives Read,Oliver,White

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

Representatives Read,Oliver,White

**H. B. No. 1631:** Appropriation; additional for various state agencies for FY22 & FY23.

Representatives Read,Cockerham,Oliver

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

Representatives Read,Oliver,White

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges.

Representatives Read,Oliver,White

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to. Senators Tate, Blount, Blackwell.

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine. Senators Tate, Chassaniol, Fillingane.

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact. Senators Tate, Blount, Fillingane.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create. Senators Chassaniol, Polk, Williams.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATIONS of Representatives Read and Oliver as conferees, the Speaker has named new conferees on the following:

**S. B. No. 2419:** Hospital Nurse and Allied Health Professional Retention Loan Program; create.

Representative White remains as a conferee and the Speaker has named Representatives Mims and McGee to the vacancies.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2066:** District attorneys and investigators; increase annual salaries of.

Representatives Read, Oliver, Cockerham

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers.

Representatives Read, Oliver, Cockerham

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.

Representatives Bennett, McCarty, Owen

**S. B. No. 2423:** Teacher license; allow supplemental endorsement and revise provisions of issuance.

Representatives Bennett, McCarty, Felsher

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments.

Representatives Bennett, McCarty, Owen

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

Representatives Bennett, Read, McCarty

**S. B. No. 2509:** Outdoor advertising signs; revise height limit provisions.

Representatives Busby, Massengill, Weathersby

**S. B. No. 2519:** Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle.

Representatives Busby, Massengill, Smith

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service.

Representatives Hood, Deweese, McGee

**S. B. No. 2803:** Sheriffs; increase annual salaries of.

Representatives Read, Oliver, Barton

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework.

Representatives Read, Oliver, Beckett

**S. B. No. 2887:** School Boards; allow to purchase electric vehicles for student transportation.

Representatives Bennett, McCarty, Owen

**S. B. No. 3000:** Warren County; authorize contributions to various organizations.

Representatives Barton, Gibbs (36th), Steverson

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

Representatives Barton, Gibbs (36th), Steverson

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

Representatives Barton, Gibbs (36th), Steverson

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year.

Representatives Barton, Gibbs (36th), Steverson

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Boys State Program.

Representatives Barton, Gibbs (36th), Steverson

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities.

Representatives Read, Barton, Eure

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

Representatives Bennett,McCarty,McGee

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from.

Representatives Read,Beckett,Bounds

**H. B. No. 1168:** Gifted education; require school districts to provide for students in Grades 7 and 8.

Representatives Bennett,McCarty,Felsher

**H. B. No. 1240:** MCOPS programs; authorize training for to provide at any approved training academy in the state.

Representatives Bennett,McCarty,McKnight

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children.

Representatives Bennett,Read,Crudup

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for.

Representatives Beckett,Eubanks,Powell

**H. B. No. 1408:** Sheriffs' salaries; increase.

Representatives Read,Oliver,Barton

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of.

Representatives Read,Oliver,Cockerham

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of.

Representatives Read,Oliver,Cockerham

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials.

Representatives Read,Oliver,White

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance.

Representatives Beckett,Eubanks,Powell

Andrew Ketchings, Clerk of the House of Representatives

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 84:** Krissy Casey Nobile, Madison, Mississippi, Director of the Mississippi Office of Capital Post-Conviction Counsel, four year term beginning August 1, 2021 and ending July 31, 2025. Do Advise and Consent.

WIGGINS, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities.  
Senators Hopson, Michel, Moran.

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from.  
Senators Hopson, Blackwell, Turner-Ford.

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for.  
Senators Tate, Parker, Blount.

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of.  
Senators Hopson, Polk, Norwood.

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of.  
Senators Hopson, Polk, Hickman.

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials.  
Senators Hopson, Polk, Blackwell.

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance.  
Senators Tate, Blount, Blackwell.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create.  
Senators Hopson, Polk, Michel.

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish.  
Senators Parker, England, Younger.

**H. B. No. 1353:** Budget process; bring forward various sections relating to.  
Senators Hopson, Polk, Blackwell.

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.  
Senators Hopson, Polk, Michel.

**H. B. No. 1425:** ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health.  
Senators Hopson, Polk, Michel.

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.  
Senators Hopson, Polk, Parker.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.  
Senators Hopson, Polk, Thompson.

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.  
Senators Hopson, Polk, Parks.

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program.  
Senators Hopson, Polk, Parker.

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program.  
Senators Hopson, Polk, Michel.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.  
Senators Hopson, Polk, Michel.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1631:** Appropriation; additional for various state agencies for FY22 & FY23.  
Senators Hopson, Polk, Jackson (11th).

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.  
Senators Hopson, Polk, Michel.

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges.  
Senators Hopson, Polk, Butler (36th).

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Lamar,Steverson,Zuber

**S. B. No. 2076:** Derelict vessels; provide certain requirements for the removal of.

Representatives Ladner,Felsher,McKnight

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

Representatives Lamar,Steverson,Powell

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

Representatives Steverson,Powell,Zuber

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

Representatives Zuber,Ford (54th),Hobgood-Wilkes

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

Representatives Zuber,Ford (54th),Denton

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

Representatives Zuber,Ford (54th),Robinson

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

Representatives Ladner,Felsher,McKnight

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.

Representatives Ladner,Felsher,McKnight

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property.

Representatives Weathersby,Holloway,Lancaster

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited.

Representatives Zuber,Ford (54th),Yancey

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services.

Representatives Zuber,Ford (54th),Newman

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

Representatives Lamar,Powell,Zuber

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2772:** State Small Business Credit Initiative; update citations to federal law.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

Representatives Lamar,Powell,Zuber

**S. B. No. 3153:** Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements.

Representatives Lamar,Steverson,Massengill

**S. B. No. 3163:** Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure.

Representatives Lamar,Steverson,Massengill

**S. B. No. 3164:** Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate.

Representatives Lamar,Steverson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes.

Representatives Lamar,Massengill,Zuber

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

Representatives Zuber,Ford (54th),Busby

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County.

Representatives Lamar,Steverson,Massengill

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives.

Representatives Lamar,Steverson,Massengill

**H. B. No. 512:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.

Representatives Lamar,Steverson,Zuber

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.

Representatives Lamar,Steverson,Massengill

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.

Representatives Lamar,Barnett,Morgan

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for.

Representatives Zuber,Ford (54th),Hale

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.

Representatives Lamar,Barnett,Massengill

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities.

Representatives Lamar,Carpenter,Massengill

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit.

Representatives Lamar,Roberson,Zuber

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.

Representatives Lamar,Aguirre,Bain

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1530:** Bonds; authorize issuance for the Water Pollution Control Revolving Fund.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1685:** Pregnancy Resource Act; create.

Representatives Lamar,Massengill,Yancey

**H. B. No. 1687:** Children's Promise Act; revise certain provisions.

Representatives Lamar,Steverson,Massengill

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities.

Representatives Lamar,Steverson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Stamps as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.

Representatives Bounds and Anderson (122nd) remain as conferees and the Speaker has named Representative Read to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Barton as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to.

Representatives Byrd and Taylor remain as conferees and the Speaker has named Representative Read to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities.  
Senators Hopson, Michel, Hill.

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.  
Senators Hopson, Polk, Michel.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2831:** AN ACT TO CREATE THE TAXATION OF REMOTE AND INTERNET-BASED COMPUTER SOFTWARE PRODUCTS AND SERVICES STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING THE TAXATION OF REMOTE AND INTERNET-BASED COMPUTER SOFTWARE PRODUCTS AND SERVICES UNDER THE MISSISSIPPI SALES TAX LAW AND THE MISSISSIPPI USE TAX LAW; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1584:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2023.

**H. B. No. 1585:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2023.

**H. B. No. 1588:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2023.

**H. B. No. 1615:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2023.

**H. B. No. 1622:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1589:** Appropriation; Optometry, Board of.  
Senators Hopson, Jackson (11th), Parker.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of George Louis Hauersperger, Florence Elaine Jamieson, Elnora Jean Anderson Williams, Charlotte Johnson, John Travis Owens, Bennie Joe Key, Sr., Reverend Roy Hawkins, Carrie Elizabeth Myers and Doris Klein Ishee.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 22, 2022

**S. B. No. 3210:** Local and Private

AN ACT TO AUTHORIZE THE CITIES OF CLINTON AND RAYMOND AND THE TOWN OF BOLTON TO CREATE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY; TO PROVIDE THAT THE AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF DIRECTORS; TO PROVIDE FOR THE POWERS AND DUTIES OF THE AUTHORITY; TO AUTHORIZE THE AUTHORITY TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE WASTEWATER SYSTEMS WITHIN THE AUTHORITY'S AREA; TO AUTHORIZE WASTEWATER SERVICES PROVIDERS TO CONTRACT WITH THE AUTHORITY; TO AUTHORIZE THE AUTHORITY TO ISSUE REVENUE BONDS TO PROVIDE FUNDS NECESSARY TO ACHIEVE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE AUTHORITY, WITH THE APPROVAL OF THE AFFECTED WASTEWATER SERVICES PROVIDER, TO ENTER INTO CONTRACTS WITH THE OWNERS OF PROPERTY TO PROVIDE IMPROVEMENTS NECESSARY TO PROVIDE WASTEWATER SERVICES; TO AUTHORIZE THE AUTHORITY TO ISSUE SPECIAL ASSESSMENT BONDS TO FINANCE SUCH IMPROVEMENTS; TO AUTHORIZE THE AUTHORITY TO LEVY AND COLLECT SPECIAL ASSESSMENTS AGAINST THE PROPERTY BENEFITED THEREBY TO RETIRE SUCH BONDS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. C. R. No. 587:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO AMEND SECTIONS 18 AND 19 OF SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO PROVIDE THAT A DISPENSARY, CANNABIS RESEARCH FACILITY OR CANNABIS TESTING FACILITY MAY BE LOCATED IN ANY AREA IN A MUNICIPALITY OR COUNTY THAT IS ZONED AS COMMERCIAL OR FOR WHICH COMMERCIAL USE IS OTHERWISE AUTHORIZED OR NOT PROHIBITED; TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY AUTHORIZE THIS BY GRANTING A VARIANCE TO AN EXISTING ZONING ORDINANCE OR BY ADOPTING A CHANGE IN THE ZONING ORDINANCE THAT ALLOWS FOR THOSE ENTITIES TO BE LOCATED IN SPECIFIC COMMERCIAL AREAS; TO REVISE THE DISTANCE REQUIREMENT FOR MEDICAL CANNABIS ESTABLISHMENTS FROM SCHOOLS, CHURCHES OR CHILD CARE FACILITIES; AND FOR RELATED PURPOSES."

By Senator(s) Blackwell

**S. C. R. No. 588:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF SENATE BILL NO. 2033, 2022 REGULAR SESSION, ENTITLED "AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION

OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; AND FOR RELATED PURPOSES."

By Senator(s) Blackwell

**S. C. R. No. 589:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUMMER FIELD PROGRAM AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI'S GULF COAST RESEARCH LABORATORY ON THE OCCASION OF ITS 75TH ANNIVERSARY AND RECOGNIZING ITS ACHIEVEMENTS.

By Senator(s) Wiggins

**S. R. No. 51:** Rules

A RESOLUTION RECOGNIZING DR. AILEAN STINGLEY OF JACKSON, MISSISSIPPI, AS THE RECIPIENT OF USA TODAY'S WOMEN OF THE YEAR AWARD AS THE MISSISSIPPI HONOREE AND COMMEND HER CIVIC AND CHARITABLE CONTRIBUTIONS.

By Senator(s) Horhn

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SEVENTY-NINTH DAY, WEDNESDAY, MARCH 23, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Scott G. Larsen, Lead Pastor, First United Methodist Church, Brandon, MS.

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Senator Michel led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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**REPORT OF COMMITTEE ON JUDICIARY, DIVISION B**

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 95:** Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Katie Moulds. Do Advise and Consent.

**S. N. No. 96:** Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 110:** Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Doug Adams. Do Advise and Consent.

**S. N. No. 111:** Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 83:** Christopher Wade (Chris) Freeze, Ridgeland, Mississippi, Crime Stoppers Advisory Council, two year term effective immediately and ending June 30, 2023. Do Advise and Consent.

**S. N. No. 94:** Dr. Robert Edward (Bobby) Fox, Ph.D., Perkinston, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2023. Do Advise and Consent.

**S. N. No. 123:** Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022. Do Advise and Consent.

**S. N. No. 124:** Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. Do Advise and Consent.

FILLINGANE, Chairman

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**REPORT OF COMMITTEE ON AGRICULTURE**

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 4:** Michael Wayne (Michael) Lasseter, Jr., Brandon, Mississippi, Director of the State Fairgrounds Complex, term effective November 1, 2021 and appointee shall serve at the will and pleasure of the Commissioner of Agriculture and Commerce. Do Advise and Consent.

**S. N. No. 6:** Ralph Kipp (Kipp) Brown, Winona, Mississippi, Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, four year term beginning July 29, 2021 and ending July 28, 2025. Do Advise and Consent.

**S. N. No. 7:** James Shelton (James) Rasberry, Kosciusko, Mississippi, Mississippi Board of Animal Health as the Horse Breeder and Producer representative, four year term beginning August 1, 2021 and ending July 31, 2025. Do Advise and Consent.

**S. N. No. 133:** Samuel Kevin (Sam) Blakeney, Sr., Bay Springs, Mississippi, Mississippi Board of Animal Health, four year term beginning August 1, 2021 and ending July 31, 2025, representing the Mississippi Livestock Auction Association. Do Advise and Consent.

**S. N. No. 134:** Jeremy Dwayne Graham, Thaxton, Mississippi, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, four year term beginning September 1, 2021 and ending August 31, 2025. Do Advise and Consent.

YOUNGER, Chairman

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Senator Harkins called up the following entitled nomination:

**S. N. No. 82:** Mark Timothy Wiggins, Oxford, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2022 and ending March 31, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 82 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 13:** Noel Everett Daniels, Brandon, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, unexpired six year term effective June 3, 2021 and ending March 31, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 13 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 128:** Lisa Renee Rice, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, remainder of four year term effective February 10, 2022 and ending January 10, 2024, vice Charles R. Russell.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 128 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Bryan called up the motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2818** and moved that the motion to reconsider be tabled:

**S. B. No. 2818:** MS Department of Health and MS Department of Revenue; provide exemptions for operation under Medical Cannabis Act.

The foregoing motion prevailed.

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Senator Bryan called up the following House Amendment to **S. B. No. 2725** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 41-10-5, Mississippi Code of 1972:

41-10-5. A health care provider or its agent(s), or both, shall provide medical records and billing records that are in their possession or custody to the patient who is the subject of the records or the patient's representative within forty-five (45) days from the date a valid request from the patient or the patient's representative is received by the health care provider or its agent(s). As used in this section, the term "medical records" shall have the same meaning as defined in Section 41-10-3(1).

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTHCARE PROVIDERS TO PROVIDE MEDICAL RECORDS AND BILLING RECORDS THAT ARE IN THEIR POSSESSION OR CUSTODY TO A PATIENT

WITHIN 45 DAYS FROM THE DATE THAT IT RECEIVES A VALID REQUEST; AND FOR RELATED PURPOSES.

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Senator Simmons D. T. (12th) called up the following House Amendment to **S. B. No. 2898** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-27-77, Mississippi Code of 1972, is amended as follows:

21-27-77. (1) A municipality having a population of one hundred fifty thousand (150,000) as of the most recent decennial census or more may institute a program to address certain disputed or delinquent water and sewer customer accounts. The municipality must adopt rules and procedures to implement the program if instituted. Such rules may consider the customer's ability to pay the full amount of the disputed or delinquent claim. In order for the program to take effect, the mayor of the municipality, the Municipal Director of Public Works, and Executive Director of \* \* \* the Mississippi Public Utilities Staff shall mutually approve such rules and procedures by July 1, 2021. The rules and procedures shall include, but not be limited to, an itemized summary of the amount and number of all accounts judged to be disputed or delinquent. The municipality's authority to compromise doubtful claims is limited to the following cases:

(a) (i) Instances of error on the part of the municipality such as equipment failure, process failure or billing failure;

(ii) Instances of error on the part of the municipality due to unforeseen circumstance such as damage, extreme weather-related event, declared disaster or emergency, or mandatory evacuation, but only to the extent the customer did not receive the benefit of the water or sewer service; and

(b) Instances where the customer's ability to pay or the amount of the customer's overdue balance for water and sewer service can be reasonably adjudged to be uncollectible, in which case the municipality may utilize an installment payment agreement to allow the customer additional time to pay a prescribed portion of the outstanding balance, and as part of the installment payment plan, to offer the utilization by the municipality of accounting procedures to move the remaining balance as an uncollectible debt to a special municipal accounting category of uncollectible or inactive accounts as outlined in the program rules if the customer fulfills all terms of the installment plan. The prescribed portion must require some payment by the customer. The program must provide that the accounting adjustments under this paragraph (b) do not result in forgiveness of uncollectible debts.

(2) The municipality may set program parameters to take into account the principle of collateral estoppel as to its own prior service, billing or collection actions.

(3) Any utility that participates in the program shall provide by January 1, 2022, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Mississippi Public Utilities Staff a report that details the utility's revenue collection, the number of accounts that have been adjudged uncollectable, the number of accounts that are participating in the installment payment plans, the number of accounts that are overdue, and the effect of the program on the utility's revenue collection. Such report

shall also include the utility's plan to address any remaining disputed or delinquent claims that have not been resolved, to provide fair and accurate bills to all of its customers, and to reduce equipment failure, process failure, and billing failures in the future.

(4) For the purpose of this section, the Executive Director of the Mississippi Public Utilities Staff may enter into professional services contracts to ensure the success of the program. The municipally owned utility shall reimburse the Mississippi Public Utilities Staff for such contracts, not to exceed Two Hundred Thousand Dollars (\$200,000.00) over the duration of the program.

(5) This section shall stand repealed on July 1, \*\*\* 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE SECTION ALLOWING CERTAIN MUNICIPALITIES TO ADOPT RULES AND PROCEDURES FOR ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR WATER AND SEWER SERVICES; AND FOR RELATED PURPOSES.

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The President announced Senator DeLano as the new conferee on the part of the Senate due to the resignation of Senator Whaley as a conferee:

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Senators Branning, DeLano, Butler (36th).

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:29 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ENERGY

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 17:** Thomas Ford Gandy, Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective September 20, 2021 and ending June 30, 2024, representing Wireless Providers. Do Advise and Consent.

CARTER, Chairman

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REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 54:** Marlow Stewart, Terry, Mississippi, State Parole Board, term effective November 1, 2021 and the appointee shall serve at the will and pleasure of the Governor, vice Nehemiah Flowers, Jr.. Do Advise and Consent.

**S. N. No. 58:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021. Do Advise and Consent.

**S. N. No. 59:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025. Do Advise and Consent.

**S. N. No. 76:** Jeffery Blanton Belk, Vancleave, Mississippi, State Parole Board to serve as Chairman, term effective January 1, 2022 and the appointee shall serve at the will and pleasure of the Governor. Do Advise and Consent.

**S. N. No. 85:** Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023. Do Advise and Consent.

**S. N. No. 102:** Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022. Do Advise and Consent.

**S. N. No. 105:** Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025. Do Advise and Consent.

**S. N. No. 131:** Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022. Do Advise and Consent.

BARNETT, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 530:** The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create.

Adopted: 03/22/22

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 79:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MRS. MILLICENT "MANDY" GUNTER OF BAYOU VIEW ELEMENTARY SCHOOL IN GULFPORT, MISSISSIPPI, FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING.

**H. C. R. No. 80:** A CONCURRENT RESOLUTION COMMENDING CHICKASAW COUNTY, MISSISSIPPI, NATIVE, THE LEGENDARY AND RENOWNED SINGER-SONGWRITER MRS. BOBBIE GENTRY FOR HER MUSICAL ARTISTRY AND EXTRAORDINARY TALENT.

**H. C. R. No. 81:** A CONCURRENT RESOLUTION DESIGNATING APRIL 14, 2022, AS THE PERIOD OF OBSERVATION OF GLOBAL REMAN DAY THROUGHOUT THE STATE OF MISSISSIPPI.

**H. C. R. No. 82:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MISSISSIPPI EXPORT RAILROAD UPON ITS 100TH ANNIVERSARY AND DESIGNATING NOVEMBER 10, 2022, AS MISSISSIPPI EXPORT RAILROAD DAY.

**H. C. R. No. 83:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PINE GROVE HIGH SCHOOL PANTHERS BOYS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A BOYS BASKETBALL STATE CHAMPIONSHIP.

**H. C. R. No. 84:** A CONCURRENT RESOLUTION COMMENDING THE RICH AND HISTORICAL LEGACY OF THE CITY OF MCCOMB, MISSISSIPPI, AND CONGRATULATING THE CITY UPON THE OCCASION OF ITS SESQUICENTENNIAL ANNIVERSARY, ACKNOWLEDGING 150 YEARS OF EXCELLENCE.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.  
Senators Michel, Boyd, Harkins.

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for.  
Senators Michel, McLendon, DeLano.

**H. B. No. 1408:** Sheriffs' salaries; increase.  
Senators McMahan, Blackmon, Whaley.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2245:** Voyeurism; revise sentencing.

Representatives Bain, Yates, Newman

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.

Representatives Bain, Sanford, Yates

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements.

Representatives Bain, Steverson, Owen

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

Representatives Mims, McGee, Roberson

**S. B. No. 2495:** Mississippi Outdoor Stewardship Trust Fund; create.

Representatives Kinkade, Barnett, Lamar

**S. B. No. 2503:** Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office.

Representatives Kinkade, Barnett, Hale

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration.

Representatives Kinkade, Barnett, Hale

**S. B. No. 2506:** Bow hunting; establish a three-day season the last weekend between September 10th and 20th for legal bucks.

Representatives Kinkade, Barnett, Lamar

**S. B. No. 2536:** Offender registry; create registry of individuals whose crimes involve public funds.

Representatives Bain, Sanford, Bennett

**S. B. No. 2543:** Department of Public Safety; revise provision related to.

Representatives Bain, Sanford, Miles

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties for purchase unless certain conditions are met.

Representatives Bain, Sanford, Felsher

SENATE JOURNAL  
WEDNESDAY, MARCH 23, 2022

**S. B. No. 2587:** CDLs; treat certain moving violations as regular license holders.

Representatives Bain, Horan, Roberson

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.

Representatives Read, Oliver, White

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act.

Representatives Read, Oliver, White

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22.

Representatives Read, Barton, Horan

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE GOVERNOR  
March 23, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2769:** Ad valorem tax; exempt property owned by a university or community college foundation or federally qualified health center. (March 22, 2022, 2:01 PM)

**S. B. No. 3030:** Appropriation; Chiropractic Examiners, Board of. (March 22, 2022, 2:03 PM)

**S. B. No. 3150:** Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements. (March 22, 2022, 2:15 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act.  
Senators Hopson, Polk, Frazier.

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22.  
Senators Hopson, Polk, Frazier.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mary Evelyn Bond, Bryant Ray Jenkins, Jr., Marion Nan Allen Kent, Stan Watts and Lexa Palmer of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Violet McBride, Deborah Carol Maxey, Curtis Gene Cullum and Margaret Jeannie "Bunny" Darnell of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Jimmie Ray Martin and Charles Alan Tibbetts of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Rickey L. Swanner and John A. Collier of Vimville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Roger Earl Robinson of Energy, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Patrick Wayne Swearingen of Kewanee, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mary Lou Ross of Toomsuba, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Johnny Robert McDaniel of Shucktown, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Sandra Wilkinson Vick of Bailey, MS.

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Senator Suber moved that when the Senate adjourns, it adjourn in memory of Laura Ashley Winter of Bruce, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Andy Bryant Evans of Waynesboro, MS.

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Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 24, 2022.

The motion prevailed, and at 1:40 PM, the Senate stood in recess.

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MESSAGE FROM THE GOVERNOR  
March 23, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Douglas Wesley (Wes) Rouse, III, Hattiesburg, Mississippi, MS Industries for the Blind as rep. with at least 5 years experience in finance or related field, remainder of four year term effective February 22, 2022 and ending June 30, 2025, vice Sam Walker.

Thomas Henry (Tommy) Kline, Sr., Fulton, Mississippi, State Board of Contractors as the Plumbing or Heating and AC Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Douglas Wesley (Wes) Rouse, III, MS Industries for the Blind as rep. with at least 5 years experience in finance or related field, remainder of four year term effective February 22, 2022 and ending June 30, 2025, Public Health and Welfare.

Thomas Henry (Tommy) Kline, Sr., State Board of Contractors as the Plumbing or Heating and AC Contractor, five year term beginning July 1, 2022 and ending June 30, 2027, Business and Financial Institutions.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date.  
Senators Simmons (12th), McCaughn, Norwood.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

Senators DeBar, Blount, Boyd.

**H. B. No. 1168:** Gifted education; require school districts to provide for students in Grades 7 and 8.

Senators DeBar, Polk, Boyd.

**H. B. No. 1240:** MCOPS programs; authorize training for to provide at any approved training academy in the state.

Senators DeBar, Johnson, Boyd.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 72:** Judge Tomie Turner Green; commend distinguished career upon her retirement. Rules.

**H. C. R. No. 79:** Millicent "Mandy" Gunter; commend for receiving the 2020 Presidential Award for Excellence in Math and Science Teaching. Rules.

**H. C. R. No. 80:** Bobbie Gentry; commend Chickasaw County native, legendary and renowned singer-songwriter. Rules.

**H. C. R. No. 81:** Global Reman Day; designate April 14, 2022, as period of observation in the State of Mississippi. Rules.

**H. C. R. No. 82:** Mississippi Export Railroad; commend upon occasion of 100th anniversary. Rules.

**H. C. R. No. 83:** Pine Grove High School Boys Basketball Team; commend for winning MHSAA Class 2A Boys Basketball State Championship. Rules.

**H. C. R. No. 84:** City of McComb; commend upon the 150th anniversary of its founding. Rules.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2499:** Solid Waste Disposal Law; define advanced plastic recycling.  
Senators McDaniel, DeLano, Thompson.

**S. B. No. 2584:** "Reentry Court Act of 2022"; authorize pilot reentry courts in circuit court districts.  
Senators Barnett, Fillingane, Sparks.

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.  
Senators McMahan, Blackmon, Whaley.

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.  
Senators McMahan, Blackmon, Whaley.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification.

Senators Seymour, DeLano, McMahan.

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department.

Senators Seymour, Turner-Ford, Polk.

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

Senators Turner-Ford, Butler (36th), Parks.

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District.

Senators Turner-Ford, Harkins, Barrett.

**H. B. No. 1487:** State song; designate "One Mississippi" as official.

Senators Kirby, Frazier, Boyd.

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Anderson (122nd) as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.

Representatives Bounds and Read remain as conferees and the Speaker has named Representative Stamps to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

Senators Bryan, Parker, Horhn.

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request.

Senators Bryan, McMahan, Barnett.

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital.

Senators Bryan, Suber, Blount.

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

Senators Bryan, Polk, Fillingane.

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.  
Senators Bryan, Parker, Johnson.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2842:** Mississippi Health Care Industry Zone Act and related ad valorem tax and sales tax exemptions; extend repeal date.  
Senators Harkins, Johnson, Chassaniol.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 4:20 PM in memory of Mary Evelyn Bond, Bryant Ray Jenkins, Jr., Charles Alan Tibbetts, Rickey L. Swanner, John A. Collier, Roger Earl Robinson, Patrick Wayne Swearingen, Mary Lou Ross, Sandra Wilkinson Vick, Johnny Robert McDaniel, Laura Ashley Winter, Andy Bryant Evans, Marion Nan Allen Kent, Stan Watts, Lexa Palmer, Violet McBride, Deborah Carol Maxey, Curtis Gene Cullum, Margaret Jeannie "Bunny" Darnell and Jimmie Ray Martin.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 23, 2022

**S. B. No. 3211:** Local and Private  
AN ACT TO AUTHORIZE THE MERIDIAN PUBLIC SCHOOL DISTRICT TO TRANSFER CERTAIN PROPERTY TO THE MERIDIAN HOUSING AUTHORITY; AND FOR RELATED PURPOSES.  
By Senator(s) Tate

**S. C. R. No. 590:** Rules  
A CONCURRENT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF MCCOMB, MISSISSIPPI.  
By Senator(s) Butler (38th), Jackson (11th), Simmons (12th), Hickman, Norwood, Frazier, Thomas, Jordan, Turner-Ford, Barnett, Barrett, Butler (36th), Horhn, Blount

**S. C. R. No. 591:** Rules  
A CONCURRENT RESOLUTION DESIGNATING APRIL 2, 2022, AS "WORLD AUTISM AWARENESS DAY IN MISSISSIPPI" AND ENCOURAGING RESIDENTS OF THE STATE TO SHOW SUPPORT FOR AUTISM AWARENESS.  
By Senator(s) England, Boyd

**S. C. R. No. 592:** Rules  
A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI STATE PAROLE BOARD MEMBER BETTY LOU JONES OF MERIDIAN, MISSISSIPPI, ON THE OCCASION OF HER RETIREMENT AFTER MANY YEARS OF EFFECTIVE GOVERNMENT SERVICE.  
By Senator(s) Tate

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## EIGHTIETH DAY, THURSDAY, MARCH 24, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend David Bishop, Pastor, Old Town Baptist Church, Pittsboro, MS.

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Senator Suber led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2818:** AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONNEL EMPLOYED BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS SOLELY IN CONNECTION WITH EITHER DEPARTMENT'S RESPONSIBILITIES IN IMPLEMENTING, ADMINISTERING AND ENFORCING PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT SHALL BE EXEMPT FROM BEING CONSIDERED AS STATE SERVICE EMPLOYEES FOR PURPOSES OF THE STATE PERSONNEL BOARD; TO SET A DATE OF REPEAL FOR THIS PROVISION; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND/OR ENFORCING THE PROVISIONS OF THE RULES AND REGULATIONS PROMULGATED PURSUANT TO THE MISSISSIPPI MEDICAL CANNABIS ACT, THE MISSISSIPPI STATE DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE SHALL BE EXEMPTED FROM THE ADMINISTRATIVE

PROCEDURE ACT FROM FEBRUARY 2, 2022, THROUGH JUNE 30, 2023; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THROUGH JUNE 30, 2023, THE PROVISIONS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BID AND CONTRACT REQUIREMENTS SHALL NOT APPLY TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL 2095, 2022 REGULAR SESSION, TO PROVIDE THAT THROUGH JUNE 30, 2023, THE PROVISIONS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BID AND CONTRACT REQUIREMENTS SHALL NOT APPLY TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICE CONTRACT ENTERED INTO BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY IN CONNECTION WITH THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT FROM FEBRUARY 2, 2022, THROUGH JUNE 30, 2023, SHALL BE EXEMPT FROM THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; TO AMEND SECTION 45-27-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY SHALL RETAIN ANY FINGERPRINTS SENT BY THE DEPARTMENT OF HEALTH PURSUANT TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 45-27-12, MISSISSIPPI CODE OF 1972, TO CONFORM TO THIS ACT AND THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE THE EXECUTIVE DIRECTORS OF THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE NEGOTIATE A LIMITATION ON THE LIABILITY OF PROSPECTIVE CONTRACTORS TO THE STATE IN THE NEGOTIATION AND EXECUTION OF ALL INFORMATION TECHNOLOGY CONTRACTS AS NECESSARY UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. C. R. No. 553:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE "PRIDE OF DESOTO CENTRAL HIGH SCHOOL MARCHING BAND" AND DIRECTOR DENNIS COX FOR WINNING THE 2021 MHSAA CLASS 6A MARCHING BAND CHAMPIONSHIP.

Joseph Thomas, Chairman

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Senator Harkins called up the following entitled nomination:

**S. N. No. 127:** David A. Jackson, Ridgeland, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, remainder

of four year term effective January 31, 2022 and ending June 30, 2024, vice David McNamara.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 127 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 137:** Kimberly Leigh (Kim) LaRosa, Pass Christian, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective February 15, 2022 and ending December 31, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 137 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 129:** George Edward (Ed) Tucker, Jr., Brandon, Mississippi, MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, remainder of four year term effective January 31, 2022 and ending January 10, 2024, vice S. Keith Winfield.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 129 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Hill entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2913**.

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

Senator Hill moved that the rules be suspended for the immediate consideration of **S. B. No. 2913**, and the motion prevailed.

Senator Hill moved to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2913**.

The foregoing motion prevailed.

Senator Hill moved that the Senate decline to concur in the following House Amendment to **S. B. No. 2913** and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-17-17, Mississippi Code of 1972, is amended as follows:

19-17-17. The clerk of the board of supervisors, as county auditor, is authorized and required to examine the accounts, dockets and records of clerks, sheriffs and other officers of \* \* \* the clerk's county, to ascertain if any money payable into the county treasury is properly chargeable to them, and \* \* \* the clerk shall charge them with such money. \* \* \*

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-17-17, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE CLERK OF THE BOARD OF SUPERVISORS TO REPORT TO THE GRAND JURY THE RESULTS OF THE AUDIT REQUIRED BY THIS SECTION; TO DELETE THE CRIMINAL PENALTY AGAINST THE CLERK OF THE BOARD OF SUPERVISORS FOR FAILING TO REPORT TO THE GRAND JURY; AND FOR RELATED PURPOSES.

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Senator Tate offered the following report of the Conference Committee on **H. B. No. 1365** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1365: Elections; prohibit state and local officials from soliciting and/or accepting private funds for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. No agency or state or local official responsible for conducting elections may solicit, accept, use or dispose of any donation in the form of money, grants, property or personal services from an individual or a nongovernmental entity for the purpose of funding election-related expenses or voter education, voter outreach or voter registration programs. This section does not prohibit the donation and acceptance of space to be used for a polling place. This section shall not prohibit an individual from contributing his or her personal time to assist with voter education, voter outreach, voter registration programs or other election-related programs as long as such individual receives no compensation or in-kind donation for contributing his or her time.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROHIBIT ANY AGENCY OR STATE OR LOCAL OFFICIAL FROM SOLICITING, ACCEPTING OR OTHERWISE USING PRIVATE FUNDS FOR ANY ELECTION-RELATED EXPENSES OR VOTER EDUCATION, VOTER OUTREACH OR VOTER REGISTRATION PROGRAMS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Charles Jim Beckett	Jeff Tate
Dan Eubanks	David Parker
Brent Powell	David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1365** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Norwood, Simmons D. T. (12th). Total--2.

Absent and those not voting--Parks. Total--1.

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Senator Fillingane moved that the rules be suspended for the consideration en bloc of S. N. No. 95, S. N. No. 96, S. N. No. 110, S. N. No. 111, S. N. No. 83, S. N. No. 94, S. N. No. 123 and S. N. No. 124 and the motion prevailed.

Senator Fillingane called up the following entitled nominations:

**S. N. No. 95:** Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Katie Moulds.

**S. N. No. 96:** Lori Leigh Massey, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

**S. N. No. 110:** Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Doug Adams.

**S. N. No. 111:** Anna Ward Sukmann, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

**S. N. No. 83:** Christopher Wade (Chris) Freeze, Ridgeland, Mississippi, Crime Stoppers Advisory Council, two year term effective immediately and ending June 30, 2023.

**S. N. No. 94:** Dr. Robert Edward (Bobby) Fox, Ph.D., Perkinston, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2023.

**S. N. No. 123:** Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022.

**S. N. No. 124:** Myrtis Elizabeth S. (Leisa) McElreath, Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 95, S. N. No. 96, S. N. No. 110, S. N. No. 111, S. N. No. 83, S. N. No. 94, S. N. No. 123 and S. N. No. 124. On motion of Senator Fillingane, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Kirby moved that the rules be suspended to move to calendar item 4, **S. N. No. 145**, and the motion prevailed.

Senator Kirby called up the following entitled nomination:

**S. N. No. 145:** Sherri Carr (Sherri) Smith, Gulfport, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 11, 2022 and expiring June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 145 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 581, S. C. R. No. 582, S. C. R. No. 584 and S. C. R. No. 586 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 581:** Commend Jackson State University "Lady Tigers" Basketball Team for back-to-back SWAC Tournament Championships.

**S. C. R. No. 582:** Commend Manchester Academy "Lady Mavericks" Basketball team for back-to-back State Championships.

**S. C. R. No. 584:** Commemorate the 100th Anniversary of the founding of The Columbus Commercial Dispatch Newspaper (1921-2022).

**S. C. R. No. 586:** Designate April 14, 2022, as "Reman Day" in Mississippi.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 581, S. C. R. No. 582, S. C. R. No. 584 and S. C. R. No. 586. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. C. R. No. 581**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Hopson as co-authors of **S. C. R. No. 582**.

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Unanimous consent was granted to add Senators Bryan, Butler K. (38th) and Jackson (11th) as co-authors of **S. C. R. No. 584**.

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Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. C. R. No. 586**.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 39, S. R. No. 40, S. R. No. 41, S. R. No. 42, S. R. No. 43, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48 and H. C. R. No. 38 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 39:** Celebrate the Quadrennial service of Bishop C. James King, Jr., Christian Methodist Episcopal Church.

**S. R. No. 40:** Commend service of Dr. Mike McGrevey on his retirement from MDA.

**S. R. No. 41:** Commend Mississippi High School Activities Association on its 100th Anniversary.

**S. R. No. 42:** Commend judicial career of Honorable Norman L. Gillespie of Oxford and extend sympathy on his passing.

**S. R. No. 43:** Commend Sister Paula Blouin upon retirement from Assisi Early Learning Center.

**S. R. No. 44:** Commend Sharicka Gray, Fairview Elementary in Columbus, Mississippi, Extraordinary Educator Award.

**S. R. No. 45:** Commend Becki Cope, Pleasant Hill Elementary in Olive Branch, Extraordinary Educator Award.

**S. R. No. 46:** Commend Matthew Lambert of Bell Academy in Boyle, Mississippi, Extraordinary Educator Award.

**S. R. No. 47:** Extend best wishes to former Senator Nevin Sledge on his 100th Birthday and commend his public service.

**S. R. No. 48:** Mourn the passing of longtime Oxford Alderman Dr. William Clair "Bill" Baker and recognizing his civic contributions.

**H. C. R. No. 38:** MS Funeral Directors Association; commend and express gratitude to funeral service professionals for selfless work during COVID-19 pandemic.

YEAS AND NAYS on consideration en bloc of S. R. No. 39, S. R. No. 40, S. R. No. 41, S. R. No. 42, S. R. No. 43, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48 and H. C. R. No. 38. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 39**.

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Unanimous consent was granted to add Senators Bryan, Butler K. (38th), Chassaniol, Hopson and Jackson (11th) as co-authors of **S. R. No. 40**.

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Unanimous consent was granted to add Senators Butler K. (38th), Hopson and Jackson (11th) as co-authors of **S. R. No. 41**.

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Unanimous consent was granted to add Senators Bryan, Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 42**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 43**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 44**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 45**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 46**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier and Jackson (11th) as co-authors of **S. R. No. 47**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Jackson (11th) as co-authors of **S. R. No. 48**.

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Senator Barnett moved that the rules be suspended for the consideration en bloc of S. N. No. 54, S. N. No. 58, S. N. No. 59, S. N. No. 76, S. N. No. 85, S. N. No. 102, S. N. No. 105 and S. N. No. 131 and the motion prevailed.

Senator Barnett called up the following entitled nominations:

**S. N. No. 54:** Marlow Stewart, Terry, Mississippi, State Parole Board, term effective November 1, 2021 and the appointee shall serve at the will and pleasure of the Governor, vice Nehemiah Flowers, Jr..

**S. N. No. 58:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021.

**S. N. No. 59:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025.

**S. N. No. 76:** Jeffery Blanton Belk, Vancleave, Mississippi, State Parole Board to serve as Chairman, term effective January 1, 2022 and the appointee shall serve at the will and pleasure of the Governor.

**S. N. No. 85:** Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023.

**S. N. No. 102:** Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

**S. N. No. 105:** Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025.

**S. N. No. 131:** Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

YEAS AND NAYS on consideration en bloc of S. N. No. 54, S. N. No. 58, S. N. No. 59, S. N. No. 76, S. N. No. 85, S. N. No. 102, S. N. No. 105 and S. N. No. 131. On motion of Senator Barnett, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Fillingane moved that when the Senate adjourns, it adjourn in memory of Clayton Robbins of Bassfield, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Walton Orwood Willis of Caledonia, MS.

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## REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 61:** John Nicholas (Nick) Crutcher, Hattiesburg, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024. Do Advise and Consent.

**S. N. No. 73:** Theresa Brady Goldberg, Tupelo, Mississippi, State Board of Banking Review to represent the Third Supreme Court District, unexpired five year term effective immediately and ending March 23, 2026. Do Advise and Consent.

**S. N. No. 135:** Tyler Norman, Meridian, Mississippi, State Board of Contractors as the Roofing Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 151:** Thomas Henry (Tommy) Kline, Sr., Fulton, Mississippi, State Board of Contractors as the Plumbing or Heating and AC Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

CAUGHMAN, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 583:** Suspend rules for introduction; codify constitutional provisions of eminent domain.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1719:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANGELA PORTER-WILLIAMS OF AMITE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1721:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO GERALD LAIRD OF JEFFERSON DAVIS COUNTY, MISSISSIPPI.

**H. B. No. 1729:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANTHONY LEROY WALLACE OF HARRISON COUNTY, MISSISSIPPI.

**H. B. No. 1730:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. RAY FERRELL OF HARRISON COUNTY, MISSISSIPPI.

**H. B. No. 1731:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DEBORAH LEDBETTER OF HINDS COUNTY, MISSISSIPPI.

**H. B. No. 1732:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. ANNIE MAE GRANT OF HINDS COUNTY, MISSISSIPPI.

**H. B. No. 1737:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. KENNETH PRITCHARD OF RANKIN COUNTY, MISSISSIPPI.

**H. B. No. 1738:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CHARLES HARRIS OF HARRISON COUNTY, MISSISSIPPI.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Friday, March 25, 2022.

The motion prevailed, and at 10:44 AM, the Senate stood in recess.

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MESSAGE FROM THE SPEAKER  
March 24, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Mary C. Werner, Saltillo, Mississippi, State Board of Education, unexpired term beginning June 14, 2021 and expiring September 30, 2026, vice Sean Suggs.

Philip Gunn  
SPEAKER

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The executive nomination in the foregoing message was referred to committee as follows:

Mary C. Werner, State Board of Education, unexpired term beginning June 14, 2021 and expiring September 30, 2026, Education.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 546:** Encouraging further economic activity between Mississippi and Taiwan.

**S. C. R. No. 548:** Mourn the passing of former Senator George Smith of Wiggins, Mississippi, and commend his public and charitable service.

**S. C. R. No. 551:** Mourn the passing of former Representative and Senator Delma Furniss of Rena Lara, MS, and commend his public and charitable service.

**S. C. R. No. 561:** Commend Simpson Academy "Cougars" Boys Basketball Team for winning 5A State Championship.

**S. C. R. No. 562:** Designate April 2022 as the "Month of the Military Child" and April 20 as "Purple Up! for Military Kids Day" in Mississippi.

**S. C. R. No. 563:** Condemn the invasion of Ukraine and sever all connections with the Russian Federation.

**S. C. R. No. 564:** Recognize 30th Anniversary Celebration of Parents for Public Schools (PPS).

**S. C. R. No. 565:** Commend Jackson Prep "Patriots" Boys Basketball Team for winning MAIS State Championship.

**S. C. R. No. 566:** Commend Dean of Mississippi College School of Law Patricia Bennett on retirement.

**S. C. R. No. 567:** Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning MAIS 5A State Championship.

**S. C. R. No. 568:** Recognize legacy of Dr. James Oliver, M.D., as the first African American to graduate from University of Mississippi School of Medicine.

**S. C. R. No. 569:** Commend Meridian High School "Lady Wildcats" Girls Basketball Team for winning first State Championship in school history.

**S. C. R. No. 570:** Commend Jackson Prep "Lady Patriots" Girls Basketball Team for winning MAIS Overall State Championship.

**S. C. R. No. 571:** Commend Northwest Rankin "Lady Cougars" Girls Soccer Team for Class 6A State Championship.

**S. C. R. No. 572:** Commend Biggersville Girls and Boys Basketball Teams and Coach Cliff Little for two State Championships on same day.

**S. C. R. No. 573:** Commend Lake High School "Lady Hornets" Girls Basketball Team and Coach Maurice Bowie for winning the MHSAA 2A State Championship.

**S. C. R. No. 574:** Commend Choctaw Central "Lady Warriors" Basketball Team for winning Class 4A State Championship.

**S. C. R. No. 575:** Commend Clinton High School "Arrows" Boys Basketball Team for consecutive 6A State Championships.

**S. C. R. No. 576:** Commend CCC Women's Basketball Coach Stephanie Murphy as MACCC "Coach of the Year."

**S. C. R. No. 577:** Commend Raymond High School "Rangers" Boys Basketball Team for winning 4A State Championship.

**S. C. R. No. 578:** Commend Northwest Community College Cheer Team for National Titles.

**S. C. R. No. 579:** Declare that March 21, 2022, is "World Down Syndrome Day in Mississippi."

**S. C. R. No. 580:** Commend Northwest Community College Football Team for consecutive State Championships.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1769:** AN ACT TO CODIFY ARTICLE 3, SECTION 17A OF THIS MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND OTHER LIMITED CONDITIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3181:** City of Grenada; extend repealer on tourism tax.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1762:** AN ACT TO AUTHORIZE THE CITIES OF CLINTON AND RAYMOND AND THE TOWN OF BOLTON TO CREATE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY; TO PROVIDE THAT THE AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF DIRECTORS; TO PROVIDE FOR THE POWERS AND DUTIES OF THE AUTHORITY; TO AUTHORIZE THE AUTHORITY TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE WASTEWATER SYSTEMS WITHIN THE AUTHORITY'S AREA; TO AUTHORIZE WASTEWATER SERVICES PROVIDERS TO CONTRACT WITH THE AUTHORITY; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY TO ISSUE REVENUE BONDS TO PROVIDE FUNDS NECESSARY TO ACHIEVE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY, WITH THE APPROVAL OF THE AFFECTED WASTEWATER SERVICES PROVIDER, TO ENTER INTO CONTRACTS WITH THE OWNERS OF PROPERTY TO PROVIDE IMPROVEMENTS NECESSARY TO PROVIDE WASTEWATER SERVICES; TO PROVIDE THAT THE AUTHORITY MAY ISSUE SPECIAL ASSESSMENT BONDS TO FINANCE SUCH IMPROVEMENTS AND TO AUTHORIZE THE AUTHORITY TO LEVY AND COLLECT SPECIAL ASSESSMENTS AGAINST THE PROPERTY BENEFITED THEREBY TO RETIRE SUCH BONDS; AND FOR RELATED PURPOSES.

**H. B. No. 1763:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF KEMPER COUNTY, MISSISSIPPI, TO ENTER INTO APPROPRIATE BINDING CONTRACTS TO FUND THE CAPITAL COSTS NECESSARY TO EXTEND NATURAL GAS SERVICES WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 1767:** AN ACT TO AMEND CHAPTER 58, LAWS OF THE EXTRAORDINARY SESSION OF 1954, AS LAST AMENDED BY CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2013, TO PROVIDE THAT THE PROCEEDS OF THE TAX LEVIED ON HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, TO PROMOTE TOURISM AND CONVENTIONS IN THE COUNTY MAY BE USED BY THE HARRISON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF TOURISM WITHIN THE COUNTY OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF HARRISON COUNTY SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS OF HARRISON COUNTY TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes.

Senators Harkins, Thompson, Thomas.

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Covich County.  
Senators Harkins, Kirby, Barrett.

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives.  
Senators Harkins, Johnson, Chassaniol.

**H. B. No. 512:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.  
Senators Harkins, Johnson, Carter.

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.  
Senators Harkins, Hopson, Johnson.

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.  
Senators Harkins, England, Younger.

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit.  
Senators Harkins, Johnson, Simmons (12th).

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.  
Senators Harkins, Whaley, Johnson.

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.  
Senators Harkins, Parker, Blount.

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing.  
Senators Harkins, Thompson, Carter.

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation.  
Senators Harkins, Johnson, Horhn.

**H. B. No. 1530:** Bonds; authorize issuance for the Water Pollution Control Revolving Fund.  
Senators Harkins, Thompson, Blount.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.  
Senators Harkins, Johnson, Parker.

**H. B. No. 1685:** Pregnancy Resource Act; create.  
Senators Harkins, Fillingane, Boyd.

**H. B. No. 1687:** Children's Promise Act; revise certain provisions.  
Senators Harkins, England, Boyd.

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities.  
Senators Harkins, Sparks, Fillingane.

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 530:** AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF PROVIDING FOR AN INCREASE TO THE MINIMUM TEACHER SALARY SCALE; TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE TO THE MINIMUM BASE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.

Representatives Pigott, Morgan, Carpenter

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.

Representatives Pigott, Mangold, Scoggin

**S. B. No. 2077:** Mississippi Farms and Families Program; create.

Representatives Pigott, Mangold, Scoggin

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.

Representatives Brown (20th), Wallace, Mangold

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to.

Representatives Beckett, Eubanks, Newman

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

Representatives Beckett, Eubanks, Newman

**S. B. No. 2479:** Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license.

Representatives Pigott, Mangold, Carpenter

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

Representatives Busby, Massengill, McGee

**S. B. No. 2508:** Personal delivery devices; regulate.

Representatives Busby, Massengill, Yates

**S. B. No. 2517:** Commercial motor vehicles; authorize voluntary inspection program.

Representatives Busby, Massengill, Smith

**S. B. No. 2584:** "Reentry Court Act of 2022"; authorize pilot reentry courts in circuit court districts.

Representatives Horan, Bain, Roberson

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request.

Representatives Mims, McGee, Felsher

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital.

Representatives Mims, McGee, Lancaster

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

Representatives Mims, McGee, Scoggin

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

Representatives Beckett, Eubanks, Newman

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.

Representatives Mims, McGee, Currie

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.

Representatives Barton, Gibbs (36th), Steverson

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property.

Representatives Cockerham, Reynolds, Hood

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.

Representatives Cockerham, Reynolds, Hood

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violation to the State Auditor.

Representatives Cockerham, Beckett, Bell (21st)

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.

Representatives Cockerham, Reynolds, Aguirre

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions.

Representatives Cockerham, Felsher, Deweese

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.

Representatives Cockerham, Reynolds, Hood

**S. B. No. 2623:** Involuntary civil commitments; limit county's liability for costs of medical treatment.

Representatives Cockerham, Felsher, Johnson

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

Representatives Carpenter, Newman, Stamps

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.

Representatives Huddleston, Scoggin, Bounds

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer.

Representatives Huddleston, Scoggin, McLean

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate

in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 672:** Sexual assault kit; regulate processing of.

Representatives Cockerham, Reynolds, Felsher

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts.

Representatives Cockerham, Reynolds, Yancey

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.

Representatives Cockerham, White, Tullos

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Lamar as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.

Representatives Aguirre and Bain remain as conferees and the Speaker has named Representative Yates to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATIONS of Representatives Read and Cockerham as conferees, the Speaker has named new conferees on the following:

**S. B. No. 2066:** District attorneys and investigators; increase annual salaries of.

Representative Oliver remains as a conferee and the Speaker has named Representatives Bain and Sanford to the vacancies.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1755:** City of Moss Point; extend date of repeal on city's restaurant tax. Title Sufficient. Do Pass.

**H. B. No. 1756:** City of New Albany; authorize expansion of its gas system within a certain area outside its corporate limits. Title Sufficient. Do Pass.

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals. Title Sufficient. Do Pass.

**H. B. No. 1759:** Holmes County; authorize to provide certain compensation for county patrol officers. Title Sufficient. Do Pass As Amended.

**H. B. No. 1760:** Holmes County; authorize contributions to the Durant Foundation. Title Sufficient. Do Pass.

**H. B. No. 1533:** Town of Byhalia; reenact hotel and motel tax and extend repeal date until July 1, 2026. Title Sufficient. Do Pass.

**H. B. No. 1534:** Sunflower County; authorize contributions to the Sunflower County Ministerial Alliance Counseling Service, Inc. Title Sufficient. Do Pass.

**H. B. No. 1535:** Sunflower County; authorize contribution to Delta Advantage Center. Title Sufficient. Do Pass.

**H. B. No. 1536:** Sunflower County; authorize contributions to the Fannie Lou Hamer Cancer Foundation. Title Sufficient. Do Pass.

**H. B. No. 1565:** City of Jackson; extend repeal date on convention and visitors bureau. Title Sufficient. Do Pass.

**H. B. No. 1694:** City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission. Title Sufficient. Do Pass.

**H. B. No. 1735:** City of Oxford; authorize expansion of water system for a certain distance outside of city to serve Punkin Water Association. Title Sufficient. Do Pass.

**H. B. No. 1742:** City of Hattiesburg; extend repealer on tourism commission and hotel/motel tax. Title Sufficient. Do Pass.

**H. B. No. 1744:** Rankin County; authorize contributions to nonprofit organizations that provide recreational/sports activities for county youth. Title Sufficient. Do Pass.

**H. B. No. 1745:** George County; authorize the repair of certain parking lot located in. Title Sufficient. Do Pass.

**H. B. No. 1748:** Town of Shuqualak; authorize expansion of water services provided by. Title Sufficient. Do Pass.

**H. B. No. 1752:** Marshall County; authorize contributions to the Byhalia Area Arts Council. Title Sufficient. Do Pass.

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc. Title Sufficient. Do Pass.

**S. B. No. 3202:** City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority. Title Sufficient. Do Pass.

**S. B. No. 3208:** Rankin County; authorize certain road project contracts extending more than 30 days after term of current board. Title Sufficient. Do Pass.

**S. B. No. 3211:** Meridian Public School District; authorize transfer of former school property to Meridian Housing Authority. Title Sufficient. Do Pass.

**S. B. No. 3206:** Marshall County; authorize contributions to Byhalia Area Arts Council. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1719:** Suffrage; restore to Angela Porter-Williams of Amite County. Judiciary, Division B.

**H. B. No. 1721:** Suffrage; restore to Gerald O. Laird of Jefferson Davis County. Judiciary, Division B.

**H. B. No. 1729:** Suffrage; restore to Anthony Leroy Wallace of Harrison County. Judiciary, Division B.

**H. B. No. 1730:** Suffrage; restore to Ray Ferrell of Harrison County. Judiciary, Division B.

**H. B. No. 1731:** Suffrage; restore to Deborah Ledbetter of Hinds County. Judiciary, Division B.

**H. B. No. 1732:** Suffrage; restore to Annie Mae Grant of Hinds County. Judiciary, Division B.

**H. B. No. 1737:** Suffrage; restore to Kenny Pritchard of Rankin County. Judiciary, Division B.

**H. B. No. 1738:** Suffrage; restore to Charles Harris of Harrison County. Judiciary, Division B.

**H. B. No. 1762:** Clinton/Raymond/Bolton Wastewater Authority Act; create. Local and Private.

**H. B. No. 1763:** Kemper County; authorize to enter into certain contracts to fund capital costs to extend natural gas services in. Local and Private.

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in. Local and Private.

**H. B. No. 1769:** Eminent domain; prohibit transfer of property acquired by for 10 years after acquisition. Agriculture.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.  
Senators Hill, Whaley, Williams.

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## REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 112:** James Patrick (Pat) Chaney, MD, Amory, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 75:** Lee Ann Harper Griffin, Pharm.D., Jackson, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective August 1, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 43:** Dr. Sara Jane H. Gleason, Jackson, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, representing the Licensed Medical Doctor Psychiatrist. Do Advise and Consent.

**S. N. No. 45:** Teresa Ann Mosley, Clinton, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2027, representing the Fourth Congressional District. Do Advise and Consent.

**S. N. No. 2:** Dr. Jamie Leigh Williams, LMFT, Ocean Springs, Mississippi, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2023. Do Advise and Consent.

**S. N. No. 47:** James Taylor Williams, Jr., Poplarville, Mississippi, Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, unexpired four year term effective July 19, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 55:** Leonard Cooper Lewis, PT, DPT, Sardis, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, four year term effective September 23, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 56:** Billy Crisler (Cris) Bourn, PT, DPT, MHS, Flora, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, four year term effective immediately and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 63:** Valerie Cascile Joiner, DSW, LCSW, D'Iberville, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 64:** Erin Poole Pittman, LSW, Brandon, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 65:** Pamela Gail (Pam) Rollins, Ph.D., Hattiesburg, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed

Marriage and Family Therapist, unexpired four year term effective May 3, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 116:** Alicia Ann Drury Tice, Wiggins, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four year term beginning June 6, 2021 and ending June 5, 2025, representing the Second Supreme Court District. Do Advise and Consent.

BRYAN, Chairman

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MESSAGE FROM THE LT. GOVERNOR  
March 24, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective July 1, 2022 and ending August 30, 2022.

Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025.

Kimberly Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025.

Delbert Hosemann  
LT. GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Jennifer Jackson Whittier, Mississippi Charter School Authorizer Board, term effective July 1, 2022 and ending August 30, 2022, Education.

Jennifer Jackson Whittier, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025, Education.

Kimberly Remak, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025, Education.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 3:40 PM in memory of Clayton Robbins and Walton Orwood Willis.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, MARCH 24, 2022

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EIGHTY-FIRST DAY, FRIDAY, MARCH 25, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Johnny Baskin, Jr., Pastor, Allen Chapel African Methodist Episcopal Church, Sidon, MS and Lampton Memorial African Methodist Episcopal Church, Tchula, MS.

Senator Norwood led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2155:** City of Laurel; authorize tax on hotels and motels to promote tourism.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:21 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 35:** Elizabeth Ewaldsen (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective July 2, 2021 and ending June 30, 2023, vice Mr. Edward (Ed) Langton. Do Advise and Consent.

**S. N. No. 37:** Thad Fulton Waites, MD, MACC, Hattiesburg, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 44:** Robert Sylvester Landrum, Ellisville, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, representing the Fifth Congressional District (1992). Do Advise and Consent.

BRYAN, Chairman

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1674:** Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

**H. B. No. 1740:** City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

**H. B. No. 1743:** City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

**S. B. No. 3209:** City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation. Title Sufficient. Do Pass.

MCMAHAN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 546:** A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

**S. C. R. No. 556:** A CONCURRENT RESOLUTION RECOGNIZING FEBRUARY 2022 AS "SELF-CARE MONTH IN MISSISSIPPI" TO ENCOURAGE CONSUMERS, HEALTHCARE PRACTITIONERS AND REGULATORS TO COMMUNICATE THE BENEFITS OF SELF-CARE.

**S. C. R. No. 563:** A CONCURRENT RESOLUTION TO CONDEMN THE INVASION OF UKRAINE AND TO SEVER ALL ECONOMIC, FINANCIAL, AND OTHER CONNECTIONS WITH THE RUSSIAN FEDERATION, ITS LEADERS, AND ITS BUSINESSES.

**S. C. R. No. 569:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MERIDIAN HIGH SCHOOL "LADY WILDCATS" GIRLS BASKETBALL TEAM AND COACH DENESHIA FAULKNER FOR WINNING THEIR FIRST STATE CHAMPIONSHIP IN PROGRAM HISTORY.

**S. C. R. No. 575:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON HIGH SCHOOL "ARROWS" BOYS BASKETBALL TEAM AND COACH LEONARD TAYLOR FOR WINNING BACK-TO-BACK MHSAA CLASS 6A STATE CHAMPIONSHIPS.

**S. C. R. No. 577:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NUMBER-ONE RANKED RAYMOND HIGH SCHOOL "RANGERS" BOYS BASKETBALL TEAM AND COACH TONY TADLOCK FOR WINNING THE 2022 MHSAA 4A STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. C. R. No. 583:** A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO CODIFY ARTICLE 3, SECTION 17A OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES."

Joseph Thomas, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1416:** "Student Protected Equal Access Rights Act"; establish to provide students to organize partisan political groups in public schools.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 85:** A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS SECOND COMMUNITY FOCUSED ADVERSE CHILDHOOD EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND DECLARING JUNE 20, 2022, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

**H. C. R. No. 86:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MEMBERS OF THE POISED PEARLS OF LAUREL INTEREST GROUP UPON THE MOST AUSPICIOUS OCCASION OF BECOMING A CHARTERED GRADUATE CHAPTER OF ALPHA KAPPA ALPHA SORORITY, INC., ON MAY 7, 2022.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes.

Representatives Shanks, Bain, Wright

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date.

Representatives Rushing, Stamps, Crudup

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

Representatives Kinkade, Barnett, Hale

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes.

Senators Polk, Thompson, Blackwell.

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Senator Michel offered the following report of the Conference Committee on **H. B. No. 821** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 821: Nontransport emergency medical services; develop coordinated entity to provide statewide system for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-59-3, Mississippi Code of 1972, is amended as follows:

41-59-3. As used in this chapter, unless the context otherwise requires, the term:

(a) "Ambulance" means any privately or publicly owned land or air vehicle that is especially designed, constructed, modified or equipped to be used, maintained and operated upon the streets, highways or airways of this state to assist persons who are sick, injured, wounded, or otherwise incapacitated or helpless;

(b) "Permit" means an authorization issued for an ambulance vehicle and/or a special use EMS vehicle as meeting the standards adopted under this chapter;

(c) "License" means an authorization to any person, firm, corporation, or governmental division or agency to provide ambulance services in the State of Mississippi;

(d) "Emergency medical technician" means an individual who possesses a valid emergency medical technician's certificate issued under the provisions of this chapter or who has a privilege to practice under the Emergency Medical Services Personnel Licensure Interstate Compact;

(e) "Certificate" means official acknowledgment that an individual has successfully completed (i) the recommended basic emergency medical technician training course referred to in this chapter which entitles that individual to perform the functions and duties of an emergency medical technician, or (ii) the recommended medical first responder training course referred to in this chapter which entitles that individual to perform the functions and duties of a medical first responder;

(f) "Board" means the State Board of Health;

(g) "Department" means the State Department of Health, Division of Emergency Medical Services;

(h) "Executive officer" means the Executive Officer of the State Board of Health, or his designated representative;

(i) "First responder" means a person who uses a limited amount of equipment to perform the initial assessment of and intervention with sick, wounded or otherwise incapacitated persons;

(j) "Medical first responder" means a person who uses a limited amount of equipment to perform the initial assessment of and intervention with sick, wounded or otherwise incapacitated persons who (i) is trained to assist other EMS personnel by successfully completing, and remaining current in refresher training in accordance with, an approved "First Responder: National Standard Curriculum" training program, as developed and promulgated by the United States Department of Transportation; (ii) is nationally registered as a first responder by the National Registry of Emergency Medical Technicians; and (iii) is certified as a medical first responder by the State Department of Health, Division of Emergency Medical Services;

(k) "Invalid vehicle" means any privately or publicly owned land or air vehicle that is maintained, operated and used only to transport persons routinely who are convalescent or otherwise nonambulatory and do not require the service of an emergency medical technician while in transit;

(l) "Special use EMS vehicle" means any privately or publicly owned land, water or air emergency vehicle used to support the provision of emergency medical services. These vehicles shall not be used routinely to transport patients;

(m) "Trauma care system" or "trauma system" means a formally organized arrangement of health care resources that has been designated by the department by which major trauma victims are triaged, transported to and treated at trauma care facilities;

(n) "Trauma care facility" or "trauma center" means a hospital located in the State of Mississippi or a Level I trauma care facility or center located in a state contiguous to the State of Mississippi that has been designated by the department to perform specified trauma care services within a trauma care system pursuant to standards adopted by the department;

(o) "Trauma registry" means a collection of data on patients who receive hospital care for certain types of injuries. Such data are primarily designed to ensure quality trauma care and outcomes in individual institutions and trauma systems, but have

the secondary purpose of providing useful data for the surveillance of injury morbidity and mortality;

(p) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, psychiatric disturbances and/or symptoms of substance abuse, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part;

(q) "Emergency medical call" means a situation that is presumptively classified at time of dispatch to have a high index of probability that an emergency medical condition or other situation exists that requires medical intervention as soon as possible to reduce the seriousness of the situation, or when the exact circumstances are unknown, but the nature of the request is suggestive of a true emergency where a patient may be at risk;

(r) "Emergency response" means responding immediately at the basic life support or advanced life support level of service to an emergency medical call. An immediate response is one in which the ambulance supplier begins as quickly as possible to take the steps necessary to respond to the call;

(s) "Emergency mode" means an ambulance or special use EMS vehicle operating with emergency lights and warning siren (or warning siren and air horn) while engaged in an emergency medical call.

(t) "Nontransport emergency medical services" (NTEMS) means the provision of initial assessment and medical intervention with sick, wounded or otherwise incapacitated persons, performed by a medically trained person or team of persons, prior to the availability of and intervention by an ambulance service. NTEMS are typically rendered at the location of first contact with a patient, and do not include transportation and care during transit to a medical facility, NTEMS providers are "EMS personnel" as referenced in the provisions of Chapters 59 and 60, Title 41 upon meeting the training and certification requirements for emergency medical technicians.

SECTION 2. Section 41-59-35, Mississippi Code of 1972, is amended as follows:

41-59-35. (1) An emergency medical technician certificate so issued shall be valid for a period not exceeding two (2) years from the date of issuance and may be renewed upon payment of a renewal fee to be fixed by the board, which shall be paid to the board, provided that the holder meets the qualifications set forth in this Chapter 59 and Chapter 60 and rules and regulations promulgated by the board. Any increase in the fee charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The board is authorized to suspend or revoke a certificate so issued at any time it is determined that the holder no longer meets the prescribed qualifications.

(3) It shall be unlawful for any person, corporation or association to, in any manner, represent himself, herself or itself as an Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services Driver, or use in connection with his or its name the words or letters of EMT, emt, paramedic, critical care paramedic, or any other letters, words, abbreviations or insignia which would indicate or imply that he, she or it is an Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services

Driver, unless certified in accordance with Chapters 59 and 60 of this title and in accordance with the rules and regulations promulgated by the board; or a person who has a privilege to practice under the Emergency Medical Services Personnel Licensure Interstate Compact. It shall be unlawful to employ an uncertified Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, or Emergency Medical Technician-Paramedic Critical Care to provide basic or advanced life-support services.

(4) The department may develop, in conjunction with the Mississippi Insurance Department, a coordinated entity to provide a statewide system of nontransport emergency medical services for emergency medical personnel governed by the Division of Emergency Medical Services that includes medical control protocols, a quality management system, charting platform and data reporting system.

( \*\* \*5) An EMT, EMT-A, EMR, or Paramedic may transport a police dog injured in the line of duty to a veterinary clinic, hospital emergency department or similar facility if there are no persons requiring medical attention or transport at that time. For the purposes of this subsection, "police dog" means a dog owned or used by a law enforcement department or agency in the course of the department or agency's work, including a search and rescue dog, service dog, accelerant detection canine, or other dog that is in use by a county, municipal, or state law enforcement agency.

( \*\* \*6) Any Emergency Medical Technician-Basic, Emergency Medical Technician-Advanced, Emergency Medical Technician-Paramedic, Emergency Medical Technician-Paramedic Critical Care, or Emergency Medical Services Driver who violates or fails to comply with these statutes or the rules and regulations promulgated by the board under these statutes shall be subject, after due notice and hearing, to an administrative fine not to exceed One Thousand Dollars (\$1,000.00).

SECTION 3. Section 21-1-49, Mississippi Code of 1972, is amended as follows:

21-1-49. (1) In the event any census taken under an act of Congress shall show that any municipality contains less than fifty (50) inhabitants, then such municipality shall be automatically abolished and all its rights and powers as a municipal corporation shall thereupon cease. In such cases it shall be the duty of the Secretary of State to make an appropriate notation on the records of such municipal corporation in his office showing that such municipal corporation has been abolished because of having less than fifty (50) inhabitants, and he shall forthwith send a notice to the municipal authorities advising them of such fact, and shall send a copy of the notice to the chancery clerk of the county in which such municipality is located. However, the failure of the Secretary of State to make such notation or to send such notice shall not prevent the abolition of such municipal corporation as is herein provided, but such abolition shall result automatically from the fact that the census shows that such municipal corporation has less than fifty (50) inhabitants.

(2) Any municipality having not less than fifty (50) inhabitants and having heretofore been abolished under the federal census of 1970 by operation of language formerly employed in this section providing for such abolition should a municipality contain less than ninety-two (92) inhabitants, is hereby restored to all rights and privileges as a municipality after the most recent governing authority of the municipality gives notice to the Secretary of State that such municipality desires to be restored to all rights and privileges as a municipality.

(3) Any municipality having less than fifty (50) inhabitants and having heretofore been abolished under the federal census of 2020 in accordance with subsection (1) of this section, shall be temporarily restored of all rights and privileges as a municipality upon providing documentation to the Secretary of State that the municipality has submitted its intent to challenge the findings of the federal census of 2020 in accordance with the procedures of the United States Census Bureau, or any successor agency. Upon a

finding by the United States Census Bureau, or any successor agency, that the municipality has fifty (50) or more inhabitants, the municipality will be restored to all rights and privileges as a municipality.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 41-59-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH AND MISSISSIPPI INSURANCE DEPARTMENT TO DEVELOP A COORDINATED ENTITY TO PROVIDE A STATEWIDE SYSTEM OF NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 21-1-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY MUNICIPALITY HAS BEEN ABOLISHED BASED ON THE FINDINGS OF THE FEDERAL CENSUS OF 2020 THAT INDICATE A MUNICIPALITY HAS LESS THAN FIFTY INHABITANTS, SUCH MUNICIPALITY SHALL HAVE ALL ITS RIGHTS AND PRIVILEGES TEMPORARILY RESTORED AS A MUNICIPALITY UPON PROVIDING DOCUMENTATION TO THE SECRETARY OF STATE THAT THE MUNICIPALITY HAS SUBMITTED ITS INTENT TO CHALLENGE SUCH FINDINGS; TO PROVIDE THAT IF THE UNITED STATES CENSUS BUREAU LATER FINDS THAT A MUNICIPALITY HAS FIFTY OR MORE INHABITANTS, THEN ALL SUCH RIGHTS AND PRIVILEGES OF THE MUNICIPALITY WILL BE RESTORED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Henry Zuber III

J. Walter Michel

Kevin Ford

Michael McLendon

Jeff Hale

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 821** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2273** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2273: Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Kevin Horan
Lydia Graves Chassaniol	Randy Rushing
David Parker	John G. Faulkner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2273** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Senator McCaughn offered the following report of the Conference Committee on **S. B. No. 2519** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2519: Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Tyler McCaughn	Charles Busby
Daniel H. Sparks	Steve Massengill
Rod Hickman	Troy Smith

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2519** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2600** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2600: Recidivism; create study committee to review means to reduce through support, supervision and skills attainment.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created a study committee for the purpose of studying the challenges of monitoring the formerly incarcerated individuals in the pursuit of the reduction of recidivism through targeted support, supervision and skills attainment, and for recommending solutions. The committee shall be comprised of the following nine (9) members:

(a) Three (3) members of the Senate, to be appointed by the Lieutenant Governor;

(b) Three (3) members of the House, to be appointed by the Speaker of the House of Representatives;

(c) The Commissioner of the Department of Corrections, or a designee, as an ex officio nonvoting member;

(d) The Chairman of the Mississippi Parole Board, or a designee, as an ex officio nonvoting member; and

(e) The Executive Director of Accelerate Mississippi, or a designee, as an ex officio nonvoting member.

(2) Appointments to the study committee shall be made within thirty (30) days of the effective date of this act. At the first meeting, the committee shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records. The study committee shall develop and report its findings to the Legislature on or before December 1, 2022.

(3) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(4) The Commissioner of the Department of Corrections shall provide the staff and other support necessary for the study committee to perform its duties.

(5) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(6) The study committee shall be dissolved on or before January 1, 2023.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE CHALLENGES OF MONITORING FORMERLY INCARCERATED INDIVIDUALS TO REDUCE RECIDIVISM THROUGH TARGETED SUPPORT, SUPERVISION AND SKILLS ATTAINMENT, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Kevin Horan
Daniel H. Sparks	Shanda Yates
Derrick T. Simmons	Jill Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2600** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1068:** Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward.

Senators Parks, Boyd, Polk.

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children.

Senators Parks, Polk, Hopson.

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Senator Polk moved that the Senate stand in recess until 3:30 PM.

The motion prevailed, and at 1:55 PM, the Senate stood in recess.

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The Senate resumed business at 3:30 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 38:** Christa L. Alexander, Laurel, Mississippi, Information Technology Services Authority, unexpired balance of a five year term effective July 23, 2021 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 60:** Rita Theresa Wray, Brandon, Mississippi, Public Procurement Review Board, four year term effective November 29, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 106:** Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, unexpired four year term beginning immediately and ending June 30, 2023, vice Mrs. Leila Malatesta. Do Advise and Consent.

**S. N. No. 142:** Kimberly L. Campbell, Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. Do Advise and Consent.

**S. N. No. 143:** Elizabeth (Betsey) Hamilton, New Albany, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. Do Advise and Consent.

**S. N. No. 144:** Julius Carter (Carter) Burns, Natchez, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. Do Advise and Consent.

POLK, Chairman

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1762:** Clinton/Raymond/Bolton Wastewater Authority Act; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1763:** Kemper County; authorize to enter into certain contracts to fund capital costs to extend natural gas services in. Title Sufficient. Do Pass.

**H. B. No. 1671:** Jackson County; extend repeal date on county's hotel/motel tourism tax and authorize to make certain designation of the use of the tax. Title Sufficient. Do Pass.

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.  
Senators Parks, Boyd, Thompson.

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 587:** Suspend rules for drafting, introduction, etc; revise zoning provisions of the Mississippi Medical Cannabis Act. Title Sufficient. Do Be Adopted As Amended.

**S. C. R. No. 588:** Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months. Title Sufficient. Do Be Adopted.

**S. C. R. No. 589:** Commend Summer Field Program at USM Gulf Coast Research Laboratory on its 75th Anniversary. Title Sufficient. Do Be Adopted.

**S. C. R. No. 590:** Commemorate the 150th Anniversary of the City of McComb. Title Sufficient. Do Be Adopted.

**S. C. R. No. 591:** Designate April 2, 2022, as "World Autism Awareness Day in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 592:** Commend State Parole Board member Betty Lou Jones on the occasion of her retirement. Title Sufficient. Do Be Adopted.

**S. R. No. 49:** Recognize Award-Winning Country Singer, Songwriter and Musician Charlie Worsham. Title Sufficient. Do Be Adopted.

**S. R. No. 50:** Recognize 45th Anniversary of the founding of Mu Xi Chapter of Alpha Phi Alpha Fraternity at USM. Title Sufficient. Do Be Adopted.

**S. R. No. 51:** Recognize Dr. Aileen Stingley as the recipient of USA Today's Women of the Year - Mississippi Honoree. Title Sufficient. Do Be Adopted.

**H. C. R. No. 79:** Millicent "Mandy" Gunter; commend for receiving the 2020 Presidential Award for Excellence in Math and Science Teaching. Title Sufficient. Do Be Adopted.

**H. C. R. No. 80:** Bobbie Gentry; commend Chickasaw County native, legendary and renowned singer-songwriter. Title Sufficient. Do Be Adopted.

**H. C. R. No. 81:** Global Reman Day; designate April 14, 2022, as period of observation in the State of Mississippi. Title Sufficient. Do Be Adopted.

**H. C. R. No. 82:** Mississippi Export Railroad; commend upon occasion of 100th anniversary. Title Sufficient. Do Be Adopted.

**H. C. R. No. 83:** Pine Grove High School Boys Basketball Team; commend for winning MHSAA Class 2A Boys Basketball State Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 84:** City of McComb; commend upon the 150th anniversary of its founding. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 149:** Whitney Holliday Lipscomb, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 10, 2022 and expiring June 30, 2024. Do Advise and Consent.

KIRBY, Chairman

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REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1769:** Eminent domain; prohibit transfer of property acquired by for 10 years after acquisition. Title Sufficient. Do Pass.

YOUNGER, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

Representatives Cockerham, Read, Bell (65th)

Andrew Ketchings, Clerk of the House of Representatives

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1674**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1674:** Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 1674. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1740**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1740:** City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 1740. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1743**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1743:** City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 1743. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 3209**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 3209:** City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation.

YEAS AND NAYS On S. B. No. 3209. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Parker and Blackwell as co-authors of **S. B. No. 3209**.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 2155**, and the motion prevailed.

Senator McMahan called up the following House Amendment to **S. B. No. 2155** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following terms shall have the following meanings unless a different meaning is clearly indicated by the context:

(a) "Authority" means the Economic Development Authority of Jones County created under Chapter 4, Laws of the First Extraordinary Session of 1983, as amended.

(b) "City" means the City of Laurel, Mississippi.

(c) "Governing authorities" means the mayor and city council of the city.

(d) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests on a daily, weekly or monthly basis and located within the limits of the city. "Hotel" or "motel" includes Airbnb, Vacation Rentals By Owner and similar establishments, but does not include hospitals, nursing homes and assisted living facilities.

(e) "Person" means an individual, partnership, corporation, limited liability company, trust or unincorporated organization and a government or agency or political subdivision thereof.

(f) "Tax" means the tax authorized by Section 2 of this act.

SECTION 2. (1) For the purpose of providing funds to promote tourism in the city, including, but not limited to, staffing, leasing, purchasing, building, constructing, improving and renovating facilities for tourism, providing public safety to promote tourism, and funding advertising and marketing campaigns to promote and enhance tourism, the governing authorities are authorized, in their discretion, to levy, assess and collect from every person or entity operating a hotel or motel, in addition to all other taxes currently being levied, assessed and collected, a tax not to exceed three percent (3%) of the gross proceeds of sales of room rentals for each such hotel or motel.

(2) Persons or entities liable for the tax shall add the amount of the tax to the sales price and shall collect the amount of the tax due by them from the person receiving the services at the time of payment.

SECTION 3. (1) Before levying the tax, the governing authorities shall adopt a resolution declaring their intention to hold an election on the question of whether to levy the tax, setting forth the amount of the tax to be imposed, the effective date of the tax and the date of the election. Notice of such intention and election shall be published once each week for three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. The election shall be conducted in the same manner as other city elections, and the governing authorities shall direct the city election commissioners to conduct the election as such. All qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TOURISM PROMOTION TAX" and, on a separate line, "AGAINST THE TOURISM PROMOTION TAX," and the voters shall vote by placing a cross (X) or check (ü) opposite their choice on the proposition. After the results of the election have been canvassed and certified, the city may levy the tax if a majority of the qualified electors who vote in the election vote in favor of the tax.

(2) At least thirty (30) days before the effective date of the tax, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. (1) The tax shall be collected by and paid to the Mississippi Department of Revenue in the manner that state sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Title 27, Chapter 65, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(2) The proceeds of the tax, less three percent (3%) which shall be retained by the Department of Revenue to cover the cost of collection, shall be paid to the city on or before the fifteenth day of the month following the month in which it was collected.

(3) The proceeds of the tax shall not be considered by the city as general fund revenues but shall be set aside and earmarked by the city in a special account to be dedicated solely for the purpose of promoting tourism in the city.

(4) The records reflecting the receipts and expenditures of the revenue from the tax shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit to the governing authorities. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit may be paid from the funds derived from the tax authorized in this act.

SECTION 5. The city is granted the following authority, in addition to all other authority conferred by law, to promote tourism in the city and to effectuate the purposes of this act:

(a) To acquire, construct, lease, rent, furnish, equip, repair, maintain, staff and operate facilities and equipment necessary or useful in the promotion of tourism in the city;

(b) To receive and expend revenues from any sources, including, but not limited to, revenues from private enterprises and the revenues derived from the tax authorized in this act;

(c) To employ such personnel as deemed necessary by the governing authorities to carry out this act; and

(d) To exercise activities related to promoting tourism in the city, including, but not limited to, contracting with other entities, preparing marketing and advertising campaigns and marketing and staging events to promote tourism in the city.

SECTION 6. The city may pledge revenues derived from the tax authorized in this act as security to repay any indebtedness of the city which the city may otherwise be authorized to incur under the laws of the state that is consistent with the purposes of this act.

SECTION 7. Subject to the provisions of this act, and provided there is no indebtedness or obligation outstanding under this act, the governing authorities are authorized to discontinue the tax levied under this act by adopting a resolution to that effect. The discontinuance of the tax shall be effective beginning on the first day of the month designated in the resolution, and the tax levy shall not apply to sales made on or after that date. A certified copy of the resolution discontinuing the tax shall be delivered to the Department of Revenue at least seven (7) days before the date set in the resolution for the discontinuance of the tax.

SECTION 8. This act shall be repealed from and after July 1, 2026.

SECTION 9. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LAUREL, MISSISSIPPI, TO LEVY A TAX IN AN AMOUNT NOT TO EXCEED THREE PERCENT UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSE OF GENERATING REVENUE TO PROMOTE TOURISM; TO REQUIRE THAT AN ELECTION BE HELD ON THE QUESTION OF WHETHER THE TAX MAY BE LEVIED; TO AUTHORIZE THE CITY TO PERFORM CERTAIN OTHER ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CITY TO DISCONTINUE THE TAX BY RESOLUTION, PROVIDED THERE IS NO INDEBTEDNESS OR OBLIGATION OUTSTANDING UNDER THIS ACT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2155** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--McDaniel, Sojourner. Total--2.  
Absent and those not voting----None.

Senator McMahan moved that the rules be suspended to move to calendar item 17, **H. B. No. 1755**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1755:** City of Moss Point; extend date of repeal on city's restaurant tax.

YEAS AND NAYS On H. B. No. 1755. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting----None.

Voting Present--Chism, Hill. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 18, **H. B. No. 1756**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1756:** City of New Albany; authorize expansion of its gas system within a certain area outside its corporate limits.

YEAS AND NAYS On H. B. No. 1756. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 20, **H. B. No. 1759**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1759:** Holmes County; authorize to provide certain compensation for county patrol officers.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Notwithstanding the provisions of Section 45-7-5, Mississippi Code of 1972, the Board of Supervisors of Holmes County, Mississippi, is authorized, in its discretion, to compensate the county patrol officers in an amount not to exceed One Thousand Five Hundred Dollars (\$1,500.00) per month per county patrol officer.

(2) This section shall stand repealed on July 2, 2026.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO PROVIDE CERTAIN COMPENSATION TO COUNTY PATROL OFFICERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1759 was adopted.

YEAS AND NAYS On H. B. No. 1759. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

Senator McMahan moved that the rules be suspended to move to calendar item 21, **H. B. No. 1760**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1760:** Holmes County; authorize contributions to the Durant Foundation.

YEAS AND NAYS On H. B. No. 1760. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning, Chism, Hill, McDaniel, Sojourner. Total--5.

Senator McMahan moved that the rules be suspended to move to calendar item 22, **H. B. No. 1533**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1533:** Town of Byhalia; reenact hotel and motel tax and extend repeal date until July 1, 2026.

YEAS AND NAYS On H. B. No. 1533. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting----None.

Senator McMahan moved that the rules be suspended for the consideration en bloc of calendar items 23 - 25, H. B. No. 1534, H. B. No. 1535 and H. B. No. 1536, and the motion prevailed.

Senator McMahan called up the following entitled Local and Private bills:

**H. B. No. 1534:** Sunflower County; authorize contributions to the Sunflower County Ministerial Alliance Counseling Service, Inc.

**H. B. No. 1535:** Sunflower County; authorize contribution to Delta Advantage Center.

**H. B. No. 1536:** Sunflower County; authorize contributions to the Fannie Lou Hamer Cancer Foundation.

YEAS AND NAYS on consideration en bloc of H. B. No. 1534, H. B. No. 1535 and H. B. No. 1536. On motion of Senator McMahan, the rules were suspended, foregoing numbered bills on the Local and Private Calendar were considered engrossed, each read the third time and, agreeable to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill. Total--2.

Senator McMahan moved that the rules be suspended to move to calendar item 26, **H. B. No. 1565**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1565:** City of Jackson; extend repeal date on convention and visitors bureau.

YEAS AND NAYS On H. B. No. 1565. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 27, **H. B. No. 1694**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1694:** City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission.

YEAS AND NAYS On H. B. No. 1694. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 28, **H. B. No. 1735**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1735:** City of Oxford; authorize expansion of water system for a certain distance outside of city to serve Punkin Water Association.

YEAS AND NAYS On H. B. No. 1735. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 29, **H. B. No. 1742**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1742:** City of Hattiesburg; extend repealer on tourism commission and hotel/motel tax.

YEAS AND NAYS On H. B. No. 1742. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator McMahan moved that the rules be suspended to move to calendar item 30, **H. B. No. 1744**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1744:** Rankin County; authorize contributions to nonprofit organizations that provide recreational/sports activities for county youth.

YEAS AND NAYS On H. B. No. 1744. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Branning, Chism, Hill. Total--3.

Senator McMahan moved that the rules be suspended to move to calendar item 31, **H. B. No. 1745**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1745:** George County; authorize the repair of certain parking lot located in.

YEAS AND NAYS On H. B. No. 1745. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 32, **H. B. No. 1748**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1748:** Town of Shuqualak; authorize expansion of water services provided by.

YEAS AND NAYS On H. B. No. 1748. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 34, **S. B. No. 2980**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc.

YEAS AND NAYS On S. B. No. 2980. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackwell, Chism. Total--2.

Absent and those not voting----None.

Voting Present--Hill, Seymour. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 35, **S. B. No. 3202**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 3202:** City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority.

YEAS AND NAYS On S. B. No. 3202. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 36, **S. B. No. 3208**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 3208:** Rankin County; authorize certain road project contracts extending more than 30 days after term of current board.

YEAS AND NAYS On S. B. No. 3208. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Voting Present--Seymour, Tate. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 37, **S. B. No. 3211**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 3211:** Meridian Public School District; authorize transfer of former school property to Meridian Housing Authority.

YEAS AND NAYS On S. B. No. 3211. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator McMahan moved that the rules be suspended to move to calendar item 38, **S. B. No. 3206**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**S. B. No. 3206:** Marshall County; authorize contributions to Byhalia Area Arts Council.

YEAS AND NAYS On S. B. No. 3206. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended to move to calendar item 39, **S. B. No. 3181**, and the motion prevailed.

Senator McMahan called up the following House Amendment to **S. B. No. 3181** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 879, Local and Private Laws of 1992, as amended by Chapter 975, Local and Private Laws of 1994, as amended by Chapter 905, Local and Private Laws of 1999, as amended by Chapter 943, Local and Private Laws of 2003, as amended by Chapter 958, Local and Private Laws of 2007, as amended by Chapter 940, Local and Private Laws of 2011, as amended by Chapter 935, Local and Private Laws of 2015, as amended by Chapter 921, Local and Private Laws of 2018, is amended as follows:

Section 1. The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Bar" means any bar, tavern or lounge where alcoholic beverages are sold for consumption on the premises;

(b) "Commission" means the Grenada Tourism Commission;

(c) "City" means the City of Grenada, Mississippi;

(d) "Governing authorities" means the Mayor and City Council of the City of Grenada;

(e) "Hotel" or "motel" means a place of lodging with more than six (6) rental units that at any one time will accommodate transient guests on a daily or weekly basis and that is known to the trade as such;

(f) "Prepared food" means food prepared on the premises;

(g) "Restaurant" means any place, including hotel and motel dining rooms, cafeterias, cafes and lunch stands, as well as grocery and convenience stores where prepared food and drink are sold for consumption either upon or off the premises.

Section 2. (1) There is created and established the Grenada Tourism Commission, hereinafter referred to in this act as the "commission." The governing authority of the City of Grenada, Mississippi, shall be authorized to contract with the Grenada Tourism Commission for the administrative responsibilities of a tourism program for the Grenada area. All contracts between the commission and the City of Grenada, Mississippi, shall be signed by the chairman of the commission and shall be on such terms and for such duration as the parties may agree. Minutes of all meetings shall be kept by the commission and submitted to the Grenada City Council.

(2) The commission shall have jurisdiction and authority over all matters relating to establishing, promoting and developing tourism, along with related matters in the Grenada area. The commission shall be authorized to own, lease, rent or otherwise furnish, equip and operate any and all facilities and equipment necessary or useful in the promotion of tourism and to receive and expend, subject to the provisions of this act, revenues from other sources.

(3) The commission shall be composed of seven (7) members as follows:

(a) One (1) member shall be selected by the Grenada Restaurant Association;

(b) One (1) member shall be selected by the Grenada Motel/Hotel Association;

(c) One (1) member shall be selected by the Grenada Hotel/Motel and Restaurant Association;

(d) The Director of the Grenada County Chamber of Commerce or an employee of the Chamber of Commerce appointed by the Director of the Chamber;

(e) One (1) member of the business community at large appointed by the Board of Directors of the Chamber of Commerce; and

(f) Two (2) members at large from the city, one (1) of which must be minority, appointed by the Grenada City Council.

Appointments to the commission shall be for a term of two (2) years.

Any vacancy which may occur shall be filled by the appointing authority for the unexpired term. Each member shall serve until his successor is appointed and qualifies.

The members shall elect from among themselves a chairman. A member of the commission shall not serve as chairman for more than two (2) consecutive two-year terms.

(4) The commission is authorized to employ personnel, to obtain supplies, furnishings and other facilities necessary to administer the affairs and duties of the commission, and to pay for the same out of the revenue provided by this act.

Section 3. (1) (a) For the purpose of providing funds for the commission to promote tourism and conventions, the governing authorities are authorized to levy upon every person, firm or corporation operating a hotel or motel in such city, a tax, which may be cited as a "tourism tax," at a rate not to exceed two percent (2%) of the gross proceeds of sales from room rentals of hotels and motels in the city, including charges for telephone, laundry and other similar charges. The tax shall not be levied upon or collected from gross proceeds of nontaxable rooms or room rentals for day meetings that do not serve as overnight sleeping accommodations. Such tax shall be in addition to all other taxes now imposed.

(b) For the purpose of constructing, financing and operating a sports park, the governing authorities are authorized to levy upon every person, firm or corporation operating a hotel or motel in the city, an additional tax, in an amount not to exceed one percent (1%) of the gross proceeds of sales from room rentals of hotels and motels in the city, including charges for telephone, laundry and other similar charges. The tax shall not be levied upon or collected from gross proceeds of nontaxable rooms or room rentals for day meetings that do not serve as overnight sleeping accommodations. The tax shall be in addition to all other taxes now imposed.

(2) (a) The governing authorities also are authorized to impose upon persons doing business within the city other than the tax imposed on hotel and motel rooms under subsection (1) of this section, a tax at a rate of not to exceed one percent (1%) on the gross receipts of restaurants and bars from retail sales of prepared food, beer and/or alcoholic beverages; however, the tax shall not apply to restaurants/bars whose gross proceeds of sales or gross income is less than One Hundred Thousand Dollars (\$100,000.00) per calendar year based upon sales or income for the preceding calendar year. For the purposes of calculating gross proceeds of sales or gross income, the sales or income of all establishments owned, operated or controlled by the same person, persons or corporations shall be aggregated.

(b) For the purpose of constructing, financing and operating a sports park, the governing authorities are authorized to impose upon persons doing business within the city an additional tax at a rate of not to exceed one percent (1%) on the gross receipts of restaurants and bars from retail sales of prepared food, beer and/or alcoholic beverages; however, the tax shall not apply to restaurants/bars whose gross proceeds of sales or gross income is less than One Hundred Thousand Dollars (\$100,000.00) per calendar year based upon sales or income for the preceding calendar year. For the purposes of calculating gross proceeds of sales or gross income, the sales or income of all establishments owned, operated or controlled by the same person, persons or corporations shall be aggregated. The tax shall be in addition to all other taxes now imposed.

(3) (a) Before a tax authorized by this act may be imposed, the governing authority of the City of Grenada, Mississippi, shall adopt a resolution declaring its intention to levy the tax and establishing the amount of the tax levy and the date on which this tax initially shall be levied and collected. This date shall be the first day of a month but shall not be sooner than the first day of the second month following the date of adoption of the resolution. Notice of the proposed tax levy shall be published once each week for at least three (3) consecutive weeks in a newspaper having a general circulation in the city. The

first publication of such notice shall be made not less than twenty-one (21) days prior to the date fixed in the resolution on which the governing authority proposes to levy such tax, and the last publication of such notice shall be made not more than seven (7) days prior to such date. If, within the time of giving notice, twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the city file a written petition against the levy of such tax, then such tax shall not be levied unless authorized by a majority of the qualified electors of such city voting at an election called and held for that purpose. Prior to the effective date of the tax levy approved as herein provided, the governing authority shall furnish to the Chairman of the Department of Revenue a certified copy of the resolution evidencing such tax levy. This paragraph shall not apply to the tax authorized to be levied under subsections (1)(b) and (2)(b) of this section.

(b) If the tax levied under subsections (1)(a) and (2)(a) of this section was imposed without a vote of the electorate, the governing authorities shall, within sixty (60) days after the effective date of House Bill No. 1425, 2015 Regular Session, by resolution spread upon its minutes, declare the intention of the governing authorities to continue imposing the tax and describe the tax levy including the tax rate, annual revenue collections and the purposes for which the proceeds are used. The resolution shall be published once a week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the municipality, with the first publication to be made within fourteen (14) days after the governing authorities adopt the resolution declaring their intention to continue the tax. If, on or before the date specified in the resolution for filing a written protest, which date shall be not less than forty-five (45) days and not more than sixty (60) days after the governing authorities adopt the resolution, twenty percent (20%) or one thousand five hundred (1,500), whichever is less, of the qualified electors of the municipality file a written protest against the imposition of the tax, then an election upon the levy and assessment of the tax shall be called and held as in the manner provided for in paragraph (a) of this subsection, with the election to be conducted at the next special election day as such is defined by Section 23-15-833, Mississippi Code of 1972, occurring more than sixty (60) days after the date specified in the resolution for filing a written protest. If the requisite number of qualified electors vote against the imposition of the tax, the tax shall cease to be imposed on the first day of the month following certification of the election results by the election commissioners of the municipality to the governing authorities. The governing authorities shall notify the Department of Revenue of the date of the discontinuance of the tax and shall publish sufficient notice thereof in a newspaper published or having a general circulation in the municipality. If no protest is filed, then the governing authorities shall state that fact in their minutes and may continue the levy and assessment of the tax.

This paragraph (b) shall not apply if the revenue from the tax authorized by this chapter has been contractually pledged for the payment of debt incurred prior to the effective date of House Bill No. 1425, 2015 Regular Session, until such time as the debt is satisfied. Once the debt has been satisfied, the governing authorities, shall within sixty (60) days, adopt a resolution declaring the intention of the governing authorities to continue the tax which shall initiate the procedure described in paragraph (a) of this section.

(c) Before the additional tax authorized under subsections (1)(b) and (2)(b) of this section may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of such intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE

TAX" and, on a separate line, "AGAINST THE TAX" and the voters shall vote by placing a cross (X) or check (□) opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the additional tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the additional tax, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

(4) Persons, firms or corporations liable for the tax imposed herein shall add the amount of tax to the sales price of room rentals and, in addition thereto, shall collect, insofar as practicable, the amount of the tax due from the person receiving the services at the time of payment therefor.

(5) Such tax shall be collected by and paid to the Department of Revenue on a form prescribed by the Department of Revenue, in the same manner that state sales taxes are computed, collected and paid; and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(6) The proceeds of such tax, less three percent (3%) to be retained by the Department of Revenue to defray the costs of collection, shall be paid to the governing authority of the City of Grenada, Mississippi, on or before the fifteenth day of the month following the month in which collected.

(7) (a) The proceeds of the tax levied under subsections (1)(a) and (2)(a) shall not be considered by the city as general fund revenues but shall be dedicated to and used by the commission solely for the purpose of carrying out programs and activities designed to attract tourists to the city and surrounding area. Fifty percent (50%) of the tax or revenue shall be placed in an interest-bearing tourism escrow fund for the construction, financing and operation of a convention center or any other use that may promote tourism as determined by the City of Grenada. The convention center shall be carefully planned and constructed with the cooperation of the governing authorities and the commission.

(b) The proceeds of the tax levied under subsections (1)(b) and (2)(b) of this section shall not be considered by the city as general fund revenues but shall be dedicated to and used by the city solely for the purpose of constructing, financing and operating a sports park.

(8) Before the expenditure of funds herein prescribed, a budget reflecting the anticipated receipts and expenditures shall be approved by the governing authorities. The first budget of receipts and expenditures shall cover the period beginning with the effective date of the taxes and ending with the end of the city's fiscal year, and, thereafter, the budget shall be on the same fiscal basis as the budget of the city.

Section 4. The books of the commission shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit to the commission who shall thereupon submit a copy of such report to the governing authorities. Such audit shall be made and completed as soon as practicable after the close of the fiscal year, and copies of the report of such audit shall be filed with the city clerk within fifteen (15) days after receipt thereof by the commission.

Section 5. Sections 1 through 4 of this act shall stand repealed on September 30, \* \* \* 2023.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 879, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 921, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM SEPTEMBER 30, 2022, TO SEPTEMBER 30, 2023, ON THE PROVISIONS OF LAW THAT ESTABLISHES THE GRENADA TOURISM COMMISSION AND AUTHORIZES THE IMPOSITION OF A TOURIST AND CONVENTION TAX, TOGETHER WITH AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO CONSTRUCT, FINANCE AND OPERATE A SPORTS PARK; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3181** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel. Total--2.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator McMahan moved that the rules be suspended to move to calendar item 175, **S. B. No. 3000**, and the motion prevailed.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3000** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3000: Warren County; authorize contributions to various organizations.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chad McMahan	Manly Barton
Dean Kirby	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3000** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 178, **S. B. No. 3067**, and the motion prevailed.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3067** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3067: City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chad McMahan	Manly Barton
Barbara Blackmon	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3067** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill. Total--2.

Senator McMahan moved that the rules be suspended to move to calendar item 179, **S. B. No. 3068**, and the motion prevailed.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3068** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3068: City of Vicksburg; authorize contribution to American Legion Boys State Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chad McMahan	Manly Barton
Dean Kirby	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3068** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill. Total--2.

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Senator McMahan moved that the rules be suspended to move to calendar item 176, **S. B. No. 3065**, and the motion prevailed.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3065** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3065: Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chad McMahan	Manly Barton
Barbara Blackmon	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3065** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting----None.  
Voting Present--Hill, Seymour. Total--2.

Senator McMahan moved that the rules be suspended to move to calendar item 177, **S. B. No. 3066**, and the motion prevailed.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3066** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3066: Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chad McMahan	Manly Barton
Barbara Blackmon	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3066** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, Seymour. Total--3.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 58** was confirmed by the Senate.

**S. N. No. 58:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 59** was confirmed by the Senate.

**S. N. No. 59:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 85** was confirmed by the Senate.

**S. N. No. 85:** Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 102** was confirmed by the Senate.

**S. N. No. 102:** Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 105** was confirmed by the Senate.

**S. N. No. 105:** Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025.

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Senator Sparks entered a motion to reconsider the vote whereby **S. N. No. 131** was confirmed by the Senate.

**S. N. No. 131:** Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

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Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1694** passed the Senate.

**H. B. No. 1694:** City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission.

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Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 2980** passed the Senate.

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc.

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Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 3065** passed the Senate.

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

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Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 3066** passed the Senate.

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

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Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Charles M. Clement, (former Sheriff of Monroe County) of Amory, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Deacon MC Taylor of Louisville, MS.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Wright as a conferee, the Speaker has named a new conferee on the following:

**H. C. R. No. 39:** Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes.

Representatives Shanks and Bain remain as conferees and the Speaker has named Representative McLean to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts.

Senators Wiggins, England, Simmons (12th).

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.  
Senators Wiggins, Boyd, Parker.

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The President announced Senator Sparks as the new conferee on the part of the Senate due to the resignation of Senator Younger as a conferee:

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.

Senators Harkins, England, Sparks.

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Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Saturday, March 26, 2022.

The motion prevailed, and at 4:32 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

Representatives Barton, Gibbs (36th), Steverson

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of.

Representatives Cockerham, Lamar, Brown (20th)

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:05 PM in memory of Charles M. Clement and Deacon MC Taylor.

Eugene S. Clarke, Secretary of the Senate

## INTRODUCTIONS FOR FRIDAY, MARCH 25, 2022

**S. B. No. 3212:** Agriculture  
AN ACT TO CODIFY ARTICLE 3, SECTION 17A, OF THE MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Hopson, DeBar, Blackwell, McMahan, Parker, Branning, England, Suber, Tate, McLendon, DeLano, Boyd, Sparks, Hickman, Younger, Whaley, Seymour, Simmons (12th), Chassaniol, Caughman, Jackson (11th), Hill, Wiggins, Polk, Turner-Ford, Barnett, Barrett, Fillingane, Johnson, Harkins

**S. C. R. No. 593:** Rules  
A CONCURRENT RESOLUTION RECOGNIZING THE SERVICE AND LEGACY OF WORLD WAR II VETERAN HENRY "HOWARD" BENNETT OF SUMRALL, MISSISSIPPI, AND EXTEND THE CONGRATULATIONS OF THE LEGISLATURE FOR HIS AWARD BY THE FRENCH GOVERNMENT OF THE MEDAL OF A LIBERATED FRANCE, THE LEGION OF HONOUR, FRANCE'S HIGHEST DEGREE OF MERIT, AND FOR HIS UPCOMING KNIGHTHOOD BY THE PRESIDENT OF FRANCE, AND EXTEND BEST WISHES ON HIS 100TH BIRTHDAY.

By Senator(s) Fillingane

**S. C. R. No. 594:** Rules  
A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "LADY BLUE DEVILS" GIRLS BASKETBALL TEAM AND HEAD COACH MICHAEL SMITH FOR WINNING THE 2022 MHSAA CLASS 3A GIRLS BASKETBALL CHAMPIONSHIP, THEIR THIRD STATE TITLE IN SCHOOL HISTORY.

By Senator(s) Sparks

**S. C. R. No. 595:** Rules  
A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BASEBALL TEAM AND HEAD COACH

KEVIN WILLIAMS FOR WINNING THE 2021 MHSAA CLASS 3A STATE CHAMPIONSHIP WHICH IS THE SECOND TITLE IN SCHOOL HISTORY.

By Senator(s) Sparks

**S. C. R. No. 596:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "CARDINALS" BOYS GOLF TEAM AND COACH JASON COKER FOR WINNING THEIR FIRST 2021 MHSAA 3A STATE CHAMPIONSHIP IN 15 YEARS.

By Senator(s) Sparks

**S. C. R. No. 597:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BOYS BASKETBALL TEAM AND HEAD COACH MICHAEL SMITH FOR WINNING THE 2022 MHSAA CLASS 3A BOYS STATE BASKETBALL CHAMPIONSHIP.

By Senator(s) Sparks

**S. C. R. No. 598:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "LADY BLUE DEVILS" GIRLS FAST PITCH SOFTBALL TEAM AND COACH JESSICA TAYLOR FOR WINNING THEIR FIRST MHSAA CLASS 3A STATE CHAMPIONSHIP.

By Senator(s) Sparks

**S. C. R. No. 599:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "LADY CARDINALS" VOLLEYBALL TEAM AND COACH STEPHANIE CLEVELAND FOR WINNING THE 2021 MHSAA 2A STATE CHAMPIONSHIP, THE FIRST IN PROGRAM HISTORY.

By Senator(s) Sparks

**S. R. No. 52:** Rules

A RESOLUTION RECOGNIZING TARA DENEVAN OF OXFORD AS THE MISSISSIPPI DEPARTMENT OF EDUCATION 2022 "PARENT OF THE YEAR".

By Senator(s) Boyd

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EIGHTY-SECOND DAY, SATURDAY, MARCH 26, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--51.

Absent--Younger. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Butler A. (36th).

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Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1416:** AN ACT TO ALLOW STUDENTS IN PUBLIC SCHOOLS TO ENGAGE IN POLITICAL ACTIVITIES OR PHILOSOPHICAL EXPRESSION BEFORE, DURING AND AFTER THE SCHOOL DAY IN THE SAME MANNER AND TO THE SAME EXTENT THAT STUDENTS MAY ENGAGE IN NONPOLITICAL ACTIVITIES OR EXPRESSIONS; TO ALLOW STUDENTS TO ORGANIZE PARTISAN OR NONPARTISAN POLITICAL GROUPS, POLITICAL CLUBS, POLITICAL RALLIES, OR OTHER POLITICALLY THEMED GATHERINGS BEFORE, DURING AND AFTER SCHOOL TO THE SAME EXTENT THAT STUDENTS ARE PERMITTED TO ORGANIZE OTHER NONCURRICULAR STUDENT ACTIVITIES AND GROUPS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF THE SCHOOL, ITS AGENTS OR EMPLOYEES, TO MAINTAIN ORDER AND DISCIPLINE ON SCHOOL PREMISES, TO PROTECT THE WELL-BEING OF STUDENTS AND FACULTY, AND TO ASSURE THAT ATTENDANCE OF STUDENTS AT MEETINGS IS VOLUNTARY; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 85:** Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 20, 2022. Rules.

**H. C. R. No. 86:** Poised Pearls of Laurel of Alpha Kappa Alpha Sorority, Inc.; congratulate upon the charter of a graduate chapter. Rules.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 555:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE STONE COUNTY HIGH SCHOOL "LADY CATS" SOCCER TEAM AND HEAD COACH CARISSA HARRISON FOR WINNING THEIR FIRST 4A STATE SOCCER CHAMPIONSHIP IN SCHOOL HISTORY.

**S. C. R. No. 561:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SIMPSON ACADEMY "COUGARS" BOYS BASKETBALL TEAM AND HEAD COACH CAREY CRAIN FOR WINNING THE MAIS CLASS 5A STATE CHAMPIONSHIP.

**S. C. R. No. 564:** A CONCURRENT RESOLUTION RECOGNIZING THE 30TH ANNIVERSARY OF PARENTS FOR PUBLIC SCHOOLS (PPS) AND COMMENDING THE MISSION AND ACCOMPLISHMENTS OF THIS RESPECTED ORGANIZATION ON THE OCCASION OF THEIR GALA CELEBRATION ON MARCH 5, 2022.

**S. C. R. No. 568:** A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF DR. JAMES OLIVER, M.D., AS THE FIRST AFRICAN AMERICAN TO GRADUATE FROM THE UNIVERSITY OF MISSISSIPPI SCHOOL OF MEDICINE.

**S. C. R. No. 576:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COAHOMA COMMUNITY COLLEGE WOMEN'S BASKETBALL COACH STEPHANIE MURPHY UPON BEING NAMED THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE (MACCC) "COACH OF THE YEAR."

**S. C. R. No. 579:** A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2022, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 562:** A CONCURRENT RESOLUTION DESIGNATING APRIL 2022 AS THE "MONTH OF THE MILITARY CHILD" IN MISSISSIPPI AND DESIGNATING APRIL 20, 2022, AS "PURPLE UPI FOR MILITARY KIDS DAY" IN MISSISSIPPI.

**S. C. R. No. 566:** A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI COLLEGE SCHOOL OF LAW DEAN PATRICIA BENNETT ON THE OCCASION OF HER RETIREMENT.

**S. C. R. No. 571:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST RANKIN "LADY COUGARS" GIRLS SOCCER TEAM AND COACH CARLI LITTLE FOR WINNING THE MHSAA 6A STATE SOCCER CHAMPIONSHIP.

Joseph Thomas, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals.

Senator McMahan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Sections 1 through 12 of Chapter 1012, Local and Private Laws of 2004, are amended as follows:

Section 1. For the purposes of Sections 1 through 12 of this act:

(a) "Board of supervisors" means the Board of Supervisors of Harrison County, Mississippi.

(b) "County" means Harrison County, Mississippi.

(c) "Hotel" or "motel" means and includes any establishment engaged in the business of furnishing or providing more than ten (10) rooms intended or designed for dwelling, lodging or sleeping purposes that at any one time will accommodate transient guests on a daily or weekly basis and that are known to the trade as such.

Section 2. (1) Before the issuance of bonds provided for in Section 6 of this act, the board of supervisors shall levy, assess and collect from every person, firm, corporation or other entity operating hotels or motels in the county, a tax, in addition to all other taxes or assessments now imposed, which shall be equal to two percent (2%) of the gross proceeds from room rentals of all hotels or motels in the county. However, such tax shall solely apply to overnight room rentals of hotels and motels within the county and shall not apply to any ancillary revenues derived from hotel or motel patrons including, but not limited to, resort fees, meeting rooms, pool passes and food and beverage sales.

(2) Persons, firms, corporations or other entities liable for the tax imposed by subsection (1) of this section shall add the amount of such tax to the room rental and in addition thereto shall collect, insofar as practicable, the amount of the tax due from the person renting the room at the time of payment therefor.

Section 3. (1) Before any tax authorized under Sections 1 through 12 of this act may be imposed, the governing authorities shall adopt a resolution declaring its intention to levy the taxes, setting forth the amount of such tax to be imposed, the date upon which such taxes shall become effective and calling for a referendum to be held on the question. The date of the referendum shall be the first Tuesday after the first Monday in November 2004. Notice of such intention shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the county, with the first publication of such notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the referendum and the last publication to be made not more than seven (7) days before the referendum. At the referendum, all qualified electors of the county may vote, and the ballots used in such referendum shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE HOTEL-MOTEL TAX TO FUND THE IMPROVEMENT AND EXPANSION OF THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER" and, on a separate line, "AGAINST THE HOTEL-MOTEL TAX TO FUND THE IMPROVEMENT AND EXPANSION OF THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER", and the voters shall vote by placing a cross (X) or check (✓) opposite their choice on the proposition. When the results of any such referendum shall have been canvassed by the election commission and certified, the county may levy the taxes beginning on the first day of the second month following the referendum, only if at least sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. No public funds shall be used for the purpose of promoting the adoption of the referendum and no employee of the county or any city located in the county, other than elected public officials, may promote the referendum during business hours.

(2) If a referendum has been held under the provisions of subsection (1) of this section, and the authority of the county to impose the convention center taxes has been denied by the electors of the county, a subsequent referendum on the issue may be held on the first Tuesday after the first Monday in November 2006. If a second referendum is held, and the authority to impose the convention center taxes has been denied again by the electors of the county, no further referendum may be held.

Section 4. (1) On or before the fifteenth day of the month prior to the imposition of the tax authorized in Section 2 of this act, the board of supervisors shall give written notification to the \* \* \* Commissioner of Revenue of the date on which the tax will become effective.

(2) The tax shall be collected by and paid to the \* \* \* Department of Revenue in the same manner as state sales taxes are computed, collected and paid, and full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation of Sections 1 through 12 of this act.

(3) Except as otherwise provided in Section 27-3-58, the revenue from the special tax collected under the provisions of this section during the preceding month shall be paid to the county on or before the fifteenth day of each month.

(4) The proceeds of such taxes shall be placed into a separate fund apart from the county general fund and any other funds of the county, and shall be expended by the county as provided in Section 10(1) of this act.

(5) The tax imposed by Sections 1 through 12 of this act shall stand repealed on the first day of the month immediately succeeding the date the payment of the principal of, redemption premium, if any, and interest on the bonds issued pursuant to Sections 1 through 12 of this act have been paid in full. Any revenue from the tax remaining after the payment of the principal of, redemption premium, if any, and interest on the bonds issued pursuant to Sections 1 through 12 of this act have been paid in full shall be transferred to the county general fund.

Section 5. The proceeds of the bonds issued pursuant to Sections 1 through 12 of this act shall be utilized:

(a) For the purpose of defraying the cost of constructing, repairing, equipping, remodeling, enlarging, expanding or improving the Mississippi Coast Coliseum and Convention Center; and

(b) To retire bonds issued by the county after May 1, 1995, but prior to the effective date of this act, to defray the cost of expanding the Mississippi Coast Coliseum and Convention Center.

Section 6. The board of supervisors is authorized and empowered, in its discretion, to issue general obligation bonds of the county in the aggregate principal amount not to exceed Sixty-eight Million Dollars (\$68,000,000.00) for the purposes provided for in Section 5 of this act. As used in Sections 1 through 12 of this act, "bonds" shall be deemed to mean and include bonds, refunding bonds, notes or certificates of participation. The full faith and credit of the county shall be irrevocably pledged for the payment of the principal of and interest on the bonds.

Section 7. Bonds authorized by Sections 1 through 12 of this act, other than refunding bonds, shall be issued pursuant to Sections 19-9-1 through 19-9-31 or as may be otherwise provided by law; however, no election shall be held under the provisions of Sections 19-9-1 through 19-9-31, upon the question of the issuance of bonds authorized under Sections 1 through 12 of this act.

Section 8. Bonds issued pursuant to Sections 1 through 12 of this act shall not be deemed indebtedness within the meaning of Section 19-9-5. Bonds issued pursuant to Sections 1 through 12 of this act shall be submitted by validation under Sections 31-13-1 through 31-13-11.

Section 9. Bonds issued under Sections 1 through 12 of this act may be refunded at any time and from time to time by the county pursuant to an authorizing resolution of the board of supervisors, directing issuance of refunding bonds in accordance with the "Mississippi Bond Refinancing Act" (Section 31-27-1 et seq., Mississippi Code of 1972).

Section 10. (1) The avails of the tax provided for in Sections 1 through 12 of this act shall be used solely for the payment of the principal of, redemption premium, if any, and interest on the bonds, and for the payment of expenses of issuance thereof or reserve funds therefor.

(2) To the extent the proceeds of the tax provided for in Sections 1 through 12 of this act and any other amounts which may, from time to time, be available for the payment of the principal of, redemption premium, if any, and interest on the bonds, including any available revenues of the project, are not sufficient for such purpose, the board of supervisors shall levy a special ad valorem tax upon all of the taxable property within the county which shall be sufficient, together with other money available for such purpose, to provide for the payment of the principal of, redemption premium, if any, and interest on such bonds according to the terms thereof.

Section 11. Sections 1 through 12 of this act shall be liberally construed for the purposes herein set out, the power hereby granted shall be deemed to be full and complete authority for the issuance of bonds under Sections 1 through 12 of this act and shall be construed as additional, cumulative and supplemental to any power granted to the county by any general or local and private act of the Legislature.

Section 12. The provisions of Sections 1 through 12 of this act shall be repealed in the event that two (2) referenda on the question of imposing convention center taxes have been denied by the electors of the county. If this event occurs, the Circuit Clerk of Harrison County shall notify the Chairmen of the Local and Private Committees of the House of Representatives and Senate of the Mississippi State Legislature.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 1 THROUGH 12 OF CHAPTER 1012, LOCAL AND PRIVATE LAWS OF 2004, TO CLARIFY THAT THE 2% TAX LEVIED ON ROOM RENTALS OF HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, WHICH SUPPORTS THE IMPROVEMENT AND EXPANSION OF THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF THE HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1757 was adopted.

YEAS AND NAYS On H. B. No. 1757. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--48.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1762:** Clinton/Raymond/Bolton Wastewater Authority Act; create.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act may be cited as the "Clinton/Raymond/Bolton Wastewater Authority Act."

SECTION 2. This act is for the purpose of authorizing a cooperative effort by an area situated within Hinds County including the areas situated within the corporate boundaries of the Cities of Clinton and Raymond and the Town of Bolton and any and all public agencies, and public utilities for the acquisition, construction and operation of one or more systems for the collection, transportation, treatment and disposal of wastewater; including sewerage systems, sewage disposal systems, and industrial wastewater, in order to prevent and control the pollution of the waters in this state by the creation of a Clinton/Raymond/Bolton Wastewater Authority.

SECTION 3. Words and phrases used in this act shall have meanings as follows:

(a) "Act" means the Clinton/Raymond/Bolton Wastewater Authority Act, as originally enacted or as amended from time to time.

(b) "Authority" means the Clinton/Raymond/Bolton Wastewater Authority.

(c) "Authority's area" means all areas served by the members of the authority.

(d) "Board of directors" means the board of directors of the authority.

(e) "Bonds" means revenue bonds, interim notes having a maturity of three (3) years or less, and other certificates of indebtedness of the authority issued under the provisions of this act.

(f) "Costs of the project" means:

(i) All costs of site preparation and other start-up costs;

(ii) All costs of construction;

(iii) All costs of real and personal property required for the purposes of the project and facilities related thereto, including land and any rights or undivided interest therein, easements, franchises, fees, utility charges, permits, approvals, licenses

and certificates and the securing of any permits, approvals, licenses and certificates and all machinery and equipment, including motor vehicles, which are used for project functions;

(iv) All costs of engineering, geotechnical, architectural and legal services;

(v) All costs of plans and specifications and all expenses necessary or incident to determining the feasibility or practicability of the project;

(vi) Administrative expenses; and

(vii) Any other expenses as may be necessary or incidental to the project financing.

(g) "Facilities" means any structure, building, ditch, pipe, channel, improvement, land or other real or personal property used or useful in a system under this act.

(h) "Member agencies" means the members of the authority which include the City of Clinton, the City of Raymond, the Town of Bolton, and any public agency or public utility which is located in whole or in part within the authority's area and which elects to become a constituent member of the authority upon its organization or which subsequently elects to become a member of the authority and which is admitted to the authority by affirmative vote of the board of directors of such authority, in accordance with the provisions of Section 5 of this act. No retail customer shall be a member of the authority.

(i) "Member's area" means any area served by a member of the authority.

(j) "Clinton/Raymond/Bolton Wastewater Authority" means the authority.

(k) "Municipality" means any incorporated city or town or eligible village of the State of Mississippi pursuant to Section 21-1-1, et. seq., Mississippi Code of 1972, as amended, whether operating under general or under special charter, lying wholly or partly within the authority's area.

(l) "Person" means and includes the State of Mississippi, a municipality as defined herein, any public agency as defined herein or any other city, town or political subdivision or governmental agency of the State of Mississippi or of the United States of America, or any private utility, public utility, individual, copartnership, association, firm, trust, estate or any other entity whatsoever.

(m) "Public utility" includes any person, firm, corporation or association and any public body, political subdivision, agency or instrumentality thereof owning and/or operating a public utility service described by subparagraph (iv) of paragraph (d) of Section 77-3-3, Mississippi Code of 1972, as amended. However, an incorporated municipality which owns and/or operates such a described public utility service shall not be subject to the provisions of Section 77-3-3. The term "public utility" also includes the successors and assigns of any such public utility.

(n) "Point of delivery" means the point where control of wastewater passes from a provider to the authority. A "point of delivery" generally will be a metering station where flow from a provider's collection system is discharged into the authority's transportation (trunk main) system.

(o) The terms "pollution" and "waters of the state" shall have meanings as set forth in the Mississippi Air and Water Pollution Control Law, as now or hereafter amended, appearing as Sections 49-17-1 through 49-17-70, Mississippi Code of 1972.

(p) "Public agency" means any county, municipality (including the City of Clinton, the City of Raymond, and the Town of Bolton), lying wholly or partially within the authority's area, any state board or commission owning or operating properties within the authority's area, any public utility district created pursuant to Sections 19-5-151 through 19-5-257, or 51-9-101 through 51-9-163, Mississippi Code of 1972, or any other political subdivision of the State of Mississippi lying wholly or partially within the authority's area and having the power to own and/or operate sewage systems, treatment facilities, sewage disposal systems, and/or other facilities or systems for the collection, transportation, treatment and/or disposal of wastewater.

(q) "Sewerage system" means waste disposal system, pipelines or conduits, canals, pumping stations and force mains, and all other structures, devices, facilities and appliances appurtenant thereto, used for collecting, conducting, transferring, and/or transporting wastewater to an ultimate point for treatment or disposal.

(r) "System(s)" means any or all of the following: sewerage systems, wastewater systems, waste disposal systems, treatment facilities, and all vehicles, structures, devices, facilities and appliances used for treatment, collecting or transporting sewage to an ultimate point for treatment and/or disposal.

(s) "Treatment facilities" means any plant, disposal field, lagoon, pumping station, constructing drainage ditch or surface water intercepting ditch, canal, or other works not specifically mentioned herein, installed for the purpose of treating, neutralizing, stabilizing or disposing of wastewater, or facilities to provide cooling water to collect, control and dispose of waste heat.

(t) "Waste" means sewage, industrial waste, municipal waste, recreational waste and agricultural waste, waste heat and any other waste in wastewater that may cause impairment of the quality of the waters in the state.

(u) "Waste disposal system" means a system for disposing of wastewater, including, but not limited to, sewerage systems and treatment facilities, as such terms are defined herein.

(v) "Wastewater" means water being disposed of by any person and which is contaminated with waste or sewage, including residential, industrial, agricultural, municipal, recreational, waste heat and any other wastewater that may cause impairment of the quality of the waters of the state.

(w) "Wastewater services provider" or "provider" means a public agency that provides wastewater services or a public utility that holds a certificate of public convenience and necessity for wastewater services from the Mississippi Public Service Commission.

(x) "Wastewater system" means a system for collecting, transporting, transferring, treating and/or disposing of wastewater, including, but not limited to, collection systems, transportation systems and/or treatment facilities.

Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, words and terms herein defined shall be equally applicable to the plural as well as the singular form of any such words and terms.

SECTION 4. (1) The City of Clinton, the City of Raymond, and the Town of Bolton are authorized to file a joint petition, which may be joined in by any public agency and/or public utility lying wholly or partly within the authority's area, for the organization of the Clinton/Raymond/Bolton Wastewater Authority in this state under the provisions of this act in the manner hereafter provided; and when so organized, such

Clinton/Raymond/Bolton Wastewater Authority shall be a political subdivision of the State of Mississippi, and a body politic and corporate, and shall have the powers granted to the Clinton/Raymond/Bolton Wastewater Authority under this act.

(2) A petition for the organization of a wastewater authority shall be filed in the Chancery Court of Hinds County, which petition shall show the proposed wastewater authority's area, the proposed member municipalities and/or public agencies and/or public utilities and the necessity and desirability of the proposed wastewater authority and shall be signed by duly authorized elected public officials of the municipalities within the proposed wastewater authority's area joining in filing the petition and the authorized officers of any other public agency and/or public utility joining in the petition. Upon the filing of the petition, the chancery clerk shall promptly give written notice of the same to a chancellor of the chancery court who shall enter an order setting a date not less than thirty (30) days from the date of the order for a hearing on the organization of such wastewater authority. Any public agency not a petitioner and any public and/or private utility within the proposed authority's area shall be served with process as a party defendant to the petition. The chancery clerk shall cause a notice of such hearing addressed to the taxpayers and qualified electors of the proposed wastewater authority's area and all other persons interested to be published once a week for at least three (3) successive weeks in a newspaper or newspapers published in Hinds County having a general circulation within the proposed wastewater authority's area, which notice shall state the date, place and time of such hearing, that a petition has been filed to organize a wastewater authority under the provisions of this act, describe the proposed wastewater authority's area, and command that all such persons appear before the chancery court or the chancellor in vacation on the date and hour of the hearing to show cause, if any they can, why the proposed wastewater authority should not be organized and established as set forth in the petition. The first publication shall be at least twenty-one (21) days before the date of such hearing and the last publication shall be not more than seven (7) days before the date of such hearing.

(3) The chancery clerk may hear the petition at any term thereof, or the chancellor of the court may fix a time to hear such petition at any time in vacation, and may determine all matters pertaining thereto, may adjourn the hearing from time to time, and may continue the case for want of sufficient notice or other good cause. If the petition shall prove defective in any manner, the petitioners, upon motion, shall be permitted to amend the same. At such hearing, or a day to which the same may be continued, the chancellor shall take evidence and all interested persons objecting to the creation of such wastewater authority may appear and contest the same. If the chancellor shall find that a sound plan exists for the creation of a wastewater authority to accomplish the purposes set forth in this act and the same would meet a public necessity, he or she shall render a decree creating such wastewater authority under the provisions of this act, specifying in the decree the wastewater authority's area to be served thereby, which may be less than the area set out in the petition. The chancellor shall not include within the area of a proposed wastewater authority any area lying within the corporate limits of a municipality unless such municipality shall have either joined in the petition or filed a written consent to such inclusion adopted by its governing body. If the chancellor finds that the proposed wastewater authority should not be organized, then he or she shall dismiss the proceedings.

SECTION 5. (1) When so organized, the authority shall have the power to sue and be sued, provided that the authority shall not be liable and shall be immune from suit at law or in equity on account of any wrongful or tortious act or omission, including libel, slander or defamation, by it, or any such act or omission by any employee of the authority, subject to and in accordance with the provisions of Sections 11-46-1 through 11-46-19, Mississippi Code of 1972.

(2) If at any time any public agency or public utility within the authority's area shall elect to become a member agency of the authority by a majority vote of the governing body of such public agency or public utility, such public agency or public utility may be

admitted as a member agency of the authority, upon the approval by a three-fifths (3/5) affirmative vote of the total membership of the board of directors of the authority.

SECTION 6. All powers of the authority shall be exercised by a board of directors to be selected and composed as follows: The governing body of each member agency shall appoint one (1) person to serve on the board of directors for each thirty percent (30%) or less of the flow that member's flow represents of the total flow of the authority as determined on December 31 of the preceding year, each such director to serve at the pleasure of the respective governing body. At the time any additional public agency or public utility is added as a member of the authority and appoints one (1) person to serve on the board of directors, the member which has fifty-one percent (51%) or more of the total flow of the authority as determined on December 31 of the preceding year, shall before the next board meeting also appoint an additional person to serve on the board of directors.

The board of directors of the authority shall annually elect from its number a president and vice president of the authority and such other officers as, in the judgment of the board, are

necessary. The president shall be the chief executive officer of the authority and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all duties and exercise all powers conferred by this act upon the president when the president is absent or fails or declines to act, except the president's right to vote. The board shall also appoint a secretary and a treasurer who may or may not be members of the board, and it may combine those officers. The treasurer shall give bond in the sum of not less than Fifty Thousand Dollars (\$50,000.00) as set by the board of directors, and each director may be required to give bond in the sum of not less than Ten Thousand Dollars (\$10,000.00), with sureties qualified to do business in this state, and the premiums on the bonds shall be an expense of the authority. Each such bond shall be payable to the State of Mississippi; the condition of each such bond shall be that the treasurer or director will faithfully perform all duties of his or her office and account for all money or other assets which shall come into his or her custody as treasurer or director of the authority.

All business of the authority shall be transacted by a three-fifths (3/5) affirmative vote of the total membership of the board of directors. The quorum for any meeting of the board of directors shall be three-fifths (3/5) of the total membership of the board of directors. Upon admission of a new member agency, the authority and the new member agency are each authorized to enter into agreements with the other setting out the responsibilities and obligations of both the authority and the member agency and setting forth the terms and conditions of the business to be conducted between them.

SECTION 7. The authority is authorized and empowered to acquire, construct, improve, enlarge, extend, repair, operate and maintain one or more systems and to make contracts with any person in furtherance thereof; and to make contracts with any public agency or public utility, under the terms of which the authority will collect, transport, treat and/or dispose of wastewater. The authority may also enter into contracts with any person to design and construct any system, and thereafter purchase, lease or sell, by installments over such terms as may be deemed desirable, or otherwise, any such system. The authority is also authorized to enter into operating agreements with any person, for such terms and upon such conditions as may be deemed desirable, for the operation of any facilities or systems; and the authority may lease to or from any person, for such term and upon such conditions as may be deemed desirable, any facilities or systems. Any such contract may contain provisions requiring any public agency or public utility or other person to regulate the quality and strength of waste to be handled by the system and may also provide that the authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency or public utility during the term of the contract. Any provision of this act to the contrary notwithstanding, the authority shall not become the owner of any existing system unless all municipalities or other public

agencies or public utilities currently utilizing such system or any portion thereof are offered access to such system.

SECTION 8. The authority, through its board of directors, in addition to any and all powers now or hereafter granted to it, is hereby empowered:

(a) To develop and maintain long-range planning for the collection, transportation, treatment and/or disposal of wastewater and for pollution abatement.

(b) To adopt and issue a certificate of convenience and necessity to use the power of eminent domain, including the right of immediate possession, in the acquisition of real property. Upon the adoption of a certificate of convenience and necessity, which shall state the description of the real property needed to be acquired by eminent domain, the authority shall transmit a copy of the certificate to the governing authorities of any public agency with the power of eminent domain or any other entity with the power of eminent domain. The public agency or other entity may initiate proceedings under the provisions of Chapter 27, Title 11, Mississippi Code of 1972, on behalf of the authority to carry out the purposes set forth in the certificate. The eminent domain proceeding thereby initiated shall be conducted according to and governed by the provisions of Chapter 27, Title 11, Mississippi Code of 1972.

(c) To acquire and to own, maintain, use, operate and convey or otherwise dispose of any and all property of any kind, real, personal or mixed, or any interest therein within or without the boundaries of its designated area necessary or convenient to the exercise of the purposes of its powers with respect to the collection, transference, transportation, treatment and/or disposal of wastewater, unless any of the foregoing is otherwise prohibited under the State Constitution or this act. The amount and character of interest in land, other property, and

easements thus to be acquired shall be determined by the board of directors, and their determination shall be conclusive and shall not be subject to attack in the absence of manifold abuse of discretion or fraud on the part of such board in making such determination. However, (i) in acquiring lands, the authority shall not acquire minerals or royalties; provided that sand and gravel shall not be considered as minerals within the meaning of this section; and (ii) no person or persons owning the drilling rights or the right to share in production shall be prevented from exploring, developing or producing oil or gas with necessary right-of-way for ingress and egress, pipelines and other means of transporting interests on any land or interest thereon of the authority held or used for the purposes of this act; but any such activities shall be under such reasonable regulations by the board of directors as will adequately protect the systems of the authority contemplated by this act.

(d) To provide for the necessary relocation or rerouting of roads and highways, railroad, telephone and telegraph lines and properties, electric power lines, gas pipe lines and related facilities, or to require the anchoring or other protection of any of these, provided due compensation is first paid to the owners thereof or agreement is had with such owners regarding the payment of the cost of such relocation, and to acquire easements or rights-of-way for such relocation or rerouting and to convey the same to the owners of the property being relocated or rerouted in connection with the purpose of this act.

(e) Unless otherwise prohibited under the State Constitution, state law or this act, to enter into contracts with any public agency or public utility, including, but not limited to, contracts authorized under this act, in furtherance of any of the purposes authorized by this act upon such consideration as the board of directors and such public agency or public utility may agree. Any such contract may extend over any period of time, notwithstanding any provision or rule of law to the contrary, may be upon such terms as the parties thereto shall agree, and may provide that it shall continue in effect until bonds specified therein, refunding bonds issued in lieu of such bonds, and all other obligations

specified therein are paid or terminated. Any such contract shall be binding upon the parties thereto according to its terms.

(f) To make and enforce, and from time to time amend and repeal, bylaws and rules and regulations for the management of its business and affairs and for the construction, use, maintenance and operation of any systems under its management and control and any other of its properties.

(g) To employ staff and other personnel, including attorneys, engineers and consultants. The board of directors may, in its discretion, employ a general manager having the authority to employ and fire employees of the authority.

(h) To accept and utilize grants and other funds from any source for systems.

(i) To establish and maintain rates and charges for the use of the services of such systems, and from time to time to adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such systems and all of the authority's obligations under any contract or bond resolution with respect thereto.

(j) To adopt rules and regulations necessary to carry out the implementation of the systems in the authority's area and to assure the payment by each participating public agency or public utility of its proportionate share of system costs.

(k) To refuse to receive wastewater from any public agency or subdivision thereof or public utility that does not comply with the provisions of the authority's rules and regulations applicable to the particular area within which such public agency or subdivision thereof or public utility is located. (l) To accept or reject industrial wastewater for treatment and to require the pretreatment of same when in the opinion of the authority such pretreatment is necessary.

(m) To adopt all necessary and reasonable rules and regulations to require and/or carry out and effectuate any systems in the authority's area, as contractually authorized.

(n) So long as any indebtedness on any system of the authority remains outstanding, to require a public agency or public utility or other person that all wastewater within the authority's area be disposed of through the authority's system, to the extent that the same may be available, but no public agency or public utility shall be precluded from constructing, operating and maintaining its own sewerage system after the current indebtedness owing on the system as of the effective date of this act is paid in full.

SECTION 9. (1) Any public agency or public utility may, pursuant to a duly adopted resolution of the governing authority of such public agency or public utility, enter into contracts with the authority under the terms of which the authority will collect, transport, treat and/or dispose of wastewater. Any public agency or public utility may also enter into contracts with the authority for the authority to purchase or sell, by installments over such terms as may be deemed desirable, or otherwise, any systems. Any public agency or public utility is also authorized to enter into operating agreements with the authority, for such terms and upon such conditions as may be deemed desirable, for the operation of systems by the authority or by any person contracting with the authority to operate such systems; and any public agency or public utility may lease to or from the authority, for such term and upon such conditions as may be deemed desirable, any systems. Any such contract may contain provisions requiring any public agency or public utility to regulate the quality and strength of wastewater to be handled by the system and may also provide that the authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency during the term of the contract for any of its systems. Such contracts may obligate the public agency or public utility to make

payments to the authority or to a trustee in amounts which shall be sufficient to enable the authority to defray the expenses of administering, operating and maintaining its systems, to pay interest and principal (whether at maturity upon redemption or otherwise) on bonds of the authority issued pursuant to this act and to fund reserves for debt service, for operation and maintenance and for renewals and replacements, and to fulfill the requirements of any rate covenant with respect to debt service coverage contained in any resolution, trust indenture or other security agreement relating to the bonds of the authority issued pursuant to this act. Any public agency or public utility shall have the power to enter into such contracts with the authority as in the discretion of the governing authorities thereof would be in the best interest of such public agency or public utility. Such contracts may include a pledge of the full faith and credit of such public agency and/or public utility and/or the avails of any special assessments made by such public agency and/or public utility against property receiving benefits, as now or hereafter provided by law. Any such contract may provide for the sale or lease to or use of by the authority of any system or any part thereof of the public agency and/or public utility; may provide that such authority shall operate any system or any part thereof of the public agency and/or public utility; may provide that any public agency and/or public utility shall have the right to continued use and/or priority use of any of its system or any part thereof during the useful life thereof upon payment of reasonable charges therefor; may contain provisions to assure equitable treatment of public agencies and/or public utilities who contract with the authority pursuant to this act; and may contain such other provisions and requirements as the parties thereto may determine to be appropriate or necessary. Such contracts may extend over any period of time, notwithstanding any provisions of law to the contrary, and may extend beyond the life of the system or any part thereof or the term of any bonds sold with respect to such facilities or improvements thereto.

(2) The obligations of a public agency and/or public utility arising under the terms of any contract referred to in this act, whether or not payable solely from a pledge of revenues, shall not be included within the indebtedness limitations of the public agency and/or public utility for purposes of any constitutional or statutory limitation or provision. To the extent provided in such contract and to the extent such obligations of the public agency and/or public utility are payable wholly or in part from the revenues and other monies derived by the public agency and/or public utility from the operation of its system or any part thereof, such obligations shall be treated as expenses of operating such system.

(3) Contracts referred to in this section may also provide for payments in the form of contributions to defray the cost of any purpose set forth in the contracts and as advances for the system or any part thereof subject to repayment by the authority. A public agency and/or public utility may make such contributions or advances from its general fund or surplus fund or from special assessments or from any monies legally available therefor.

(4) Payments made or to be made to the authority by a public agency pursuant to a contract for a system or any part thereof shall not be subject to approval or review by the Mississippi Public Service Commission.

(5) Subject to the terms of a contract or contracts referred to in this act, the authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out the purposes of such contracts, including the fixing, charging, collecting, maintaining and revising of rates, fees and other charges for the services rendered by any system operated or maintained by the authority, whether or not such system is owned by the authority.

(6) No provision of this act shall be construed to prohibit any public agency and/or public utility, otherwise permitted by law to issue bonds, from issuing bonds in the manner provided by law for the construction, renovation, repair or development of a system or any part thereof owned or operated by such public agency and/or public utility.

SECTION 10. Whenever a public agency and/or public utility shall have executed a contract pursuant to this act and the payments thereunder are to be made either wholly or partly from the revenues of a system, of a public agency and/or public utility or any part thereof or a combination of such systems, the duty is hereby imposed on the public agency and/or public utility to establish and maintain and from time to time to adjust the rates charged by the public agency and/or public utility for the services of such system or systems, such that the revenues therefrom together with any taxes and special assessments levied in support thereof will be sufficient at all times to pay: (a) the expense of operating and maintaining such system or systems, including all of the public agency's and/or public utility's obligations to the authority, its successors or

assigns under such contract; and (b) all of the public agency's and/or public utility's obligations under and in connection with revenue bonds theretofore issued, or which may be issued thereafter and secured by the revenues of such system or systems. Any such contract may require the use of consulting engineers and financial experts to advise the public agency and/or public utility whether and when such rates are to be adjusted.

SECTION 11. (1) The authority shall have the power and is hereby authorized, from time to time, to borrow money and to issue revenue bonds in such principal amounts as the authority may determine to be necessary to provide sufficient funds for achieving one or more of the purposes of this act, including, without limiting the generality of the foregoing, to defray all the costs of the project, the cost of the acquisition, construction, improvement, repair or extension of a system, or any part thereof, whether or not such facilities are owned by the authority, to pay interest on bonds of the authority issued

pursuant to this act, to establish reserves to secure such bonds and payment of the interest thereon, expenses incident to the issuance of such bonds and to the implementation of the authority's system, and all other expenditures of the authority incident to or necessary or convenient to carry out the purposes of this act.

(2) Before issuing bonds (other than interim notes or refunding bonds as provided in this act) hereunder, the board of directors of the authority shall first hold a public hearing with due notice of the time, date and place of the hearing published in a newspaper of general circulation in the authority's area. The board of directors shall adopt a resolution declaring its intention to issue such bonds and stating the maximum principal amount of bonds proposed to be issued, a general generic description of the proposed improvements and the proposed location thereof, and the date, time and place at which the board of directors proposes to take further action with respect to the issuance of such bonds. The board of directors shall then cause the resolution of intent to be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper having a general circulation within the authority's area. The first publication of such resolution shall be made not less than twenty-one (21) days before the date fixed in such resolution to direct the issuance of the bonds and the last publication shall be made not more than seven (7) days before such date.

(3) Following the public hearing, bonds of the authority may be issued pursuant to this act payable from and secured by a pledge of all or any part of the revenues under one or more contracts entered into pursuant to this act between the authority and one or more of its member public agencies and from all or any part of the revenues derived from the operation of any designated system or any part or parts thereof and any other monies legally available and designated therefor, as may be determined by the authority, subject only to any agreement with the purchasers of the bonds. Such bonds may be further secured by a trust indenture between the authority and a corporate trustee, which may be any trust company or bank having powers of a trust company without or within the State of Mississippi.

(4) Bonds of the authority issued pursuant to this act shall be authorized by a resolution or resolutions adopted by a three-fifths (3/5) affirmative vote of the total membership of the board of directors of the authority. Such bonds may be issued in

series, and each series of such bonds shall bear such date or dates, mature at such time or times, bear interest at such rate or rates (not exceeding the maximum rate set out in Section 75-17-103, Mississippi Code of 1972, as amended), be in such denomination or denominations, be in such form, carry such conversion privileges, have such rank or priority, be executed in such manner and by such officers, be payable from such sources in such medium of payment at such place or places within or without the State of Mississippi, and be subject to such terms of redemption prior to maturity, all as may be provided by resolution or resolutions of the board of directors.

(5) Bonds of the authority issued pursuant to this act may be sold at such price or prices, at public or private sale, in such manner and at such times as may be determined by the authority to be in the public interest, and the authority may pay all expenses, premiums, fees and commissions which it may deem necessary and advantageous in connection with the issuance and sale thereof.

(6) Any pledge of earnings, revenues or other monies made by the authority shall be valid and binding from the time the pledge is made. The earnings, revenues or other monies so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against such authority irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(7) Neither the members of the board of directors nor any person executing the bonds shall be personally liable on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(8) Proceeds from the sale of bonds of the authority may be invested, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earnings on such investments applied as provided in such resolution or trust indenture.

(9) Whenever any bonds shall have been signed by the officer(s) designated by the resolution of the board of directors to sign the bonds who were in office at the time of such signing but who may have ceased to be such officer(s) prior to the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the manual or facsimile signatures of such officer(s) upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially executing such bonds had remained in office until the delivery of the same to the purchaser or had been in office on the date such bonds may bear.

(10) (a) Payments of members made under contracts with the authority for the purpose of paying premium, if any, principal and interest on specific bonds issued by the authority under this section shall be used solely for the purpose of paying premium, if any, principal and interest on those specific bonds and for no other purpose. Such payments shall be deposited in a segregated bank account and the holders of the specific bonds to which the payments relate shall have an exclusive first priority lien on such payments and funds deposited in such account. Such payments shall not be subject to lien or attachment by any creditor of the authority and shall not be considered to be revenues of the authority available for payment of operation and maintenance costs or any other obligation of the authority.

(b) Members are prohibited from entering into contracts with the authority that impair the ability of the authority to repay Water Pollution Control Revolving Loans made by the Mississippi Department of Environmental Quality to the authority as provided in Section 49-17-87(3), Mississippi Code of 1972.

SECTION 12. The authority may by resolution adopted by its board of directors issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the board of directors deems to be in the public interest, without public hearing on the question of the issuance thereof. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture or other security instruments. The issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders and the rights, duties and obligations of the authority in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable. Any such refunding may be effected, whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations proposed to be refunded thereby, and regardless of whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

SECTION 13. All bonds (other than refunding bonds, interim notes and certificates of indebtedness, which may be validated) issued pursuant to this act shall be validated as now provided by law in Sections 31-13-1 through 31-13-11, Mississippi Code of 1972, as amended from time to time; notice of such validation proceedings shall be addressed to the citizens of the respective member public agencies (a) which have contracted with the authority pursuant to this act, and (b) whose contracts and the payments to be made by the public agencies thereunder constitute security for the bonds of the authority proposed to be issued, and that such notice shall be published at least once in a newspaper having a general circulation within the authority's area of service. Such validation proceedings shall be instituted in the Chancery Court of Hinds County. The validity of the bonds so validated and of the contracts and payments to be made by the public agencies thereunder constituting security for the bonds shall be forever conclusive against the authority and the public agencies which are parties to such contracts; and the validity of such bonds and such contracts and the payments to be made thereunder shall never be called in question in any court in this state.

SECTION 14. Bonds issued under the provisions of this act shall not be deemed to constitute, within the meaning of any constitutional or statutory limitation, an indebtedness of the authority or any member agency thereof. Such bonds shall not be secured by a pledge of the full faith and credit of the State of Mississippi, the authority or any member agency thereof, but shall be payable solely from the revenues or assets of the authority pledged therefor. Each bond issued under this act shall contain on the face thereof a statement to the effect that the authority shall not be obligated to pay the same nor the interest thereon except from the revenues or assets pledged therefor.

SECTION 15. The authority shall have power in connection with the issuance of its bonds to:

- (a) Covenant as to the use of any or all of its property, real or personal.
- (b) Redeem the bonds, to covenant for their redemption and to provide the terms and conditions thereof.
- (c) Covenant to charge rates, fees and charges sufficient to meet operating and maintenance expenses, renewals and replacements, principal and debt service on bonds, creation and maintenance of any reserves or other funds required by a bond

resolution, trust indenture or other security instrument and to provide for any margins or coverages over and above debt service on the bonds deemed desirable for the marketability of the bonds.

(d) Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds shall become or may be declared due before maturity, as to the terms and conditions upon which such declaration and its consequences may be waived and as to the consequences of default and the remedies of the registered owners of the bonds.

(e) Covenant as to the mortgage or pledge of or the grant of a security interest in any real or personal property and all or any part of the revenues from any designated system or any part thereof or any revenue-producing contract or contracts made by the authority with any person to secure the payment of bonds, subject to such agreements with the registered owners of bonds as may then exist.

(f) Covenant as to the custody, collection, securing, investment and payment of any revenues, assets, monies, funds or property with respect to which the authority may have any rights or interest.

(g) Covenant as to the purposes to which the proceeds from the sale of any bonds then or thereafter to be issued may be applied, and the pledge of such proceeds to secure the payment of the bonds.

(h) Covenant as to the limitations on the issuance of any additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds.

(i) Covenant as to the rank or priority of any bonds with respect to any lien or security.

(j) Covenant as to the procedure by which the terms of any contract with or for the benefit of the registered owners of bonds may be amended or abrogated, the amount of bonds the registered owners of which must consent thereto, and the manner in which such consent may be given.

(k) Covenant as to the custody of any of its properties or investments, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance proceeds.

(l) Covenant as to the vesting in a trustee or trustees, within or outside the State of Mississippi, of such properties, rights, powers and duties in trust as the authority may determine.

(m) Covenant as to the appointing and providing for the duties and obligations of a paying agent or paying agents or other fiduciaries within or outside the State of Mississippi.

(n) Make all other covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or in the absolute discretion of the authority tend to make the bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein; it being the intention hereof to give the authority power to do all things in the issuance of bonds and in the provisions for security thereof which are not inconsistent with the Constitution of the state.

(o) Execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of covenants or duties, which may contain

such covenants and provisions, as any purchaser of the bonds of the authority may reasonably require.

SECTION 16. The authority may, in any authorizing resolution of the board of directors, trust indenture or other security instrument relating to its bonds, provide for the appointment of a trustee who shall have such powers as are provided therein to represent the registered owners of any issue of bonds in the enforcement or protection of their rights under any such resolution, trust indenture or security instrument. The authority may also provide in such resolution, trust indenture or other security instrument that the trustee, or in the event that the trustee so appointed shall fail or decline to so protect and enforce such registered owners' rights then such percentage of registered owners as shall be set forth in, and subject to the provisions of, such resolution, trust indenture or other security instrument, may petition the court of proper jurisdiction for the appointment of a receiver of the revenues of the system which are pledged to the payment of the principal of and interest on the bonds of such registered owners. Such receiver may exercise any power as may be granted in any such resolution, trust indenture or security instrument to enter upon and take possession of, acquire, construct or reconstruct or operate and maintain such system, fix charges for services of the system and enforce collection thereof, and receive all revenues derived from such system or facilities and perform the public duties and carry out the contracts and obligations of the authority in the same manner as the authority itself might do, all under the direction of such court.

SECTION 17. (1) The exercise of the powers granted by this act will be in all respects for the benefit of the people of the State of Mississippi, for their well-being and prosperity and for the improvement of their social and economic conditions, and the authority shall not be required to pay any tax or assessment on any property owned by the authority under the provisions of this act or upon the income therefrom; nor shall any authority be required to pay any recording fee or transfer tax of any kind on account of instruments recorded by it or on its behalf.

(2) Any bonds issued by the authority under the provisions of this act, their transfer and the income therefrom shall at all times be free from taxation by the State of Mississippi or any local unit or political subdivision or other instrumentality of the State of Mississippi, excepting inheritance and gift taxes.

SECTION 18. All bonds issued under the provisions of this act shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the State of Mississippi and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

SECTION 19. The State of Mississippi hereby covenants with the registered owners of any bonds of the authority that so long as the bonds are outstanding and unpaid the State of Mississippi will not limit or alter the rights and powers of the authority under this act to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, the authority's right to charge and collect rates, fees and charges and to fulfill the terms of any covenants made with the registered owners of the bonds, or in any other way impair the rights and remedies of the registered owners of the bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

SECTION 20. The provisions of this act are cumulative of other statutes now or hereafter enacted relating to the issuance of bonds and systems; and to the design, construction, acquisition or approval of facilities for such purposes, and any public agency may exercise all presently held powers in the furtherance of this act.

SECTION 21. If any clause, sentence, paragraph, section or part of the provisions of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE CITIES OF CLINTON AND RAYMOND AND THE TOWN OF BOLTON TO CREATE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY; TO PROVIDE THAT THE AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF DIRECTORS; TO PROVIDE FOR THE POWERS AND DUTIES OF THE AUTHORITY; TO AUTHORIZE THE AUTHORITY TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE WASTEWATER SYSTEMS WITHIN THE AUTHORITY'S AREA; TO AUTHORIZE WASTEWATER SERVICES PROVIDERS TO CONTRACT WITH THE AUTHORITY; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY TO ISSUE REVENUE BONDS TO PROVIDE FUNDS NECESSARY TO ACHIEVE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY, WITH THE APPROVAL OF THE AFFECTED WASTEWATER SERVICES PROVIDER, TO ENTER INTO CONTRACTS WITH THE OWNERS OF PROPERTY TO PROVIDE IMPROVEMENTS NECESSARY TO PROVIDE WASTEWATER SERVICES; TO PROVIDE THAT THE AUTHORITY MAY ISSUE SPECIAL ASSESSMENT BONDS TO FINANCE SUCH IMPROVEMENTS AND TO AUTHORIZE THE AUTHORITY TO LEVY AND COLLECT SPECIAL ASSESSMENTS AGAINST THE PROPERTY BENEFITED THEREBY TO RETIRE SUCH BONDS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1762 was adopted.

YEAS AND NAYS On H. B. No. 1762. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams.  
Total--41.

Nays--Barrett, Blackwell, Chism, Hill, McDaniel, Parks, Seymour, Sojourner, Tate.  
Total--9.

Absent and those not voting--Younger. Total--1.  
Voting Present--Whaley. Total--1.

Senator McMahan called up the following entitled bill:

**H. B. No. 1763:** Kemper County; authorize to enter into certain contracts to fund capital costs to extend natural gas services in.

YEAS AND NAYS On H. B. No. 1763. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--49.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--Chism, Hill. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in.

Senator McMahan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 58, Laws of the Extraordinary Session of 1954, as amended by Chapter 810, Local and Private Laws of 1966, as amended by Chapter 820, Local and Private Laws of 1972, as amended by Chapter 973, Local and Private Laws of 1979, as amended by Chapter 881, Local and Private Laws of 1980, as amended by Chapter 918, Local and Private Laws of 1990, as amended by Chapter 882, Local and Private Laws of 1991, as amended by Chapter 937, Local and Private Laws of 1995, as amended by Chapter 989, Local and Private Laws of 1999, as amended by Section 13, Chapter 1012, Local and Private Laws of 2004, as amended by Chapter 942, Local and Private Laws of 2008, as amended by Chapter 943, Local and Private Laws of 2010, as amended by Chapter 926, Local and Private Laws of 2013, is amended as follows:

Section 1. The Board of Supervisors of Harrison County, Mississippi, in its discretion, may levy a special ad valorem tax not in excess of one (1) mill upon all the taxable property within the county to provide funds for the Mississippi Gulf Coast Regional Convention and Visitors Bureau for the purpose of advertising, promoting conventions, and bringing into favorable notice the opportunities, possibilities and tourism resources of Harrison, Hancock and Jackson Counties.

Section 2. (1) For the purposes of providing funds to promote tourism and conventions in Harrison County, there is hereby levied and assessed against and shall be collected from every person, firm or corporation operating hotels or motels in Harrison County an assessment which shall be equal to three percent (3%) of the gross proceeds from room rental of all such hotels or motels in Harrison County in addition to the tax imposed under Section 2, Chapter 1012, Local and Private Laws of 2004, and all other taxes now imposed. However, such tax shall solely apply to overnight room rentals of hotels and motels within the county and shall not apply to any ancillary revenues derived from hotel or motel patrons including, but not limited to, resort fees, meeting rooms, pool passes and food and beverage sales. Persons liable for the tax imposed herein shall add the amount of tax to the room rental and in addition thereto shall collect, insofar as practicable, the amount of the tax due by him from the person receiving the services or goods at the time of payment therefor.

(2) For the purposes of this act:

(a) "Bureau" means the Mississippi Gulf Coast Regional Convention and Visitors Bureau.

(b) "Hotel" and "motel" means a place of lodging as defined in the General Laws of 2007, Chapter 526, Section 3 and codified in Section 27-65-23.1, Mississippi Code of 1972, as amended, and as adopted by the Board of Supervisors of Harrison County, Mississippi, by Resolution dated May 7, 2007, and that at any one time will accommodate transient guests on a daily or weekly basis and that are known to the trade as such, including hotels, motels, bed and breakfast inns, time-share condominiums, tourist courts, rooming houses or other places where sleeping accommodations are furnished or offered for pay if one or more rooms are available for transient guests, excluding nursing homes or institutions for the aged or infirm as defined in Section 43-11-1 and personal care homes.

(3) The tax shall be collected by and paid to the Department of Revenue on a form to be prescribed by the Department of Revenue in the same manner that state sales taxes are collected and paid; and the full enforcement provisions and all other provisions of the Mississippi Sales Tax Law shall apply as necessary for the implementation and administration of this act.

(4) (a) Except as otherwise provided under this subsection, on or before the fifteenth day of the month following the month in which collected, the proceeds of such tax, less three percent (3%) to be retained by the Department of Revenue to defray the costs of collection, shall be paid by the department, as follows, for expenditure as authorized in this act:

( \* \* \*i) Until the date that the bonds issued by the board of supervisors after May 1, 1995, and prior to the effective date of House Bill No. 1823, 2004 Regular Session, for the purpose of defraying the cost of expanding the Mississippi Coast Coliseum and Convention Center are retired:

\* \* \*1. Two-thirds (2/3) of the proceeds shall be paid to the bureau.

\* \* \*2. One-third (1/3) of the proceeds shall be paid to the Board of Supervisors of Harrison County.

( \* \* \*ii) From and after the date that the bonds issued by the board of supervisors after May 1, 1995, and prior to the effective date of House Bill No. 1823, 2004 Regular Session, for the purpose of defraying the cost of expanding the Mississippi Coast Coliseum and Convention Center, are retired:

\* \* \*1. Two-thirds (2/3) of the proceeds shall be paid to the bureau.

\* \* \*2. Twenty-five percent (25%) of the remaining one-third (1/3) of the proceeds shall be paid to the bureau and seventy-five percent (75%) of the remaining one-third (1/3) of the proceeds shall be paid to the Board of Supervisors of Harrison County.

(b) (i) In lieu of allocating the proceeds of the tax as provided under paragraph (a) of this subsection, the Harrison County Board of Supervisors, in its discretion, may provide that the proceeds of the tax shall be dedicated to and used by the Harrison County Board of Supervisors solely for the promotion of tourism and tourism-related activities in the county and all may be paid to the Mississippi Gulf Coast Regional Convention and Visitors Bureau or to another entity or entities engaged in the promotion of tourism and tourism-related activities within the county, in the discretion of

the board of supervisors. The proceeds of the tax shall not be considered by the county as general fund revenues.

(ii) If the board, in its discretion, determines that funds shall not be allocated to the Mississippi Gulf Coast Regional Convention and Visitors Bureau, the board shall provide notice to the Mississippi Gulf Coast Regional Convention and Visitors Bureau of its intention no less than one hundred twenty (120) days before the termination of funding. At any time during the notice period, the board may withdraw its determination.

Section 3. (1) The Harrison County Tourism Commission is renamed the Mississippi Gulf Coast Regional Convention and Visitors Bureau. From and after July 1, 2013, all rights of office of members serving on the Harrison County Tourism Commission or the bureau prior to July 1, 2013, are terminated. From and after July 1, 2013, the bureau shall be composed of fifteen (15) members, appointed as provided in this section.

(2) (a) The board of supervisors of Harrison County shall appoint nine (9) members of the bureau with at least one (1) member from each district of a supervisor upon the recommendation of such supervisor. No supervisor may nominate any person from another supervisor's district to be a member of the bureau. In the selection of commissioners, the board should consider persons who are community leaders and/or are knowledgeable of, or actively involved in, the tourism industry.

(b) The members appointed pursuant to this subsection shall be appointed within sixty (60) days of the effective date of this act, in the following manner:

- (i) Two (2) members for one (1) year.
- (ii) Two (2) members for two (2) years.
- (iii) Two (2) members for three (3) years.
- (iv) Two (2) members for four (4) years.
- (v) One (1) member for five (5) years.

(c) All subsequent appointments shall be made for five-year terms, except that the board shall appoint a member to fill a vacancy for the unexpired term only. No person appointed pursuant to this subsection may serve more than ten (10) years prospectively from the effective date of this act as a member of the bureau.

(3) (a) The Board of Supervisors of Hancock County shall appoint three (3) members.

(b) The Board of Supervisors of Jackson County shall appoint three (3) members.

(c) In the selection of commissioners, the board(s) should consider persons who are community leaders and/or are knowledgeable of, or actively involved in, the tourism industry.

(d) Each commissioner appointed from Hancock County and Jackson County pursuant to this subsection shall serve an initial term of two (2) years for purposes of providing each county with a reasonable period of time during which to \* \* \* identify and commit appropriate sources of tourism funding, as determined by the bureau. In the event sources of funding comparable to those authorized by this chapter are not enacted upon the expiration of the two-year term, the seats of that county shall expire.

(e) (i) Upon expiration of the initial two-year term and if comparable funding is secured as required by paragraph (c) of this subsection, the subsequent appointments

by the Board of Supervisors of Hancock County pursuant to this subsection shall be appointed within sixty (60) days after the expiration of the two-year term in the following manner:

1. One (1) member for one (1) year;
2. One (1) member for three (3) years; and
3. One (1) member for five (5) years.

(ii) All subsequent appointments shall be made for five-year terms, except that the board shall appoint a member to fill a vacancy for the unexpired term only. No person appointed pursuant to this subsection may serve more than ten (10) years prospectively from the effective date of this act as a member of the bureau.

(f) (i) Upon expiration of the initial two-year term and if comparable funding is secured as required by paragraph (d) of this subsection, the subsequent appointments by the Board of Supervisors of Jackson County pursuant to this subsection shall be appointed within sixty (60) days after the expiration of the two-year term, in the following manner:

1. One (1) member for one (1) year;
2. One (1) member for three (3) years; and
3. One (1) member for five (5) years.

(ii) All subsequent appointments shall be made for five-year terms, except that the board shall appoint a member to fill a vacancy for the unexpired term only. No person appointed pursuant to this subsection may serve more than ten (10) years prospectively from the effective date of this act as a member of the bureau.

(4) All members appointed pursuant to Sections 2 and 3 may be removed by a majority vote of the appointing board of supervisors notwithstanding any time remaining on the term under which the appointee is serving.

(5) Before entering on the duties of the office each appointed member of the bureau shall enter into and give bond to be approved by the Secretary of State of the State of Mississippi in the sum of Fifty Thousand Dollars (\$50,000.00) conditioned on the satisfactory performance of his duties. This bond's premium shall be paid from the bureau fund. The bond shall be payable to Harrison County and in the event of a breach thereof, suit may be brought by the county for the benefit of the bureau. The bureau may authorize the payment of per diem not to exceed the uniform per diem rate provided in Section 25-3-69, Mississippi Code of 1972, to commission members for each day in the discharge of their official duties provided that the payment of per diem for appointees of Jackson and Hancock Counties shall be made by the appointing board of supervisors of each member until such time the county is a financially participating member of the bureau. Per diem expenditures shall be included in the annual budget of the bureau. The bureau shall elect officers and adopt rules and regulations; and shall fix a regular meeting date, but may provide for special meetings. The bureau shall keep minutes of its proceedings, as are necessary to carry out its responsibilities under this act.

Section 4. Before the expenditures of funds allocated to it by this act, the bureau shall annually adopt a budget that will reflect the anticipated expenditures for promotion, advertising and operation. The budget shall be subject to the approval of the Harrison County Board of Supervisors and shall comply with all the requirements of the general laws of the State of Mississippi covering the advertisement for bids and the expenditure of funds. The annual budget shall also be subject to approval of the boards of supervisors of Hancock County and Jackson County if such counties are participating financially in

the bureau. In the event that either Hancock County or Jackson County shall fail to approve the budget, that county shall no longer be a member of the bureau.

Section 5. (a) The bureau established hereunder shall have the authority to promote tourism and in this regard the bureau is empowered:

(i) To receive and expend revenues from any sources including, but not limited to, private enterprise;

(ii) To own, lease or contract for the use, purchase or lease of any real or personal property, including, but not limited to, furnishings, fixtures and any equipment useful and necessary in the promotion of tourism and convention business;

(iii) To sell, convey or otherwise dispose of all or any part of its property and assets in accordance with general laws of the State of Mississippi providing for such disposal;

(iv) To have and exercise all powers necessary or convenient to effect any and all of the purposes for which the commission is organized, and further, to appoint and employ individuals and agencies acting in its behalf for any and all of the aforementioned powers and responsibilities;

(v) To have and exercise all powers necessary and convenient to conduct the business of promoting and managing conventions and to carry out the purposes of the convention staff of the Mississippi Coast Coliseum Commission by agreement between the commission and the bureau.

(b) The bureau shall enter into operating agreements with Harrison, Hancock and Jackson Counties. The operating agreements shall specify how the bureau will be operated by setting forth the following:

(i) The respective duties, obligations and expected conduct of the members of the bureau, executive director and staff;

(ii) The structure and guidelines for the operating committee;

(iii) The mechanism for establishing strategic objectives with quantified key performance indicators;

(iv) Provisions for insuring accountability by setting forth the method of communicating and reporting performance as measured against clearly articulated strategic objectives to each of the counties and tourism stakeholder associations;

(v) Funding sources and the requirements for insuring public transparency, including compliance with Mississippi laws pertaining to public records and open meetings;

(vi) Scoring guidelines for grant requests for tourism related activities; and

(vii) Adoption of a code of ethics.

Section 6. (a) There is created a nonvoting advisory board to the Mississippi Gulf Coast Regional Convention and Visitors Bureau which shall include Mississippi Gulf Coast domiciled members of the boards of the following organizations, with each organization appointing one (1) member:

(i) The Mississippi Hotel and Lodging Association;

- (ii) The Mississippi Hospitality and Restaurant Association;
- (iii) The Mississippi Casino Operators Association;
- (iv) The Mississippi Gulf Coast Attractions Association;
- (v) The Mississippi Gulf Coast Golf Association;
- (vi) The Mississippi Coast Sports Commission;
- (vii) The Gulfport/Biloxi International Airport Authority; and

(viii) Any other related tourism associations deemed appropriate by the board of the Mississippi Gulf Coast Regional Convention and Visitors Bureau.

(b) A designee from the Mississippi Coast Coliseum and Convention Center Commission and from any private sector organization committing resources to the Mississippi Gulf Coast Regional Convention and Visitors Bureau over a multi-year period that the bureau deems significant also shall serve on the advisory board. The advisory board members shall participate in all board meetings, other than executive sessions, and may serve on the various operating committees of the bureau.

Section 7. All property, funds, money, accounts, records, contracts and other obligations now held in the name of the Harrison County Tourism Commission shall be deemed to be held in the name of the bureau; however, no contracts or other obligations entered into from and after March 1, 2013, through July 1, 2013, shall become obligations of the bureau except upon an affirmative vote of the bureau that is conducted after July 1, 2013.

Section 8. (1) Until the date the bonds issued by the county after May 1, 1995, but prior to the effective date of House Bill No. 1823, 2004 Regular Session, to defray the costs of expanding the Mississippi Coast Coliseum and Convention Center have been retired, and the bonds issued under the provisions of Sections 1 through 12 of House Bill No. 1823, 2004 Regular Session, have been retired, the Board of Supervisors of Harrison County \* \* \* may, in its discretion, deposit the funds allocated to it by Section 2(4) of this act into a special fund in the county treasury.

(2) Monies in the special fund \* \* \* may be expended by the board of supervisors to:

(a) Pay the principal of and interest on up to Ten Million Dollars (\$10,000,000.00) of general obligation bonds issued by the county after May 1, 1995, but prior to the effective date of House Bill No. 1823, 2004 Regular Session, to defray the costs of expanding the Mississippi Coast Coliseum and Convention Center, and/or

(b) Pay the principal of and interest on general obligation bonds issued by the county pursuant to Sections 1 through 12 of House Bill No. 1823, 2004 Regular Session.

Section 9. The Board of Supervisors of Harrison County, Mississippi, and the bureau, may, in their discretion, enter into contracts with not-for-profit organizations to provide services for advertising, marketing, and promotion of tourism and conventions and other related activities or the board of supervisors may direct all or a part of the funding to a not-for-profit created or existing within the county that is responsible for the promotion of tourism or tourism related activities.

Section 10. (1) If the tax levied under this act was imposed without a vote of the electorate, the board of supervisors shall, within sixty (60) days after the effective date of House Bill No. 1767, 2022 Regular Session, by resolution spread upon its minutes,

declare the intention of the board of supervisors to continue imposing the tax and describe the tax levy including the tax rate, annual revenue collections and the purposes for which the proceeds are used. The resolution shall be published once a week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the county, with the first publication to be made within fourteen (14) days after the board of supervisors adopts the resolution declaring its intention to continue the tax. If, on or before the date specified in the resolution for filing a written protest, which date shall be not less than forty-five (45) days and not more than sixty (60) days after the board of supervisors adopts the resolution, twenty percent (20%) or one thousand five hundred (1,500), whichever is less, of the qualified electors of the county file a written protest against the imposition of the tax, then an election upon the continued levy and assessment of the tax shall be called and held with the election to be conducted at the next election occurring more than sixty (60) days after the date specified in the resolution for filing a written protest. If the requisite number of qualified electors vote against the imposition of the tax, the tax shall cease to be imposed on the first day of the month following certification of the election results by the election commissioners of the county to the board of supervisors. The board of supervisors shall notify the Department of Revenue of the date of the discontinuance of the tax and shall publish sufficient notice thereof in a newspaper published or having a general circulation in the county. If no protest is filed, then the board of supervisors shall state that fact in their minutes and may continue the levy and assessment of the tax.

(2) This section shall not apply if the revenue from the tax authorized by this act has been contractually pledged for the payment of debt incurred prior to the effective date of House Bill No. 1767, 2022 Regular Session, until such time as the debt is satisfied. Once the debt has been satisfied, the board of supervisors, shall within sixty (60) days, adopt a resolution declaring the intention of the board of supervisors to continue the tax which shall initiate the procedure described in subsection (1) of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 58, LAWS OF THE EXTRAORDINARY SESSION OF 1954, AS LAST AMENDED BY CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2013, TO CLARIFY THAT THE 3% TAX LEVIED ON HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, FOR THE PURPOSES OF PROVIDING FUNDING TO PROMOTE TOURISM AND CONVENTIONS IN THE COUNTY, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF SUCH HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; TO PROVIDE THAT THE PROCEEDS OF THE TAX MAY BE USED BY THE HARRISON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF TOURISM WITHIN THE COUNTY OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF HARRISON COUNTY SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS OF HARRISON COUNTY TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; TO PROVIDE FOR A REFERENDUM ON THE LEVYING OF SUCH TAX UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1767 was adopted.

YEAS AND NAYS On H. B. No. 1767. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--49.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 10:24 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 550:** Recognize the 100th Anniversary of the Mississippi Farm Bureau Federation.

**S. C. R. No. 557:** Commend Laura Bivins for receiving Mississippi's Presidential Award for Excellence in Math and Science Teaching.

Andrew Ketchings, Clerk of the House of Representatives

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#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 87:** A CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE COMMERCIAL DISPATCH NEWSPAPER ON MARCH 12, 1922, IN COLUMBUS, MISSISSIPPI, THE ONLY

FAMILY-OWNED DAILY NEWSPAPER IN THE STATE, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

**H. C. R. No. 88:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING BOB TYLER FOR HIS LIFE OF SERVICE TO YALOBUSHA COUNTY AND THE STATE OF MISSISSIPPI UPON THE OCCASION OF HIS RETIREMENT IN JUNE 2022 AS EXECUTIVE DIRECTOR OF THE YALOBUSHA COUNTY ECONOMIC DEVELOPMENT DISTRICT.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 87:** The Commercial Dispatch; commend and congratulate on 100th anniversary. Rules.

**H. C. R. No. 88:** Bob Tyler; commend life of service to Yalobusha County and State of Mississippi. Rules.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Bennett as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2536:** Offender registry; create registry of individuals whose crimes involve public funds.

Representatives Bain and Sanford remain as conferees and the Speaker has named Representative Barnett to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 672:** Sexual assault kit; regulate processing of.  
Senators Bryan, Parks, Blount.

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of.  
Senators Wiggins, McCaughn, Branning.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2530:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

Representatives Bounds, Anderson (122nd), Stamps

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.  
Senators Whaley, Hopson, Polk.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 38:** A CONCURRENT RESOLUTION EXPRESSING THE SINCERE GRATITUDE OF THE MISSISSIPPI LEGISLATURE TO MISSISSIPPI'S FUNERAL SERVICE PROFESSIONALS AND THE MISSISSIPPI FUNERAL DIRECTORS ASSOCIATION FOR PROVIDING SAFE AND DIGNIFIED END OF LIFE RITES FOR FAMILIES IN BEREAVEMENT IN THE DARKEST HOURS OF THE COVID-19 PANDEMIC.

Joseph Thomas, Chairman

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#### MESSAGE FROM THE SPEAKER March 26, 2022

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Mary C. Werner, Saltillo, Mississippi, State Board of Education, unexpired term beginning June 14, 2021 and ending June 30, 2026 vice Sean Suggs.

Philip Gunn  
SPEAKER

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The executive nomination in the foregoing message was referred to committee as follows:

Mary C. Werner, State Board of Education, unexpired term beginning June 14, 2021 and ending June 30, 2026, Education.

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Senator Polk moved that the Senate stand in recess until 3:30 PM.

The motion prevailed, and at 2:11 PM, the Senate stood in recess.

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The Senate resumed business at 3:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Harkins moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:30 PM, the Senate stood in recess.

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The Senate resumed business at 3:43 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1441:** Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants and prepared food at convenience stores. Title Sufficient. Do Pass.

MCMAHAN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman  
HARKINS, Chairman

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Senator Parker entered a motion to reconsider the vote whereby **H. B. No. 1757** passed the Senate as amended.

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals.

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Senator Parker entered a motion to reconsider the vote whereby **H. B. No. 1767** passed the Senate as amended.

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in.

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Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1762** passed the Senate as amended.

**H. B. No. 1762:** Clinton/Raymond/Bolton Wastewater Authority Act; create.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1441**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1441:** Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants and prepared food at convenience stores.

YEAS AND NAYS On H. B. No. 1441. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--47.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--Chism, McDaniel, Seymour, Sojourner. Total--4.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1747**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following terms have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

(a) "City" means the City of Clinton, Mississippi.

(b) "Governing authorities" means the governing authorities of the City of Clinton, Mississippi.

(c) "Prepared food" means food prepared on the premises of a restaurant.

(d) "Restaurant" means all places within the corporate limits of the city where prepared food and beverages are sold for consumption, whether such food is consumed on the premises or not. The term "restaurant" does not include any school; hospital; convalescent or nursing home; and restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients, visitors or their families.

SECTION 2. (1) For the purpose of providing funds to promote tourism and parks and recreation within the city, the governing authorities of the City of Clinton, Mississippi, in their discretion, may levy, assess and collect a tax from persons, firms or corporations specified in this subsection, a tax, which shall be in addition to all other taxes or assessments imposed. The tax shall be imposed upon every person, firm or corporation operating a restaurant in the City of Clinton, Mississippi, where prepared food and drink is sold to the public, at a rate not to exceed two percent (2%) of the gross proceeds of the sales of such restaurant or business.

(2) Persons, firms, corporations or other entities liable for the tax imposed under subsection (1) of this section shall add the amount of the tax to the sales price of the food and beverages and shall collect, insofar as practicable, the amount of the tax due from the person purchasing the food or beverages at the time of payment therefor.

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of the intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX" and the voters shall vote by placing a cross (X) or check (☐) opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. (1) On or before the fifteenth day of the month preceding the date on which the city will begin to levy the tax authorized under Section 2 of this act, the governing authorities shall give written notification to the Commissioner of Revenue of the date on which the tax will become effective.

(2) The tax must be collected by and paid to the Department of Revenue in the same manner that state sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, will apply as necessary for the implementation of this act.

(3) Except for any amount retained by the Department of Revenue under Section 27-3-58, Mississippi Code of 1972, the revenue from the special tax collected under this act must be paid to the city on or before the fifteenth day of the month following the month in which collected.

(4) Accounting for receipts and expenditures of the revenue from the tax shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the city. The records reflecting the receipts and expenditures of the revenue from the tax shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his or her audit to the governing authorities. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the funds derived pursuant to this act.

(5) The proceeds of the tax may not be considered by the city as general fund revenues but must be placed into a special fund apart from the city general fund and any other funds and expended by the city strictly for the purposes prescribed under Section 2 of this act.

SECTION 5. This act shall be repealed from and after July 1, 2026.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1747 was adopted.

YEAS AND NAYS On H. B. No. 1747. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--48.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

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Senator McMahan moved that the rules be suspended to move to calendar item 37, **H. B. No. 1671**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

**H. B. No. 1671:** Jackson County; extend repeal date on county's hotel/motel tourism tax and authorize to make certain designation of the use of the tax.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 932, Local and Private Laws of 2015, as amended by Chapter 940, Local and Private Laws of 2018, is amended as follows:

Section 1. As used in this act:

(a) "County" means Jackson County, Mississippi.

(b) "Board of supervisors" means the Board of Supervisors of Jackson County, Mississippi.

(c) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests and which are known in the trade as such. The term "hotel" or "motel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

Section 2. (1) For the purpose of providing funds \* \* \* to promote and develop tourism and tourism-related activities in Jackson County, Mississippi, the board of supervisors, in its discretion, are authorized to levy and collect from every person, firm or corporation operating a hotel or motel in the county, a tax at the rate of two percent (2%) per room upon each overnight room rental in all hotels or motels in the county, which shall be in addition to all other taxes and assessments imposed. The tax shall not be levied upon or collected on charges for food, telephone, laundry, beverages and similar charges. The tax shall not be levied upon or collected on room rentals for day meetings where the room does not serve as overnight sleeping accommodations.

(2) Persons, firms or corporations liable for the tax imposed under subsection (1) of this section shall add the amount of the tax to the sales price and shall collect, insofar as is practicable, the amount of the tax due by him from the person receiving the services or product at the time of payment therefor.

Section 3. Before any tax authorized under this act may be imposed, the board of supervisors shall adopt a resolution declaring its intention to call for an election to be held on the question whether or not to levy the tax, setting forth the amount of the tax and the date upon which the tax shall become effective. The date of the election shall be fixed in the resolution. Notice of the intention to call an election to determine whether to levy a tax shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the county may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE HOTEL TAX" and, on a separate line, "AGAINST THE HOTEL TAX" and the voters shall vote by placing a cross (X) or check () opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the board of supervisors may levy the tax if sixty percent (60%) of the qualified electors who vote on the referendum in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax, the board of supervisors shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

Section 4. (1) On or before the fifteenth day of the month preceding the date on which the county will begin to levy the tax authorized under Section 2 of this act, the board

of supervisors shall give written notification to the Commissioner of Revenue of the date on which the tax will become effective.

(2) The tax must be collected by and paid to the Department of Revenue in the same manner that state sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, will apply as necessary for the implementation of this act.

(3) (a) Except for any amount retained by the Department of Revenue under Section 27-3-58, Mississippi Code of 1972, the revenue from the special tax collected under this act shall be paid to the \* \* \* board of supervisors of the county on or before the fifteenth day of the month following the month in which collected.

(b) The proceeds of the tax shall not be considered by the county as general fund revenues. The proceeds of the tax shall be dedicated to and used by the board of supervisors solely for the promotion of tourism and tourism-related activities in the county and all may be paid to the Mississippi Gulf Coast Regional Convention and Visitors Bureau or to another entity or entities engaged in the promotion of tourism and tourism-related activities within the county, in the discretion of the board of supervisors.

(4) If, in the board's discretion, funds are allocated to the Mississippi Gulf Coast Regional Convention and Visitors Bureau, an accounting for receipts and expenditures of the revenue from the tax shall be made separately from the accounting of receipts and expenditures of the Mississippi Gulf Coast Regional Convention and Visitors Bureau. The records reflecting the receipts and expenditures of the revenue from the tax shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit to the board of supervisors. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the revenue from the tax levied pursuant to this act.

(5) If the board, in its discretion, determines that funds shall not be allocated to the Mississippi Gulf Coast Regional Convention and Visitors Bureau, the board shall provide notice to the Mississippi Gulf Coast Regional Convention and Visitors Bureau of its intention no less than one hundred twenty (120) days before the termination of funding. At any time during the notice period, the board may withdraw its determination.

Section 5. The Board of Supervisors of Jackson County, Mississippi, may, in its discretion, enter into contracts with for-profit or not-for-profit organizations to provide service for advertising, marketing, and promotion of tourism and conventions and other related activities or the board of supervisors may direct all or a part of the funding to a not-for-profit created or existing within the county that is responsible for the promotion of tourism or tourism related activities.

Section \* \* \*6. This act shall be repealed from and after July 1, \* \* \* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS IN THE COUNTY; TO PROVIDE THAT THE REVENUE FROM THE TAX SHALL BE USED BY THE JACKSON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF

TOURISM OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS OF JACKSON COUNTY; TO PROVIDE THAT THE BOARD OF SUPERVISORS SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE JACKSON COUNTY HOTEL AND MOTEL TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF JACKSON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to H. B. No. 1671 was adopted by the following vote:

Yeas--Barnett, Barrett, Blackwell, Branning, Caughman, Horhn, Jackson (11th), McLendon, McMahan, Michel, Norwood, Parker, Polk, Thomas, Turner-Ford, Whaley, Williams. Total--17.

Nays--Blackmon, Boyd, Butler A. (36th), Chassaniol, Chism, DeBar, DeLano, England, Jordan, McCaughn, Moran, Seymour, Suber, Thompson, Wiggins. Total--15.

Absent and those not voting--Blount, Bryan, Butler K. (38th), Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, McDaniel, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Tate, Younger. Total--17.

Voting Present--Parks. Total--1.

Senator Frazier, who would have voted yea on H. B. No. 1671, announced a pair with Senator Carter, who would have voted nay.

YEAS AND NAYS On H. B. No. 1671. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--48.

Nays--None.

Absent and those not voting--Younger. Total--1.

Voting Present--Chism, Hill, McDaniel. Total--3.

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On motion of Senator McMahan, unanimous consent of the Senate was requested to release immediately to the House H. B. No. 1747 and H. B. No. 1671.

There was an objection to the foregoing request for unanimous consent by Senator Wiggins.

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Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 1671** passed the Senate as amended.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of MSgt. Jerry Cullen (USAF Retired) and Mary Geraldine Fountain Rushing of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rev. Dan Ellis Havens and Jack Butler Fitzgerald of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jimmy Reynolds, Sr. of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Tommy S. Weaver of Lily Orchard Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Janet Patton of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Hazel Ann McMullen of Saucier Community, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Rodney Bounds and Louise Lucas of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Harmon Latham and Michael Noel of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kay Townsend and Lanice O'Neil Harris of Collinsville, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lessie Sellers Carmichael of Newton County, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ava Carleen Strange Graham of Little Rock, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Johnny Howard Thrash of Conehatta, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Barry Sanford of Harpersville, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Eva B. Little of Decatur, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Bryan Charles Pratt, Jr. of Lawrence, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Deborah Jean Gilbert of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jerry Bates of Palaski, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mary Magdalene Johnson of Clifton, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Susan Main and Michael Thompson, Sr. of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Bill C. Williams, Lt. Colonel (Ret) USAF and Kenneth Talley of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Sawyer Scarbrough of Gulfport, MS.

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed or 8:00 PM, at which time the Senate would then adjourn until 2:00 PM, Sunday, March 27, 2022.

The motion prevailed, and at 4:37 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2034:** Intestacy; revise provisions for venue.

Representatives Cockerham, Reynolds, McKnight

**S. B. No. 2451:** Mississippi Equal Pay Act; enact.

Representatives Cockerham, White, Tullos

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Hood as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.

Representatives Cockerham and Reynolds remain as conferees and the Speaker has named Representative blackmon to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Hood as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.

Representatives Cockerham and Reynolds remain as conferees and the Speaker has named Representative Banks to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2509:** Outdoor advertising signs; revise height limit provisions.

**S. B. No. 2519:** Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle.

**S. B. No. 3000:** Warren County; authorize contributions to various organizations.

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year.

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Boys State Program.

Adopted: 03/25/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 155:** State Health Plan; delete prohibition on covering hearing aids.

**H. B. No. 821:** Nontransport emergency medical services; develop coordinated entity to provide statewide system for.

**H. B. No. 1365:** Elections; prohibit state and local officials from soliciting and/or accepting private funds for.

Adopted: 03/25/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE GOVERNOR  
March 26, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2514:** City of Hattiesburg; extend repeal date on hotel, motel and restaurant tax. (March 26, 2022, 8:51 AM)

**S. B. No. 2773:** Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state. (March 26, 2022, 8:52 AM)

**S. B. No. 2841:** State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds. (March 26, 2022, 9:35 AM)

**S. B. No. 2846:** Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects. (March 26, 2022, 8:56 AM)

**S. B. No. 2885:** Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on. (March 26, 2022, 8:58 AM)

**S. B. No. 3031:** Appropriation; Dental Examiners, Board of. (March 26, 2022, 9:13 AM)

**S. B. No. 3032:** Appropriation; Funeral Services Board. (March 26, 2022, 9:16 AM)

**S. B. No. 3033:** Appropriation; Massage Therapy, Board of. (March 26, 2022, 9:18 AM)

**S. B. No. 3035:** Appropriation; Counselors, Board of Examiners for Licensed Professional. (March 26, 2022, 9:20 AM)

**S. B. No. 3036:** Appropriation; Veterinary Examiners, Board of. (March 26, 2022, 9:21 AM)

**S. B. No. 3037:** Appropriation; Architecture, Board of. (March 26, 2022, 9:21 AM)

**S. B. No. 3039:** Appropriation; Geologists, Board of Registered Professional. (March 26, 2022, 9:24 AM)

**S. B. No. 3040:** Appropriation; Motor Vehicle Commission. (March 26, 2022, 9:24 AM)

**S. B. No. 3041:** Appropriation; Accountancy, Board of Public. (March 26, 2022, 9:26 AM)

**S. B. No. 3042:** Appropriation; Contractors, Board of. (March 26, 2022, 9:31 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 7:58 PM in memory of MSgt. Jerry Cullen, Mary Geraldine Fountain Rushing, Lessie Sellers Carmichael, Harmon Latham, Michael Noel, Kay Townsend, Lanice O'Neil Harris, Ava Carleen Strange Graham, Johnny Howard Thrash, Barry Sanford, Eva B. Little, Bryan Charles Pratt, Jr., Rev. Dan Ellis Havens, Deborah Jean Gilbert, Jerry Bates, Mary Magdalene Johnson, Susan Main, Michael Thompson, Sr., Bill C. Williams, Lt. Colonel, Kenneth Talley, Sawyer Scarbrough, Jack Butler Fitzgerald, Jimmy Reynolds, Sr., Tommy S. Weaver, Janet Patton, Hazel Ann McMullen, Rodney Bounds and Louise Lucas.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR SATURDAY, MARCH 26, 2022

**S. C. R. No. 600:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVIL" MARCHING BAND AND DIRECTORS JOSHUA AND JADA FORSYTHE FOR WINNING THE 2021 MHSAA 3A STATE MARCHING CHAMPIONSHIP.

By Senator(s) Sparks

**S. C. R. No. 601:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE HANCOCK HIGH SCHOOL "LADY HAWKS" GIRLS BOWLING TEAM AND COACH TREVIN BURGE FOR WINNING THREE CONSECUTIVE STATE CHAMPIONSHIPS.

By Senator(s) Moran

**S. C. R. No. 602:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PEARL RIVER COMMUNITY COLLEGE "WILDCATS" BASKETBALL TEAM AND HEAD COACH SCOTTY FLETCHER FOR WINNING THEIR FIRST MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE (MACCC) CHAMPIONSHIP SINCE 1994.

By Senator(s) Hill

**S. C. R. No. 603:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PEARL RIVER COMMUNITY COLLEGE "WILDCATS" MEN'S BASKETBALL TEAM AND HEAD COACH CHRIS ONEY FOR WINNING ITS THIRD CONSECUTIVE MACCC TITLE.

By Senator(s) Hill

**S. R. No. 53:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE VANCELEAVE HIGH SCHOOL "LADY BULLDOGS" GIRLS VOLLEYBALL TEAM AND HEAD COACH HEATHER ALLEN FOR WINNING THEIR FIFTH CONSECUTIVE MHSAA CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) England

**S. R. No. 54:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE ALCORN STATE UNIVERSITY "LADY BRAVES" WOMEN'S CROSS COUNTRY TEAM AND COACH JIMMY JOSEPH FOR WINNING THE 2021 SWAC CHAMPIONSHIP.

By Senator(s) Butler (36th), Simmons (13th)

**S. R. No. 55:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE ALCORN STATE UNIVERSITY "BRAVES" MEN'S BASKETBALL TEAM AND HEAD COACH LONDON BUSSIE FOR WINNING THE 2022 SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) REGULAR SEASON CHAMPIONSHIP.

By Senator(s) Butler (36th), Simmons (13th)

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EIGHTY-THIRD DAY, SUNDAY, MARCH 27, 2022

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Sparks.

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Senator Branning led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Hopson moved for the consideration en bloc of items 48 - 56, H. B. No. 764, H. B. No. 778, H. B. No. 1517, H. B. No. 1518, H. B. No. 1521, H. B. No. 1522, H. B. No. 1537, H. B. No. 1538 and H. B. No. 1542 and the motion prevailed.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 764, H. B. No. 778, H. B. No. 1517, H. B. No. 1518, H. B. No. 1521, H. B. No. 1522, H. B. No. 1537, H. B. No. 1538** and **H. B. No. 1542** be recommitted for further conference and the motion prevailed.

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create.

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program.

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1586** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1586: Appropriation; Medical Licensure, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 3,640,864.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	27
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals	
Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving	
Disciplinary Actions (%)	4.00
Number of Documented Complaints Received	300
Percent of Documented Complaints	
Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is provided for the Mississippi Physician Health Program.

SECTION 8. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 9. It is the intention of the Legislature that the Board may escalate their funds by an amount not to exceed Two Hundred and Sixty Thousand Dollars (\$260,000.00) and three (3) positions (headcount) in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 10. It is further the intention of the Legislature that, for Fiscal Year 2023, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1586** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1587** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1587: Appropriation; Nursing, Board of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .. \$ 5,142,358.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	42
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the Board may escalate their funds by an amount not to exceed Sixty-nine Thousand Eight Hundred Ninety Dollars (\$69,890.00) and one (1) position (headcount) in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 6. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Becky Currie

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1587** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1589** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1589: Appropriation; Optometry, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 183,625.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	Robert L. Jackson
Becky Currie	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1589** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved for the consideration en bloc of items 60-68, H. B. No. 1593, H. B. No. 1594, H. B. No. 1595, H. B. No. 1597, H. B. No. 1598, H. B. No. 1599, H. B. No. 1600, H. B. No. 1601 and H. B. No. 1602 and the motion prevailed.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 1593, H. B. No. 1594, H. B. No. 1595, H. B. No. 1597, H. B. No. 1598,**

**H. B. No. 1599, H. B. No. 1600, H. B. No. 1601 and H. B. No. 1602** be recommitted for further conference and the motion prevailed.

**H. B. No. 1593:** Appropriation; Insurance, Department of.

**H. B. No. 1594:** Appropriation; Fire Academy.

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System.

**H. B. No. 1597:** Appropriation; Legislative expenses.

**H. B. No. 1598:** Appropriation; Arts Commission.

**H. B. No. 1599:** Appropriation; Archives and History, Department of.

**H. B. No. 1600:** Appropriation; Education, Department of.

**H. B. No. 1601:** Appropriation; Educational Television, Authority for.

**H. B. No. 1602:** Appropriation; Library Commission.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1603** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1603: Appropriation; reappropriation, DFA - Bureau of Building - FY22.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in House Bill No. 1391, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 63,233,554.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 416,730.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 10,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 248,570.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and House Bill 1667, 2019 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 87,069.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and Senate Bill 3049, 2019 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 708,099.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 2948, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 13,804,041.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493600000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 2948, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 45,735,976.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493700000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1550, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30,2023...\$ 39,400,000.00.

The reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature for the first phase of construction for the new Department of Public Safety headquarters building.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022, or change the purpose of which the funds were originally authorized.

SECTION 10. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Manly Barton	John A. Polk
Kevin Horan	Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1603** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved for the consideration en bloc of items 70-82, H. B. No. 1604, H. B. No. 1605, H. B. No. 1606, H. B. No. 1607, H. B. No. 1608, H. B. No. 1609, H. B. No. 1610, H. B. No. 1611, H. B. No. 1612, H. B. No. 1613, H. B. No. 1614, H. B. No. 1616 and H. B. No. 1617 and the motion prevailed.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 1604, H. B. No. 1605, H. B. No. 1606, H. B. No. 1607, H. B. No. 1608,**

**H. B. No. 1609, H. B. No. 1610, H. B. No. 1611, H. B. No. 1612, H. B. No. 1613, H. B. No. 1614, H. B. No. 1616 and H. B. No. 1617** be recommitted for further conference and the motion prevailed.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.

**H. B. No. 1607:** Appropriation; Mississippi Broadband Commission.

**H. B. No. 1608:** Appropriation; Oil and Gas Board.

**H. B. No. 1609:** Appropriation; Public Service Commission.

**H. B. No. 1610:** Appropriation; Public Utilities Staff.

**H. B. No. 1611:** Appropriation; Human Services, Department of.

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.

**H. B. No. 1613:** Appropriation; Medicaid, Division of.

**H. B. No. 1614:** Appropriation; Health, Department of.

**H. B. No. 1616:** Appropriation; Forestry Commission.

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1619** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1619: Appropriation; Pearl River Valley Water Supply District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 20,359,634.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	116
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official

depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Funds are provided herein out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Timmy Ladner	Jenifer B. Branning
Becky Currie	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1619** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
 Nays--None.  
 Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1621** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1621: Appropriation; Tombigbee River Valley Water Management District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 8,978,033.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:  
 AUTHORIZED HEADCOUNT:

Permanent:	17
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Timmy Ladner	Jenifer B. Branning
William Tracy Arnold	Kelvin Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1621** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1623** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1623: Appropriation; Veterans' Home Purchase Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 49,561,430.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	18
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. It is the intention of the Legislature that the Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars (\$10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Mac Huddleston	Scott DeLano
Manly Barton	Philip Moran

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1623** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved for the consideration en bloc of items 86-141, H. B. No. 1624, H. B. No. 1625, H. B. No. 1626, H. B. No. 1627, H. B. No. 1628, H. B. No. 1629, H. B. No. 1630, H. B. No. 1664, H. B. No. 1665, S. B. No. 2862, S. B. No. 2863, S. B. No. 2864, S. B. No. 2865, S. B. No. 3002, S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006, S. B. No. 3007, S. B. No. 3008, S. B. No. 3009, S. B. No. 3010, S. B. No. 3011, S. B. No. 3012, S. B. No. 3013, S. B. No. 3014, S. B. No. 3015, S. B. No. 3016, S. B. No. 3017, S. B. No. 3018, S. B. No. 3019, S. B. No. 3020, S. B. No. 3021, S. B. No. 3022, S. B. No. 3023, S. B. No. 3024, S. B. No. 3025, S. B. No. 3026, S. B. No. 3027, S. B. No. 3028, S. B. No. 3029, S. B. No. 3034, S. B. No. 3038, S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3048, S. B. No. 3049, S. B. No. 3051, S. B. No. 3052, S. B. No. 3053 and S. B. No. 3054 and the motion prevailed.

Senator Hopson moved that the Conference Committee Reports on H. B. No. 1624, H. B. No. 1625, H. B. No. 1626, H. B. No. 1627, H. B. No. 1628, H. B. No. 1629, H. B. No. 1630, H. B. No. 1664, H. B. No. 1665, S. B. No. 2862, S. B. No. 2863, S. B. No. 2864, S. B. No. 2865, S. B. No. 3002, S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006, S. B. No. 3007, S. B. No. 3008, S. B. No. 3009, S. B. No. 3010, S. B. No. 3011, S. B. No. 3012, S. B. No. 3013, S. B. No. 3014, S. B. No. 3015, S. B. No. 3016, S. B. No. 3017, S. B. No. 3018, S. B. No. 3019, S. B. No. 3020, S. B. No. 3021, S. B. No. 3022, S. B. No. 3023, S. B. No. 3024, S. B. No. 3025, S. B. No. 3026, S. B. No. 3027, S. B. No. 3028, S. B. No. 3029, S. B. No. 3034, S. B. No. 3038, S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3048, S. B. No. 3049, S. B. No. 3051, S. B. No. 3052, S. B. No. 3053 and S. B. No. 3054 be recommitted for further conference and the motion prevailed.

**H. B. No. 1624:** Appropriation; Marine Resources, Department of.

**H. B. No. 1625:** Appropriation; District attorneys and staff.

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.

Defender, Office of.

**H. B. No. 1627:** Appropriation; State Public Defender, Office of.

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

**H. B. No. 1629:** Appropriation; Attorney General.

**H. B. No. 1630:** Appropriation; Transportation, Department of.

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges.

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

**S. B. No. 3002:** Appropriation; IHL - General support.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3013:** Appropriation; Corrections, Department of.

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

**S. B. No. 3018:** Appropriation; Emergency Management Agency.

**S. B. No. 3019:** Appropriation; Military Department.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.

**S. B. No. 3021:** Appropriation; Ethics Commission.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.

**S. B. No. 3023:** Appropriation; Employment Security, Department of.

**S. B. No. 3024:** Appropriation; Revenue, Department of.

**S. B. No. 3025:** Appropriation; Tax Appeals Board.

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.

**S. B. No. 3027:** Appropriation; Mental Health, Department of.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.

**S. B. No. 3038:** Appropriation; Gaming Commission.

**S. B. No. 3043:** Appropriation; Audit, Department of.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3051:** Appropriation; Personnel Board.

**S. B. No. 3052:** Appropriation; Secretary of State.

**S. B. No. 3053:** Appropriation; Treasurer's Office.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3055** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3055: Appropriations; additional appropriations for various state agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period July 1, 2021, and ending June 30, 2022 ..... \$ 1,188,068.00.

Of the funds appropriated in this section, the following amounts are provided:

- (a) Settlement between the United States Environmental Protection Agency and the State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756 ..... \$ 21,452.00.
- (b) Pickett v. Mississippi Board of Animal Health, 2:18-cv-00214-KS-JCG (S.D. Miss.) \$ 211,616.00.
- (c) IHS Pharmacy v. Mississippi Department of Corrections, Hinds County Circuit Court, Cause No. 17-572 ..... \$ 625,000.00.
- (d) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Cause No. 2009-0457-CV ..... \$ 35,000.00.
- (e) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Cause No. 1:20-cv-00150 ..... \$ 50,000.00.
- (f) Harvill Payne Richardson v. State of Mississippi, Circuit Court of Harrison County, Mississippi, Second Judicial District, Cause No. A2402-2020-87 \$ 50,000.00.
- (g) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi, Cause No. 2021-0026-CV1C ..... \$ 50,000.00.
- (h) Eddie Lee Howard v. State of Mississippi, Circuit Court of Lowndes County, Mississippi, Cause No. 2021-0026-CV1C (statutory attorney's fees) ..... \$ 25,000.00.
- (i) Carl Lee Jordan v. State of Mississippi, Cause No. A2401-2020-160; Circuit Court of Harrison County, Mississippi ..... \$ 50,000.00.
- (j) Carl Lee Jordan v. State of Mississippi, Cause No. A2401-2020-160; Circuit Court of Harrison County, Mississippi – statutory attorney's fees ..... \$ 15,000.00.
- (k) William Ervin Edwards v. State of Mississippi, Cause 45C11:21-CV-00081-JA; Circuit Court of Madison County, Mississippi ..... \$ 50,000.00.
- (l) William Ervin Edwards v. State of Mississippi, Cause 45C11:21-CV-00081-JA; Circuit Court of Madison County, Mississippi – statutory attorney's fees... \$ 5,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act and ending June 30, 2023 ..... \$ 1,750,000.00.

Of the funds appropriated in this section, the following amounts are provided:

- (a) Olivia Y., et al. v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:03cv251(L)(N) ..... \$ 200,000.00.
- (b) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.); Alexander, et al. v. Hall, et al., No. 4:30-CV-21-SA-JMV ..... \$ 500,000.00.
- (c) Jackson Women's Health Organization et al. v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss) ..... \$ 100,000.00.

(d) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss).....\$ 200,000.00.

(e) Monitor as Required by Order of the Federal Court regarding United States v. State of Mississippi 3:16-cv-00622-CWR-FKB ( S.D. Miss) ..... \$ 300,000.00.

(f) Flowers v. Evans, et al.  
4:21-CV-NBB-JMV ..... \$ 225,000.00.

(g) IRS v. State Agencies..... \$ 225,000.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of Coronavirus Local Fiscal Recovery Fund to the credit of the Department of Finance and Administration and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Finance and Administration for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 8,046,958.00.

This additional appropriation is for the purpose of providing Coronavirus Local Fiscal Recovery Funds to non-entitlement units of local government in accordance with the provisions applicable to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses, of the Wireless Communication Commission for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 606,242.00.

This additional appropriation is made for the purpose of defraying expenses of contractual obligations for system maintenance.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Joint Reapportionment Committee for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 15,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses for legal services.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Institutions of Higher Learning – Office of Student Financial Aid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Institutions of Higher Learning – Office of Student Financial Aid for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 3,500,000.00.

This additional appropriation is made for the purpose of administering a summer grant program using funds awarded through the second Governor's Emergency Educational Relief Fund (GEER II).

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office - Division of Medicaid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Governor's Office - Division of Medicaid for the period beginning July 1, 2021, and ending June 30, 2022 ..... \$ 466,786,240.00.

This additional appropriation is for the purpose of providing additional federal matching funds for mandated Medicaid medical services.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Veterans Affairs Board for the period July 1, 2021, and ending June 30, 2022 ..... \$ 103,113.00.

This additional appropriation is for the purpose of paying an ACA penalty.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Department of Health for the period July 1, 2021, and ending December 31, 2022..... \$ 865,000.00.

This additional appropriation is for the purpose of legal expenses.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 4,576,323.00.

This additional appropriation is for the purpose of providing funding to the Disaster Trust Fund.

SECTION 11. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2022; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022; THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2022; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Angela Cockerham
Robert L. Jackson	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3055** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved for the consideration en bloc of items 143-151, S. B. No. 3056, S. B. No. 3057, S. B. No. 3058, S. B. No. 3059, S. B. No. 3060, S. B. No. 3061, S. B. No. 3062, S. B. No. 3063 and S. B. No. 3064 and the motion prevailed.

Senator Hopson moved that the Conference Committee Reports on **S. B. No. 3056, S. B. No. 3057, S. B. No. 3058, S. B. No. 3059, S. B. No. 3060, S. B. No. 3061, S. B. No. 3062, S. B. No. 3063** and **S. B. No. 3064** be recommitted for further conference and the motion prevailed.

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

**S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

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Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 2:34 PM, the Senate stood in recess.

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The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 531** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 531: Mississippi Tax Freedom Act of 2022; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Tax Freedom Act of 2022."

SECTION 2. Section 27-7-5, Mississippi Code of 1972, is amended as follows:

27-7-5. (1) (a) Except as otherwise provided in this section, there is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

\*\*\* (i) 1. Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

\*\*\* 2. For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

\*\*\* 3. For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

\*\*\* 4. For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

\*\*\* 5. For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

\*\*\* 6. For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

\*\*\* (ii) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

\*\*\* (iii) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(b) (i) For calendar year 2023 and all calendar years thereafter, there shall be no tax levied under subparagraph (ii) of paragraph (a) of this subsection on the taxable

income of individuals in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof; and

(ii) For calendar year 2024 and all calendar years thereafter, the tax imposed under subparagraph (iii) of paragraph (a) of this subsection upon all taxable income of individuals in excess of Ten Thousand Dollars (\$10,000.00), shall be at the following rates:

1. For calendar year 2024, on such taxable income, the rate shall be four and seven-tenths percent (4.7%);
2. For calendar year 2025, on such taxable income, the rate shall be four and four-tenths percent (4.4%); and
3. For calendar year 2026 and all calendar years thereafter, on such taxable income, the rate shall be four percent (4%).

It is the intent of the Legislature that before calendar year 2026, the Legislature will consider whether the revised tax rates provided for in this subparagraph (ii) will be further decreased for calendar years after calendar year 2026. If the revised tax rates provided for in this subparagraph (ii) are further decreased for calendar years after calendar year 2026 to the extent that there is no tax levied on the taxable income individuals under this subparagraph (ii), the individual income tax shall stand repealed.

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2022; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE STATE INCOME TAX ON THE TAXABLE INCOME OF INDIVIDUALS; TO PROVIDE THAT IT IS THE INTENT OF THE LEGISLATURE THAT BEFORE CALENDAR YEAR 2026, THE LEGISLATURE WILL CONSIDER WHETHER THE REVISED INCOME TAX RATES PROVIDED FOR IN THIS ACT WILL BE FURTHER DECREASED FOR CALENDAR YEARS AFTER CALENDAR YEAR 2026; TO PROVIDE THAT IT IS THE INTENT OF THE LEGISLATURE THAT BEFORE CALENDAR YEAR 2026, THE LEGISLATURE WILL CONSIDER WHETHER THE REVISED INCOME TAX RATES PROVIDED FOR IN THIS ACT WILL BE FURTHER DECREASED FOR CALENDAR YEARS AFTER CALENDAR YEAR 2026; TO PROVIDE THAT IF THE REVISED TAX RATES ARE FURTHER DECREASED FOR CALENDAR YEARS AFTER CALENDAR YEAR 2026 TO THE EXTENT THAT THERE IS NO TAX LEVIED ON THE TAXABLE INCOME INDIVIDUALS UNDER THIS SECTION, THE INDIVIDUAL INCOME TAX SHALL STAND REPEALED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	W. Briggs Hopson III
Steve Massengill	Chris Johnson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 531** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson (11th), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--10.

Absent and those not voting--Sojourner. Total--1.

Senator Carter, who would have voted yea on H. B. No. 531, announced a pair with Senator Horhn, who would have voted nay.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1108** be recommitted for further conference and the motion prevailed.

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1663** be recommitted for further conference and the motion prevailed.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1685** be recommitted for further conference and the motion prevailed.

**H. B. No. 1685:** Pregnancy Resource Act; create.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1691** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1691: Income tax; revise certain provisions relating pass-through entities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) (a) For calendar year 2022, and for each calendar year thereafter, any partnership, S corporation or similar pass-through entity may elect to be taxed as an electing pass-through entity and pay the tax imposed under this chapter at the entity level. For the purposes of this section, the term "electing pass-through entity" means a partnership, S corporation or similar pass-through entity that has made an election pursuant to this section.

(b) A partnership, S corporation or similar pass-through entity desiring to be taxed as an electing pass-through entity shall submit the appropriate form to the Department of Revenue at any time during the tax year or on or before the fifteenth day of the third month following the close of that taxable year for which the entity elects to be taxed as an electing pass-through entity. This election shall be binding for that taxable year and all taxable years thereafter and shall not be revoked unless the electing pass-through entity submits the appropriate form to the department at any time during a subsequent taxable year or on or before the fifteenth day of the third month following the close of that taxable year for which the entity elects to no longer be taxed as an electing pass-through entity. Both the election to become an electing pass-through entity and the revocation of that election shall be accomplished by a vote by or written consent of the members of the governing body of the entity as well as a vote by or written consent of the owners, members, partners or shareholders holding greater than fifty percent (50%) percent of the voting control of the entity, within the time prescribed in this subsection.

(c) Each owner, member, partner or shareholder of an electing pass-through entity shall report his or her pro rata or distributive share of the income of the electing pass-through entity but shall not be liable for the tax imposed under this chapter on such pro rata or distributive share of the income of the electing pass-through entity. Each owner, member, partner or shareholder of an electing pass-through entity shall be allowed a credit against the taxes imposed under this chapter in an amount equal to his or her pro rata or distributive share of tax paid by the electing pass-through entity with respect to the corresponding taxable year.

(2) The adjusted basis of the owners, members or partners of an electing pass-through entity in their ownership interests in the electing pass-through entity shall be calculated without regard to the election under this section.

SECTION 2. Section 27-7-25, Mississippi Code of 1972, is amended as follows:

27-7-25. (1) Individuals carrying on businesses in partnerships shall be liable for income tax only in their individual capacity, unless for federal purposes the partnership is taxable as a corporation. If so, then the partnership is also taxable as a corporation for state purposes and is subject to all of the corporate tax laws and regulations. The gross income of an individual partner shall be the gross income the partnership distributed on the same basis as net income or earnings may be distributed. If the preceding exception applies, then the partner will be treated as a shareholder in a corporation.

There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year.

The net income of the partnership shall be computed in the same manner and on the same basis as provided for individuals, provided no personal exemption shall be granted and, provided further, that husband and wife partnerships shall not be recognized for the purpose of this article, unless it can be proven that husband and wife have each contributed capital out of their separate estates, and not by gift, from one to the other.

In the case of partnerships, each partner that would otherwise be required to include more than twelve (12) months of income in a single taxable year may elect to include such excess in income in one (1) year or ratably over a period of four (4) taxable years.

In the event the individual partners fail to report and pay the taxes imposed according to this section, then the partnership and the general partners shall be jointly and severally liable for said tax liability and shall be assessed accordingly. However, the partnership and/or general partner shall not be liable if the partnership withholds five percent (5%) of the net gain or profit of the partnership for the tax year and remits the same to the commissioner. Such amounts paid to the commissioner shall be deemed to be payments of estimated tax of the partners and shall be allocated pro rata to the partners' taxpayer accounts. The commissioner may allow, or require, block or composite filing by a partnership, or withholding on a nonresident partner.

Magnetic media reporting may be required in a manner to be determined by the commissioner.

Partnership returns shall be filed in such manner and at such time as prescribed by law.

(2) For a partnership that has made an election under Section 1 of this act to be taxed as an electing pass-through entity, the partnership shall pay income tax as provided for in Section 1 of this act.

SECTION 3. Section 27-8-7, Mississippi Code of 1972, is amended as follows:

27-8-7. (1) An S corporation shall not be subject to the tax imposed by Section 27-7-5; however, for an S corporation that has made an election under Section 1 of this act to be taxed as an electing pass-through entity, the S corporation shall be subject to and pay such tax as provided for in Section 1 of this act.

(2) For purposes of Section 27-7-15, each shareholder's pro rata share of the S corporation's income attributable to the state, and each resident shareholder's pro rata share of the S corporation's income not attributable to the state, shall be taken into account by the shareholder in the manner provided in Section 1366 of the Code.

(3) For purposes of determining the amounts taken into account by the shareholders of an S corporation under subsection (2) of this section, the amount of any

tax imposed on the S corporation under the Code shall not reduce the S corporation's income attributable to the state and income not attributable to the state.

SECTION 4. Section 1 of this act shall be codified as a new section in Chapter 7, Title 27, Mississippi Code of 1972.

SECTION 5. This act shall take effect and be in force from and after January 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ALLOW PARTNERSHIPS, S CORPORATIONS OR SIMILAR PASS-THROUGH ENTITIES TO ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITIES FOR STATE INCOME TAX PURPOSES AND PAY INCOME TAX AT THE ENTITY LEVEL; TO PROVIDE THE MANNER BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL REPORT HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF THE INCOME OF THE ELECTING PASS-THROUGH ENTITY BUT SHALL NOT BE LIABLE FOR INCOME TAX IMPOSED ON SUCH PRO RATA OR DISTRIBUTIVE SHARE; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL BE ALLOWED A CREDIT AGAINST INCOME TAXES IN AN AMOUNT EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF INCOME TAX PAID BY THE ELECTING PASS-THROUGH ENTITY WITH RESPECT TO THE CORRESPONDING TAXABLE YEAR; TO AMEND SECTION 27-7-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Daniel H. Sparks

Joey Fillingane

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1691** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2159** be recommitted for further conference and the motion prevailed.

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2223** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2223: Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the 2021 National Championship Bulldogs. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the President of Mississippi State University or his designee, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The President of Mississippi State University or his designee shall choose the first one hundred (100) tag numbers and provide them to the Department of Revenue.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi State University Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag, and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP BULLDOGS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Josh Harkins

Jody Steverson

Nicole Boyd

Brent Powell

Jeremy England

Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2223** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2747** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2747: Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Lydia Graves Chassaniol

Juan Barnett

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Brent Powell

Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2747** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2770** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2770: Income tax; extend repealer on job tax credit for certain water transportation enterprises.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.40, Mississippi Code of 1972, is amended as follows:

27-7-22.40. (1) The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates:

(a) "Water transportation enterprise" means an enterprise or establishment primarily engaged in providing inland water transportation of cargo on lakes, rivers and/or intracoastal waterways, except on the Great Lakes System.

(b) "Mississippi full-time job" means a job created in the State of Mississippi on or after January 1, 2019, and filled by a Mississippi resident who works at least thirty-five (35) hours per week.

(2) Subject to the provisions of this section, any water transportation enterprise is allowed a job tax credit for taxes imposed by this chapter equal to Two Thousand Dollars (\$2,000.00) annually for each Mississippi full-time job created for a period of five (5) years from the date the credit commences. A water transportation enterprise may not claim a tax credit for the reemployment of a person whose employment with the enterprise is terminated by the enterprise if the reemployment by the enterprise occurs within twelve (12) months from the date of the termination. The credit shall commence on the date selected by the enterprise. For the year in which the commencement date occurs, the credit will be determined based on the monthly average number of full-time employees employed by the water transportation enterprise in Mississippi full-time jobs subject to the Mississippi income tax withholding. For each year thereafter, the number of Mississippi full-time jobs shall be determined by comparing the monthly average number of full-time employees employed at the water transportation enterprise in Mississippi full-time jobs subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. The Department of Revenue shall adjust the credit allowed each year for employment fluctuations.

(3) The credit that may be used each year shall be limited to an amount not greater than the total state income tax liability of the water transportation enterprise. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) \* \* \* The sale, merger, acquisition, reorganization, bankruptcy or relocation from one (1) county to another county within the state of any water transportation enterprise may not create new eligibility in any succeeding business entity, but any unused job tax credit may be transferred and continued by any transferee of the water transportation enterprise. The Department of Revenue shall determine whether or not qualifying net increases or decreases have occurred or proper transfers of credit have been made and may require reports, promulgate regulations, and hold hearings as needed for substantiation and qualification.

(5) The credits allowed under this section shall not be used by any business enterprise or corporation other than the water transportation enterprise actually qualifying for the credits.

(6) The maximum aggregate amount of tax credits that may be claimed by all taxpayers claiming a credit under this section in a taxable year shall not exceed Two Million Dollars (\$2,000,000.00).

(7) Any water transportation enterprise that is eligible for the credit authorized in this section before January 1, \* \* \* 2026, shall be eligible for the credit authorized in this section, notwithstanding the repeal of this section, and shall be allowed to carry forward the credit after January 1, \* \* \* 2026, as provided for in subsection (3) of this section.

(8) This section shall be repealed from and after January 1, \* \* \* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.40, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX JOB CREDIT FOR ENTERPRISES THAT ARE PRIMARILY ENGAGED IN PROVIDING INLAND WATER TRANSPORTATION OF CARGO ON LAKES, RIVERS AND INTRACOASTAL WATERWAYS FOR EACH FULL-TIME EMPLOYEE EMPLOYED BY THE ENTERPRISE IN A MISSISSIPPI FULL-TIME JOB, TO EXTEND THE REPEALER ON THE CREDIT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Daniel H. Sparks	Jody Steverson
Derrick T. Simmons	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2770** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

\_\_\_\_\_  
Senator Polk moved that the Senate stand in recess until 5:30 PM.

The motion prevailed, and at 4:49 PM, the Senate stood in recess.  
\_\_\_\_\_

The Senate resumed business at 5:30 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2862:** Appropriation; Child Protective Services, Department of-ARPA funds.

**S. B. No. 2863:** Appropriation; Mississippi Emergency Management Agency-ARPA funds.

**S. B. No. 2864:** Appropriation; National Guard,-ARPA funds.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

**S. B. No. 3002:** Appropriation; IHL - General support.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3013:** Appropriation; Corrections, Department of.

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

- S. B. No. 3018:** Appropriation; Emergency Management Agency.
- S. B. No. 3019:** Appropriation; Military Department.
- S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.
- S. B. No. 3021:** Appropriation; Ethics Commission.
- S. B. No. 3022:** Appropriation; Judicial Performance Commission.
- S. B. No. 3023:** Appropriation; Employment Security, Department of.
- S. B. No. 3024:** Appropriation; Revenue, Department of.
- S. B. No. 3025:** Appropriation; Tax Appeals Board.
- S. B. No. 3026:** Appropriation; Workers' Compensation Commission.
- S. B. No. 3027:** Appropriation; Mental Health, Department of.
- S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.
- S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.
- S. B. No. 3034:** Appropriation; Pharmacy, Board of.
- S. B. No. 3038:** Appropriation; Gaming Commission.
- S. B. No. 3043:** Appropriation; Audit, Department of.
- S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.
- S. B. No. 3045:** Appropriation; Finance and Administration, Department of.
- S. B. No. 3046:** Appropriation; Governor's Office and Mansion.
- S. B. No. 3047:** Appropriation; Information Technology Services, Department of.
- S. B. No. 3048:** Appropriation; Development Authority, Mississippi.
- S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.
- S. B. No. 3051:** Appropriation; Personnel Board.
- S. B. No. 3052:** Appropriation; Secretary of State.
- S. B. No. 3053:** Appropriation; Treasurer's Office.
- S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli.
- S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.
- S. B. No. 3057:** Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds.

**S. B. No. 3058:** Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds.

**S. B. No. 3059:** Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

**S. B. No. 3061:** Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

**S. B. No. 3063:** Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 764:** "Mississippi Health Care Workers Retention Act of 2022"; create.

**H. B. No. 778:** Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.

**H. B. No. 1522:** Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program.

**H. B. No. 1537:** Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

**H. B. No. 1593:** Appropriation; Insurance, Department of.

- H. B. No. 1594:** Appropriation; Fire Academy.
- H. B. No. 1595:** Appropriation; Public Employees' Retirement System.
- H. B. No. 1597:** Appropriation; Legislative expenses.
- H. B. No. 1598:** Appropriation; Arts Commission.
- H. B. No. 1599:** Appropriation; Archives and History, Department of.
- H. B. No. 1600:** Appropriation; Education, Department of.
- H. B. No. 1601:** Appropriation; Educational Television, Authority for.
- H. B. No. 1602:** Appropriation; Library Commission.
- H. B. No. 1604:** Appropriation; Environmental Quality, Department of.
- H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.
- H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.
- H. B. No. 1607:** Appropriation; Mississippi Broadband Commission.
- H. B. No. 1608:** Appropriation; Oil and Gas Board.
- H. B. No. 1609:** Appropriation; Public Service Commission.
- H. B. No. 1610:** Appropriation; Public Utilities Staff.
- H. B. No. 1611:** Appropriation; Human Services, Department of.
- H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.
- H. B. No. 1613:** Appropriation; Medicaid, Division of.
- H. B. No. 1614:** Appropriation; Health, Department of.
- H. B. No. 1616:** Appropriation; Forestry Commission.
- H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.
- H. B. No. 1624:** Appropriation; Marine Resources, Department of.
- H. B. No. 1625:** Appropriation; District attorneys and staff.
- H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.
- H. B. No. 1627:** Appropriation; State Public Defender, Office of.
- H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.
- H. B. No. 1629:** Appropriation; Attorney General.
- H. B. No. 1630:** Appropriation; Transportation, Department of.
- H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

**H. B. No. 1665:** Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

**H. B. No. 1685:** Pregnancy Resource Act; create.

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.

**S. B. No. 2077:** Mississippi Farms and Families Program; create.

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property.

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date.

Adopted: 03/26/22

Andrew Ketchings, Clerk of the House of Representatives

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 677:** County veteran service officers; revise certain provisions regarding certification.

**H. B. No. 1177:** Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department.

Adopted: 03/26/22

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1758:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LATONYA WOODSON OF WARREN COUNTY, MISSISSIPPI.

Andrew Ketchings, Clerk of the House of Representatives

Senator McMahan offered the following report of the Conference Committee on **H. B. No. 1408.**

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1408: Sheriffs' salaries; increase.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (9), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of \* \* \* One Hundred Four Thousand Dollars (\$104,000.00).

(b) For counties with a total population of more than forty-five thousand (45,000) and not more than one hundred thousand (100,000), a salary of \* \* \* Ninety-five Thousand Dollars (\$95,000.00).

(c) For counties with a total population of more than thirty-four thousand (34,000) and not more than forty-five thousand (45,000), a salary of \* \* \* Ninety Thousand Dollars (\$90,000.00).

(d) For counties with a total population of more than fifteen thousand (15,000) and not more than thirty-four thousand (34,000), a salary of \* \* \* Eighty-five Thousand Dollars (\$85,000.00).

(e) For counties with a total population of not more than fifteen thousand (15,000), a salary of \* \* \* Eighty Thousand Dollars (\$80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection

is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars (\$5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

( \*\* \*12) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

( \*\* \*13) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officers Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officers Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 2. This act shall take effect and be in force from and after October 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN WHICH A JUVENILE DETENTION CENTER IS LOCATED TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE COUNTY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Chad McMahan
Karl Oliver	Barbara Blackmon
Manly Barton	Neil S. Whaley

Senator McMahan moved that the Conference Committee Report on **H. B. No. 1408** be recommitted for further conference and the motion prevailed.

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Senator McMahan offered the following report of the Conference Committee on **S. B. No. 2981** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2981: Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

## CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Chad McMahan	Manly Barton
Barbara Blackmon	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2981** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3069** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3069: Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

## CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Chad McMahan	Manly Barton
Barbara Blackmon	Karl Gibbs
Neil S. Whaley	Jody Steverson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3069** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator Barnett moved that the Conference Committee Report on **H. B. No. 863** be recommitted for further conference and the motion prevailed.

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

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Senator Barnett offered the following report of the Conference Committee on **H. B. No. 919** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 919: MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-357, Mississippi Code of 1972, is amended as follows:

47-5-357. (1) (a) Due to the unique and time sensitive requirements of growing and harvesting products produced by the prison agricultural enterprises, the Department of Finance and Administration and the department shall establish a prudent purchasing policy which may exempt from bid requirements those commodities, items or services which are needed for the efficient and effective management of the prison agricultural enterprises.

(b) Due to the unique and time sensitive requirements of growing and harvesting products produced by the prison agricultural enterprises, the Department of Finance and Administration and the department shall establish a prudent leasing policy which may exempt from bid requirements agricultural equipment which is needed for the efficient and effective management of the prison agricultural enterprises.

(2) The Department of Finance and Administration shall, by order entered on its minutes, list those commodities, items and services exempted from bid requirements as provided in Section 31-7-12 \* \* \*.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-357, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH A LEASING POLICY FOR AGRICULTURAL EQUIPMENT WHICH MAY BE EXEMPT FROM CERTAIN BID REQUIREMENTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE                      CONFEREES FOR THE SENATE

Kevin Horan	Juan Barnett
Carl Mickens	Sollie B. Norwood
Rob Roberson	Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 919** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2437** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2437: Pilot Work Initiative; authorize the establishment of at CMCF.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-539, Mississippi Code of 1972, is amended as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following \* \* \* meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(\* \* \*b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(\* \* \*c) "Department" means the State Department of Corrections.

(\* \* \*d) "Inmate" means any person incarcerated within any state correctional facility.

(\* \* \*e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(\* \* \*f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work Initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 2. The following shall be codified as Section 47-5-579, Mississippi Code of 1972:

47-5-579. (1) (a) The corporation is authorized to create a Pilot Work Initiative at the Central Mississippi Correctional Facility. The initiative shall be a limited to no more than twenty-five (25) inmates in the program at any given time.

(b) The department shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to the work initiative established under this section.

(3) (a) The commissioner shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program with the department shall have priority in admission to the program.

(4) (a) The chief executive officer may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) Before accepting any participants to the program, the corporation, in consultation with the department, shall adopt and publish rules and regulations to effectuate this section no later than six (6) months after the effective date of this section. These rules and regulations shall include all protection requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in the work initiative during his or her current term of confinement.

(6) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer.

(b) The inmate shall be required:

(i) To pay twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay ten percent (10%) of the inmate's wages to the corporation for administrative expenses to include transportation costs.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this sub-item shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to the remaining fifteen percent (15%) of the monies in the inmate's account to purchase incidental expenses.

(7) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made on January 15, 2023, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged;

(k) Total list of participating employers;

(l) Total list of jobs acquired by participants;

(m) Total list the hourly wage paid to each participant;

(n) Total accounting of the manner and use of the ten percent (10%) of the wages paid to the corporation by the inmate for administrative expenses;

(o) Total costs associated with program operations;

(p) Total list of participating financial institutions;

(q) The number of accounts opened by participants at financial institutions;

(r) The average hourly wage earned in the program; and

(s) Any other data or information as requested by the task force.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the initiative established under this section and produce a report to the Legislature on their effectiveness by January 1, 2024. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, 2024.

SECTION 3. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation

organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a Work Initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

( \*\* \*3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

( \*\* \*4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

( \*\* \*5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

SECTION 4. Section 97-9-49, Mississippi Code of 1972, is amended as follows:

97-9-49. (1) (a) Whoever escapes or attempts by force or violence to escape from any jail in which he is confined, or from any custody under or by virtue of any process issued under the laws of the State of Mississippi by any court or judge, or from the custody of a sheriff or other peace officer pursuant to lawful arrest or from the assigned area of a work release program or work initiative, shall, upon conviction, if the confinement or custody is by virtue of an arrest on a charge of felony, or conviction of a felony, be punished by imprisonment in the penitentiary not exceeding five (5) years to commence at the expiration of his former sentence, or, if the confinement or custody is by virtue of an arrest of or charge for or conviction of a misdemeanor, be punished by imprisonment in the county jail not exceeding one (1) year to commence at the expiration of the sentence which the court has imposed or which may be imposed for the crime for which he is charged.

(b) Whoever escapes or attempts by force or violence to escape from any confinement for contempt of court, shall, upon conviction, be found guilty of a misdemeanor and sentenced to imprisonment not to exceed six (6) months in the county jail.

(2) Anyone confined in any jail who is entrusted by any authorized person to leave the jail for any purpose and who willfully fails to return to the jail within the stipulated time, or after the accomplishment of the purpose for which he was entrusted to leave, shall be an escapee and shall be subject to the penalties provided in subsection (1).

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE CREATION OF A PILOT WORK INITIATIVE WITHIN THE MISSISSIPPI PRISON INDUSTRIES CORPORATION; AMEND SECTION 47-5-539, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF A PILOT WORK INITIATIVE FOR NO MORE THAN 25 INMATES; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE PILOT INITIATIVE; TO PROSCRIBE CERTAIN ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE PILOT INITIATIVE; TO PROHIBIT ANY INMATE SENTENCED FOR A SEX OFFENSE FROM PARTICIPATION IN THE PROGRAM; TO PROHIBIT ANY INMATE CONVICTED OF ESCAPE WITHIN THE PAST 5 YEARS FROM PARTICIPATION IN THE PROGRAM; TO REQUIRE THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SELECT INMATES FOR ADMISSION TO THE PROGRAM; TO REQUIRE THE CORPORATION, IN CONSULTATION WITH THE DEPARTMENT, TO ADOPT AND PROMULGATE RULES TO EFFECTUATE THIS SECTION; TO REQUIRE THE INMATE TO MAINTAIN A BANK ACCOUNT; TO ESTABLISH CERTAIN RULES CONCERNING THE INMATE'S DISBURSEMENT OF FUNDS; TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO COLLECT AND MAINTAIN DATA TO SHARE WITH PEER AND THE COLLECTION AND CRIMINAL JUSTICE OVERSIGHT TASK FORCE; TO REQUIRE PEER TO CONDUCT A REVIEW OF THE PILOT WORK INITIATIVE; TO AMEND SECTIONS 47-5-1251 AND 97-9-49, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Kevin Horan
Daniel H. Sparks	Rob Roberson
Dennis DeBar, Jr.	Dale Goodin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2437** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Simmons D. T. (12th) offered the following report of the Conference Committee on **S. B. No. 2898** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2898: Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Derrick T. Simmons

Randy Rushing

Tyler McCaughn

De'Keither A. Stamps

Sollie B. Norwood

Ronnie C. Crudup

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2898** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Parks moved that the rules be suspended for the consideration en bloc of S. N. No. 18, S. N. No. 19, S. N. No. 20, S. N. No. 21, S. N. No. 39, S. N. No. 40, S. N. No. 41, S. N. No. 42, S. N. No. 120, S. N. No. 121 and S. N. No. 122 and the motion prevailed.

Senator Parks called up the following entitled nominations:

**S. N. No. 18:** John Peter (Johnny Pete) McRight, Greenville, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the Second Congressional District as it existed in 1986.

**S. N. No. 19:** Luke Crane Montgomery, Fulton, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the First Congressional District as it existed in 1986.

**S. N. No. 20:** William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board, unexpired term effective May 4, 2021 and ending June 30, 2021, representing the Fifth Congressional District, vice Mr. Todd Hairston.

**S. N. No. 21:** William Poe (Will) Symmes, Gulfport, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing Fifth Congressional District.

**S. N. No. 39:** Ormella Cummings, Ph.D., Fulton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

**S. N. No. 40:** Teresa Aven Hubbard, Oxford, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

**S. N. No. 41:** Roy Hal Parker, Jr., Bolton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, nine year term effective May 18, 2021 and ending May 8, 2030.

**S. N. No. 42:** Gregory Charles (Gregg) Rader, Columbus, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May 8, 2030.

**S. N. No. 120:** Jeffrey Ward (Jeff) Bertucci, Sr., Gulfport, Mississippi, Board of Directors of the College Savings Plan of Mississippi, five year term effective September 15, 2021 and ending June 30, 2026, representing the Fifth Congressional District.

**S. N. No. 121:** Donald Geaty (Don) Brown, Vicksburg, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, five year term beginning July 1, 2021 and ending June 30, 2026.

**S. N. No. 122:** Tyler Norman, Meridian, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, remainder of five year term effective September 23, 2021 and ending June 30, 2024, vice Jason Branning.

YEAS AND NAYS on consideration en bloc of S. N. No. 18, S. N. No. 19, S. N. No. 20, S. N. No. 21, S. N. No. 39, S. N. No. 40, S. N. No. 41, S. N. No. 42, S. N. No. 120, S. N. No. 121 and S. N. No. 122. On motion of Senator Parks, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Wiggins called up the following entitled nomination:

**S. N. No. 84:** Krissy Casey Nobile, Madison, Mississippi, Director of the Mississippi Office of Capital Post-Conviction Counsel, four year term beginning August 1, 2021 and ending July 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 84 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman moved that the rules be suspended for the consideration en bloc of S. N. No. 61, S. N. No. 73, S. N. No. 135 and S. N. No. 151 and the motion prevailed.

Senator Caughman called up the following entitled nominations:

**S. N. No. 61:** John Nicholas (Nick) Crutcher, Hattiesburg, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, unexpired four year term effective May 19, 2021 and ending December 31, 2024.

**S. N. No. 73:** Theresa Brady Goldberg, Tupelo, Mississippi, State Board of Banking Review to represent the Third Supreme Court District, unexpired five year term effective immediately and ending March 23, 2026.

**S. N. No. 135:** Tyler Norman, Meridian, Mississippi, State Board of Contractors as the Roofing Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

**S. N. No. 151:** Thomas Henry (Tommy) Kline, Sr., Fulton, Mississippi, State Board of Contractors as the Plumbing or Heating and AC Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 61, S. N. No. 73, S. N. No. 135 and S. N. No. 151. On motion of Senator Caughman, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

Representatives Bain, Sanders, Williams-Barnes

Andrew Ketchings, Clerk of the House of Representatives

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Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Monday, March 28, 2022.

The motion prevailed, and at 6:08 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**J. R. No. 201:** Mississippi State Senate; redistrict. Title Sufficient. Do Be Adopted.

**S. C. R. No. 593:** Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi. Title Sufficient. Do Be Adopted.

**S. C. R. No. 594:** Commend Booneville High School "Lady Blue Devils" for winning 2022 MHSAA Class 3A Girls Basketball Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 595:** Commend Booneville High School "Blue Devils" Baseball Team for winning the 2021 Class 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 596:** Commend Belmont High School "Cardinals" Boys Golf Team for winning 2021 MHSAA 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 597:** Commend Booneville High School "Blue Devils" Boys Basketball Team for winning 2022 Class 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 598:** Commend Booneville "Lady Blue Devils" Girls Fast Pitch Softball Team for winning 2021 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 599:** Commend Belmont High School "Lady Cardinals" Volleyball Team for winning first State Championship in program history. Title Sufficient. Do Be Adopted.

**S. C. R. No. 600:** Commend Booneville High School "Blue Devil" Marching Band for winning 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 601:** Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 602:** Commend Pearl River Community College "Wildcats" Women's Basketball Team for MACCC Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 603:** Commend Pearl River Community College "Wildcats" Men's Basketball Team for third consecutive MACCC title. Title Sufficient. Do Be Adopted.

**S. R. No. 52:** Recognize Tara Denevan as Mississippi Department of Education 2022 "Parent of the Year". Title Sufficient. Do Be Adopted.

**S. R. No. 53:** Commend Vancleave High School "Lady Bulldogs" Girls Volleyball Team for fifth consecutive State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 54:** Commend Alcorn State University Women's Cross Country Team for winning SWAC. Title Sufficient. Do Be Adopted.

**S. R. No. 55:** Commend Alcorn State University Men's Basketball Team for winning the SWAC Regular Season. Title Sufficient. Do Be Adopted.

**H. C. R. No. 85:** Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 20, 2022. Title Sufficient. Do Be Adopted.

**H. C. R. No. 86:** Poised Pearls of Laurel of Alpha Kappa Alpha Sorority, Inc.; congratulate upon the charter of a graduate chapter. Title Sufficient. Do Be Adopted.

**H. C. R. No. 87:** The Commercial Dispatch; commend and congratulate on 100th anniversary. Title Sufficient. Do Be Adopted.

**H. C. R. No. 88:** Bob Tyler; commend life of service to Yalobusha County and State of Mississippi. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2155:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LAUREL, MISSISSIPPI, TO LEVY A TAX IN AN AMOUNT NOT TO EXCEED THREE PERCENT UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSE OF GENERATING REVENUE TO PROMOTE TOURISM; TO REQUIRE THAT AN ELECTION BE HELD ON THE QUESTION OF WHETHER THE TAX MAY BE LEVIED; TO AUTHORIZE THE CITY TO PERFORM CERTAIN OTHER ACTIONS AS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CITY TO DISCONTINUE THE TAX BY RESOLUTION, PROVIDED THERE IS NO INDEBTEDNESS OR OBLIGATION OUTSTANDING UNDER THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 3181:** AN ACT TO AMEND CHAPTER 879, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 921, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM SEPTEMBER 30, 2022, TO SEPTEMBER 30, 2023, ON THE PROVISIONS OF LAW THAT ESTABLISHES THE GRENADA TOURISM COMMISSION AND AUTHORIZES THE IMPOSITION OF A TOURIST AND CONVENTION TAX, TOGETHER WITH AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING

FUNDS TO CONSTRUCT, FINANCE AND OPERATE A SPORTS PARK; AND FOR RELATED PURPOSES.

**S. C. R. No. 548:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER SENATOR AND SECRETARY OF THE SENATE GEORGE P. SMITH OF WIGGINS, HARRISON COUNTY, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

**S. C. R. No. 550:** A CONCURRENT RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE MISSISSIPPI FARM BUREAU FEDERATION AND COMMEMORATING ITS HISTORY AND CONTRIBUTIONS TO AGRICULTURE IN OUR STATE.

**S. C. R. No. 557:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING LAURA BIVINS OF ANN SMITH ELEMENTARY SCHOOL IN MADISON COUNTY FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST SUCH AWARD FROM THE UNITED STATES GOVERNMENT.

**S. C. R. No. 565:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BOYS BASKETBALL TEAM AND COACH TIM WISE FOR WINNING THE MAIS OVERALL STATE CHAMPIONSHIP.

**S. C. R. No. 570:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "LADY PATRIOTS" GIRLS BASKETBALL TEAM AND HEAD COACH MICHAEL MCANALLY FOR WINNING THE 2022 MAIS OVERALL STATE CHAMPIONSHIP.

**S. C. R. No. 572:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BIGGERSVILLE HIGH SCHOOL "LIONS" GIRLS AND BOYS BASKETBALL TEAMS AND HEAD COACH CLIFF LITTLE FOR WINNING TWO MHSAA CLASS 1A STATE CHAMPIONSHIPS ON THE SAME DAY.

**S. C. R. No. 578:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE CHEER TEAM AND COACH BRANDON CASEY FOR WINNING CONSECUTIVE NATIONAL CHAMPIONSHIP TITLES IN THE UCA/UDA NATIONAL CHEER COMPETITION.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. C. R. No. 573:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LAKE HIGH SCHOOL "LADY HORNETS" GIRLS BASKETBALL TEAM AND COACH MAURICE BOWIE FOR WINNING THE 2022 MHSAA 2A STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1758:** Suffrage; restore to LaTonya Woodson of Warren County, Judiciary, Division B.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 821:** AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 41-59-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH AND MISSISSIPPI INSURANCE DEPARTMENT TO DEVELOP A COORDINATED ENTITY TO PROVIDE A STATEWIDE SYSTEM OF NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION 21-1-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY MUNICIPALITY HAS BEEN ABOLISHED BASED ON THE FINDINGS OF THE FEDERAL CENSUS OF 2020 THAT INDICATE A MUNICIPALITY HAS LESS THAN FIFTY INHABITANTS, SUCH MUNICIPALITY SHALL HAVE ALL ITS RIGHTS AND PRIVILEGES TEMPORARILY RESTORED AS A MUNICIPALITY UPON PROVIDING DOCUMENTATION TO THE SECRETARY OF STATE THAT THE MUNICIPALITY HAS SUBMITTED ITS INTENT TO CHALLENGE SUCH FINDINGS; TO PROVIDE THAT IF THE UNITED STATES CENSUS BUREAU LATER FINDS THAT A MUNICIPALITY HAS FIFTY OR MORE INHABITANTS, THEN ALL SUCH RIGHTS AND PRIVILEGES OF THE MUNICIPALITY WILL BE RESTORED; AND FOR RELATED PURPOSES.

**H. B. No. 1365:** AN ACT TO PROHIBIT ANY AGENCY OR STATE OR LOCAL OFFICIAL FROM SOLICITING, ACCEPTING OR OTHERWISE USING PRIVATE FUNDS FOR ANY ELECTION-RELATED EXPENSES OR VOTER EDUCATION, VOTER OUTREACH OR VOTER REGISTRATION PROGRAMS; AND FOR RELATED PURPOSES.

**H. B. No. 1441:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF OAKLAND, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON THE QUESTION OF IMPLEMENTING THE TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1533:** AN ACT TO REENACT AND AMEND CHAPTER 944, LOCAL AND PRIVATE LAWS OF 2010, AS AMENDED BY CHAPTER 949, LOCAL AND PRIVATE LAWS OF 2012, AS AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2026, THE DATE OF REPEAL ON THE LAW THAT AUTHORIZES THE TOWN OF BYHALIA, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS IN THE TOWN; AND FOR RELATED PURPOSES.

**H. B. No. 1534:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE SUNFLOWER COUNTY MINISTERIAL ALLIANCE COUNSELING SERVICE, INC.; AND FOR RELATED PURPOSES.

**H. B. No. 1535:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO DELTA ADVANTAGE CENTER; AND FOR RELATED PURPOSES.

**H. B. No. 1536:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

**H. B. No. 1565:** AN ACT TO AMEND CHAPTER 909, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISIONS OF LAW THAT CREATE THE JACKSON CONVENTION AND VISITORS BUREAU AND IMPOSE A TAX ON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, HOTELS AND MOTELS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUREAU; AND FOR RELATED PURPOSES.

**H. B. No. 1674:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF RALEIGH, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS

PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE TOWN; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1735:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OXFORD, MISSISSIPPI, TO EXPAND ITS WATER SYSTEM WITHIN A CERTAIN DISTANCE OUTSIDE THE CORPORATE LIMITS OF THE CITY OF OXFORD TO PROVIDE SERVICES SOLELY TO THE PUNKIN WATER ASSOCIATION; AND FOR RELATED PURPOSES.

**H. B. No. 1740:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FULTON, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN THREE PERCENT TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE THAT AN ELECTION BE HELD ON THE QUESTION OF THE LEVYING OF SUCH TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1742:** AN ACT TO AMEND CHAPTER 878, LOCAL AND PRIVATE LAWS OF 1990, AS LAST AMENDED BY CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2027, ON THE PROVISIONS OF LAW THAT CREATE THE HATTIESBURG TOURISM COMMISSION AND AUTHORIZE A TAX ON THE GROSS PROCEEDS OF HOTELS AND MOTELS FROM OVERNIGHT ROOM RENTALS TO FUND THE COMMISSION; AND FOR RELATED PURPOSES.

**H. B. No. 1743:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF KOSCIUSKO, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1744:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO PROVIDE SERVICES, COMMODITIES AND EQUIPMENT AND TO CONTRIBUTE FUNDS TO NONPROFIT ORGANIZATIONS THAT PROVIDE RECREATIONAL AND/OR SPORTS OPPORTUNITIES TO THE YOUTH OF THE COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 1745:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF GEORGE COUNTY, MISSISSIPPI, TO REPAIR THE PARKING LOT OF CROSSROADS UNITED METHODIST CHURCH THAT WAS DAMAGED DURING THE REPAIR AND RESTORATION OF A PORTION OF MISSISSIPPI STATE HIGHWAY 26 THAT WASHED AWAY; AND FOR RELATED PURPOSES.

**H. B. No. 1748:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SHUQUALAK, MISSISSIPPI, TO EXPAND ITS WATER DISTRIBUTION SYSTEM WITHIN A CERTAIN DISTANCE OUTSIDE THE CORPORATE LIMITS OF THE TOWN OF SHUQUALAK; AND FOR RELATED PURPOSES.

**H. B. No. 1755:** AN ACT TO AMEND CHAPTER 958, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MOSS POINT, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN TWO PERCENT UPON THE GROSS

PROCEEDS DERIVED FROM THE SALE OF PREPARED FOODS BY RESTAURANTS IN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1756:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NEW ALBANY, MISSISSIPPI, TO EXPAND ITS GAS SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS OF THE CITY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1760:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE DURANT FOUNDATION; AND FOR RELATED PURPOSES.

**H. B. No. 1763:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF KEMPER COUNTY, MISSISSIPPI, TO ENTER INTO APPROPRIATE BINDING CONTRACTS TO FUND THE CAPITAL COSTS NECESSARY TO EXTEND NATURAL GAS SERVICES WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:58 PM.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR SUNDAY, MARCH 27, 2022

**S. C. R. No. 604:** Rules

A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LEGACY OF UNITED STATES ARMY KOREAN WAR CASUALTY PFC JIMMY ROWLAND OF BALDWIN, MISSISSIPPI, WHO WAS IDENTIFIED AMONG THE UNKNOWN BURIED SOLDIERS IN THE NATIONAL MEMORIAL CEMETERY OF THE PACIFIC (PUNCHBOWL) IN HONOLULU, HAWAII, AND EXTENDING THE DEEPEST SYMPATHY AND RESPECT OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

By Senator(s) Sparks, McMahan, England, Thompson, Michel, McLendon

**J. R. No. 201:** Rules

A JOINT RESOLUTION TO REAPPORTION THE SENATE OF THE STATE OF MISSISSIPPI IN ACCORDANCE WITH SECTION 254, MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

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EIGHTY-FOURTH DAY, MONDAY, MARCH 28, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Eric L. Cooley, Senior Pastor, New Come and See Baptist Church, Port Gibson, MS.

Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 61, H. C. R. No. 62, H. C. R. No. 63, H. C. R. No. 64, H. C. R. No. 65, H. C. R. No. 66, H. C. R. No. 67, H. C. R. No. 68, H. C. R. No. 69, H. C. R. No. 70, H. C. R. No. 71, H. C. R. No. 73, H. C. R. No. 74, H. C. R. No. 75, H. C. R. No. 76 and H. C. R. No. 78 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**H. C. R. No. 61:** Hunter Luis Melendez; commend upon being named 2021 MS State Games - Male Athlete of the Year.

**H. C. R. No. 62:** Cooper Conner; commend and upon being named 2021 MS State Games - Youth Athlete of the Year.

**H. C. R. No. 63:** Tere Turner; commend upon being named 2021 MS State Games - Female Athlete of the Year.

**H. C. R. No. 64:** Laura Bivins; commend and congratulate upon winning the U.S. Presidential Award for Excellence in Mathematics and Science.

**H. C. R. No. 65:** Madeline Zimmerman; commend for being selected as Instructor of the Year at the Jackson County Campus of MGCCC.

**H. C. R. No. 66:** Jo Anne Daniels; commend for being selected as Instructor of the Year at the Jefferson Davis Campus of MGCCC.

**H. C. R. No. 67:** Monica Donohue; commend for being selected as Instructor of the Year at the Harrison County Campus of MGCCC.

**H. C. R. No. 68:** Mandy Withrow; commend for being selected as Instructor of the Year at the George County Center of MGCCC.

**H. C. R. No. 69:** Darlene Bush; commend for being selected as Instructor of the Year at the Perkinston Campus of MGCCC.

**H. C. R. No. 70:** Angela Butler; commend for being selected as Instructor of the Year at the Perkinston Campus of the MGCCC.

**H. C. R. No. 71:** International Women's Month; designate month of March 2022 as for statewide observance.

**H. C. R. No. 73:** John Girard Guthrie; commend life and legacy upon his passing.

**H. C. R. No. 74:** Zeb Andrews Hughes and Jameson Med Gunner Palmer; commend lives and legacies of and encourage boating safety awareness.

**H. C. R. No. 75:** Hilda Louise Smith Casin; commend life, service and accomplishments of.

**H. C. R. No. 76:** Mississippi High School Activities Association; commend and congratulate upon its centennial anniversary.

**H. C. R. No. 78:** Mississippi Farm Bureau Federation; commend upon 100th anniversary of.

YEAS AND NAYS on consideration en bloc of H. C. R. No. 61, H. C. R. No. 62, H. C. R. No. 63, H. C. R. No. 64, H. C. R. No. 65, H. C. R. No. 66, H. C. R. No. 67, H. C. R. No. 68, H. C. R. No. 69, H. C. R. No. 70, H. C. R. No. 71, H. C. R. No. 73, H. C. R. No. 74, H. C. R. No. 75, H. C. R. No. 76 and H. C. R. No. 78. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 61, H. C. R. No. 62, H. C. R. No. 63, H. C. R. No. 64, H. C. R. No. 65, H. C. R. No. 66, H. C. R. No. 67, H. C. R. No. 68, H. C. R. No. 69, H. C. R. No. 70, H. C. R. No. 71, H. C. R. No. 73, H. C. R. No. 74, H. C. R. No. 75, H. C. R. No. 76 and H. C. R. No. 78.

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Senator Younger moved that the rules be suspended to move to calendar item 339, **H. B. No. 1769**, and the motion prevailed.

Senator Younger called up the following entitled bill:

**H. B. No. 1769:** Eminent domain; prohibit transfer of property acquired by for 10 years after acquisition.

YEAS AND NAYS On H. B. No. 1769. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Sanders as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

Representatives Bain and Williams-Barnes remain as conferees and the Speaker has named Representative Sanford to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1408:** Sheriffs' salaries; increase.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 10:26 AM, the Senate stood in recess.

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The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

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SENATE JOURNAL  
MONDAY, MARCH 28, 2022MESSAGE FROM THE SECRETARY OF STATE  
March 28, 2022

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, remainder of a vacant term effective immediately and ending June 30, 2021.

Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, six year term effective July 1, 2021 and ending June 30, 2027.

Michael Watson  
SECRETARY OF STATE

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The executive nominations in the foregoing message were referred to committees as follows:

Joe E. Cloyd, Mississippi Business Finance Corporation, remainder of a vacant term effective immediately and ending June 30, 2021, Finance.

Joe E. Cloyd, Mississippi Business Finance Corporation, six year term effective July 1, 2021 and ending June 30, 2027, Finance.

## MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Morgan as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.

Representatives Lamar and Barnett remain as conferees and the Speaker has named Representative Kinkade to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR  
March 28, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2831:** Taxation of Remote and internet-based Computer Software Products and Services Study Committee; create. (March 28, 2022, 10:52 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1685:** Pregnancy Resource Act; create.

**H. B. No. 1687:** Children's Promise Act; revise certain provisions.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 581:** Commend Jackson State University "Lady Tigers" Basketball Team for back-to-back SWAC Tournament Championships.

**S. C. R. No. 582:** Commend Manchester Academy "Lady Mavericks" Basketball team for back-to-back State Championships.

**S. C. R. No. 584:** Commemorate the 100th Anniversary of the founding of The Columbus Commercial Dispatch Newspaper (1921-2022).

**S. C. R. No. 586:** Designate April 14, 2022, as "Reman Day" in Mississippi.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:01 PM, the Senate stood in recess.

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The Senate resumed business at 3:17 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 118:** James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, remainder of term beginning February 4, 2022 and ending June 30, 2022, vice Dolph Bryan. Do Advise and Consent.

**S. N. No. 119:** James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, four year term beginning July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 146:** Curtis Leon (Curt) Hebert, Jr., Madison, Mississippi, Mississippi Motor Vehicle Commission, remainder of term beginning March 10, 2022 and expiring June 30, 2022, vice Michael W. Williams. Do Advise and Consent.

**S. N. No. 147:** Curtis Leon (Curt) Hebert, Madison, Mississippi, Mississippi Motor Vehicle Commission, four year term beginning July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

BRANNING, Chairman

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**J. R. No. 202:** Mississippi Senate; reapportion. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator McMahan called up the motion to reconsider the vote whereby **S. B. No. 2980** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc.

The foregoing motion prevailed.

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Senator McMahan called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 3065** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).

The foregoing motion prevailed.

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Senator McMahan called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 3066** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.

The foregoing motion prevailed.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1694** passed the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1694:** City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission.

The foregoing motion prevailed.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1757** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals.

The foregoing motion prevailed.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1767** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in.

The foregoing motion prevailed.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House **H. B. No. 1757** and **H. B. No. 1767**.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1762** passed the Senate as amended and moved that it be reconsidered:

**H. B. No. 1762:** Clinton/Raymond/Bolton Wastewater Authority Act; create.

The foregoing motion prevailed.

Senator McMahan moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1762** was adopted by the Senate.

The foregoing motion prevailed.

The vote now recurring, Committee Amendment No. 1 to **H. B. No. 1762** failed.

**YEAS AND NAYS** On **H. B. No. 1762**. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--46.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, Chism, Hill, Parker, Tate, Whaley. Total--6.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1762.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1671** passed the Senate as amended and moved that it be reconsidered:

**H. B. No. 1671:** Jackson County; extend repeal date on county's hotel/motel tourism tax and authorize to make certain designation of the use of the tax.

The foregoing motion prevailed.

Senator McMahan moved to reconsider the vote whereby Amendment No. 1 to **H. B. No. 1671** was adopted by the Senate.

The foregoing motion prevailed.

The vote now recurring, Amendment No. 1 to H. B. No. 1671 failed.

YEAS AND NAYS On H. B. No. 1671. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1671.

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Senator Harkins moved that the Conference Committee Report on **H. B. No. 1108** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1663** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1663: Bonds; authorize issuance for various purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) Fifty-one Million Two Hundred Thousand Dollars (\$51,200,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service.

Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and

organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) One Hundred Fifty Thousand Dollars (\$150,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be allocated and disbursed as grant funds to assist in paying the costs associated with relocation, repair, renovation and restoration of a one-room school building and related facilities including costs incurred before the effective date of this act, and such grant funds shall not be subject to any requirement for matching funds.

( \*\* \*q) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that

have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 2. Section 39-11-13, Mississippi Code of 1972, is amended as follows:

39-11-13. (1) (a) A special fund, to be designated as the "Building Fund for the Arts," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any money designated for deposit therein from any source, including, but not limited to, any state general obligation bonds issued for the purposes described in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Money deposited into the fund shall be disbursed, in the discretion of the Mississippi Arts Commission, to provide grants to nonprofit organizations that are qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code and units of local government to pay the costs of:

(i) Repair, upgrading, expansion, renovation or enhancement of existing buildings and facilities for the presentation, teaching or exhibition of the arts in

any and all of its forms and furniture, equipment and/or technology for such buildings or facilities;

(ii) Construction of new buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities; or

(iii) The development, construction, equipping and furnishing of an entertainment and film center and museum and completion of a sound stage project.

Two Hundred Thousand Dollars (\$200,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be used to provide grant funds for the establishment of a band and music program for a nonprofit organization in this state that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(c) The entity to which such grants are made shall provide matching funds from local, federal or private sources equal to forty percent (40%) of the proposed project cost in order to be eligible for a grant under this section.

(d) The maximum aggregate amount of monies in the special fund that may be used to provide grant funds to an entity or combination of entities under paragraph (b)(iii) of this subsection shall not exceed One Million Dollars (\$1,000,000.00), and no monies in the special fund may be used to provide grant funds under paragraph (b)(iii) of this subsection after July 1, 2003. The maximum aggregate amount of grant funds that may be provided to an entity or combination of entities under paragraph (b)(iii) of this subsection during a fiscal year shall not exceed Five Hundred Thousand Dollars (\$500,000.00).

(2) (a) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in the special fund are derived from proceeds of bonds issued under Sections 3 through 18 of Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of 2002, as amended by Chapter 519, Laws of 2003, as amended by Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by Chapter 538, Laws of 2006, as amended by Section 1 of Chapter 607, Laws of 2007, and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Mississippi Arts Commission shall provide an accounting of such unused monies to the State Bond Commission.

(b) [Repealed]

(3) The Mississippi Arts Commission is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of money deposited into the special fund shall be under the direction of the Mississippi Arts Commission, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration upon request of the Mississippi Arts Commission, which warrants shall be issued upon requisitions signed by the Executive Director of the Mississippi Arts Commission, or his or her designee.

(4) The Mississippi Arts Commission shall adopt necessary rules and regulations to govern the administration of the program described in subsection (1) of this section, including, but not limited to, rules and regulations governing applications for grants and rules and regulations providing for the distribution of grant funds. The Mississippi Arts Commission shall comply with the provisions of the Mississippi Administrative Procedures Law.

SECTION 3. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

( \*\* \*c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property; \* \* \*

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned \* \* \*;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

( \* \* \*d) "MDA" means the Mississippi Development Authority.

( \* \* \*e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, \* \* \* Section 8 of Chapter 480, Laws of 2021, or Section 17 of this act may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed

three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND;

## CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

## CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1663** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1685** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1685:** Pregnancy Resource Act; create.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1687** be recommitted for further conference and the motion prevailed.

**H. B. No. 1687:** Children's Promise Act; revise certain provisions.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2159** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2159: Mississippi Flexible Tax Incentive Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Short title. Sections 1 through 10 of this act shall be known and may be cited as the "Mississippi Flexible Tax Incentive Act."

SECTION 2. Definitions. For purposes of Sections 1 through 10 of this act, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Affiliate" means, with respect to a specified entity, (i) another person or entity that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with the specified person or entity, where the term "control" means the ownership or possession, directly or indirectly, of the power to direct more than fifty percent (50%) of the voting equity securities or a similar ownership interest in the specified controlled entity, or (ii) any member of an affiliated group of corporations, of which the specified entity is also a member, which are each subject to income taxation in Mississippi and may elect to file a combined Mississippi income tax return in accordance with state law.

(b) "Authority" means the Mississippi Development Authority.

(c) "Annual report" means the report described in Section 7 of this act.

(d) "Applicable accounting rules" shall mean the accounting principles generally recognized as applicable to a qualified business or industry and pursuant to which such qualified business or industry regularly prepares and maintains its financial and accounting books and records, and which specifically incorporate Generally Accepted Accounting Principles or International Financial Reporting Standards, as appropriate.

(e) "Applicant" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof that applies to the authority, in the manner prescribed by Sections 1 through 10 of this act, seeking (i) certification by the authority that such applicant is a qualified business or industry and that its proposed new project or expansion of an existing business or industrial operation is a qualified economic development project, and (ii) an award in connection therewith of an mFlex tax incentive.

(f) "Average state or county wage" shall mean, as of the project certification date, the lesser of the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state or the county in which the qualified project is or will be located; provided that, if a qualified project is or will be located in two (2) or more counties, the average state or county wage, as used in Sections 1 through 10 of this act, shall mean, as of the project certification date, only the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state.

(g) "Average employer wage" means the qualified annual payroll for all new full-time jobs created in the State of Mississippi by a qualified business or industry divided by the number of new full-time jobs thereof for which such qualified annual payroll was paid or is otherwise payable.

(h) "Base full-time job" means a job (i) for which an employee was already hired by the qualified business or industry before, and is employed as of, the project certification date; (ii) that offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee was hired before, and is employed as of, the

project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and (iii) the employee holding such job receives salary or wages subject to state income tax withholdings. The term "base full-time job" also means a base-leased employee. Part-time jobs may not be combined to add up to a base full-time job.

(i) "Base-leased employee" means a nontemporary employee:

(i) Who was leased by the qualified business or industry before the project certification date from another business or enterprise that is 1. in the business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is leased as of the project certification date;

(iii) Who is not otherwise an employee of such qualified business or industry;

(iv) Who, as of the project certification date, was already performing services for, and under the supervision of, the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(v) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased before the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(vi) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as base-leased employees.

(j) "Contractor tax" shall mean the tax levied by Section 27-65-21, except for the tax upon the sale of manufacturing or processing machinery for a manufacturer or custom processor.

(k) "Construction contract" shall mean any contract or portion of any contract for any one or more of the activities described in Section 27-65-21 for which the contractor tax applies and is payable by the contractor that is party thereto.

(l) "Manufacturing machinery," as used in Sections 1 through 10 of this act, shall have the same meaning ascribed to such term in Section 27-65-11, as interpreted by any regulations promulgated by the Department of Revenue with respect to such section.

(m) "mFlex agreement" means the written agreement entered into between a qualified business or industry and the authority in accordance with Section 5(d)(iii) of this act.

(n) "mFlex tax incentive" means the tax incentive authorized by Sections 1 through 10 of this act to be calculated and awarded by the authority, and thereafter applied

as a credit to offset state taxes, in accordance with, and subject to, Sections 1 through 10 of this act.

(o) "Minimum job creation requirement" means the creation by the qualified business or industry, following the project certification date, of at least ten (10) new full-time jobs in the state.

(p) "Minimum qualified investment" means a qualified investment of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(q) "New full-time job" means a job:

(i) For which an employee is hired by the qualified business or industry after the project certification date;

(ii) That offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee is hired after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and

(iii) The employee holding such job receives salary or wages subject to state income tax withholdings. The term "new full-time job" also means new-leased employee. Part-time jobs may not be combined to add up to a new full-time job.

(r) "New-leased employee" means a nontemporary employee:

(i) Who is leased by the qualified business or industry after the project certification date from another business or enterprise that is 1. in business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is not otherwise an employee of such qualified business or industry;

(iii) Who performs services for the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(iv) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(v) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as a new-leased employees.

(s) "Nonmanufacturing equipment" means all tangible personal property that is not manufacturing machinery, including, but not limited to, office furniture, fixtures,

office computers and communications equipment, and warehouse equipment such as racking and shelving.

(t) "Part-time job" means a job (i) for which an employee is hired by the qualified business or industry that requires fewer than one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., requires fewer than thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is hired and is compensated based on fewer than one thousand eight hundred twenty (1,820) hours for such annual period; and (iii) for which the employee holding such job receives salary or wages subject to state income tax withholdings.

(u) "Project certification date" means the actual date of the authority's certification, or the effective date of certification determined and prescribed by the authority, of the qualified business or industry and its qualified economic development project as eligible for the state tax credits determined and awarded by the authority, as authorized by, and in accordance with, Sections 1 through 10 of this act.

(v) "Qualified annual payroll" means the sum of the annual salary and wages for new full-time jobs of the qualified business or industry, excluding the amount or value of any benefits that are not subject to state income taxes.

(w) "Qualified business or industry" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof, which makes a qualified minimum investment in a qualified economic development project.

(x) "Qualified economic development project" or "qualified project" means the location in the state of one or more of the following enumerated enterprises for which a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity, or subunit or affiliate thereof, makes or causes to be made from the minimum qualified investment and/or satisfies or causes to be satisfied the minimum job creation requirement:

(i) A new warehouse and/or distribution enterprise or an expansion of an existing warehouse and/or distribution enterprise; provided that, in any such instance, such warehouse and/or distribution enterprise or expansion thereof is certified by the authority to qualify as such;

(ii) A new manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or an expansion of an existing manufacturing, remanufacturing, assembly, processing and/or refinery enterprise; provided that, in any such instance, such manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or expansion thereof is certified by the authority to qualify as such;

(iii) A new research or research and development enterprise or an expansion of an existing research or research and development enterprise; provided that, in any such instance, such research and development enterprise or an expansion thereof is certified by the authority to qualify as such;

(iv) A new regional or national headquarters of the qualified business or industry or an expansion of an existing regional or national headquarters of the qualified business or industry; provided that, in any such instance, such regional or national headquarters or expansion thereof is certified by the authority to qualify as such;

(v) An air transportation, repair and/or maintenance enterprise or an expansion of an existing air transportation, repair and/or maintenance enterprise; provided that, in either instance, such air transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vi) A ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or an expansion of an existing ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise; provided that, in either instance, the ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vii) A new data/information processing enterprise or an expansion of an existing new data/information processing enterprise; provided that, in any such instance such data/information processing enterprise or expansion thereof is certified by the authority to qualify as such;

(viii) A new technology intensive enterprise or an expansion of an existing technology intensive enterprise; provided that, in either instance, the technology intensive enterprise or expansion thereof is certified by the authority to qualify as such; provided further, that a business or enterprise primarily engaged in creating computer programming codes to develop applications, websites and/or software shall qualify as a technology intensive enterprise;

(ix) A new telecommunications enterprise principally engaged in the creation, display, management, storage, processing, transmission and/or distribution, for compensation, of images, text, voice, video or data by wire or by wireless means, or engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities, or an expansion of an existing telecommunications enterprise as herein described; provided that, in any such instance, any such telecommunications enterprise or expansion thereof is certified by the authority to qualify as such; provided further, that commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprise";

(x) A new data center enterprise principally engaged in the utilization of hardware, software, technology, infrastructure and/or workforce, to store, manage or manipulate digital data, or an expansion of an existing data center enterprise as herein described; provided that, in such instance, any such data center enterprise or expansion thereof is certified by the authority to qualify as such.

(y) "Qualified investment" means any expenditures made or caused to be made by the qualified business or industry following the project certification date for construction, installation, equipping and operation of a qualified economic development project from any source or combination of sources, excluding any funds contributed by the state or any agency or other political subdivision thereof, or by any local government or any agency or other political subdivision thereof, to the extent such expenditures can be capitalized under applicable accounting rules or otherwise by the Internal Revenue Code, whether or not the qualified business or industry elects to capitalize the same, as reflected in its financial statements, including, but not limited to, all costs associated with the acquisition, installation and/or construction of, or capital leasehold interest in, any buildings and other real property improvements, fixtures, equipment, machinery, landscaping, fire protection, depreciable fixed assets, engineering and design costs.

(z) "Reporting year" means the twelve-month period ending on the last day of the month during which the annual anniversary of a project certification date occurs, and for which an annual report must be filed with the authority by a qualified business or industry in accordance with Section 7 of this act.

(aa) "State" means the State of Mississippi.

(bb) "State tax" means:

(i) Any sales and use tax imposed on, and payable directly to the Department of Revenue by, the qualified business or industry in accordance with state law, except for contractor's tax and the taxes levied by Section 27-65-24(1)(b);

(ii) All income tax imposed pursuant to law on income earned by the qualified business or industry pursuant to state law;

(iii) Franchise tax imposed pursuant to state law on the value of capital used, invested or employed by the business enterprise certified by the Mississippi Development Authority; and

(iv) Withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.

SECTION 3. Application for the mFlex tax incentive. Business or industrial enterprises wishing to apply for the mFlex tax incentive authorized by Sections 1 through 10 of this act shall make application to the authority, on a form prescribed thereby; provided that the application shall, at a minimum, contain:

(a) A brief overview of the applicant's business or industry, including its formation type (e.g., corporation, limited liability company, limited partnership, etc.), its date of incorporation or formation thereof, and the location of its principal headquarters, together with its principal place of business in the state, if the applicant already has one or more facilities located in the state;

(b) The location of the selected project site or locations of selected project sites, if multiple locations will be involved;

(c) A description of the proposed project;

(d) The amount of the qualified investment proposed to be made as a result of the proposed project, including a breakout of projected expenditures for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the proposed project;

(e) If the proposed project will be an expansion of an existing business or industrial operation, the current number of base full-time jobs;

(f) The number of new full-time jobs proposed to be created as a result of the proposed project;

(g) The average employer wage proposed to be paid by the applicant for new full-time jobs disclosed in the application;

(h) A description of benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom such benefits are not made available (e.g., part-time employees);

(i) The length of time necessary for the applicant to meet its qualified investment and new full-time job creation projections;

(j) A list of all affiliates of the qualified business or industry known at the time of the application, including the Federal Employer Identification Number for each such affiliate, which have or are expected to have any state tax liability that may be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry;

(k) An acknowledgment that the applicant, if awarded an mFlex tax incentives pursuant to Sections 1 through 10 of this act, will be required to provide the annual report prescribed by Section 7 of this act to demonstrate the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, and the number of new full-time jobs created and maintained as a result of the project; and

(l) Any other information as may be requested by the authority.

SECTION 4. Certification and award of mFlex tax incentive, terms of such incentive, nontransferability of such certification and incentive; mandatory and permissive conditions to certifications and incentive awards. (1) The authority shall evaluate an application to determine whether the applicant's proposed project is a qualified economic development project and whether it is therefore eligible for an award by the authority of an mFlex tax incentive, as calculated in accordance with Section 5 of this act.

(2) Upon approval of an applicant's application, the authority shall issue a certification (a) designating the applicant's project as a "qualified economic development project" and eligible for the mFlex tax incentive authorized by Sections 1 through 10 of this act; (b) awarding the initial mFlex tax incentive calculated pursuant to Section 5 of this act; and (c) imposing those mandatory conditions pursuant to subsection (4) of this section and any discretionary conditions otherwise imposed by the authority.

(3) Upon the issuance of the certification and execution of the mFlex agreement by a qualified business or industry and the authority, the qualified business or industry may apply the amount of its mFlex tax incentive as a credit to offset (a) any state taxes (except for withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.), as incurred thereby, up to the full amount of the mFlex tax incentive awarded by the authority for the associated qualified economic development project, and (b) only up to twenty percent (20%) of the mFlex tax incentive amount may be applied as a credit during the course of any reporting year to offset withholding tax deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.; provided that the amount of the mFlex tax incentive available to be applied as a credit to offset such state taxes shall be subject to any subsequent adjustments made by the authority to such award pursuant to Section 7 of this act, and any performance requirements set out in the mFlex agreement. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes described in Section 2(aa)(i) of this act shall be limited to those such taxes payable directly by the qualified business or industry to the Department of Revenue pursuant to a direct pay permit issued by the Department of Revenue under Section 27-65-93. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes may not be applied as a credit to offset any state taxes incurred prior to the issuance of the certification by the authority and execution of the mFlex agreement by the qualified business or industry and the authority.

(4) The following conditions shall apply to each such certification made, and each mFlex tax incentive awarded, by the authority in accordance with Sections 1 through 10 of this act:

(a) Any certification and mFlex tax incentive award issued by the authority under Sections 1 through 10 of this act is nontransferable and cannot be applied, used or assigned to any other person or business or tax account without prior approval by the authority, except for one or more affiliates of the qualified business or industry disclosed thereby on its application or in a subsequent annual report submitted to the authority in accordance with Sections 1 through 10 of this act;

(b) No qualified business or industry may claim or use the mFlex tax incentive awarded thereto under Sections 1 through 10 of this act unless the qualified

business or industry is in full compliance with all state and local tax laws, and related ordinances, permits and other applicable governmental approvals; and

(c) Each qualified business or industry must enter into an agreement with the authority which sets out, at a minimum, (i) the obligation of the business or industry to provide an annual report to the authority pursuant to Section 7 of this act that demonstrates the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, the number of new full-time jobs created and maintained as a result of the project, and any other relevant information as may be required by the authority; and (ii) terms for readjustment or recapture of all or a portion of the mFlex tax incentive awarded thereto pursuant to Section 7 of this act if the applicant 1. fails to satisfy the minimum job creation requirement if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, or 2. fails to satisfy the minimum qualified investment if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, and/or 3. fails to otherwise satisfy any other additional performance requirements of the qualified business or industry or its qualified economic development project that are imposed by the authority.

(5) In addition to those mandatory conditions prescribed by Sections 1 through 10 of this act that apply to each certification and award of an mFlex tax incentive made by the authority in accordance herewith, the authority is authorized to impose any other conditions upon any certification and award of an mFlex tax incentive made by the authority as it shall find best promotes economic development in the state.

(6) Upon certifying a qualified business or industry as eligible for, and awarding, an mFlex tax incentive under Sections 1 through 10 of this act, the authority shall forward the certification along with any other necessary information to the Department of Revenue so that the mFlex tax incentive awarded to the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(7) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each certification made, together with a copy of each mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 5. Calculation and application of an mFlex tax incentive award. The total amount of the initial mFlex tax incentive determined and awarded by the authority to the certified applicant shall be calculated by the authority as follows:

(a) Subject to paragraph (f) below, one and one-half percent (1.5%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all manufacturing or processing machinery acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(b) Subject to paragraph (f) below, seven percent (7%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all nonmanufacturing equipment, other than tagged over-the-road vehicles, acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(c) Subject to paragraph (f) below, two percent (2%) of the total contract price or compensation paid to any contractor pursuant to any construction contract entered into following the project certification date by the qualified business or industry or any affiliate thereof, to construct, build, erect, repair or add to any building, facility,

structure or other improvement to real property described in Section 27-65-21(1)(a)(i) to establish and construct the qualified economic development project; plus, if applicable;

(d) To the extent that the average employer wage is equal to or more than seventy-five percent (75%) of the average state or county wage, then an additional fifteen percent (15%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; plus, if applicable;

(e) (i) To the extent that 1. the qualified economic development project is an enterprise enumerated in Section 2(x)(i) or Section 2(x)(ii) of this act; 2. the number of new full-time jobs totals fifty (50) or more; 3. the qualified investment totals Ten Million Dollars (\$10,000,000) or more; 4. the average employer wage is equal to or more than one hundred ten percent (110%) of the average state or county wage; and 5. all full-time employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; or

(ii) To the extent that subparagraph (i) of this paragraph (e) does not apply, but 1. the number of new full-time jobs totals twenty-five (25) or more; 2. the average employer wage is equal to or more than one hundred twenty-five percent (125%) of the average state or county wage; and 3. all full-time employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; provided, however, that the initial mFlex tax incentive award amount determined by the authority and awarded on the project certification date shall be based upon estimates provided by the qualified business or industry to the authority with respect to paragraphs (a) through (d) of this section, which estimates shall be memorialized as project performance measures agreed to by the qualified business or industry in the mFlex agreement; provided, further, that such initial award amount shall be subject to any subsequent adjustments made by the authority pursuant to Section 7 of this act;

(f) To the extent that all or any portion of the purchases to establish a qualified economic development project which are financed by proceeds from bonds issued pursuant to Section 57-10-201 et seq. or Section 57-10-401 et seq., the mFlex tax incentive determined in accordance with this section shall exclude the amount calculated in accordance with paragraphs (a), (b) and (c) above; provided that, this paragraph (f) shall not apply in determining the mFlex tax incentive for a qualified economic development project to the extent that (i) the qualified economic development project is an expansion of an existing project, (ii) all or any portion of the purchases to establish the existing project were financed by proceeds from bonds issued pursuant to Section 57-10-201 et seq. or Section 57-10-401 et seq., and (iii) no purchases to establish the expansion constituting a qualified economic development project are financed by proceeds from bonds issued pursuant to Section 57-10-201 et seq. or Section 57-10-401 et seq.

SECTION 6. Exclusive utilization of mFlex tax incentive. (1) A qualified business or industry awarded any mFlex tax incentive by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act shall not be eligible for, nor shall it apply for or claim, any one or more of the following tax credits, exemptions or incentives for such qualified project:

(a) For any new full-time job, any state income tax credit authorized by Sections 27-7-22.17, 22-7-22.18, 22-7-22.19, 27-7-22.27, 27-7-22.29, 27-7-22.34, 27-7-22.36 and 57-73-21(2) through (5);

(b) For any new full-time job, any withholding tax rebate authorized by Sections 57-62-1 through 57-62-7 or Sections 57-100-1 through 57-100-9;

(c) Any exemption from state income tax authorized by Section 27-7-30, Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27;

(d) Any state income tax credit authorized by Section 27-7-22.20 or Section 22-7-22.35;

(e) Any exemption from state sales or use tax authorized by Section 27-65-101(1)(q), (r), (v), (w), (x), (y), (cc), (dd), (ff), (gg), (hh), (kk), (ll), (mm), (nn), (qq), (uu), (vv), (2) or (3); Sections 57-80-1 through 57-80-11; Sections 57-113-1 through 57-113-7; and Sections 57-113-21 through 57-113-27;

(f) Any exemption from state franchise tax authorized by Section 27-13-5(4), Section 27-13-7(4), Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27.

(2) Notwithstanding subsection (1) of this section, a qualified business or industry shall not be prohibited from applying for or receiving any of the tax credits, exemptions or incentives described in paragraphs (a) through (f) of subsection (1) of this section for any project or expansion which is not certified by the authority as a qualified economic development project and for which no mFlex tax incentive is awarded by the authority, notwithstanding the fact the qualified business or industry is awarded an mFlex incentive by the authority for a specific qualified economic development project undertaken thereby.

SECTION 7. Taxpayer annual performance reporting to, and reviews by, the Mississippi Development Authority; subsequent adjustments by the Mississippi Development Authority to mFlex tax incentive award; deadline for mFlex tax incentive utilization. (1) Unless its mFlex agreement prescribes a longer reporting period or additional reporting requirements, each qualified business or industry shall file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, by the authority in accordance with Sections 1 through 10 of this act, for the longer of the following periods: (a) until the reporting year during which all or any remaining portion of the mFlex tax incentive amount awarded to such qualified business or industry has been applied to offset state taxes, or (b) until the seventh reporting year, provided that an annual report shall in either instance be due in the final reporting year prescribed hereby or by the mFlex agreement. Each annual report shall be due to the authority no later than the last business day of the month following the month during which the annual anniversary of its project certification date occurred. Each annual report shall include the information set forth in this section, together with any other information required to be provided by the qualified business or industry pursuant to its mFlex agreement, for the immediately preceding twelve-month period ending on the last day of the month during which the annual anniversary of its project certification date occurred.

(2) Each annual report submitted to the authority by a qualified business or industry shall, at a minimum, contain the following information:

(a) The total qualified investment made between the project certification date through the end of the reporting year, including a breakout of actual expenditures made by the qualified business or industry for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(b) The incremental qualified investment made during the reporting year, including a breakout of actual expenditures made by the qualified business or industry for

manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(c) If applicable, the total number of base full-time jobs;

(d) The total number of people employed in new full-time jobs as of the last day the year preceding the reporting year;

(e) The total number of people employed in new full-time jobs as of the last day the year of the reporting year;

(f) The average employer wage for the reporting year;

(g) The percentage and number, as of the last day of the reporting year, of new full-time employees who are eligible for and offered a health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees);

(h) A description of employee benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom the benefits are not made available (e.g., part-time employees);

(i) The total amount of the mFlex tax incentive awarded thereto, which the qualified business or industry has already applied and taken as a credit to offset state taxes through the end of the reporting period;

(j) A list of all affiliates of the qualified business or industry, including the Federal Employer Identification Number for each affiliate, for which any state tax liability thereof has been or is expected to be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry, which list shall further identify (i) any affiliate of the qualified business or industry that was not disclosed as such on its application or annual report submitted for the prior reporting period, whichever was more recent, but which has either become an affiliate of the qualified business or industry as of the date the current annual report or which the qualified business or industry desires to utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report; (ii) any change in the name of any previously disclosed affiliate since the date the qualified business or industry filed its application or annual report for the prior reporting period, whichever was more recent; (iii) any prior affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which is no longer an affiliate of the qualified business or industry as of the date the current annual report; and (iv) any affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which the qualified business or industry no longer desires that the affiliate utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report.

(3) The authority shall prescribe a form or forms for the annual report.

(4) Notwithstanding the obligation of a qualified business or industry to file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, the authority is authorized to request from the qualified business or industry at any other time any of the information set forth herein that must be included in an annual report for purposes of determining whether a qualified business or industry has met any of the project performance measures set forth in its mFlex agreement on or before the respective deadlines imposed with respect thereto. Upon any such written request by the authority,

the qualified business or industry shall, within thirty (30) days after receipt of the request, provide to the authority a certified copy of the information requested.

(5) If a qualified business or industry fails to either file an annual report with the authority on or before the deadline mandated by subsection (1) of this section, or provide any information requested by the authority pursuant to subsection (4) of this section within the time period mandated by such subsection, the authority shall provide written notice to the qualified business or industry of the failure to report, and the qualified business or industry shall have thirty (30) additional days to cure the reporting failure following its receipt of the notice. If the qualified business or industry thereafter fails to file its annual report with the authority, or provide such information requested by the authority within the thirty-day-cure period, the authority is authorized to suspend or revoke, at the discretion thereof, all or a portion of the amount of the mFlex tax incentive previously awarded to the qualified business or industry for its qualified economic development project.

(6) If a qualified business or industry either fails to achieve or exceeds any project performance measure set forth in its mFlex agreement within or for any time period required by such agreement, the authority shall, following its (a) review of any annual report filed by the qualified business or industry or of any certified information provided by the qualified business or industry pursuant to subsection (4) of this section, and (b) verification based upon such information that the qualified business or industry either failed to achieve or exceeded any of the project performance measures set forth in its mFlex agreement within or for any time period required by such agreement, adjust the mFlex tax incentive awarded thereto for its qualified economic development project such that the award is no longer based upon any one or more of the performance measures set forth in its mFlex agreement but is instead based upon one or more of the following, as applicable, as of the end of the most recent reporting year for which the annual report was filed: (a) the actual expenditures made by the qualified business or industry for purposes of the calculation prescribed by Section 5(a), (b) and (c) of this act; and (b)(i) the actual number of new full-time jobs created by the qualified business or industry, together with (ii) the actual average employer wage associated therewith, for purposes of the calculations prescribed by Section 5(d) and (e) of this act.

(7) A qualified business or industry and the authority may, at any time, amend or restate an mFlex agreement in order to modify the performance measures of the qualified business or industry with respect to its qualified economic development project, and in connection with such amendment or amendment and restatement, the authority shall modify the amount of the mFlex tax incentive awarded for the qualified economic development project to comport with the modified performance measures; provided that the modified award amount shall thereafter be subject to the adjustment requirements of subsection (6) of this section.

(8) If the authority adjusts any mFlex tax incentive award pursuant to subsection (6) or subsection (7) of this section, the authority shall issue an amended certification of the corresponding qualified economic development project, which shall specify the amount of mFlex tax incentive award adjustment. The authority shall forward the amended certification, along with any other necessary information, to the Department of Revenue so that the mFlex tax incentive award adjustment for the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(9) If at any time the authority reduces the mFlex tax incentive award granted for the qualified economic development project to an amount less than the total amount of credits already applied and taken by the qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes thereof, the Department of Revenue shall charge the qualified business or industry, or such affiliate or affiliates, with an assessment for the amount of state taxes for which no mFlex tax incentive is available, following such reduction by the authority, for application as a tax credit, beginning with those state taxes against which the qualified business or industry most

recently applied the credit, and such state tax assessment shall be immediately due and payable.

(10) Any portion of an mFlex tax incentive awarded to the qualified business or industry by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act that has not been applied, on or before the tenth annual anniversary of the project certificate date, as a credit by such qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes otherwise payable, shall expire.

(11) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each amendment to any certification made, together with a copy of each amendment to any mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 8. Audits and interagency cooperation. (1) No provisions of Sections 1 through 10 of this act shall in any way limit or restrict the authority of the Department of Revenue to perform audits for all state tax liabilities for any qualified business or industry that is awarded any mFlex tax incentives by the authority.

(2) The Department of Revenue is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby as a result of the performance by Department of Revenue of any audit of state tax liabilities of any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, as amended.

(3) If any audit by the Department of Revenue results in a reclassification of component building materials, manufacturing equipment or nonmanufacturing equipment, as previously reported by a qualified business or industry, to a different property classification, or a change in the number of new full-time employees or average employer wage, as previously reported by a qualified business or industry, the authority is authorized to adjust the amount of the mFlex tax incentive awarded to the qualified business or industry for a qualified economic development project to comport with any property reclassification or change in the number of new full-time employees or average employer wage in the manner prescribed by Section 7 of this act.

(4) The Department of Employment Security is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby with respect to any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, Section 25-61-1 et seq.

(5) The State Auditor may conduct performance and compliance audits under Sections 1 through 10 of this act according to Section 7-72-11(o).

(6) Upon written request made by the Director of the University Research Center Division of the Mississippi Institutions of Higher Learning, the authority shall provide to the director a copy of any certification, together with any amendments thereto, made by the authority, and/or any mFlex agreement, together with any amendments thereto, approved and executed by the authority pursuant to Sections 1 through 10 of this act, described in such request for the purpose of the University Research Center conducting an economic impact analysis and other analyses performed by the University Research Center with respect thereto; provided that any such analyses conducted by the University Research Center with respect to one or more particular qualified economic development projects

shall be communicated and provided only to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority.

SECTION 9. Implementation and exclusive jurisdiction. (1) The authority and the Department of Revenue shall implement the provisions of Sections 1 through 10 of this act and exercise all powers as authorized in Sections 1 through 10 of this act; however, the application of Sections 1 through 10 of this act and the offering and awarding of any mFlex tax incentive as to any particular qualified business or industry shall be carried out at the discretion of the authority subject to, and in compliance with, Sections 1 through 10 of this act. The exercise of powers conferred by Sections 1 through 10 of this act shall be deemed and held to be the performance of essential public purposes.

(2) The authority shall have sole and exclusive jurisdiction and authority to determine whether an applicant qualifies as a qualified business or industry, whether an applicant's project qualifies as a qualified economic development project, whether to certify an applicant and its project as a qualified business or industry undertaking a qualified economic development project and the eligibility thereof for the mFlex tax incentive, the initial calculation of any mFlex tax incentive award, any terms or conditions or further requirements to be included in any mFlex agreement, and any subsequent adjustments any mFlex tax incentive award or any revocation thereof, in all instances in accordance with Sections 1 through 10 of this act.

(3) Nothing in Sections 1 through 10 of this act shall be construed to constitute a guarantee or assumption by the State of Mississippi of any debt of any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof nor to authorize the credit of the state to be given, pledged or loaned to any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof. Further, nothing in Sections 1 through 10 of this act gives any right to any qualified business or industry to the incentives authorized by Sections 1 through 10 of this act unless such incentive is awarded by Sections 1 through 10 of this act.

SECTION 10. Promulgation of rules and regulations. The authority and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, Section 25-43-1.101 et seq. and all application forms and other forms necessary to implement their respective duties and responsibilities under the provisions of Sections 1 through 10 of this act.

SECTION 11. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

(b) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

(8) Any employer who is required to deduct and withhold from wages for any monthly or quarterly period pursuant to this article, and who is also eligible to apply as a credit against any amount to be deducted and withheld for such period from wages by such employer under this article a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act, may apply the tax credit in the amount available for such purpose, or such lesser amount determined by such employer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for any monthly or quarterly reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 12. Section 27-7-311, Mississippi Code of 1972, is amended as follows:

27-7-311. Every employer shall file an annual statement of withholding for each employee. The annual statement shall be in the form prescribed by the commissioner and shall be filed with the commissioner and two (2) copies thereof furnished the employee on or before the thirty-first day of January following the close of the calendar year. Provided, if the employment of the employee is terminated during the calendar year, the employer shall furnish such statement to the employee at the time of the termination of employment. Such statement shall show:

( \* \* \*a) The name and withholding account number of the employer;

( \* \* \*b) The name of the employee and his social security account number;

( \*\* \*c) The total compensation paid to the employee; and

( \*\* \*d) The total amount withheld by the employer pursuant to this article for the year or part of a calendar year where the employee worked for less than a full calendar year, and such other information as the commissioner shall require by rule or regulation. The total amount withheld by the employer shall reflect the gross amount withheld by the employer pursuant to this article for such year or part of such calendar year prior to, and expressly excluding, the application of any credit applied and taken by the employer of any tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act.

SECTION 13. Section 27-13-5, Mississippi Code of 1972, is amended as follows:

27-13-5. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, to be paid and collected as hereinafter provided, a franchise or excise tax upon every corporation, association or joint-stock company or partnership treated as a corporation under the income tax laws or regulations, organized or created for pecuniary gain, having privileges not possessed by individuals, and having authorized capital stock now existing in this state, or hereafter organized, created or established, under and by virtue of the laws of the State of Mississippi, equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of

any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment to the State of Mississippi of this tax for the right granted by the laws of this state to exist as such organization, and to enjoy, under the protection of the laws of this state, the powers, rights, privileges and immunities derived from the state by the form of such existence.

(2) Annual report of domestic corporations. Each domestic corporation shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);

2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and

3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 14. Section 27-13-7, Mississippi Code of 1972, is amended as follows:

27-13-7. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, levied and assessed upon every corporation, association or joint-stock company, or partnership treated as a corporation under the income tax laws or regulations as hereinbefore defined, organized and existing under and by virtue of the laws of some other state, territory or country, or

organized and existing without any specific statutory authority, now or hereafter doing business or exercising any power, privilege or right within this state, as hereinbefore defined, a franchise or excise tax equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) of each One Thousand Dollars (\$1,000.00), or fraction thereof, of the value of capital used, invested or employed within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the

value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment of a tax by all organizations not organized under the laws of this state, measured by the amount of capital or its equivalent, for which such organization receives the benefit and protection of the government and laws of the state.

(2) Annual report of foreign corporations. Each foreign corporation authorized to transact business in this state shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);
2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and
3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 15. Section 27-65-93, Mississippi Code of 1972, is amended as follows:

27-65-93. (1) The commissioner shall, from time to time, promulgate rules and regulations, not inconsistent with the provisions of the sales tax law, for making returns and for the ascertainment, assessment and collection of the tax imposed by the sales tax law as he may deem necessary to enforce its provisions; and, upon request, he shall furnish any taxpayer with a copy of the rules and regulations.

(2) All forms, necessary for the enforcement of the sales tax law, shall be prescribed, printed and furnished by the commissioner.

(3) The commissioner may adopt rules and regulations providing for the issuance of permits to manufacturers, utilities, construction contractors, companies receiving bond financing through the Mississippi Business Finance Corporation or the Mississippi Development Authority, and other taxpayers as determined by the commissioner, and the commissioner shall adopt rules and regulations providing for the issuance of a permit to any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, to purchase tangible personal property taxed under Section 27-65-17, items taxed under Section 27-65-18, items taxed under Section 27-65-19, services taxed under Section 27-65-23, items taxed under Section 27-65-24, and items taxed under Section 27-65-26 without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to

report and pay the tax directly to the commissioner in instances where the commissioner determines that these provisions will facilitate and expedite the collection of the tax at the proper rates which may be due on purchases by the permittee. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

SECTION 16. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

(4) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

(5) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 17. Section 57-1-14, Mississippi Code of 1972, is amended as follows:

57-1-14. (1) Except as otherwise provided in subsection (3) of this section, any records of the Mississippi Development Authority which contain client information concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the department. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(2) Except as otherwise provided in subsection (3) of this section, confidential client information in public records held by the department shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during the period of review and negotiation

on a project proposal and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year by the department in writing.

(3) Any breakouts or subcategories of the total qualified investment amounts reported pursuant to Sections 3(d), 7(2)(a) and 7(2)(b) of this act, and information reported pursuant to Sections 3(g), 3(h), 3(j), 7(2)(f), 7(2)(g), 7(2)(h) and 7(2)(i) of this act shall not be subject to any disclosure under the Mississippi Public Records Act of 1983. In addition, any information and documentation, including without limitation, copies of any certifications, together with any amendments thereto, made by the Mississippi Development Authority, and copies of any mFlex agreements, together with any amendments thereto, approved and executed by the Mississippi Development Authority, pursuant to the Mississippi Flexible Tax Incentive Act, which are (a) provided by the authority to the Governor, Lieutenant Governor and/or Speaker of the House of Representatives pursuant to Section 4(7) or Section 7(11) of this act; (b) provided by the authority to the University Research Center division of the Mississippi Institutions of Higher Learning pursuant to Section 8(5) of this act; and (c) provided by the University Research Center division of the Mississippi Institutions of Higher Learning to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority, shall not be subject to any disclosure under the Mississippi Public Records Act of 1983.

SECTION 18. Section 27-7-22, Mississippi Code of 1972, is amended as follows:

27-7-22. (1) For any qualified business, as defined in Section 57-51-5, which is located in a county, or portion thereof, designated as an enterprise zone pursuant to Title 57, Chapter 51, Mississippi Code of 1972, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee as determined by the average annual employment of the business reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified business for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified business which is an existing trade or business having expanded its buildings and facilities, the number of net full-time employees shall be the difference between the average annual employment of such business before and after such expansion.

If the Mississippi Enterprise Zone Act is repealed, any qualified business which had been granted a tax credit under this subsection prior to the date of such repeal shall be entitled to such tax credit until the period for which it was granted expires.

(2) For any qualified business, as defined in Section 57-54-5, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee as determined by the average annual employment of the business reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified business for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified business which is an existing trade or business having expanded its buildings and facilities, the number of net full-time employees shall be the difference between the average annual employment of such business before and after such expansion.

If the Mississippi Advanced Technology Initiative Act is repealed, any qualified business which had been granted a tax credit under this subsection prior to the date of

such repeal shall be entitled to such tax credit until the period for which it was granted expires.

(3) For any qualified company, certified as such by the Mississippi Board of Economic Development under Section 57-53-1, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee in this state, provided there is a minimum of seventy-five (75) net full-time employees, as determined by the average annual employment of the company in this state reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified company for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified company which has expanded its existing buildings and facilities, the number of net full-time employees shall be the difference between the average annual employment of such company before and after such expansion.

(4) For any qualified business or industry which is certified as such by the Mississippi Board of Economic Development pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, there shall be allowed as a credit against the tax imposed by this chapter, an amount prescribed by, and subject to, the Mississippi Flexible Tax Incentive Act.

SECTION 19. From and after January 1, 2023, if the amount of any mFlex tax incentive or other incentive that a qualified business or other entity is eligible to receive under the Mississippi Flexible Tax Incentive Act is less than the amount of the mFlex tax incentive or other incentive that the qualified business or other entity would have been eligible to receive or to use if the mFlex tax incentive or other incentive had been calculated using any applicable income tax rates in Section 27-7-5, Mississippi Code of 1972, that were in effect before January 1, 2023, then the qualified business or other entity shall receive a grant from the Mississippi Development Authority equal to the difference between such two amounts.

SECTION 20. Section 57-62-9, Mississippi Code of 1972, is amended as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-9. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed the amount of money previously paid into the fund by the employer. A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)<sup>1</sup> and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry;

(b) Provide an average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for this requirement shall be based upon the state average annual

wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must create and maintain a minimum of ten (10) full-time jobs in counties that have an average unemployment rate over the previous twelve-month period which is at least one hundred fifty percent (150%) of the most recently published state unemployment rate, as determined by the Mississippi Department of Employment Security or in Tier Three counties as determined under Section 57-73-21. In all other counties, the business or industry must create and maintain a minimum of twenty-five (25) full-time jobs. The criteria for this requirement shall be based on the designation of the county at the time of the application. The threshold established upon the application will remain constant for the duration of the project. The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) The MDA shall determine if the applicant is qualified to receive incentive payments. If the applicant is determined to be qualified by the MDA, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for a period not to exceed ten (10) years and to estimate the amount of gross payroll for the period. If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed:

(i) Ninety percent (90%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

(ii) Eighty percent (80%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) but less than one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iii) Seventy percent (70%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of less than one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive

payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during such period, excluding benefits which are not subject to Mississippi income taxes.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(c) A qualified business or industry as defined in Section 57-62-5(a)(iii) may elect the date upon which the ten-year period will begin and may elect to begin receiving incentive payments as early as the second quarter after that date. Incentive payments will be calculated on all jobs above the existing number of jobs as of the date the MDA determines that the applicant is qualified to receive incentive payments. In the event that the qualified business or industry falls below the number of existing jobs at the time of determination that the applicant is qualified to receive the incentive payment, the incentive payment shall cease until the qualified business or industry once again exceeds that number. If after forty-eight (48) months, the qualified business or industry has failed to create at least three thousand (3,000) new direct jobs, incentive payments shall cease and the qualified business or industry shall not be qualified to receive further incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) Except as otherwise provided for a qualified business or industry as defined in Section 57-62-5(a)(iii), the business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct an analysis to estimate the amount of gross payroll for the appropriate additional period. Incentive payments, cumulatively, shall not exceed ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event

more than four percent (4%) of the total annual salary paid for new direct jobs during the additional period, excluding benefits which are not subject to Mississippi income taxes. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the minimum job and salary requirements. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in this chapter shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

SECTION 21. Section 57-62-11, Mississippi Code of 1972, is amended as follows:

57-62-11. (1) There is created in the State Treasury a special fund to be known as the Mississippi Advantage Jobs Incentive Payment Fund, into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312 and any other monies designated for deposit therein. The money in the fund shall be used for the purpose of making the incentive payments and grants authorized under this chapter.

(2) The Mississippi Advantage Jobs Incentive Payment Fund shall be administered by the Department of Revenue, and monies in the fund, less three percent (3%) to be retained by the Department of Revenue to pay the reasonable and necessary expenses of the Department of Revenue in administering its duties under this chapter, shall be expended pursuant to the approved application. Amounts in the fund at the end of any

fiscal year that are not necessary to make future incentive payments and grants shall be paid into the General Fund.

(3) The liability of the State of Mississippi to make the incentive payments and grants authorized under this chapter shall be limited to the balance contained in the fund.

SECTION 22. Section 57-99-1, Mississippi Code of 1972, is amended as follows:

57-99-1. As used in Sections 57-99-1 through 57-99-9, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any company and affiliates thereof, pursuant to rules and regulations of the MDA, which is:

(i) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxi) and creates at least one thousand five hundred (1,500) jobs within sixty (60) months of the beginning of the project;

(ii) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxii) and creates at least five hundred (500) jobs within seventy-two (72) months of the beginning of the project;

(iii) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxviii);

2. Creates at least twenty-five (25) jobs within sixty (60) months of the beginning of the project; and

3. In which the average annual wages and taxable benefits of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located, as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iv) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxix);

2. That creates at least twenty-five (25) jobs within sixty (60) months following the date required by the MMEIA and prescribed by written agreement between the MMEIA and the enterprise establishing the project described in item 1 of this subparagraph (iv); and

3. In which the average annual wages of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state, as determined by the Mississippi Department of Employment Security.

(b) "Qualified job" means full-time employment in this state within the project site of a qualified business or industry that has qualified to receive an incentive payment pursuant to Sections 57-99-1 through 57-99-9, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of Sections 57-99-1 through 57-99-9. "Qualified job" also shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive

payment such as employees who are leased to and managed by the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment; provided, however, that in order for a qualified business or industry to receive incentive payments for such employees, the actual employer of the employees must agree to such payments being made to the qualified business or industry.

(c) "Full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Rebate amount" means the amount of Mississippi income taxes withheld from employees in qualified jobs that is available for rebate to the qualified business or industry, provided that:

(i) Except as otherwise provided in this paragraph (d), the rebate amount shall be three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs; and

(ii) Except as otherwise provided in Section

57-99-3(5), in no event shall incentive payments exceed the actual Mississippi income taxes withheld from employees in qualified jobs that are available for rebate to the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

(f) "MMEIA" means the Mississippi Major Economic Impact Authority.

SECTION 23. Section 57-99-3, Mississippi Code of 1972, is amended as follows:

57-99-3. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in Sections 57-99-1 through 57-99-9 may receive quarterly incentive payments for a period not to exceed twenty-five (25) years from the Department of Revenue pursuant to the provisions of Sections 57-99-1 through 57-99-9 in an amount which shall be equal to the lesser of three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs or the actual amount of Mississippi income tax withheld by the employer for the qualified jobs. A qualified business or industry may elect the date upon which the incentive rebate period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments; however, in the case of a qualified business or industry described in Section 57-99-1(a)(ii), such date may not be later than seventy-two (72) months after the date the business or industry applied for incentive payments, or for a qualified business or industry described in Section 57-99-1(a)(iv), such date may not be later than the date that is sixty (60) months after the earlier of:

(a) The date the qualified business or industry applied for incentive payments; or

(b) The start of commercial production as defined in a definitive agreement between such qualified business or industry and the MDA.

(2) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(3) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry; and

(b) The business or industry must create and maintain the minimum number of qualified jobs as set forth in Section 57-99-1. Establishments that are approved as a qualified business or industry under Sections 57-99-1 through 57-99-9 may not receive incentive payments under Section 57-62-1 et seq.

(4) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of Sections 57-99-1 through 57-99-9. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility.

(5) Notwithstanding any other provision of Sections 57-99-1 through 57-99-9 to the contrary, from and after January 1, 2023, if the amount of the incentive payments that a qualified business or industry is eligible to receive under Sections 57-99-1 through 57-99-9 is less than the amount that the incentive payments would have been if the payments had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment", as such term is used in Sections 57-99-1 through 57-99-9 shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

SECTION 24. Section 57-99-5, Mississippi Code of 1972, is amended as follows:

57-99-5. (1) There is created in the State Treasury a special fund to be known as the "MMEIA Withholding Rebate Fund," into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312 and any other monies designated for deposit therein. The money in the fund shall be used for the purpose of making the incentive payments and grants authorized under Sections 57-99-1 through 57-99-9.

(2) The liability of the State of Mississippi to make the incentive payments and grants authorized under Sections 57-99-1 through 57-99-9 shall be limited to the balance contained in the fund.

SECTION 25. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF

CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO AMEND SECTION 27-7-22, MISSISSIPPI CODE OF 1972, TO ALLOW AN INCOME TAX CREDIT FOR ANY QUALIFIED BUSINESS OR INDUSTRY WHICH IS CERTIFIED AS SUCH BY THE MISSISSIPPI BOARD OF ECONOMIC DEVELOPMENT UNDER THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT AND AWARDED A TAX INCENTIVE UNDER THE ACT FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF ANY MFLEX TAX INCENTIVE OR OTHER INCENTIVE THAT A QUALIFIED BUSINESS OR OTHER ENTITY IS ELIGIBLE TO RECEIVE UNDER THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT IS LESS THAN THE AMOUNT OF THE MFLEX TAX INCENTIVE OR OTHER INCENTIVE THAT THE QUALIFIED BUSINESS OR OTHER ENTITY WOULD HAVE BEEN ELIGIBLE TO RECEIVE OR TO USE IF THE MFLEX TAX INCENTIVE OR OTHER INCENTIVE HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR OTHER ENTITY SHALL RECEIVE A GRANT FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; TO AMEND SECTIONS 57-62-9 AND 57-62-11, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI ADVANTAGE JOBS ACT; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF THE INCENTIVE PAYMENT THAT A QUALIFIED BUSINESS OR INDUSTRY IS ELIGIBLE TO RECEIVE UNDER SUCH ACT IS LESS THAN THE AMOUNT THAT THE INCENTIVE PAYMENT WOULD HAVE BEEN IF THE PAYMENT HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR INDUSTRY ALSO SHALL RECEIVE A GRANT EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; TO AMEND SECTIONS 57-99-1, 57-99-3 AND 57-99-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF THE INCENTIVE PAYMENTS THAT A QUALIFIED BUSINESS OR

INDUSTRY IS ELIGIBLE TO RECEIVE UNDER SUCH PROGRAM IS LESS THAN THE AMOUNT THAT THE INCENTIVE PAYMENTS WOULD HAVE BEEN IF THE PAYMENTS HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR INDUSTRY ALSO SHALL RECEIVE A GRANT EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
David Parker	Jody Steverson
Dean Kirby	Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2159** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 155** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 155: State Health Plan; delete prohibition on covering hearing aids.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

## CONFEREES FOR THE HOUSE

Henry Zuber III

Kevin Ford

Christopher M. Bell

## CONFEREES FOR THE SENATE

J. Walter Michel

Nicole Boyd

Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 155** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Whaley offered the following report of the Conference Committee on **H. B. No. 1035** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1035: Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Commission on Wildlife, Fisheries and Parks shall establish and regulate special hunts during velvet hunting season, outside of the regular open season on deer. Velvet hunting season shall begin on September 10, and end no later than September 20, and shall be for no less than three (3) consecutive days in length, and for no more than five (5) consecutive days in length, and only hunting with bow and arrow or crossbows shall be allowed during such season. The special season shall be open on private lands and any Wildlife Management Areas as deemed appropriate by the department. Only bucks that meet the antler criteria for the respective deer management unit may be harvested. There shall be mandatory reporting of the harvested animal.

(2) The commission shall establish a special hunting permit for velvet hunting season. Such special hunting permit for velvet hunting season shall be authorized for a time period beginning on September 10, and ending no later than September 20, and shall be valid for no less than three (3) consecutive days in length, and for no more than five (5) consecutive days in length. The commission shall, set the cost of permits.

SECTION 2. Section 49-7-31, Mississippi Code of 1972, is amended as follows:

49-7-31. (1) The open season on deer shall be as follows:

(a) With bow and arrow: October 1 through the Friday prior to Thanksgiving.

(b) With guns and with dogs: from the Saturday prior to Thanksgiving through December 1.

(c) With primitive weapons and without dogs: December 2 through December 15.

(d) With guns and without dogs: December 16 through December 23. However, the commission may allow hunting statewide or in specific areas with any legal weapon which it may designate without dogs after the end of the last season for hunting deer with guns and with dogs, but the season with legal designated weapons and without dogs shall not extend beyond January 31.

(e) The commission shall establish an extended season with primitive weapons and bow and arrow without dogs from February 1 through February 15 for the area south of U.S. Highway 84 and east of Mississippi Highway 35 only for legal bucks. Any antlered deer taken in this area during any open season under this section must be a legal buck as defined in this paragraph. For purposes of this paragraph, the term "legal buck" means a deer with antlers of four (4) points or more with a minimum inside spread of ten (10) inches or a minimum main beam length of thirteen (13) inches. The commission may regulate the taking of deer with antlers of four (4) points or less under this paragraph for the proper management of antlered deer. The commission may delay the opening date and change the length of bow and arrow season in paragraph (a) in this area.

(f) With guns and with dogs: December 24 through a date fixed by the commission that will provide a total of thirty-nine (39) days of hunting deer with guns and with dogs when added to the number of days provided for hunting deer with guns and with dogs in paragraph (b).

(g) When the open season on deer ends on a Friday, the commission shall have the authority to extend the season until thirty (30) minutes after sunset on the following Sunday.

(2) The commission may set and regulate the deer seasons on wildlife management areas which it administers.

(3) (a) The commission may allow the harvesting of antlerless deer in the districts or zones upon the recommendation of the executive director based upon good and substantial quantitative data and research evaluations that demonstrate that the harvesting is necessary to properly manage the herd.

(b) The commission, only upon the recommendation of the executive director, may allow the harvesting of antlerless deer during the deer season with guns and with dogs by a majority vote of the commission.

(c) Nothing in this subsection prohibits the harvesting of either-sex deer by landowners or leaseholders on private lands under the deer management assistance program prescribed or approved by the executive director.

(4) The commission may provide a special permit for the harvesting of deer when they are depredating and destroying crops. The department shall supervise the harvesting and provide for the salvaging of the meat of the animals. The commission may authorize the department to assist any farmer in this state, who sustains crop damage by wildlife, in eradication of the problem wildlife.

(5) (a) During any open season on deer with primitive weapons after November 30, a person may use any legal weapon of choice on private lands only, if the person is:

- (i) The title owner of the land;
- (ii) The lessee of the hunting rights on the land;
- (iii) A member of a hunting club leasing the hunting rights on the land;

or

- (iv) A guest of a person specified in subparagraph (i), (ii) or (iii).

(b) If the person is required to have a hunting license, the person must have a primitive weapon license, Sportsman's License or a Lifetime Sportsman's License.

(6) The commission shall establish and regulate special hunts during velvet hunting season, outside of the regular open season on deer, as provided in Section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; TO PROVIDE THAT VELVET HUNTING SEASON SHALL BEGIN ON SEPTEMBER 10 AND END SEPTEMBER 20; TO REQUIRE THE COMMISSION TO ESTABLISH A SPECIAL HUNTING PERMIT FOR VELVET HUNTING SEASON; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, WHICH RELATES TO OPEN SEASON ON DEER, TO REQUIRE THE COMMISSION TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Bill Kinkade

Neil S. Whaley

Shane Barnett

Tyler McCaughn

Jeff Hale

J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1035** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley offered the following report of the Conference Committee on **S. B. No. 2010** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2010: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Neil S. Whaley

Derrick T. Simmons

Kevin Blackwell

CONFEREES FOR THE HOUSE

Bill Kinkade

Shane Barnett

Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2010** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel offered the following report of the Conference Committee on **S. B. No. 2336** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2336: State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-15, Mississippi Code of 1972, is amended as follows:

25-15-15. (1) The board is authorized to determine the manner in which premiums and contributions by the state agencies, local school districts, colleges, universities, community/junior colleges and public libraries shall be collected to provide the self-insured health insurance program for employees as provided under this article. The state shall provide fifty percent (50%) of the cost of the above life insurance plan for all active full-time employees. The state shall provide one hundred percent (100%) of the cost of the health insurance plan for active full-time employees initially employed before January 1, 2006, except as otherwise provided in this section. For active full-time employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance, except as otherwise provided in this section, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The board, if determined to be necessary, may assess active full-time employees a portion of the active employee premium in an amount not to exceed Twenty Dollars (\$20.00) per month, notwithstanding any language in this section to the contrary. All active full-time employees shall be given the opportunity to purchase coverage for their eligible dependents with the premiums for such dependent coverage, as well as the employee's fifty percent (50%) share for his life insurance coverage, to be deductible from the employee's salary by the agency, department or institution head, which deductions, together with the fifty percent (50%) share of such life insurance premiums of such employing agency, department or institution head from funds appropriated to or authorized to be expended by the employing agency, department or institution head, shall be deposited directly into a depository bank or special fund in the State Treasury, as determined by the board. These funds and interest earned on these funds may be used for the disbursement of claims and shall be exempt from the appropriation process.

(2) The state shall provide annually, by line item in the Mississippi Library Commission appropriation bill, such funds to pay one hundred percent (100%) of the cost of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for full-time library staff members in each public library in Mississippi initially employed before January 1, 2006. For full-time library staff members initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. The commission shall allot to each public library a sufficient amount of those funds appropriated to pay the costs of insurance for eligible employees. Any funds so appropriated by line item which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year. If any premiums for the health insurance and/or late charges and interest penalties are not paid by a public library in a timely

manner, as defined by the board, the Mississippi Library Commission, upon notice by the board, shall immediately withhold all subsequent disbursements of funds to that public library.

(3) The state shall annually provide one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for public school district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers, if such employees and school bus drivers were initially employed before January 1, 2006. For such employees and school bus drivers initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan. Where federal funding is allowable to defray, in full or in part, the cost of participation in the program by district employees who work no less than twenty (20) hours during the week and regular nonstudent bus drivers, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of such federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that school districts contribute the cost of participation for such employees from local funds, except that parent fees for child nutrition programs shall not be increased to cover such cost.

(4) The state shall provide annually, by line item in the community/junior college appropriation bill, such funds to pay one hundred percent (100%) of the cost of the health insurance plan, or any lesser percentage of the cost that is not assessed to the employees by the board, for community/junior college district employees initially employed before January 1, 2006, who work no less than twenty (20) hours during each week. For such employees initially employed on or after January 1, 2006, the state shall provide one hundred percent (100%) of the cost of a basic level of health insurance under the State and School Employees Health Insurance Plan, or any lesser percentage of the cost that is not assessed to the employees by the board, and the employees may pay additional amounts to purchase additional benefits or levels of coverage offered under the plan.

(5) When the use of federal funding is allowable to defray, in full or in part, the cost of participation in the insurance plan by community/junior college district employees who work no less than twenty (20) hours during each week, whose salaries are paid, in full or in part, by federal funds, the allowance under this section shall be reduced to the extent of the federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that community/junior college districts contribute the cost of participation for such employees from local funds.

(6) Any community/junior college district may contribute to the cost of coverage for any district employee from local community/junior college district funds, and any public school district may contribute to the cost of coverage for any district employee from nonminimum program funds. Any part of the cost of such coverage for participating employees of public school districts and public community/junior college districts that is not paid by the state shall be paid by the participating employees, which shall be deducted from the salaries of the employees in a manner determined by the board.

(7) Any funds appropriated for the cost of insurance by line item in the community/junior colleges appropriation bill which are not expended during the fiscal year for which such funds were appropriated shall be carried forward for the same purposes during the next succeeding fiscal year.

(8) The board may establish and enforce late charges and interest penalties or other penalties for the purpose of requiring the prompt payment of all premiums for life and health insurance permitted under this chapter. All funds in excess of the amount needed for disbursement of claims shall be deposited in a special fund in the State

Treasury to be known as the State and School Employees Insurance Fund. The State Treasurer shall invest all funds in the State and School Employees Insurance Fund and all interest earned shall be credited to the State and School Employees Insurance Fund. Such funds shall be placed with one or more depositories of the state and invested on the first day such funds are available for investment in certificates of deposit, repurchase agreements or in United States Treasury bills or as otherwise authorized by law for the investment of Public Employees' Retirement System funds, as long as such investment is made from competitive offering and at the highest and best market rate obtainable consistent with any available investment alternatives; however, such investments shall not be made in shares of stock, common or preferred, or in any other investments which would mature more than one (1) year from the date of investment. The board shall have the authority to draw from this fund periodically such funds as are necessary to operate the self-insurance plan or to pay to the insurance carrier the cost of operation of this plan, it being the purpose to limit the amount of participation by the state to fifty percent (50%) of the cost of the life insurance program and not to limit the contracting for additional benefits where the cost will be paid in full by the employee. The state shall not share in the cost of coverage for retired employees.

(9) The board shall also provide for the creation of an Insurance Reserve Fund and funds therein shall be invested by the State Treasurer with all interest earned credited to the State and School Employees Insurance Fund.

(10) Any retired employee electing to purchase retired life and health insurance will have the full cost of such insurance deducted monthly from his State of Mississippi retirement plan check or direct billed for the cost of the premium if the retirement check is insufficient to pay for the premium. If the board determines actuarially that the premium paid by the participating retirees adversely affects the overall cost of the plan to the state, then the board may impose a premium surcharge, not to exceed fifteen percent (15%), upon such participating retired employees who are under the age for Medicare eligibility and who were initially employed before January 1, 2006. For participating retired employees who are under the age for Medicare eligibility and who were initially employed on or after January 1, 2006, the board may impose a premium surcharge in an amount the board determines actuarially to cover the full cost of insurance.

\* \* \*

( \* \* \*11) This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE BOARD TO COLLECT PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
J. Walter Michel	Henry Zuber III
Michael McLendon	Kevin Ford
Hillman Terome Frazier	Oscar Denton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2336** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel offered the following report of the Conference Committee on **S. B. No. 2357** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2357: Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
J. Walter Michel	Henry Zuber III
Kevin Blackwell	Kevin Ford
Scott DeLano	Robin Robinson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2357** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Caughman, Chism, England, Hill, Jackson (11th), Moran, Parker and Whaley as co-authors of **S. B. No. 2357**.

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Senator Whaley offered the following report of the Conference Committee on **S. B. No. 2505** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2505: Hunting and fishing licenses; allow inclusion of organ donor registration.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Neil S. Whaley

Bill Kinkade

Benjamin Suber

Shane Barnett

Chuck Younger

Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2505** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators England, Hill, Moran and Seymour as co-authors of **S. B. No. 2505**.

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Senator Parks offered the following report of the Conference Committee on **S. B. No. 2690** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2690: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-97-103, Mississippi Code of 1972, is amended as follows:

37-97-103. (1) As used in this article, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means anything of value, monetary or otherwise, including, but not limited to, cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law, and any other form of payment or remuneration, except as excluded under this article.

For the purposes of this article, "compensation" shall not mean or include the following:

(i) Tuition, room, board, books, fees and personal expenses that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member;

(ii) Federal Pell Grants and other state and federal grants or scholarships unrelated to, and not awarded because of a student-athlete's participation in intercollegiate athletics or sports competition;

(iii) Any other financial aid, benefits or awards that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member; or

(iv) The payment of wages and benefits to a student-athlete for work actually performed \* \* \* for services unrelated to a student-athlete's publicity rights or other intellectual or intangible property rights of a student-athlete under federal or state law.

(b) "Image" means a picture of the student-athlete.

(c) "Intercollegiate athletics program" means an intercollegiate athletics program played at the collegiate level for which eligibility requirements for participation by

a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(d) "Likeness" means a physical, digital or other depiction or representation of a student-athlete.

(e) "Name" means the first or last name, or the nickname, of a student-athlete when used in a context that reasonably identifies the student-athlete with particularity.

(f) "Name, Image and Likeness Agreement" means a contract or \*\*\* other arrangement between a student-athlete and a third-party \*\*\* regarding the \*\*\* use of the \*\*\* publicity of the student-athlete.

(g) "Publicity right" means any right \*\*\*:

(i) \*\*\* Associated with the name, image, \*\*\* likeness \*\*\*, publicity, reputation, fame or personal following of a student-athlete; or

(ii) Recognized under a federal or state law \*\*\* as permitting an individual to control and profit from the \*\*\* use of the name, image \*\*\*, likeness, publicity, reputation, fame or personal following of the individual.

(h) "Postsecondary educational institution" means a public university or community college or private university or college.

(i) "Social media compensation" means all forms of payment for engagement on social media received by a student-athlete as a result of the use of that student-athlete's \*\*\* publicity rights.

(j) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, intercollegiate athletics program at a postsecondary educational institution, including, without limitation, prospective student-athletes of an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(k) "Third party \*\*\*" means any individual or entity or group of the same, acting independently or collectively, that \*\*\* enters into an agreement for the publicity rights \*\*\* of a student-athlete or group of student-athletes. The term "third party \*\*\*" shall not include any national association for the promotion or regulation of collegiate athletics, athletics conference, or postsecondary educational institution.

SECTION 2. Section 37-97-105, Mississippi Code of 1972, is amended as follows:

37-97-105. (1) Except as provided in Section 37-97-107, a student-athlete may:

(a) Earn compensation, \*\*\* for the use of \*\*\* publicity rights of the student-athlete \*\*\*; and

(b) Obtain and retain a certified agent for any matter or activity relating to such compensation.

(2) No student-athlete may earn compensation in exchange for the student-athlete's athletic ability or participation in intercollegiate athletics or sports competition.

(3) Notwithstanding any other provision of applicable law or agreement to the contrary, a student-athlete shall not be deemed an employee or independent contractor

of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program.

SECTION 3. Section 37-97-107, Mississippi Code of 1972, is amended as follows:

37-97-107. (1) Except as provided for under this article, a postsecondary educational institution shall not uphold any contract, rule, regulation, standard or other requirement that prevents a student-athlete of that institution from earning compensation \*\*\* for the use of the student's \*\*\* publicity rights. Any such contract, rule, regulation standard or other requirement shall be void and unenforceable against the postsecondary educational institution or the student-athlete. Compensation from the use of a student-athlete's \*\*\* publicity rights may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility. Nothing in this article is intended to alter any state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.

(2) Except as provided for in this article, an athletic association, conference or other group or organization with authority over intercollegiate athletic programs, including, but not limited to, the National Collegiate Athletic Association (NCAA) and the National Junior College Athletic Association (NJCAA), shall not prevent, or otherwise enforce a contract, rule, regulation, standard or other requirement that prevents, a student-athlete of a postsecondary educational institution from earning compensation as a result of the use of the student-athlete's \*\*\* publicity rights.

(3) To protect the integrity of its educational mission and intercollegiate athletics program, a postsecondary educational institution may impose reasonable limitations on the dates and time that a student-athlete may participate in endorsement, promotional, social media or other activities related to the license or use of the student-athlete's \*\*\* publicity rights. Nothing in this article shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or institution-sponsored event. A student-athlete may not receive or enter into a contract for compensation for the use of his or her \*\*\* publicity rights in a way that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary institution, unless the institution has provided the student-athlete with written permission to do so prior to \*\*\* entering into the agreement or receipt of compensation. If permission is granted, the postsecondary educational institution, by agreement of all parties, may be compensated for the use in a manner consistent with market rates. A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any entity during an intercollegiate athletics competition or institution-sponsored event.

(4) An athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not enforce a contract, rule, regulation, standard or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program, or otherwise penalize the postsecondary educational institution or its intercollegiate athletic program, as a result of activities permitted by this article, including, without limitation, the compensation of a student-athlete for the use of the student-athlete's \*\*\* publicity rights.

(5) (a) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not \*\*\*:

( \*\* \*) Enter into, or offer to enter into, a name, image and likeness agreement with a \*\* \* student-athlete; or

( \*\* \*) Provide a \*\* \* student-athlete or the student-athlete's family compensation in relation to the use of the student-athlete's \*\* \* publicity rights.

(b) A postsecondary educational institution may facilitate opportunities for student-athletes to engage with third parties interested in entering into name, image, and likeness agreements, and may communicate with third parties interested in providing name, image, and likeness agreements to student-athletes.

(6) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association shall not prevent a student-athlete from obtaining professional representation in relation to \*\* \* publicity rights, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by athlete agents or legal representation provided by attorneys. A student-athlete shall provide the postsecondary educational institution with written notice at least seven (7) days prior to entering into a representation agreement with any individual for the purpose of exploring or securing compensation for use of the student-athlete's \*\* \* publicity rights.

(7) Professional representation obtained by student-athletes must be from persons registered as athlete agents as provided in Section 73-42-1 et seq. of the Uniform Athlete Agent Act. Attorneys who provide legal representation to student-athletes must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar.

(8) Athlete agents representing student-athletes shall comply with the Uniform Athlete Agents Act, Section 73-42-1 et seq., Mississippi Code of 1972, and the federal Sports Agent Responsibility and Trust Act in 15 USC Sections 7801-7807 in their relationships with student-athletes.

(9) A grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits from the postsecondary educational institution in which a student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this article.

(10) Before any \*\* \* agreement for compensation for the use of a student-athlete's \*\* \* publicity rights is \*\* \* entered into, and before any compensation is provided to the student-athlete in advance of \*\* \* an agreement, the student-athlete shall disclose the \*\* \* agreement to a designated official of the postsecondary educational institution in which the student-athlete is enrolled in a manner prescribed by the institution.

(11) A third-party \*\* \* may not enter into, or offer to enter into, a name, image and likeness agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's \*\* \* publicity rights if a provision of the name, image and likeness agreement or the use of the student-athlete's \*\* \* publicity rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(12) No postsecondary educational institution, booster \*\* \* or third-party \*\* \* shall provide a \*\* \* student-athlete compensation or enter into a name, image and likeness agreement as an inducement for the student-athlete to attend or enroll in a specific institution or group of institutions. Compensation for a student-athlete's \*\* \* publicity rights may not be conditioned on athletic performance or attendance \*\* \*.

\* \* \*

( \*\* \*13) No student-athlete shall enter into a name, image, and likeness agreement or receive compensation from a third-party licensee for the endorsement or promotion of gambling, sports betting, controlled substances, marijuana, tobacco or alcohol \*\* \*, brand or products, alternative or electronic nicotine product or delivery system, performance-enhancing supplements, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution or that negatively impacts or reflects adversely on a postsecondary education institution or its athletic programs, including, without limitation, bringing about public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary educational institution.

( \*\* \*14) \*\* \* An agreement for the use of \*\* \* a student-athlete's \*\* \* publicity rights which is formed while the student-athlete is participating in an intercollegiate sport at a postsecondary educational institution may not extend beyond the student-athlete's participation in the sport at the institution.

( \*\* \*15) Nothing in this article shall be interpreted to modify any requirements or obligations imposed under Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.).

SECTION 4. Section 73-42-19, Mississippi Code of 1972, is amended as follows:

73-42-19. (1) An agency contract must be in a record, signed by the parties.

(2) An agency contract must state or contain:

(a) The amount and method of calculating the consideration to be paid by the student-athlete for services to be provided by the athlete agent under the contract and any other consideration or anything of value that the athlete agent has received or will receive from any other source for entering into the contract or for providing the services;

(b) The name of any person not listed in the application for registration or renewal who will be compensated because the student-athlete signed the agency contract;

(c) A description of any expenses that the student-athlete agrees to reimburse;

(d) A description of the services to be provided to the student-athlete;

(e) The duration of the contract; and

(f) The date of execution.

(3) An agency contract must contain, in close proximity to the signature of the student-athlete, a conspicuous notice in boldface type in capital letters stating:

WARNING TO STUDENT-ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT-ATHLETE IN YOUR SPORT UNLESS THIS CONTRACT IS SERVING AS A NAME, IMAGE AND LIKENESS AGREEMENT PURSUANT TO SECTION 37-97-103;

(2) BOTH YOU AND YOUR ATHLETE AGENT ARE REQUIRED TO TELL YOUR ATHLETIC DIRECTOR, IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO AN AGENCY CONTRACT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THE CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.

(4) An agency contract that does not conform to this section is voidable by the student-athlete.

(5) The athlete agent shall give a copy of the signed agency contract to the student-athlete at the time of signing.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITIONS OF CERTAIN TERMINOLOGY RELATED TO NAME, IMAGE AND LIKENESS AGREEMENTS FOR STUDENT-ATHLETES; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ABILITY OF A STUDENT-ATHLETE TO EARN COMPENSATION FOR THE USE OF HIS OR HER PUBLICITY RIGHTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF POSTSECONDARY EDUCATIONAL INSTITUTIONS REGARDING RESTRICTIONS ON COMPENSATION FOR THE USE OF A STUDENT-ATHLETE'S PUBLICITY RIGHTS; TO FURTHER RESTRICT ASSOCIATIONS OR ORGANIZATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS FROM PENALIZING A POSTSECONDARY EDUCATIONAL INSTITUTION OR ITS INTERCOLLEGIATE ATHLETIC PROGRAM FOR COMPLIANCE WITH PROVISIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT; TO PERMIT POSTSECONDARY EDUCATIONAL INSTITUTIONS TO FACILITATE OPPORTUNITIES FOR STUDENT-ATHLETES TO ENGAGE THIRD PARTIES INTERESTED IN ENTERING INTO NAME, IMAGE AND LIKENESS AGREEMENTS; TO REMOVE THE PROHIBITION ON A STUDENT-ATHLETE ENTERING INTO A NAME, IMAGE AND LIKENESS AGREEMENT BEFORE ENROLLING AT A POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 73-42-19, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIRED WARNING TO STUDENT-ATHLETES IN AN AGENCY CONTRACT TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Rita Potts Parks	Mac Huddleston
Bart Williams	Donnie Scoggin
Nicole Boyd	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2690** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Senator Michel offered the following report of the Conference Committee on **S. B. No. 2738** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2738: Health insurance; revise mandated coverage for telemedicine services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on lines 86 and 87 by deleting the phrase ", and shall stand repealed from and after June 30, 2022"

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE

J. Walter Michel

Nicole Boyd

Chuck Younger

CONFEREES FOR THE HOUSE

Henry Zuber III

Kevin Ford

Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2738** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Simmons D. T. (12th), Horhn, Jackson (11th) and Hickman as co-authors of **S. B. No. 2738**.

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Senator Hickman entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1663** was adopted by the Senate.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

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Senator Polk moved that the Senate stand in recess until 5:30 PM.

The motion prevailed, and at 4:02 PM, the Senate stood in recess.

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The Senate resumed business at 5:30 PM, pursuant to recess, with President Hosemann presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of meetings.

**S. B. No. 2437:** Pilot Work Initiative; authorize the establishment of at CMCF.

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration.

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

**S. B. No. 2508:** Personal delivery devices; regulate.

**S. B. No. 2517:** Commercial motor vehicles; authorize voluntary inspection program.

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents act; bring forward sections.

**S. B. No. 2700:** University construction projects; extend repealer on authority of IHL Board to administer.

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies.

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute.

Adopted: 03/27/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 400:** Riding bailiffs; revise salary of.

**H. B. No. 531:** Mississippi Tax Freedom Act of 2022; create.

**H. B. No. 607:** "Parker's Law"; create crime of "fentanyl delivery resulting in death".

**H. B. No. 660:** Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities.

**H. B. No. 719:** Compensation for certain county officials; bring forward sections pertaining to.

**H. B. No. 811:** Memorial highways; designate in Rankin County, Mississippi.

**H. B. No. 919:** MDOC; require to establish a certain leasing policy with DFA for agricultural equipment.

**H. B. No. 971:** Driver's license; increase time period to renew expired license without examination.

**H. B. No. 1035:** Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish.

**H. B. No. 1101:** Trip optimizer system; exempt youth services counselors from.

**H. B. No. 1185:** State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain.

**H. B. No. 1479:** Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty.

**H. B. No. 1586:** Appropriation; Medical Licensure, Board of.

**H. B. No. 1587:** Appropriation; Nursing, Board of.

**H. B. No. 1589:** Appropriation; Optometry, Board of.

**H. B. No. 1603:** Appropriation; reappropriation, DFA - Bureau of Building - FY22.

**H. B. No. 1619:** Appropriation; Pearl River Valley Water Supply District.

**H. B. No. 1621:** Appropriation; Tombigbee River Valley Water Management District.

**H. B. No. 1623:** Appropriation; Veterans' Home Purchase Board.

Adopted: 03/27/22

Andrew Ketchings, Clerk of the House of Representatives

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Senators McMahan, Michel and Kirby moved that when the Senate adjourns, it adjourn in memory of Cynthia Jean Fant of Brandon, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles L. Brown, Jr. of Hattiesburg, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Robert Ray "Bobby" Marks of Lake St. John, LA.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Gavin Edward Breazeale of Chelsea, AL.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Amber Machell McKee Bergeron of Brookhaven, MS.

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Senator Blackwell moved that the Senate stand in recess until 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 29, 2022.

The motion prevailed, and at 5:37 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

Representatives Barton, Gibbs (36th), Steverson

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.  
Senators McMahan, Whaley, Parker.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:00 PM in memory of Cynthia Jean Fant, Charles L. Brown, Jr., Robert Ray "Bobby" Marks, Gavin Edward Breazeale and Amber Machell McKee Bergeron.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, MARCH 28, 2022

**S. R. No. 56:** Rules

A RESOLUTION COMMENDING THE LIFE, LEGACY AND CONTRIBUTIONS OF MRS. RUTH ANTOINETTE BATTON CAMPBELL AND EXPRESSING SINCEREST SYMPATHY UPON HER PASSING.

By Senator(s) Horhn

**S. R. No. 57:** Rules

A RESOLUTION RECOGNIZING THE ATHLETIC AND PROFESSIONAL EDUCATOR LEGACY OF COACH LEON CAMPBELL AND HIS CIVIC AND CHARITABLE CONTRIBUTIONS.

By Senator(s) Horhn

**S. R. No. 58:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE PASCAGOULA HIGH SCHOOL NAVY JROTC AIR RIFLE TEAM FOR WINNING STATE AND REGIONAL TITLES AND QUALIFYING FOR THE ALL-SERVICE JROTC NATIONAL CHAMPIONSHIP.

By Senator(s) Wiggins

**J. R. No. 202:** Rules

A JOINT RESOLUTION TO REAPPORTION THE SENATE OF THE STATE OF MISSISSIPPI IN ACCORDANCE WITH SECTION 254, MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

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EIGHTY-FIFTH DAY, TUESDAY, MARCH 29, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Mr. Rodney Williams, Club Meth to Christ, Moss Point, MS.

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Senator England led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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#### REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 156:** Mary C. Werner, Saltillo, Mississippi, State Board of Education, unexpired term beginning June 14, 2021 and ending June 30, 2026, vice Sean Suggs. Do Advise and Consent.

**S. N. No. 153:** Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective July 1, 2022 and ending August 30, 2022. Do Advise and Consent.

**S. N. No. 154:** Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025. Do Advise and Consent.

**S. N. No. 155:** Kimberly Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025. Do Advise and Consent.

DEBAR, Chairman

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#### REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 103:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022. Do Not Advise and Consent.

**S. N. No. 104:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026. Do Not Advise and Consent.

BARNETT, Chairman

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REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 68:** BG (Ret.) Norman Gene (Gene) Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, unexpired four year term effective August 2, 2021 and ending June 30, 2022, vice Mr. Joe Bryan. Do Advise and Consent.

SEYMOUR, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2543:** Department of Public Safety; revise provision related to.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Kirby called up the following entitled resolution:

**J. R. No. 202:** Mississippi Senate; reapportion.

Senators Simmons D. T. (12th), Hickman, Thomas, Jackson (11th), Jordan, Norwood and Frazier offered the following AMENDMENT NO. 1.

AMEND by striking lines 26 through 469 and inserting in lieu thereof the following:

DISTRICT 1

DeSoto County: Baker's Chapel, Endora, Hernando Central, Hernando East, Hernando West, Horn Lake Intermediate School, Horn Lake North, Lake Cormorant, Love, Southaven North, Southaven West and Walls Precincts.

DISTRICT 2

DeSoto County: Bridgetown, Colonial Hills, DeSoto Central, Elmore, \*Greenbrook South (part), Horn Lake Central, Horn Lake East, Horn Lake High School, Horn Lake

West, Nesbit East, Nesbit West, Northwest Community College and Summershill Precincts.

## DISTRICT 3

Benton County: \*Ashland (part), \*Canaan (part), Floyd and Hickory Flat Precincts.

Marshall County: Bethlehem, Cornersville, Potts Camp and \*Waterford (part) Precincts.

Tippah County: All.

Union County: All.

## DISTRICT 4

Alcorn County: All.

Prentiss County: All.

## DISTRICT 5

Itawamba County: All.

Lee County: Auburn, Eggville, Gilvo, Hebron, Kedron, Mooreville, Nettleton, Petersburg, Plantersville, Richmond and Unity Precincts.

Tishomingo County: All.

## DISTRICT 6

Lee County: Baldwin, Beech Springs, Belden, Birmingham Ridge, Bissell, Cedar Hill, Euclautubba, Fellowship, Friendship, Guntown, Pratts, Saltillo, Tupelo 1, Tupelo 2, Tupelo 3, Tupelo 4 North, Tupelo 5 and Veteran's Park Precincts.

## DISTRICT 7

Lowndes County: 15th Street Church, Air Base, Brandon, Caledonia, First Assembly, Immanuel, New Hope, Rural Hill, Steens and University Precincts.

Monroe County: Amory 1, Amory 2, Amory 5, Athens, Bartahatchie, Becker, Bigbee 1, Boyds, Darracott, Greenwood Springs, Hamilton, Hatley, Lackey, North Greenwood Springs, Parham, Smithville, Williams and Wren Precincts.

## DISTRICT 8

Calhoun County: All.

Chickasaw County: Anchor, North Houlka, Pleasant Grove, South Houlka and Woodland Precincts.

Pontotoc County: All.

Webster County: All.

## DISTRICT 9

Lafayette County: All.

DISTRICT 10

Benton County: \*Ashland (part), \*Canaan (part) and Lamar Precincts.

De Soto County: Cumberland, Greenbrook North, \*Greenbrook South (part), \*Hack's Cross (part), Mineral Wells, \*Olive Branch East (part), Olive Branch North and Southaven South Precincts.

Marshall County: \*Barton (part), \*Cayce (part), Chulahoma, Early Grove, Hudsonville, Laws Hill, Marianna, \*Mt. Pleasant (part), N. Holly Springs Dist. 1, N. Holly Springs Dist. 2, \*North Cayce (part), Slayden, South Holly Springs, Victoria, Wall Hill, \*Waterford (part) and West Holly Springs Precincts.

DISTRICT 11

Panola County: Como, Crenshaw, Crowder, Enon, Longtown, Macedonia-Concord Comm Center, Patton Lane Comm Center, Pleasant Grove, Sardis Courthouse, Sardis Lake Fire Station, South Sardis, Tocowa and Union Fire Station Precincts.

Quitman County: All.

Tate County: Arkabutla, Coldwater, Evansville, Looxahoma, Sarah, Senatobia 3, Senatobia No. 1, Senatobia No. 2, Senatobia No. 4, Sherrod, Strayhorn 1, Strayhorn 2, Taylor, Thyatira, Tyro and Wyatte Precincts.

Tunica County: All.

DISTRICT 12

Sunflower County: Boyer-Linn, Doddsville, Drew, Fairview-Hale, Indianola 3 North, Indianola 3 Northeast, Indianola 3 South, Ruleville, Ruleville North, Sunflower and Sunflower Plantation Precincts.

Washington County: Arcola Technology Center, Brent Center, Buster Brown Comm. Center, Covenant Presbyterian, Darlove Baptist Church, Elks Club, Extension Building, Jakes Chapel M.B. Church, Lake Vista Masonic Lodge, Leland Health Dpt. Clinic, Leland Rotary Club, Metcalfe City Hall, St. James Epis. Church, Swiftwater Baptist Church, Tampa Drive, Wards Recreation Center and Washington Co. Convention Center Precincts.

DISTRICT 13

Bolivar County: All.

Coahoma County: All.

Sunflower County: Rome Precinct.

DISTRICT 14

Grenada County: All.

Montgomery County: All.

Panola County: Batesville Courthouse, Blackjack Community Center, Cliff Finch, Eureka, Mt. Olivet and Panola County Extension Precincts.

Yalobusha County: All.

## DISTRICT 15

Attala County: Berea, East, Ethel, Liberty Chapel, McCool, North Central, Northeast, Northwest, Providence, Thompson and Zama Precincts.

Choctaw County: All.

Oktibbeha County: Bell Schoolhouse, Center Grove/North Adaton, \*Central Starkville (part), Craig Springs/South Bradley, Maben, \*Needmore Voting District (part), North Longview, \*North Starkville 3 (part), Self Creek/Double Springs, South Adaton, South Longview, \*South Starkville (part), Sturgis/North Bradley and \*West Starkville (part) Precincts.

Winston County: All.

## DISTRICT 16

Chickasaw County: Buena Vista, East Okolona, Egypt, North Okolona, Northwest Houston, Pearsall, Southeast Houston, Sparta, Van Vleet and West Okolona Precincts.

Clay County: All.

Lee County: Brewer, Old Union, Palmetto, Pleasant Grove, Shannon, Tupelo 4 South and Verona Precincts.

Monroe County: Aberdeen 3, Central Grove, Gibson, Nettleton, North Aberdeen 4, Prairie, South Aberdeen 4 and Willis Precincts.

## DISTRICT 17

Lowndes County: Artesia, Coleman, Crawford, East Columbus Gym, Hunt, Plum Grove, Southside Church, Townsend Park, Trinity and West Lowndes Precincts.

Noxubee County: All.

Oktibbeha County: \*Central Starkville (part), East Starkville, Hickory Grove/Southeast Oktibbeha, \*Needmore Voting District (part), North Starkville 2, \*North Starkville 3 (part), Oktoc, Osborn, Sessums, \*South Starkville (part) and \*West Starkville (part) Precincts.

## DISTRICT 18

Attala County: Aponaug, Carmack, Hesterville, McAdams, Newport, Possumneck, Sallis, South Central, Southwest and Williamsville Precincts.

Leake County: All.

Neshoba County: All.

## DISTRICT 19

DeSoto County: Alphaba Cockrum, Fairhaven, \*Hack's Cross (part), Ingram's Mill, Lewisburg, Lewisburg East, Miller, \*Olive Branch East (part), Olive Branch South, Olive Branch West and Pleasant Hill North Precincts.

Marshall County: \*Barton (part), Byhalia, \*Cayce (part), \*Mt. Pleasant (part), \*North Cayce (part), Redbanks, Warsaw and Watson Precincts.

Tate County: Independence, Palestine, Poagville 4 and Poagville 5 Precincts.

DISTRICT 20

Rankin County: East Crossgates, Eldorado, Fannin, Highland/Patrick Farms, Leesburg, Liberty, North Brandon, Northeast Brandon, Northshore, Oakdale, Pelahatchie, Pisgah, Reservoir East, Reservoir West, Springhill and West Crossgates Precincts.

DISTRICT 21

Holmes County: All.

Madison County: Anderson Lodge, Camden, Cameron, Canton Bible Church, Canton Catholic Parish Center, Canton Community Center, Canton National Guard Armory, Canton South Liberty, Cedar Grove, Couparle, Farmhaven Fire Station, Fellowship Bible Church, Gluckstadt, Grace Crossing, Mad. Co. Bap. Fam. Lf. Ct, Pleasant Gift Church, Pleasant Green and Vertical Church Precincts.

Yazoo County: Deasonville, East Midway, Free Run, Harttown and West Midway Precincts.

DISTRICT 22

Humphreys County: All.

Madison County: Canton Fire Station #4, Canton St. Paul Methodist, Ferns Chapel Freewill, Frankin Baptist Church, Greater Mt. Levi Church, Lake Caroline Clubhouse, Magnolia Heights and Mount Hope Precincts.

Sunflower County: Indianola 2 East, Indianola 2 West, Indianola Southeast, Inverness and Moorhead Precincts.

Yazoo County: 3-1 West, 3-2 East, 3-3 Jonestown, 3-4 South, Benton, Carter, Center Ridge, District 4 Ward 2, Dover, East Bentonia, Eden, Fairview, Fugates, Holly Bluff, Lake City, Mechanicsburg, Robinette, Satartia, Tinsley, Valley, Ward 2, Ward 4, Ward 5, West Bentonia and Zion Precincts.

DISTRICT 23

Hinds County: Bolton, Cayuga, Edwards, St. Thomas, Utica 1 and Utica 2 Precincts.

Issaquena County: All.

Sharkey County: All.

Warren County: 3-61 Store, American Legion Hall, Auditorium, Beechwood, Bovina, Brunswick, Cedar Grove, Cherry Street, Culin, Elks Lodge, \*Jett (part), Kings, Lee Road, No. 7 Fire Station, Oakland, Plumbers Hall, Redwood, St. Aloysius, Tingleville and Y.M.C.A. Precincts.

Washington County: Glen Allan Health Clinic and Hollandale City Hall Precincts.

DISTRICT 24

Carroll County: All.

Leflore County: All.

Panola County: Courtland Baptist and Pope Precincts.

Tallahatchie County: All.

DISTRICT 25

Madison County: 1st Presbyterian, China Grove, Colonial Heights, First Baptist, Highland Colony Bap. Ch., Mark Apartments, New Life, NorthBay, Parkway Church, Ridgeland First Meth. Ch., Ridgeland Recreational Center, SunnyBrook, Tougaloo, Trace Ridge, Twin Lakes Baptist, Victory Baptist Church and Victory Christian Precincts.

DISTRICT 26

Hinds County: 13, 38, 39, 40, 41, 42, 43, 44, 46, 78, 79, 80, 81 and 82 Precincts.

Rankin County: Castlewoods, Castlewoods West, Flowood Library, Grant's Ferry and Holbrook Precincts.

DISTRICT 27

Hinds County: 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 83, 84, 85, 86, Brownsville, \*Byram 2 (part), Chapel Hill, Clinton 1, Clinton 2, Clinton 7, Cynthia, Dry Grove, Learned, Pinehaven, Pocahontas, Raymond 1, Raymond 2, Spring Ridge and Tinnin Precincts.

DISTRICT 28

Hinds County: 59, 67, 68, 89, 90, 91, 92, 94, 95, Byram 1, \*Byram 2 (part), Byram 3, Old Byram, Terry 1 and Terry 2 Precincts.

Rankin County: Clear Branch, Cleary, \*East Steens Creek (part), South Richland and \*West Steens Creek (part) Precincts.

DISTRICT 29

Hinds County: 10, 11, 12, 14, 16, 17, 18, 19, 2, 20, 26, 32, 33, 34, 35, 36, 37, 4, 45, 52, 54, 55, 56, 57, 6, 60, 61, 62, 8, 87, 88, 9, Clinton 3, Clinton 4, Clinton 5 and Clinton 6 Precincts.

DISTRICT 30

Hinds County: 1, 47, 49, 50, 51, 58, 63, 64, 69, 70, 71, 72, 73, 74, 75, 76, 77, 93, 96 and 97 Precincts.

Rankin County: Briarhill, Crest Park, Cunningham Heights, North McLaurin, North Richland, Pearl City Hall, South McLaurin, South Pearson and West Pearl Precincts.

DISTRICT 31

Newton County: Conehatta, Lawrence, Newton 4 and Prospect Precincts.

Rankin County: Antioch-Mayton, Brandon Central, Crossroads and Shiloh Precincts.

Scott County: All.

Smith County: All.

DISTRICT 32

Kemper County: All.

Lauderdale County: 1, 10, 11, 12, 13, 14, 15, \*18 (part), 2, 3, 4, 5, 6, 7, 8, 9, Andrews Chapel, Center Ridge, Daleville, East Lauderdale, East Marion, Kewanee, Marion, New Lauderdale, Prospect, Russell, Toomsaba and West Dalewood Precincts.

DISTRICT 33

Clarke County: Carmichael, East Quitman, Energy, Enterprise, Hopewell, Manassa, North Quitman, Pierce's Springs, Rolling Creek, Snell, Souinlovie, South Quitman, Stonewall Beat 1, Stonewall Beat 3 and Union Precincts.

Lauderdale County: 17, \*18 (part), 19, Alamucha, Bailey, Causeyville, Center Hill, Clarkdale, Collinsville, Culpepper, Martin, Meehan, Mt. Gilead, Obadiah, Odom, Pickard, Sageville, South Nellieburg, South Russell, Suqualena, Valley, Vimville, Whynot and Zero Precincts.

Newton County: Chunky, Decatur 1, Decatur 2, Duffee, Hickory, Little Rock, Newton 1, Newton 5, Scanlan, Union 1, Union 2 and Union 3 Precincts.

DISTRICT 34

Clarke County: Beavertown, Desoto, Harmony Beat 1, Harmony Beat 2, Langsdale, Oak Grove, Pachuta and Shubuta Precincts.

Jasper County: All.

Jones County: Currie, Lt. Ellis Center, Magnolia Center, North Laurel, Oak Park School, Parkview Baptist Church, \*Shady Grove (part), \*Sharon (part) and West Ellisville Precincts.

Wayne County: Big Rock, Buckatunna, Chaparral/Diamond, Denham, Hiwannee, Matherville/Coit, State Line, Waynesboro 1, Waynesboro 2, Waynesboro 3, Waynesboro 4, Waynesboro 5 and Winchester Precincts.

DISTRICT 35

Copiah County: Crystal Springs East, \*Gallman (part), Georgetown North, Georgetown South, Shady Grove and Strong Hope-Union Precincts.

Rankin County: Brandon City Hall, Cato, Dry Creek, \*East Steens Creek (part), Greenfield, Johns, Mountain Creek, Puckett, South Brandon, Star and \*West Steens Creek (part) Precincts.

Simpson County: Braxton, Bridgeport, DLo, Dry Creek, Fork Church, Harrisville, Jupiter, Jupiter A, Magee 1, Magee 4-N, Magee 4N A, Magee 4-S, Mendenhall 1, Mendenhall 3, Merit, Oak Grove B, Pearl, Pearl Sub A, Pinola, Shivers A, Sumrall and Weathersby Precincts.

DISTRICT 36

Adams County: Airport, Carpenter, Concord, Convention Center, Foster Mound, Maryland, Morgantown, Northside School, Oakland, Pine Ridge and Washington Precincts.

Claiborne County: All.

Copiah County: Carpenter, Centerpoint, Dentville, Martinsville and Wesson Precincts.

Jefferson County: All.

Lincoln County: Caseyville, \*Halbert Heights (part), Lipsey School, Loyd Star, New Sight, Old Red Star, Vaughn and Zetus Precincts.

Warren County: Goodrum, \*Jett (part), Moose Lodge and Yokena Precincts.

#### DISTRICT 37

Adams County: Beau Pre, Bellemont, By-Pass Firestation, Courthouse, Duncan Park, Kingston, Liberty Park and Palestine Precincts.

Amite County: Crosby, East Fork, East Liberty, Homochitto, Liberty, New Zion, Oneil, Smithdale, Tangipahoa and Zion Hill Precincts.

Franklin County: All.

Lawrence County: Arm, Center, Cooper's Creek, Courthouse, Jayess, Oakvale, Peyton Town, Tilton, Topeka and West District 1 Precincts.

Lincoln County: Arlington, Bogue Chitto, East Lincoln, Enterprise, Fair River, Forrestry, Johnson, Johnson Grove, Norfield, Old Brook, Ruth and West Lincoln Precincts.

Pike County: Calvary Baptist Church, Johnston Chapel Methodist Church, Old Jones School, Pisgah Methodist Church and SMCC Work Force Training Center Precincts.

Walthall County: Dist. 4 West and Enon Precincts.

#### DISTRICT 38

Amite County: Amite River, Ariel, Berwick, East Centreville, East Gloster, Gloster, Riceville, South Liberty, Tickfaw, Vance Park and Walls Precincts.

Pike County: Alpha Center Library, American Legion Hut, Braswell Education Complex, Church of Christ, Fernwood School, Holmesville, Leggett Community, Magnolia Community Center, Martin Luther King Center, MEPA Bldg 98 East, New Hope Baptist Church, Osyka City Hall, Pike County National Bank, South McComb Baptist Church, South Pike Community Center, St. Mary of the Pines, Summit City Hall, Summit Learning Center, Unity MBC and West McComb Baptist Church Precincts.

Walthall County: Darbun, Dexter, Dinan, Dist. 3 Tylertown, Dist. 4 Tylertown, East Tylertown, East Tylertown Sub A, Hope, Improve, Lexie, Mesa, Midway, North Kirklín, North Knoxo, Saint Paul, Sartinville, South Kirklín, South Knoxo, Varnell, West Tylertown and West Tylertown Sub A Precincts.

Wilkinson County: All.

#### DISTRICT 39

Copiah County: Beauregard, Crystal Springs North, Crystal Springs South, Crystal Springs West, \*Gallman (part), Hazlehurst East, Hazlehurst North, Hazlehurst South and Hazlehurst West Precincts.

Covington County: Collins, Dry Creek, Gilmer/Yawn, Lone Star/Black Jack, Mt. Olive, Okahay, Rock Hill, \*Seminary/West Collins (part), \*South Collins (part), Station Creek, Strahan and Williamsburg Precincts.

Jefferson Davis County: All.

Lawrence County: Grange, Hooker, Monticello Beat 5, National Guard Armory, New Hebron, Nola, Nola 91, Oma, Silver Creek, Sontag, Stringer, Wanilla, Wanilla 91 and West Monticello Precincts.

Lincoln County: Alexander Jr. High, Big Springs, Brignal/Rogers Circle, City Hall, Government Complex, \*Halbert Heights (part), Heucks Retreat, High School, Little Bahala, Montgomery and Pearlhaven Precincts.

Simpson County: Bowie, Magee 2, Magee 2 A, New Hope, Oak Grove, Oak Grove A, Saratoga and Shivers Precincts.

DISTRICT 40

Pearl River County: All.

DISTRICT 41

Forrest County: \*Eatonville (part) and \*Rawls Springs (part) Precincts.

Lamar County: Baxterville, Bellevue, \*Breland (part), Greenville, Lake Serene, Lumberton, Midway, Oloh, Pine Grove, Purvis, Rocky Branch, \*South Purvis (part) and Sumrall Precincts.

Marion County: All.

DISTRICT 42

Covington County: Mitchell, Richmond, Sanford, \*Seminary/West Collins (part) and \*South Collins (part) Precincts.

Jones County: Antioch, Blackwell, Bruce, Calhoun, Centerville, County Barn, Erata, G.V. Harrison Multipurpose Bldg., Gitano, Glade School, Hebron, Johnson, Landrum Comm. Ctr., Matthews, Mauldin Comm. Center, Moselle, Myrick, Overt, Pinegrove, Pleasant Ridge, Powers Comm. Ctr., Rainey, Rustin, Sandersville Civic Center, Sandhill, \*Shady Grove (part), \*Sharon (part), Shelton, Soso, Tuckers and Union Precincts.

Wayne County: Beat 4 School, Chicora, Clara, Corinth, Eucutta, Mozingo, Pleasant Grove, Strengthford and Yellow Creek Precincts.

DISTRICT 43

George County: All.

Greene County: All.

Stone County: All.

DISTRICT 44

Forrest County: Camp School, Court Street, \*Dixie Pine-Central (part), \*Eatonville (part), Eureka School, Glendale, Hardy Street, Hattiesburg Cultural Center, Highland Park, Lillie Burney School, North Heights, Pinecrest, \*Rawls Springs (part), Rowan School, Sigler Center, Train Depot, West Hills, West Petal and Westside Precincts.

Lamar County: \*Arnold Line (part), \*Breland (part), Lamar Park, N E Lamar, \*Wesley Manor (part) and Westover Precincts.

## DISTRICT 45

Forrest County: Barrontown-Macedonia, Brooklyn, Carnes, Dantzer, Dixie, \*Dixie Pine-Central (part), East Petal, Leeville, Maxie, Mclaurin, Petal Masonic Lodge, Richburg, Sheeplo, Sunrise, Thames School and Timberton Precincts.

Lamar County: \*Arnold Line (part), Mill Creek, Oak Grove, Okahola, Richburg, \*South Purvis (part), \*Wesley Manor (part) and Yawn Precincts.

Perry County: All.

## DISTRICT 46

Hancock County: All.

Harrison County: Advance, Delisle, Ladner, Riceville, Vidalia and West Lizana Precincts.

## DISTRICT 47

Harrison County: \*New Hope (part), North Bay, Peace, Poplar Head, Saucier and White Plains Precincts.

Jackson County: Carterville, East Central, Escatawpa A, Escatawpa B, Hickory Hills A, Hwy 57, Larue, Latimer, North Vancleave, Red Hill, South Vancleave, South Vancleave A, South Vancleave B and South Vancleave C Precincts.

## DISTRICT 48

Harrison County: County Farm/Gulphaven, East Long Beach, East Orange Grove, East Pass Christian, Long Beach #5, Long Beach #6, Lyman, Outside Long Beach, Pineville, West Long Beach, West Orange Grove, West Pass Christian and Westside Precincts.

## DISTRICT 49

Harrison County: \*Biloxi #10 (part), Biloxi #8, \*Biloxi Bay (part), \*Biloxi Central (part), East Biloxi, East North Gulfport, Gulfport #13, Gulfport #14, Gulfport #16, Gulfport #3, Gulfport #5, Gulfport #8, Magnolia Grove, \*New Hope (part), North Bel-Aire, South Bel-Aire, \*Stonewall (part), West Mississippi City and West North Gulfport Precincts.

## DISTRICT 50

Harrison County: Bay Central, Bayou View, \*Biloxi #10 (part), Biloxi #11, \*Biloxi Bay (part), \*Biloxi Central (part), East Handsboro, East Mississippi City, Howard Creek, Margaret Sherry, New Poppo Ferry, \*Stonewall (part) and West Handsboro Precincts.

## DISTRICT 51

Jackson County: Fountainbleau, Fountainbleau A, Fountainbleau B, Fountainbleau C, Fountainbleau D, Gautier B, Grace Baptist, Grace Baptist A, Grace Baptist B, Gulf Park Estates, Hickory Hill, Ocean Springs Armory, Ocean Springs Civic Center A, Ocean Springs Civic Center B, Ocean Springs Comm Center, St. Martin, St. Martin C, Villia Maria, West Jackson, West Jackson A, West Jackson B and West Jackson C Precincts.

## DISTRICT 52

Jackson County: Big Point, Eastlawn, Escatawpa, Escatawpa C, Fair, Fair C, Fair D, Fair H, Gautier, Gautier A, Jefferson Street, North Pascagoula, Orange Grove, Orange Grove B, Pinecrest, Pinecrest B, Pinecrest C, Presbyterian, Presbyterian A, Presbyterian B, Rec Center, Sacred Heart, Sacred Heart A, Sue Ellen, Sue Ellen A, YMBC/Dantzler and YMBC\_Dantzler B Precincts.

Amendment No. 1 to J. R. No. 202 failed.

Senator McDaniel offered the following AMENDMENT NO. 2.

AMEND by striking lines 26 through 469 and inserting in lieu thereof the following:

DISTRICT 1

DeSoto County: Elmore, Endora, Hernando Central, Hernando East, Hernando West, Horn Lake Central, Horn Lake High School, Horn Lake Intermediate School, Horn Lake West, Love, Nesbit West and Northwest Community College Precincts.

DISTRICT 2

DeSoto County: Colonial Hills, DeSoto Central, Greenbrook North, Greenbrook South, Horn Lake East, Mineral Wells, Nesbit East, \*Olive Branch West (part), \*Pleasant Hill North (part), Southaven North, Southaven South, \*Southaven West (part) and Summershill Precincts.

DISTRICT 3

Benton County: All.

Marshall County: Hudsonville, N. Holly Springs Dist. 1 and \*N. Holly Springs Dist. 2 (part) Precincts.

Pontotoc County: Bankhead, Bethel, Buchanan, Cherry Creek, Ecu, Friendship, Hoyle, Hurricane, Longview, Oak Hill, Pontotoc 1, Pontotoc 2, Pontotoc 3, Pontotoc 5, Sherman and Turnpike Precincts.

Prentiss County: Baldwyn, Ingram and Wheeler Precincts.

Union County: B.F. Ford, Beacon Hill, Blue Springs, Center, Central Maintenance, Courthouse, East Union, Glenfield, Jericho, Keownville, Kings Chapel, Myrtle, Northeast MS Community College, Pleasant Ridge and Sportsplex Precincts.

DISTRICT 4

Alcorn County: All.

Tippah County: All.

DISTRICT 5

Itawamba County: Armory, Bounds/Mt. Gilead, Centerville, Clay, Copeland, Dorsey, Fawn Grove, Friendship, Fulton Dist. 1 Courthouse, Fulton Dist. 4 Am. Legion, Fulton Dist. 5 Firestation, Greenwood, Kirkville/Ozark, Mantachie, Pineville, Pleasanton, Ratliff and Ryan Precincts.

Prentiss County: Blackland, Booneville, Crossroads, East Booneville, Hills Chapel-New Hope, Marietta, New Site, North Booneville, Odom Hill, Thrasher, Tusculumbia-New Chandler and West Booneville Precincts.

Tishomingo County: All.

DISTRICT 6

Lee County: Auburn, Baldwin, Beech Springs, Belden, Birmingham Ridge, Bissell, Cedar Hill, Eggville, Euclautubba, Fellowship, Friendship, Gilvo, Guntown, Hebron, Mooreville, Pratts, Richmond, Saltillo, Tupelo 1, Tupelo 2, Tupelo 3, Tupelo 5, Unity and Veteran's Park Precincts.

DISTRICT 7

Itawamba County: Bigbee Fork/Evergreen, Cardsville, Carolina, Hampton/James Creek/Turon, New Salem/Tilden and Wigginton/Oakland/Tremont Precincts.

Lee County: Brewer, Kedron, Nettleton, Old Union, Palmetto, Petersburg, Plantersville, Pleasant Grove, Shannon, Tupelo 4 North, Tupelo 4 South and Verona Precincts.

Monroe County: Aberdeen 3, Amory 1, Amory 2, Amory 5, Becker, Bigbee 1, Boyds, Central Grove, Darracott, Gibson, Hatley, Nettleton, North Aberdeen 4, Parham, Prairie, Smithville, South Aberdeen 4, Williams, Willis and Wren Precincts.

DISTRICT 8

Calhoun County: All.

Chickasaw County: All.

Lafayette County: Airport Grocery, Anchor-Taylor 4, Paris, Taylor 3 and Union West Precincts.

Pontotoc County: Algoma, Beckham, Judah, Pontotoc 4, Randolph, Robbs, Springville, Thaxton, Toccopola, Troy, Woodland and Zion Precincts.

Yalobusha County: All.

DISTRICT 9

Lafayette County: Burgess, College Hill, Harmontown, Lafayette Springs, Oxford 1, \*Oxford 2 (part), Oxford 4, Oxford 5, Tula, West Spring Hill - Oxford 3 and Yocona Precincts.

Panola County: Batesville Courthouse, Blackjack Community Center, Cliff Finch, Panola County Extension, \*Sardis Courthouse (part) and Sardis Lake Fire Station Precincts.

DISTRICT 10

Lafayette County: Abbeville, \*Oxford 2 (part) and Philadelphia Precincts.

Marshall County: Barton, Bethlehem, Byhalia, Cayce, Chulahoma, Cornersville, Early Grove, Laws Hill, Marianna, Mt. Pleasant, \*N. Holly Springs Dist. 2 (part), North Cayce, Potts Camp, Redbanks, Slayden, South Holly Springs, Victoria, Wall Hill, Warsaw, Waterford, Watson and West Holly Springs Precincts.

Tate County: Coldwater, Independence, Looxahoma, Palestine, Poagville 4, Poagville 5, Senatobia 3, Senatobia No. 1, Senatobia No. 2, Senatobia No. 4, Thyatira, Tyro and Wyatt Precincts.

Union County: Blythe, Imgomar, Macedonia, Pinedale and West Union Precincts.

DISTRICT 11

Coahoma County: Clarksdale 2, Clarksdale 3, Clarksdale 4, Clarksdale 4 North, \*Clarksdale 5 (part), Clarksdale Courthouse, Coahoma, Jonestown, Lyons and Sasse St. Fire Station Precincts.

DeSoto County: Horn Lake North, Lake Cormorant, \*Southaven West (part) and Walls Precincts.

Quitman County: All.

Tate County: Arkabutla, Evansville, Sarah, Sherrod, Strayhorn 1, Strayhorn 2 and Taylor Precincts.

Tunica County: All.

DISTRICT 12

Bolivar County: Benoit, Beulah, Choctaw, Duncan/Alligator, East Rosedale, Longshot, Pace, Round Lake Gunnison Deeson, Scott, Skene, Stringtown and West Rosedale Precincts.

Coahoma County: Bobo, Cagle Crossing, \*Clarksdale 5 (part), Dublin, Farrell, Friar's Point, Lula, Rena Lara and Roundaway Precincts.

Washington County: All.

DISTRICT 13

Bolivar County: Boyle, Cleveland Courthouse, Cleveland Eastgate, East Central Cleveland, East Cleveland, Merigold, Mound Bayou, North Cleveland, Northwest Cleveland, Renova, Shaw, Shelby, South Cleveland, West Central Cleveland, West Cleveland and Winstonville Precincts.

Sunflower County: All.

Tallahatchie County: Sumner Beat 5, Tutwiler and Webb Beat 5 Precincts.

DISTRICT 14

Attala County: Berea, Carmack, East, Ethel, Hesterville, Liberty Chapel, McCool, North Central, Northeast, Providence, Thompson, Williamsville and Zama Precincts.

Carroll County: All.

Grenada County: All.

Leflore County: \*North Greenwood (part) and Northeast Greenwood Precincts.

Montgomery County: Duck Hill, East Winona, Mt. Pisgah, North Duck Hill, North Mt. Pisgah - Sweethome, North Winona, Poplar Creek and West Winona Precincts.

DISTRICT 15

Choctaw County: All.

Montgomery County: Kilmichael, Lodi, Nations, North Kilmicheal, South Winona, Southeast Winona and Stewart Precincts.

Oktibbeha County: Center Grove/North Adaton, \*Central Starkville (part), Craig Springs/South Bradley, East Starkville, \*Hickory Grove/Southeast Oktibbeha (part), Maben, \*Needmore Voting District (part), North Longview, \*North Starkville 2 (part), \*North Starkville 3 (part), Self Creek/Double Springs, South Adaton, South Longview, South Starkville, Sturgis/North Bradley and West Starkville Precincts.

Webster County: All

DISTRICT 16

Clay County: All.

Lowndes County: 15th Street Church, Coleman, Hunt, \*Plum Grove (part), \*Southside Church (part), Townsend Park, Trinity and \*West Lowndes (part) Precincts.

Noxubee County: Brooksville, \*Central District 3 (part), Cliftonville and Prairie Point Precincts.

Oktibbeha County: Bell Schoolhouse, \*Central Starkville (part), \*Hickory Grove/Southeast Oktibbeha (part), \*Needmore Voting District (part), \*North Starkville 2 (part), \*North Starkville 3 (part), Oktoc, Osborn and Sessums Precincts.

DISTRICT 17

Lowndes County: Air Base, Artesia, Brandon, Caledonia, Crawford, East Columbus Gym, First Assembly, Immanuel, New Hope, \*Plum Grove (part), Rural Hill, \*Southside Church (part), Steens, University and \*West Lowndes (part) Precincts.

Monroe County: Athens, Bartahatchie, Greenwood Springs, Hamilton, Lackey and North Greenwood Springs Precincts.

Oktibbeha County: \*Hickory Grove/Southeast Oktibbeha (part) Precinct.

DISTRICT 18

Leake County: Conway, East Carthage, Ebenezer, Edinburg, Freeny, Good Hope, Lena, Madden, North Carthage, Renfroe, Salem, Singleton, South Carthage, Sunrise, Thomastown and Walnut Grove Precincts.

Neshoba County: All.

Winston County: East Winston, Mars Hill, Nanih Waiya, Noxapater, Shiloh and Zion Ridge Precincts.

DISTRICT 19

DeSoto County: Alhaba Cockrum, Baker's Chapel, Bridgetown, Cumberland, Fairhaven, Hack's Cross, Ingram's Mill, Lewisburg, Lewisburg East, Miller, Olive Branch East, Olive Branch North, Olive Branch South, \*Olive Branch West (part) and \*Pleasant Hill North (part) Precincts.

DISTRICT 20

Rankin County: Castlewoods, Castlewoods West, East Crossgates, Fannin, Flowood Library, Grant's Ferry, Holbrook, \*Liberty (part), North Brandon, Northshore, Oakdale, Pisgah, Reservoir East and Reservoir West Precincts.

DISTRICT 21

Attala County: Aponaug, McAdams, Newport, Northwest, Possumneck, Sallis, South Central and Southwest Precincts.

Holmes County: All.

Leake County: Ofahoma, West Carthage and Wiggins Precincts.

Madison County: Camden, Cameron, Canton Catholic Parish Center, Canton Community Center, \*Canton National Guard Armory (part), Canton South Liberty, Canton St. Paul Methodist, Cedar Grove, Couparle, Farmhaven Fire Station, Fellowship Bible Church, \*Gluckstadt (part), \*Grace Crossing (part), \*New Life (part), Pleasant Gift Church and Pleasant Green Precincts.

DISTRICT 22

Humphreys County: All.

Madison County: Anderson Lodge, Canton Bible Church, Canton Fire Station #4, \*Canton National Guard Armory (part), \*Gluckstadt (part), Greater Mt. Levi Church, Lake Caroline Clubhouse, Mad. Co. Bap. Fam. Lf. Ct, Magnolia Heights, Mount Hope and Vertical Church Precincts.

Sharkey County: All.

Yazoo County: 3-1 West, 3-2 East, 3-3 Jonestown, 3-4 South, Carter, Deasonville, District 4 Ward 2, East Midway, Eden, Free Run, Fugates, Harttown, Lake City, Ward 2, Ward 4, Ward 5, West Midway and Zion Precincts.

DISTRICT 23

Issaquena County: All.

Madison County: Ferns Chapel Freewill and Frankin Baptist Church Precincts.

Warren County: All.

Yazoo County: Benton, Center Ridge, Dover, East Bentonia, Fairview, Holly Bluff, Mechanicsburg, Robinette, Satartia, Tinsley, Valley and West Bentonia Precincts.

DISTRICT 24

Leflore County: Central Greenwood, East Greenwood, Minter City, Money, Morgan City/Swiftown, MVSU, \*North Greenwood (part), North Itta Bena, Rising Sun, Schlater, Sidon, South Greenwood, South Itta Bena, Southeast Greenwood, Southwest Greenwood and West Greenwood Precincts.

Panola County: Como, Courtland Baptist, Crenshaw, Crowder, Enon, Eureka, Longtown, Macedonia-Concord Comm Center, Mt. Olivet, Patton Lane Comm Center, Pleasant Grove, Pope, \*Sardis Courthouse (part), South Sardis, Tocowa and Union Fire Station Precincts.

Tallahatchie County: Blue Cane, Brazil, Cascilla, Charleston Beat 1, Charleston Beat 2, Charleston Beat 3, Enid, Glendora, Leverette, Murphreesboro, Paynes, Philipp,

Rosebloom, Springhill, Sumner Beat 2, Teasdale, Tippo, Webb Beat 2 and Webb Beat 4 Precincts.

## DISTRICT 25

Hinds County: 33, \*34 (part), \*35 (part), \*36 (part), 44, \*46 (part) and 78 Precincts.

Madison County: 1st Presbyterian, First Baptist, \*Gluckstadt (part), \*Grace Crossing (part), \*Highland Colony Bap. Ch. (part), \*New Life (part), NorthBay, Parkway Church, Ridgeland First Meth. Ch., Ridgeland Recreational Center, SunnyBrook, Trace Ridge, Victory Baptist Church and Victory Christian Precincts.

## DISTRICT 26

Hinds County: 41, 42, 43, \*46 (part), 79, 80, 81, 82, 83, 84, 85, Bolton, Brownsville, Cynthia, Edwards, \*Pinehaven (part), Pocahontas and Tinnin Precincts.

Madison County: China Grove, Colonial Heights, \*Highland Colony Bap. Ch. (part), Mark Apartments, Tougaloo and Twin Lakes Baptist Precincts.

## DISTRICT 27

Hinds County: 11, 12, 13, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 38, 39, 40, 54, 55, 56, 57, 60, 61, 62, 86, \*Byram 2 (part), Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 7, Learned, \*Pinehaven (part), Raymond 1, Raymond 2 and St. Thomas Precincts.

## DISTRICT 28

Hinds County: 18, 19, 20, 26, 49, 50, 51, 52, 58, 59, 63, 64, 67, 68, 69, 70, 71, 73, 74, 75, 76, 87, 88, 89, 90, 91, 92, 93, 94, \*Byram 2 (part), Clinton 6 and Spring Ridge Precincts.

## DISTRICT 29

Copiah County: Crystal Springs West Precinct.

Hinds County: 1, 10, 14, 16, 17, 2, 32, \*34 (part), \*35 (part), \*36 (part), 37, 4, 45, 47, 6, 72, 77, 8, 9, 95, 96, 97, Byram 1, \*Byram 2 (part), Byram 3, Cayuga, Chapel Hill, Dry Grove, Old Byram, Terry 1, Terry 2, Utica 1 and Utica 2 Precincts.

## DISTRICT 30

Rankin County: Brandon Central, Brandon City Hall, Crest Park, Cunningham Heights, Eldorado, \*Greenfield (part), Highland/Patrick Farms, \*Liberty (part), North McLaurin, Pearl City Hall, South McLaurin, South Pearson, Springhill, West Crossgates and West Pearl Precincts.

## DISTRICT 31

Lauderdale County: Collinsville and Martin Precincts.

Newton County: All.

Rankin County: Leesburg Precinct.

Scott County: All.

## DISTRICT 32

Kemper County: All.

Lauderdale County: 10, 11, 12, 13, 14, 15, 3, 4, 6, 7, 8, 9, Center Ridge, Daleville, East Lauderdale, East Marion, Marion and West Dalewood Precincts.

Noxubee County: \*Central District 3 (part), Earl Nash Gym, Mashulaville, Shuqualak and Somerville Precincts.

Winston County: American Legion, County Agent, Fairground, Lovorn Tractor, Mill Creek and New National Guard Armory Precincts.

DISTRICT 33

Clarke County: All.

Lauderdale County: 1, 17, 18, 19, 2, 5, Alamucha, Andrews Chapel, Bailey, Causeyville, Center Hill, Clarkdale, Culpepper, Kewanee, Meehan, Mt. Gilead, New Lauderdale, Obadiah, Odom, Pickard, Prospect, Russell, Sageville, South Nellieburg, South Russell, Suqualena, Toomsaba, Valley, Vimville, Whynot and Zero Precincts.

DISTRICT 34

Forrest County: Court Street, \*Dixie Pine-Central (part), Eatonville, Eureka School, Glendale, Hattiesburg Cultural Center, Lillie Burney School, North Heights and Rowan School Precincts.

Jasper County: All.

Jones County: Blackwell, Bruce, Centerville, Currie, Gitano, Hebron, Lt. Ellis Center, Magnolia Center, \*Mauldin Comm. Center (part), Oak Park School, Parkview Baptist Church, Rainey, \*Sandhill (part), \*Shady Grove (part), Shelton and Soso Precincts.

DISTRICT 35

Copiah County: Beauregard, Crystal Springs East, Crystal Springs North, Georgetown North, Georgetown South, Shady Grove, Strong Hope-Union and Wesson Precincts.

Jefferson Davis County: All.

Lawrence County: Arm, Grange, Hooker, Monticello Beat 5, National Guard Armory, New Hebron, Nola, Nola 91, Oakvale, Oma, Peyton Town, Silver Creek, Sontag, Stringer, Wanilla, Wanilla 91 and West Monticello Precincts.

Marion County: Carley and Goss Precincts.

Simpson County: All.

DISTRICT 36

Rankin County: Antioch-Mayton, Briarhill, Cato, Clear Branch, Cleary, Crossroads, Dry Creek, East Steens Creek, \*Greenfield (part), Johns, Mountain Creek, North Richland, Northeast Brandon, Pelahatchie, Puckett, Shiloh, South Brandon, South Richland, Star and West Steens Creek Precincts.

Smith County: All.

## DISTRICT 37

Adams County: Airport, Bellemont, Carpenter, Concord, Convention Center, \*Duncan Park (part), Foster Mound, Maryland, Morgantown, Northside School, Oakland, Palestine, Pine Ridge and Washington Precincts.

Claiborne County: All.

Copiah County: Carpenter, Centerpoint, Crystal Springs South, Dentville, Gallman, Hazlehurst East, Hazlehurst North, Hazlehurst South, Hazlehurst West and Martinsville Precincts.

Franklin County: Antioch, Hamburg and Roxie Precincts.

Jefferson County: All.

## DISTRICT 38

Adams County: Beau Pre, By-Pass Firestation, Courthouse, \*Duncan Park (part), Kingston and Liberty Park Precincts.

Amite County: All.

Franklin County: Bad Bayou, Bude, Cains, Eddiceton, Knoxville, Meadville, Pine Grove, Wesley Chapel and Whittington Precincts.

Pike County: Alpha Center Library, American Legion Hut, Braswell Education Complex, Church of Christ, \*Johnston Chapel Methodist Church (part), Magnolia Community Center, Martin Luther King Center, New Hope Baptist Church, Osyka City Hall, Pike County National Bank, Pisgah Methodist Church, South McComb Baptist Church, South Pike Community Center, St. Mary of the Pines, Unity MBC and West McComb Baptist Church Precincts.

Walthall County: Lexie and Midway Precincts.

Wilkinson County: All.

## DISTRICT 39

Franklin County: Lucien and McCall Creek Precincts.

Lawrence County: Center, Cooper's Creek, Courthouse, Jayess, Tilton, Topeka and West District 1 Precincts.

Lincoln County: All.

Pike County: Calvary Baptist Church, Fernwood School, Holmesville, \*Johnston Chapel Methodist Church (part), Leggett Community, MEPA Bldg 98 East, Old Jones School, SMCC Work Force Training Center, Summit City Hall and Summit Learning Center Precincts.

Walthall County: Darbun, Dist. 4 West, Enon, Hope and Sartinville Precincts.

## DISTRICT 40

Pearl River County: All.

Stone County: Elarbee, Magnolia and New Hope Precincts.

DISTRICT 41

Covington County: All.

Lamar County: Oloh, Rocky Branch and Sumrall Precincts.

Marion County: 5 South Columbia, Balls Mill, Cedar Grove, City Hall, Courthouse, Darbun, East Columbia, Foxworth, Hub, Jefferson Middle School, Kokomo, Little Rock, Morgantown, Morris, National Guard, Pine Burr, Pittman, Popetown, Sandy Hook and Union Precincts.

Walthall County: Dexter, Dinan, Dist. 3 Tylertown, Dist. 4 Tylertown, East Tylertown, East Tylertown Sub A, Improve, Mesa, North Kirklin, North Knoxo, Saint Paul, South Kirklin, South Knoxo, Varnell, West Tylertown and West Tylertown Sub A Precincts.

DISTRICT 42

Forrest County: \*Barrontown-Macedonia (part), Leeville, Petal Masonic Lodge and West Petal Precincts.

Greene County: Jones, Piave and Wade Precincts.

Jones County: Antioch, Calhoun, County Barn, Erata, G.V. Harrison Multipurpose Bldg., Glade School, Johnson, Landrum Comm. Ctr., Matthews, \*Mauldin Comm. Center (part), Moselle, Myrick, North Laurel, Ovet, Pinegrove, Pleasant Ridge, Powers Comm. Ctr., Rustin, Sandersville Civic Center, \*Sandhill (part), \*Shady Grove (part), Sharon, Tuckers, Union and West Ellisville Precincts.

Wayne County: Corinth Precinct.

DISTRICT 43

George County: All.

Greene County: Jonathan, Leaf, Leakesville, Maples, McLain, Mutual Rights, North Leakesville, State Line, Vernal and Washington Precincts.

Wayne County: Beat 4 School, Big Rock, Buckatunna, Chaparral/Diamond, Chicora, Clara, Denham, Eucutta, Hiwannee, Matherville/Coit, Mazingo, Pleasant Grove, State Line, Strengthford, Waynesboro 1, Waynesboro 2, Waynesboro 3, Waynesboro 4, Waynesboro 5, Winchester and Yellow Creek Precincts.

DISTRICT 44

Lamar County: Arnold Line, Baxterville, Bellevue, Breland, Greenville, Lake Serene, Lamar Park, Lumberton, Midway, Mill Creek, N E Lamar, Oak Grove, Okahola, Pine Grove, Purvis, Richburg, South Purvis, Wesley Manor, Westover and Yawn Precincts.

DISTRICT 45

Forrest County: \*Barrontown-Macedonia (part), Brooklyn, Camp School, Carnes, Dantzler, Dixie, \*Dixie Pine-Central (part), East Petal, Hardy Street, Highland Park, Maxie, Mclaurin, Pinecrest, Rawls Springs, Richburg, Sheeplo, Sigler Center, Sunrise, Thames School, Timberton, Train Depot, West Hills and Westside Precincts.

Perry County: All.

DISTRICT 46

Hancock County: Arlington, Bayou Phillip, Catahoula, Crane Creek, Dedeaux, Diamondhead East, Diamondhead West, Edwardsville, Fenton, Flat Top, Garden Isle, Kiln East, Kiln West, Lakeshore, Leetown, North Bay West, Pearlinton, Standard and West Shoreline Park Precincts.

Harrison County: Advance, County Farm/Gulphaven, Delisle, Ladner, \*Lyman (part), Riceville, Vidalia, West Lizana and \*West Orange Grove (part) Precincts.

## DISTRICT 47

Harrison County: \*Lyman (part), \*New Hope (part), Peace, Poplar Head, Saucier and White Plains Precincts.

Jackson County: Carterville, East Central, Larue, Latimer, Red Hill and St. Martin Precincts.

Stone County: American Legion, Big Level, Bond, Courthouse, Flint Creek, McHenry Fire Station, McHenry Library, Old Hospital, Perkinston, Pleasant Hill, Ten Mile and Tuxachanie Precincts.

## DISTRICT 48

Hancock County: City Hall, Courthouse, North Bay East, South Bay, Waveland East and Waveland West Precincts.

Harrison County: East Long Beach, East North Gulfport, East Pass Christian, Gulfport #13, Gulfport #14, Gulfport #5, Gulfport #8, Long Beach #5, Long Beach #6, Magnolia Grove, Outside Long Beach, Pineville, West Long Beach, West North Gulfport, West Pass Christian and Westside Precincts.

## DISTRICT 49

Harrison County: \*Bay Central (part), Bayou View, Biloxi #11, East Handsboro, East Mississippi City, East Orange Grove, Gulfport #16, Gulfport #3, Margaret Sherry, North Bel-Aire, South Bel-Aire, \*Stonewall (part), West Handsboro, West Mississippi City and \*West Orange Grove (part) Precincts.

## DISTRICT 50

Harrison County: \*Bay Central (part), Biloxi #10, Biloxi #8, Biloxi Bay, Biloxi Central, East Biloxi, Howard Creek, \*Lyman (part), \*New Hope (part), New Popps Ferry, North Bay and \*Stonewall (part) Precincts.

## DISTRICT 51

Jackson County: Big Point, Escatawpa, Escatawpa A, Escatawpa B, Escatawpa C, Fountainbleau D, Gautier A, Grace Baptist, Grace Baptist A, Grace Baptist B, Hickory Hill, Hickory Hills A, Hwy 57, Jefferson Street, North Vancleave, Ocean Springs Civic Center B, Orange Grove, Orange Grove B, Rec Center, South Vancleave, South Vancleave A, South Vancleave B, South Vancleave C, St. Martin C, Sue Ellen, Sue Ellen A, West Jackson, West Jackson A, West Jackson B, West Jackson C, YMBC/Dantzler and YMBC\_Dantzler B Precincts.

## DISTRICT 52

Jackson County: Eastlawn, Fair, Fair C, Fair D, Fair H, Fountainbleau, Fountainbleau A, Fountainbleau B, Fountainbleau C, Gautier, Gautier B, Gulf Park Estates, North Pascagoula, Ocean Springs Armory, Ocean Springs Civic Center A, Ocean

Springs Comm Center, Pinecrest, Pinecrest B, Pinecrest C, Presbyterian, Presbyterian A, Presbyterian B, Sacred Heart, Sacred Heart A and Villia Maria Precincts.

Senator Blackmon moved the previous question on all pending matters and the motion prevailed.

Amendment No. 2 to J. R. No. 202 failed.

YEAS AND NAYS On J. R. No. 202. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Chism, Hill, Jackson (11th), McDaniel, Seymour, Sojourner, Thomas. Total--7.

Absent and those not voting---None.

Senator Bryan moved that the rules be suspended to move to calendar item 138, **S. B. No. 2820**, and the motion prevailed.

Senator Bryan moved that the Conference Committee Report on **S. B. No. 2820** be recommitted for further conference and the motion prevailed.

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

Senator Parks moved that the rules be suspended to move to calendar item 141, **S. B. No. 2893**, and the motion prevailed.

Senator Parks moved that the Conference Committee Report on **S. B. No. 2893** be recommitted for further conference and the motion prevailed.

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**J. R. No. 1:** A JOINT RESOLUTION TO REAPPORTION THE HOUSE OF REPRESENTATIVES OF THE STATE OF MISSISSIPPI IN ACCORDANCE WITH SECTION 254, MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**J. R. No. 1:** Mississippi House of Representatives; reapportion. Rules.

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Senator Polk moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 1:41 PM, the Senate stood in recess.

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The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted.

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1671:** AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE FROM JULY 1, 2022, TO JULY 1, 2026, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS IN THE COUNTY; TO PROVIDE THAT THE REVENUE FROM THE TAX SHALL BE USED BY THE JACKSON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF TOURISM OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS OF JACKSON COUNTY; TO PROVIDE THAT THE BOARD OF SUPERVISORS SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE JACKSON COUNTY HOTEL AND MOTEL TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF JACKSON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; AND FOR RELATED PURPOSES.

**H. B. No. 1694:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GULFPORT, MISSISSIPPI, TO FUND A COMMISSION CREATED

UNDER SECTIONS 21-27-11 AND 21-27-13, MISSISSIPPI CODE OF 1972, TO CONTROL, MANAGE AND OPERATE A MOTOR VEHICLE TRANSPORTATION SYSTEM; AND FOR RELATED PURPOSES.

**H. B. No. 1762:** AN ACT TO AUTHORIZE THE CITIES OF CLINTON AND RAYMOND AND THE TOWN OF BOLTON TO CREATE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY; TO PROVIDE THAT THE AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD OF DIRECTORS; TO PROVIDE FOR THE POWERS AND DUTIES OF THE AUTHORITY; TO AUTHORIZE THE AUTHORITY TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE WASTEWATER SYSTEMS WITHIN THE AUTHORITY'S AREA; TO AUTHORIZE WASTEWATER SERVICES PROVIDERS TO CONTRACT WITH THE AUTHORITY; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY TO ISSUE REVENUE BONDS TO PROVIDE FUNDS NECESSARY TO ACHIEVE THE PURPOSES OF THIS ACT; TO AUTHORIZE THE CLINTON/RAYMOND/BOLTON WASTEWATER AUTHORITY, WITH THE APPROVAL OF THE AFFECTED WASTEWATER SERVICES PROVIDER, TO ENTER INTO CONTRACTS WITH THE OWNERS OF PROPERTY TO PROVIDE IMPROVEMENTS NECESSARY TO PROVIDE WASTEWATER SERVICES; TO PROVIDE THAT THE AUTHORITY MAY ISSUE SPECIAL ASSESSMENT BONDS TO FINANCE SUCH IMPROVEMENTS AND TO AUTHORIZE THE AUTHORITY TO LEVY AND COLLECT SPECIAL ASSESSMENTS AGAINST THE PROPERTY BENEFITED THEREBY TO RETIRE SUCH BONDS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 61:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING HUNTER LUIS MELENDEZ ON BEING SELECTED AS THE 2021 STATE GAMES OF MISSISSIPPI OVERALL MALE ATHLETE OF THE YEAR.

**H. C. R. No. 62:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COOPER CONNER FOR BEING SELECTED AS THE 2021 STATE GAMES OF MISSISSIPPI OVERALL YOUTH ATHLETE OF THE YEAR.

**H. C. R. No. 63:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING TERE TURNER OF COLUMBUS, MISSISSIPPI, FOR BEING NAMED THE 2021 STATE GAMES OF MISSISSIPPI FEMALE ATHLETE OF THE YEAR.

**H. C. R. No. 64:** A CONCURRENT RESOLUTION HONORING AND CONGRATULATING ESTEEMED EDUCATOR AND BELOVED KINDERGARTEN MATH TEACHER MS. LAURA BIVINS OF ANN SMITH ELEMENTARY SCHOOL IN MADISON COUNTY FOR WINNING THE UNITED STATES PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST AWARD OF ITS KIND FROM THE UNITED STATES GOVERNMENT.

**H. C. R. No. 65:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MADELINE ZIMMERMAN FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE JACKSON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 66:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. JO ANNE DANIELS FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE JEFFERSON DAVIS CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 67:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MONICA DONOHUE FOR BEING SELECTED AS

INSTRUCTOR OF THE YEAR AT THE HARRISON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 68:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. MANDY WITHROW FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE GEORGE COUNTY CENTER OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 69:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. DARLENE BUSH FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE PERKINSTON CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 70:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. ANGELA BUTLER FOR BEING SELECTED AS INSTRUCTOR OF THE YEAR AT THE PERKINSTON CAMPUS OF THE MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

**H. C. R. No. 71:** A CONCURRENT RESOLUTION RECOGNIZING AND ACKNOWLEDGING INTERNATIONAL WOMEN'S MONTH AND DESIGNATING THE MONTH OF MARCH 2022 AS THE PERIOD OF OBSERVATION AND CELEBRATION THROUGHOUT THE STATE OF MISSISSIPPI.

**H. C. R. No. 73:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MR. JOHN GIRARD GUTHRIE.

**H. C. R. No. 74:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIVES AND LEGACIES OF ZEB ANDREWS HUGHES AND JAMESON MED GUNNER PALMER, EXPRESSING DEEPEST SYMPATHY TO THEIR FAMILIES AND FRIENDS UPON THEIR PASSING, AND RAISING AWARENESS OF BOATING SAFETY BY ENCOURAGING MISSISSIPPI'S OBSERVATION OF NATIONAL SAFE BOATING WEEK DURING THE WEEK OF MAY 21-27, 2022.

**H. C. R. No. 75:** A CONCURRENT RESOLUTION COMMENDING THE LIFE, SERVICE AND ACCOMPLISHMENTS OF MRS. HILDA LOUISE SMITH CASIN AND ACKNOWLEDGING HER SIGNIFICANT EDUCATIONAL AND CIVIC CONTRIBUTION TO PIKE COUNTY, MISSISSIPPI.

**H. C. R. No. 76:** A CONCURRENT RESOLUTION COMMENDING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION FOR ITS OUTSTANDING ACCOMPLISHMENTS AND COMMEMORATING ITS CENTENNIAL ANNIVERSARY.

**H. C. R. No. 78:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI FARM BUREAU FEDERATION UPON THE AUSPICIOUS OCCASION OF ITS 100TH ANNIVERSARY.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 92:** David John Machado, Biloxi, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027. Do Advise and Consent.

**S. N. No. 114:** Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, remainder of a four year term effective January 31, 2022 and ending June 30, 2022. Do Advise and Consent.

**S. N. No. 115:** Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 125:** Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, remainder of four year term effective January 31, 2022 and ending June 30, 2022, vice Bryan Stevens. Do Advise and Consent.

**S. N. No. 126:** Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, four year term beginning July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 136:** Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, remainder of a four year term effective February 4, 2022 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 139:** Merle Glenn Flowers, Southaven, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027. Do Advise and Consent.

**S. N. No. 140:** Jennie Simmons, Lake, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027. Do Advise and Consent.

**S. N. No. 141:** David Tipton, Grenada, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2024. Do Advise and Consent.

**S. N. No. 157:** Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, remainder of a vacant term effective immediately and ending June 30, 2021. Do Advise and Consent.

**S. N. No. 158:** Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, six year term effective July 1, 2021 and ending June 30, 2027. Do Advise and Consent.

HARKINS, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 470** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 470: Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Covich County.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Dean Kirby

Jason Barrett

**YEAS AND NAYS.** The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 470** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins moved that the Conference Committee Report on **S. B. No. 2063** be recommitted for further conference and the motion prevailed.

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

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Senator Harkins moved that the Conference Committee Report on **S. B. No. 2844** be recommitted for further conference and the motion prevailed.

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

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Senator McMahan offered the following report of the Conference Committee on **H. B. No. 1408** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1408: Sheriffs' salaries; increase.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (9), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of \* \* \* One Hundred Four Thousand Dollars (\$104,000.00).

(b) For counties with a total population of more than \* \* \* forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of \* \* \* Ninety-five Thousand Dollars (\$95,000.00).

(c) For counties with a total population of more than \* \* \* thirty thousand (30,000) and not more than \* \* \* forty-four thousand (44,000), a salary of \* \* \* Ninety Thousand Dollars (\$90,000.00).

(d) For counties with a total population of more than \*\*\* twelve thousand five hundred (12,500) and not more than \*\*\* thirty thousand (30,000), a salary of \*\*\* Eighty-five Thousand Dollars (\$85,000.00).

(e) For counties with a total population of not more than \*\*\* twelve thousand five hundred (12,500), a salary of \*\*\* Eighty Thousand Dollars (\$80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars (\$5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

( \* \* \*12) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

( \* \* \*13) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officers Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officers Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 2. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System

based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of \* \* \* One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (115) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of \* \* \* One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of \* \* \* One Hundred Sixty-five Dollars (\$165.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(c) The board of supervisors may, in its discretion, pay the election commissioners an additional amount not to exceed Fifty Dollars (\$50.00) for the performance of their duties at any election occurring from July 1, 2020, through December 31, 2020, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

(5) The election commissioners shall be entitled to receive a per diem in the amount of \* \* \* One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically

maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER  
PER DIEM CLAIM FORM

NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_  
CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

	PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED
_____						
_____						
_____						

TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$ \*\*\*110.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$ \*\*\*165.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

(11) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 3. This act shall take effect and be in force from and after October 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN WHICH A JUVENILE DETENTION CENTER IS LOCATED TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE COUNTY; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF PER DIEM FOR COUNTY ELECTION COMMISSIONERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Chad McMahan
Karl Oliver	Barbara Blackmon
Manly Barton	Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1408** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 400** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 400: Riding bailiffs; revise salary of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Nick Bain	Joey Fillingane
Noah Sanford	W. Briggs Hopson III
Karl Oliver	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 400** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel moved that the rules be suspended to move to calendar item 66, **H. B. No. 451**, and the motion prevailed.

Senator Michel moved that the Conference Committee Report on **H. B. No. 451** be recommitted for further conference and the motion prevailed.

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

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Senator Michel moved that the rules be suspended to move to calendar item 108, **S. B. No. 2335**, and the motion prevailed.

Senator Michel moved that the Conference Committee Report on **S. B. No. 2335** be recommitted for further conference and the motion prevailed.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

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Senator Chassaniol moved that the Conference Committee Report on **H. B. No. 453** be recommitted for further conference and the motion prevailed.

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

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Senator Harkins moved that the rules be suspended to move to calendar item 47, **H. B. No. 474**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 474** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 474: Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendments 1 and 3.
2. That the House concur in Senate Amendment No. 2.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 474** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 586** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 586: Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 429, Laws of 2021, is amended as follows:

Section 1. (1) The Sheriffs of Rankin County, Harrison County and Lee County \* \* \* are authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this act. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this act. Admission to the program shall be in

the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he or she has more than one (1) year remaining on his or her sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this act and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, \*\*\* 2024.

SECTION 2. Section 1 of this act shall be codified in Chapter 5, Title 47, Mississippi Code of 1972, and the corresponding Editor's Note shall be deleted.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO AUTHORIZE HARRISON COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM; TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES THE PILOT WORK RELEASE PROGRAM; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Kevin Horan

Fred Shanks

Randy Rushing

## CONFEREES FOR THE SENATE

Juan Barnett

Daniel H. Sparks

Joel R. Carter, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 586** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On request of Senator Barnett, unanimous consent was granted to make the following correction in **S. B. No. 2273**:

TO: Secretary of the Senate  
Clerk of the House of Representatives

RE: SB 2273 -- Unanimous Consent Request

I request unanimous consent to correct an error in Senate Bill No. 2273. Amend on line 131 by deleting the phrase ", and shall stand repealed on June 30, 2022"

Juan Barnett, Chairman  
Senate Corrections Cmte.

Kevin Horan, Chairman  
House Corrections Cmte.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 604** be recommitted for further conference and the motion prevailed.

**H. B. No. 604:** DUI suspension; clarify how the 120 days are counted.

Senator Whaley offered the following report of the Conference Committee on **H. B. No. 606**.

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 606: Mississippi Outdoor Stewardship Trust Fund; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Outdoor Stewardship Act."

SECTION 2. For the purposes of this act, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

(b) "Conservation land" means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one (1) of the following environmental values or conservation benefits:

(i) Water quality protection for wetlands, rivers, streams or lakes;

(ii) Protection of wildlife habitat;

(iii) Protection of cultural sites and archeological and historic resources;

(iv) Protection of land around Mississippi's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;

(v) Support of economic development through conservation projects;

(vi) Provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities; or

(vii) Recruiting or retention of recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities.

(c) "Nongovernmental entity" means a nonprofit organization with a 501(c)(3) status that is primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(d) "Permanently protected conservation areas" means those resources:

(i) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(ii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and dedicated for recreation or conservation or as a natural resource;

(iii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and subject to:

1. A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land;

2. Contractual arrangements ensuring that, if the protected status is discontinued on a parcel, such property will be replaced by other conservation land which at the time of such replacement is of equal or greater monetary and resource protection value; or

3. A permanent restrictive covenant as provided in state law;  
or

(iv) Owned by any person or entity and subject to a conservation easement ensuring that the property will be maintained in a manner consistent with conservation land.

(e) "Project proposal" means any application seeking monies from the Mississippi Outdoor Stewardship Trust Fund.

(f) "Special fund" means the Mississippi Outdoor Stewardship Trust Fund created in Section 4 of this act.

(g) "State agency" means any agency, department, commission or institution of the State of Mississippi.

(h) "Working agricultural land" means land area that is either arable, under permanent crops or under permanent pastures. Arable land includes land under temporary crops such as cereals, temporary meadows for mowing or for pasture, land under market or kitchen gardens, and land temporarily fallow.

SECTION 3. (1) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of the following members:

(a) Four (4) members appointed by the Governor, one (1) from each of the congressional districts existing on July 1, 2022;

(b) Three (3) members appointed by the Lieutenant Governor, one (1) from each of the State Supreme Court districts existing on July 1, 2022;

(c) The Executive Director of the Mississippi Soil and Water Conservation Commission, as an ex officio, nonvoting member;

(d) The Executive Director of the Mississippi Department of Marine Resources, as an ex officio, nonvoting member;

(e) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, as an ex officio, nonvoting member;

(f) The Secretary of State, as an ex officio, nonvoting member; and

(g) The Commissioner of Agriculture and Commerce, as an ex officio, nonvoting member.

One (1) of the members to be appointed by the Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Governor. One (1) of the members to be appointed by the Lieutenant Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Lieutenant Governor.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, business, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to public lands, land conservation and outdoor recreation. These seven (7) appointments shall be subject to the advice and consent of the Mississippi State Senate.

(3) (a) Two (2) persons initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2025. The other two (2) persons initially appointed by the Governor and the remaining person initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2026.

After the expiration of the initial terms, each such appointment shall be for a term of four (4) years from the expiration of the previous term.

(b) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings, and all actions of the board shall require a majority vote of the voting members of the board.

(c) The board shall annually elect one (1) voting member to serve as chairman and one (1) voting member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman, or if there is a vacancy in the office of chairman.

(4) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each board meeting, including mileage, as provided in Section 25-3-41.

(5) No board member shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(6) The board shall not approve any funding to any entity of which a voting member of the board is an executive, member or employee.

(7) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

SECTION 4. (1) (a) There is created in the State Treasury a special fund to be designated the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of monies appropriated by the Legislature. Monies shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund; however, any unobligated monies in excess of Twenty Million Dollars (\$20,000,000.00), excluding federal funds, remaining in the special fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the special fund may be used upon selection by the board. The board and the Department of Finance and Administration may use not more than two percent (2%) of monies in the special fund to defray the board's expenses in carrying out its duties under this act.

(b) Subject to the provisions of this act, monies in the special fund may be used and expended by the board to provide funds for grants to counties, municipalities, state agencies and nongovernmental entities for:

(i) Improvement of state park outdoor recreation features and trails;

(ii) Acquisition and improvement of parks and trails by counties and municipalities, if such parks and trails lie within the jurisdiction of such counties and municipalities;

(iii) Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, or the safe use and enjoyment of permanently protected conservation land;

(iv) Restoration or enhancement on privately owned working agricultural lands and forests that support conservation of soil, water, habitat of fish and wildlife resources;

(v) Restoration or enhancement of wetlands, native forests, native grasslands and other unique habitats important for Mississippi's fish and wildlife; and

(vi) Acquisition of critical areas for the provision or protection of clean water, wildlife, hunting, fishing, military installation buffering or natural resource-based outdoor recreation. Real property may only be acquired under this subparagraph (vi) when the property:

1. Is, at the time of acquisition, being leased by the state as a wildlife management area;

2. Adjoins or is in close proximity to state or federal wildlife management areas or state parks, or would provide better public access to such areas;

3. Is identified in a wildlife action plan developed by a state agency;

4. Constitutes riparian lands, and its acquisition is for the purpose of protecting any drinking water supply; or

5. Surrounds a military base or military installation.

Acquisition of land under this subparagraph (vi) may not be made through the exercise of any power of eminent domain or any condemnation proceeding.

(c) Unless otherwise authorized by the board, a county, municipality, state agency or nongovernmental entity receiving funds for a project under this section must expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality, state agency or nongovernmental entity receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county, municipality, state agency or nongovernmental entity must provide an accounting of such unused funds and the reason for failure to expend the funds. If the board determines that the project will not be completed in a timely manner, the county, municipality, state agency or nongovernmental entity must then return any unexpended funds.

(d) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized in this act.

(2) (a) The board shall accept applications from counties, municipalities, state agencies and nongovernmental entities for project proposals eligible for funding under this section. The board shall evaluate the proposals received in accordance with this act.

(b) A county, municipality, state agency or nongovernmental entity desiring assistance under this section must submit a complete application to the board. The

application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board.

(c) The board shall require annual independent audits of all expenditures from the special fund and present those findings to the Governor, Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees.

(d) To be eligible for funding, any nongovernmental entity applicant must submit its most recent audit, disclose any audit deficiencies in the previous five (5) years, submit its certificate of good standing from the Mississippi Secretary of State, and submit a current list of its board members for purposes of conflicts of interest.

(e) For funds to be spent on private land, the applicant must show demonstrably that the project will benefit the public.

(f) Projects that acquire property shall not be considered for approval until after July 1, 2024.

(3) The board, at its first meeting of each calendar year, shall prepare a list of priorities and criteria to guide the selection of projects. The board shall give increased priority to projects:

(a) Supporting the public recreation and conservation efforts of state agencies, counties and municipalities;

(b) Leveraging or matching other nonfederal or federal funds available for similar purposes;

(c) Supporting and promoting recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities;

(d) Contributing to the improvement of the quality and quantity of surface water and groundwater; or

(e) Contributing to the conservation of soil, water, and fish and wildlife resources on privately owned working agricultural lands or forests.

(4) Upon approval of the total list of projects by the board, the list of projects shall be submitted to the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees. If federal funds or guidelines become available and are certified by the Executive Director of the Department of Finance and Administration or the Executive Director of the Mississippi Outdoor Stewardship Fund, the board shall be authorized to expend funds from the Mississippi Outdoor Stewardship Trust Fund and shall notify the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees, Chairs of the Senate and House Wildlife, Fisheries and Parks Committees, and Legislative Budget Office of such expenditures prior to their distribution to certain projects approved by the board.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE MISSISSIPPI OUTDOOR STEWARDSHIP ACT; TO ESTABLISH THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO SPECIFY THE MEMBERSHIP OF THE BOARD; TO CREATE THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED AND EXPENDED BY THE BOARD TO PROVIDE FUNDS FOR GRANTS TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR VARIOUS OUTDOOR STEWARDSHIP PURPOSES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS FROM COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR PROJECT PROPOSALS ELIGIBLE FOR FUNDING; TO DIRECT THE BOARD TO REQUIRE ANNUAL INDEPENDENT AUDITS OF ALL EXPENDITURES FROM THE SPECIAL FUND AND TO PRESENT THOSE FINDINGS TO THE GOVERNOR AND THE LEGISLATURE; TO DIRECT THE BOARD TO ESTABLISH CRITERIA FOR GUIDING ITS SELECTION OF PROJECTS FOR FUNDING; TO REQUIRE THAT THE LIST OF PROJECTS APPROVED BY THE BOARD BE SUBMITTED TO THE LEGISLATURE; TO REQUIRE THE BOARD, BEFORE DISTRIBUTING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO APPROVED PROJECTS, TO NOTIFY THE LEGISLATURE OF SUCH EXPENDITURES; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Shane Barnett

Bill Kinkade

## CONFEREES FOR THE SENATE

Neil S. Whaley

W. Briggs Hopson III

John A. Polk

Senator McMahan moved that the Conference Committee Report on **H. B. No. 606** be recommitted for further conference and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 607** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 607: "Parker's Law"; create crime of "fentanyl delivery resulting in death".

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "Parker's Law."

SECTION 2. (1) A person who delivers or causes the delivery of fentanyl with knowledge of the fentanyl commits the crime of "fentanyl delivery resulting in death" when as a result of the unlawful delivery of fentanyl in exchange for anything of value to another person, death to a person results from the proximate cause of injection, oral ingestion or inhalation of the fentanyl. Upon conviction for violating the provisions of this section, the person shall be sentenced to imprisonment no less than twenty (20) years to a term of life in the custody of the Mississippi Department of Corrections.

(2) For purposes of this act only, any person, who, in good faith, without malice and in the absence of evidence of an intent to defraud, seeks medical assistance for someone experiencing a fentanyl overdose shall not be charged or prosecuted for a violation of this section, if the evidence for the charge was gained as a result of the seeking of medical assistance.

(3) For purposes of this act:

(a) "Fentanyl" means fentanyl and any fentanyl-related substances, to include fentanyl analogs, as set forth in Article 3, Chapter 29 of Title 41 of the Mississippi Code of 1972.

(b) "In exchange for anything of value" does not apply to the act of sharing fentanyl when the sharing results in the proximate cause of a person's death under this section.

(4) The legislative intent for this bill is to assist in prosecuting any person who sells or otherwise profits from the sale of unlawful fentanyl, which causes the death of another person. It is not the intent of this Legislature for the provisions of this section to be used to prosecute a drug user or drug addict who has shared fentanyl with a friend or associate and the friend or associate dies as a result of the sharing.

(5) The provisions of this section shall not be construed to limit, restrict or otherwise prohibit an indictment or conviction for any other crime that may be related to a violation of this section.

(6) The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall create an annual report of the number of persons convicted under the provisions of this act; and shall provide the report to the House and Senate Judiciary B committees by January 5, of each year.

(7) This section shall stand repealed from and after July 1, 2025.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE "PARKER'S LAW"; TO CREATE THE CRIME OF "FENTANYL DELIVERY RESULTING IN DEATH"; TO PROVIDE THE PENALTY FOR SUCH CRIME; TO PROVIDE AN EXCEPTION FOR THOSE WHO SEEK MEDICAL ATTENTION; TO DEFINE CERTAIN TERMS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Nick Bain

Noah Sanford

Jill Ford

## CONFEREES FOR THE SENATE

Joey Fillingane

Jeremy England

Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 607** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Norwood, Simmons D. T. (12th). Total--7.

Absent and those not voting---None.

Voting Present--Turner-Ford. Total--1.

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Senator Blackwell moved that the Conference Committee Report on **H. B. No. 657** be recommitted for further conference and the motion prevailed.

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

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Senator Seymour offered the following report of the Conference Committee on **H. B. No. 677** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 677: County veteran service officers; revise certain provisions regarding certification.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Lester Carpenter	Joseph M. Seymour
Gene Newman	Scott DeLano
Steve Hopkins	Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 677** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 679** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 679: Mississippi Pill Press Act of 2022; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Possession, transfer or manufacture of a pill press; penalty; registration. (1) This section shall be known and referred to as the "Victoria Huggins' Mississippi Pill Press Law of 2022."

(2) (a) Unless authorized by the State Board of Pharmacy or other lawful authority, it is unlawful for any person knowingly or intentionally to possess, create, sell, barter, transfer, manufacture, or distribute a pill press, a punch, die, plate, tableting machine, encapsulating machine, or any similar pharmaceutical producing equipment, knowing, intending, or having reasonable cause to believe, that it will be used to manufacture a controlled substance or counterfeit controlled substance.

(b) Any person who violates this subsection shall be, if convicted, imprisoned by not more than five (5) years or fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) All pill presses, punches, dies, plates, tableting machines, encapsulating machines or any similar pharmaceutical producing equipment shall be registered with the Mississippi Bureau of Narcotics, unless the pill press is authorized by the Board of Pharmacy or other lawful authority. The Mississippi Department of Public Safety shall promulgate rules regarding the registration, transfer and destruction of such equipment and the renewal of registrations, to include inspection of all of equipment registered and any product that the equipment is being used to manufacture.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE VICTORIA HUGGINS' MISSISSIPPI PILL PRESS LAW OF 2022; TO CRIMINALIZE THE UNAUTHORIZED POSSESSION AND TRANSFER OF A PILL PRESS; TO INCLUDE SIMILAR DEVICES WITHIN THE OFFENSE; TO PROVIDE A PENALTY FOR VIOLATION; TO REQUIRE REGISTRATION WITH THE MISSISSIPPI BUREAU OF NARCOTICS, UNLESS THE PILL PRESS IS AUTHORIZED BY THE BOARD OF PHARMACY OR OTHER LAWFUL ENTITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Lee Yancey	Joey Fillingane
Nick Bain	Daniel H. Sparks
Sam Creekmore IV	Juan Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 679** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting---None.

Voting Present--Hickman, McDaniel, Simmons D. T. (12th), Sojourner, Turner-Ford. Total--5.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 770** be recommitted for further conference and the motion prevailed.

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 811** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 811: Memorial highways; designate in Rankin County, Mississippi.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE

Charles Busby

Steve Massengill

William Tracy Arnold

CONFEREES FOR THE SENATE

Jenifer B. Branning

Dean Kirby

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 811** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 863** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 863: "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-535, Mississippi Code of 1972, is amended as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

\* \* \*

SECTION 2. Section 47-5-539, Mississippi Code of 1972, as amended by Senate Bill No. 2437, 2022 Regular Session, is amended as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following \* \* \* meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

( \* \* \*b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

( \* \* \*c) "Department" means the State Department of Corrections.

( \* \* \*d) "Inmate" means any person incarcerated within any state correctional facility.

( \* \* \*e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

( \*\* f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work Initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 3. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following \*\* five (5) members \*\*: \*\*

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of AccelerateMS or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

\*\* For the initial appointments, \*\* the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the AccelerateMS or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after \*\* July 1, 2022. \*\* Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections \*\* shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 4. Section 47-5-547, Mississippi Code of 1972, is amended as follows:

47-5-547. Except as otherwise specifically provided by law, any training program or auxiliary program associated with any existing prison industry shall be transferred to the corporation. The corporation is empowered and authorized to establish in participation with \* \* \* any community or junior college or state institution of higher learning, any training or auxiliary program for existing prison industries or for any industries which the corporation might create. \* \* \* Such community or junior college or state institution of higher learning shall provide assistance in business planning, marketing and analysis of existing or projected industries. These industrial services shall be contracted with any appropriate \* \* \* community or junior college or state institution of higher learning when these industries are developed at other correction sites.

SECTION 5. The following shall be codified as Section 47-5-577, Mississippi Code of 1972:

47-5-577. Sections 47-5-531 through 47-5-575, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, 2024.

SECTION 6. Section 47-5-1251, Mississippi Code of 1972, as amended by Senate Bill No. 2437, 2022 Regular Session, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a Work Initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

( \*\* \*3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

( \*\* \*4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

( \*\* \*5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

(6) This section shall stand repealed on July 1, 2024.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-535, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE TO PROHIBIT THE CORPORATION FROM HAVING ANY RIGHTS TO OPERATE A PROGRAM UNDER THE PRISON AGRICULTURAL ENTERPRISES AND CREATING A PRISON INDUSTRY PROGRAM THAT DUPLICATES A PRISON AGRICULTURAL ENTERPRISES PROGRAM OR PRODUCT; TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF CORRECTIONS RETAINS EXCLUSIVE RIGHTS TO CONDUCT ALL PRISON AGRICULTURAL AND RELATED ENTERPRISES; TO AMEND

SECTION 47-5-539, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2437, 2022 REGULAR SESSION, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE CORPORATION; TO AMEND SECTION 47-5-547, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION MAY ESTABLISH ANY TRAINING OR AUXILIARY PROGRAMS WITH ANY COMMUNITY OR JUNIOR COLLEGE OR STATE INSTITUTION OF HIGHER LEARNING RATHER THAN SOLELY WITH MISSISSIPPI DELTA COMMUNITY COLLEGE; TO CREATE A NEW CODE SECTION TO ADD A DATE OF REPEAL OF JULY 1, 2024, TO THE "MISSISSIPPI PRISON INDUSTRIES ACT OF 1990"; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2437, 2022 REGULAR SESSION, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Juan Barnett
Kevin Felsher	David Parker
Jerry R. Turner	Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 863** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 906** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 906: Corrections omnibus bill; enact.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-903, Mississippi Code of 1972, is amended as follows:

47-5-903. (1) A person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court, may serve his or her sentence in \* \* \* any county jail \* \* \* if all of the following conditions are complied with:

(a) The person must be classified in accordance with Section 47-5-905;

(b) The person must not be classified as in need of close supervision;

(c) The sheriff of the county where the person will serve his or her sentence must request in writing that the person be allowed to serve his or her sentence in that county jail;

(d) After the person is classified and returned to the county, the county shall assume the full and complete responsibility for the care and expenses of housing such person; and

(e) The county jail must be an approved county jail for housing state inmates under federal court order.

(2) This section does not apply to inmates housed in county jails due to lack of space at state correctional facilities. The department \* \* \* may reimburse the county for the expense of housing an inmate under this section.

(3) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(4) The state, the Department of Corrections, and its employees or agents, shall not be liable to any person or entity for an inmate held in a county jail under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-903, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO IS COMMITTED, SENTENCED OR PLACED UNDER THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS MAY SERVE HIS OR HER SENTENCE IN ANY COUNTY JAIL IF CERTAIN CONDITIONS ARE MET; TO AUTHORIZE THE DEPARTMENT TO REIMBURSE ANY COUNTY FOR THE EXPENSE OF HOUSING STATE OFFENDERS IN ANY COUNTY JAIL; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Kevin Horan

Juan Barnett

Dale Goodin

David Parker

Tracey T. Rosebud

Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 906** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Seymour, Tate. Total--2.

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Senator Barnett offered the following report of the Conference Committee on **H. B. No. 936** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 936: Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Department of Corrections is authorized to provide for hospice care services for inmates who are confined in facilities under the jurisdiction of the department and who are terminally ill as defined in Section 41-85-3. The department may have those hospice care services provided by properly qualified employees of the department or may contract for the providing of the hospice care services. If the department provides the hospice care services with department employees, the department is not required to have a license under the Mississippi Hospice Law.

SECTION 2. Section 41-85-5, Mississippi Code of 1972, is amended as follows:

41-85-5. (1) It is unlawful for a person to operate or maintain a hospice, use the title "hospice," or represent that the person provides a hospice program of care, without first obtaining a license therefor from the department.

(2) The license shall be displayed in a conspicuous place inside the hospice program office; shall be valid only in the possession of the person to which it is issued; shall not be subject to sale, assignment or other transfer, voluntary or involuntary; and shall not be valid for any hospice other than the hospice for which originally issued.

(3) Services provided by a hospital, nursing home or other health care facility or health care provider shall not be considered to constitute a hospice program of care unless such facility, provider or care giver establishes a freestanding or distinct hospice unit, staff, facility and services to provide hospice home care, homelike inpatient hospice

care, or outpatient hospice care under the separate and distinct administrative authority of a hospice program.

(4) A license for a hospice program shall not be issued if the hospice is to be located in an area in violation of any local zoning ordinances or regulations.

(5) The Department of Corrections may provide hospice care services to inmates confined in facilities under the jurisdiction of the department as authorized under Section 1 of this act without a license issued under this chapter.

SECTION 3. Section 43-11-1, Mississippi Code of 1972, is amended as follows:

43-11-1. When used in this chapter, the following words shall have the following meaning:

(a) "Institutions for the aged or infirm" means a place either governmental or private that provides group living arrangements for four (4) or more persons who are unrelated to the operator and who are being provided food, shelter and personal care, whether any such place is organized or operated for profit or not. The term "institution for the aged or infirm" includes nursing homes, pediatric skilled nursing facilities, psychiatric residential treatment facilities, convalescent homes, homes for the aged \* \* \*, adult foster care facilities \* \* \* and special care facilities for paroled inmates, provided that these institutions fall within the scope of the definitions set forth above. The term "institution for the aged or infirm" does not include hospitals, clinics or mental institutions devoted primarily to providing medical service, and does not include any private residence in which the owner of the residence is providing personal care services to disabled or homeless veterans under an agreement with, and in compliance with the standards prescribed by, the United States Department of Veterans Affairs, if the owner of the residence also provided personal care services to disabled or homeless veterans at any time during calendar year 2008.

(b) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, or any licensee herein or the legal successor thereof.

(c) "Personal care" means assistance rendered by personnel of the home to aged or infirm residents in performing one or more of the activities of daily living, which includes, but is not limited to, the bathing, walking, excretory functions, feeding, personal grooming and dressing of such residents.

(d) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this paragraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;
2. An inability to build or maintain satisfactory relationships with peers and teachers;

3. Inappropriate types of behavior or feelings under normal circumstances;

4. A general pervasive mood of unhappiness or depression; or

5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(e) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(f) "Licensing agency" means the State Department of Health.

(g) "Medical records" mean, without restriction, those medical histories, records, reports, summaries, diagnoses and prognoses, records of treatment and medication ordered and given, notes, entries, x-rays and other written or graphic data prepared, kept, made or maintained in institutions for the aged or infirm that pertain to residency in, or services rendered to residents of, an institution for the aged or infirm.

(h) "Adult foster care facility" means a home setting for vulnerable adults in the community who are unable to live independently due to physical, emotional, developmental or mental impairments, or in need of emergency and continuing protective social services for purposes of preventing further abuse or neglect and for safeguarding and enhancing the welfare of the abused or neglected vulnerable adult. Adult foster care programs shall be designed to meet the needs of vulnerable adults with impairments through individual plans of care, which provide a variety of health, social and related support services in a protective setting, enabling participants to live in the community. Adult foster care programs may be (i) traditional, where the foster care provider lives in the residence and is the primary caregiver to clients in the home; (ii) corporate, where the foster care home is operated by a corporation with shift staff delivering services to clients; or (iii) shelter, where the foster care home accepts clients on an emergency short-term basis for up to thirty (30) days.

(i) "Special care facilities for paroled inmates" means long-term care and skilled nursing facilities licensed as special care facilities for medically frail paroled inmates, formed to ease the burden of prison overcrowding and provide compassionate release and medical parole initiatives while impacting economic outcomes for the Mississippi prison system. The facilities shall meet all Mississippi Department of Health and federal Center for Medicaid Services (CMS) requirements and shall be regulated by both agencies; provided, however, such regulations shall not be as restrictive as those required for personal care homes and other institutions devoted primarily to providing medical services. The facilities will offer physical, occupational and speech therapy, nursing services, wound care, a dedicated COVID services unit, individualized patient centered plans of care, social services, spiritual services, physical activities, transportation, medication, durable medical equipment, personalized meal plans by a licensed dietician and security services. There may be up to three (3) facilities located in each Supreme Court district, to be designated by the Chairman of the State Parole Board or his designee.

SECTION 4. Section 43-11-13, Mississippi Code of 1972, is amended as follows:

43-11-13. (1) The licensing agency shall adopt, amend, promulgate and enforce such rules, regulations and standards, including classifications, with respect to all institutions for the aged or infirm to be licensed under this chapter as may be designed to further the accomplishment of the purpose of this chapter in promoting adequate care of

individuals in those institutions in the interest of public health, safety and welfare. Those rules, regulations and standards shall be adopted and promulgated by the licensing agency and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules, Regulations and Minimum Standards for Institutions for the Aged or Infirm" and the book shall be open and available to all institutions for the aged or infirm and the public generally at all reasonable times. Upon the adoption of those rules, regulations and standards, the licensing agency shall mail copies thereof to all those institutions in the state that have filed with the agency their names and addresses for this purpose, but the failure to mail the same or the failure of the institutions to receive the same shall in no way affect the validity thereof. The rules, regulations and standards may be amended by the licensing agency, from time to time, as necessary to promote the health, safety and welfare of persons living in those institutions.

(2) The licensee shall keep posted in a conspicuous place on the licensed premises all current rules, regulations and minimum standards applicable to fire protection measures as adopted by the licensing agency. The licensee shall furnish to the licensing agency at least once each six (6) months a certificate of approval and inspection by state or local fire authorities. Failure to comply with state laws and/or municipal ordinances and current rules, regulations and minimum standards as adopted by the licensing agency, relative to fire prevention measures, shall be prima facie evidence for revocation of license.

(3) The State Board of Health shall promulgate rules and regulations restricting the storage, quantity and classes of drugs allowed in personal care homes and adult foster care facilities. Residents requiring administration of Schedule II Narcotics as defined in the Uniform Controlled Substances Law may be admitted to a personal care home. Schedule drugs may only be allowed in a personal care home if they are administered or stored utilizing proper procedures under the direct supervision of a licensed physician or nurse.

(4) (a) Notwithstanding any determination by the licensing agency that skilled nursing services would be appropriate for a resident of a personal care home, that resident, the resident's guardian or the legally recognized responsible party for the resident may consent in writing for the resident to continue to reside in the personal care home, if approved in writing by a licensed physician. However, no personal care home shall allow more than two (2) residents, or ten percent (10%) of the total number of residents in the facility, whichever is greater, to remain in the personal care home under the provisions of this subsection (4). This consent shall be deemed to be appropriately informed consent as described in the regulations promulgated by the licensing agency. After that written consent has been obtained, the resident shall have the right to continue to reside in the personal care home for as long as the resident meets the other conditions for residing in the personal care home. A copy of the written consent and the physician's approval shall be forwarded by the personal care home to the licensing agency.

(b) The State Board of Health shall promulgate rules and regulations restricting the handling of a resident's personal deposits by the director of a personal care home. Any funds given or provided for the purpose of supplying extra comforts, conveniences or services to any resident in any personal care home, and any funds otherwise received and held from, for or on behalf of any such resident, shall be deposited by the director or other proper officer of the personal care home to the credit of that resident in an account that shall be known as the Resident's Personal Deposit Fund. No more than one (1) month's charge for the care, support, maintenance and medical attention of the resident shall be applied from the account at any one time. After the death, discharge or transfer of any resident for whose benefit any such fund has been provided, any unexpended balance remaining in his personal deposit fund shall be applied for the payment of care, cost of support, maintenance and medical attention that is accrued. If any unexpended balance remains in that resident's personal deposit fund after complete reimbursement has been made for payment of care, support, maintenance and medical

attention, and the director or other proper officer of the personal care home has been or shall be unable to locate the person or persons entitled to the unexpended balance, the director or other proper officer may, after the lapse of one (1) year from the date of that death, discharge or transfer, deposit the unexpended balance to the credit of the personal care home's operating fund.

(c) The State Board of Health shall promulgate rules and regulations requiring personal care homes to maintain records relating to health condition, medicine dispensed and administered, and any reaction to that medicine. The director of the personal care home shall be responsible for explaining the availability of those records to the family of the resident at any time upon reasonable request.

(5) The State Board of Health and the Mississippi Department of Corrections shall jointly issue rules and regulations for the operation of the special care facilities for paroled inmates.

( \*\* \*6) (a) For the purposes of this subsection ( \*\* \*6):

(i) "Licensed entity" means a hospital, nursing home, personal care home, home health agency, hospice or adult foster care facility;

(ii) "Covered entity" means a licensed entity or a health care professional staffing agency;

(iii) "Employee" means any individual employed by a covered entity, and also includes any individual who by contract provides to the patients, residents or clients being served by the covered entity direct, hands-on, medical patient care in a patient's, resident's or client's room or in treatment or recovery rooms. The term "employee" does not include health care professional/vocational technical students performing clinical training in a licensed entity under contracts between their schools and the licensed entity, and does not include students at high schools located in Mississippi who observe the treatment and care of patients in a licensed entity as part of the requirements of an allied-health course taught in the high school, if:

1. The student is under the supervision of a licensed health care provider; and
2. The student has signed an affidavit that is on file at the student's school stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony listed in paragraph (d) of this subsection ( \*\* \*6), or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. Before any student may sign such an affidavit, the student's school shall provide information to the student explaining what a felony is and the nature of the felonies listed in paragraph (d) of this subsection ( \*\* \*6).

However, the health care professional/vocational technical academic program in which the student is enrolled may require the student to obtain criminal history record checks. In such incidences, paragraph (a)(iii)1 and 2 of this subsection ( \*\* \*6) does not preclude the licensing entity from processing submitted fingerprints of students from healthcare-related professional/vocational technical programs who, as part of their program of study, conduct observations and provide clinical care and services in a covered entity.

(b) Under regulations promulgated by the State Board of Health, the licensing agency shall require to be performed a criminal history record check on (i) every new employee of a covered entity who provides direct patient care or services and who is employed on or after July 1, 2003, and (ii) every employee of a covered entity employed before July 1, 2003, who has a documented disciplinary action by his or her present employer. In addition, the licensing agency shall require the covered entity to perform a

disciplinary check with the professional licensing agency of each employee, if any, to determine if any disciplinary action has been taken against the employee by that agency.

Except as otherwise provided in paragraph (c) of this subsection ( \*\* \*6), no such employee hired on or after July 1, 2003, shall be permitted to provide direct patient care until the results of the criminal history record check have revealed no disqualifying record or the employee has been granted a waiver. In order to determine the employee applicant's suitability for employment, the applicant shall be fingerprinted. Fingerprints shall be submitted to the licensing agency from scanning, with the results processed through the Department of Public Safety's Criminal Information Center. The fingerprints shall then be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The licensing agency shall notify the covered entity of the results of an employee applicant's criminal history record check. If the criminal history record check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the employee applicant shall not be eligible to be employed by the covered entity.

(c) Any such new employee applicant may, however, be employed on a temporary basis pending the results of the criminal history record check, but any employment contract with the new employee shall be voidable if the new employee receives a disqualifying criminal history record check and no waiver is granted as provided in this subsection ( \*\* \*6).

(d) Under regulations promulgated by the State Board of Health, the licensing agency shall require every employee of a covered entity employed before July 1, 2003, to sign an affidavit stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, any sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust, aggravated assault, or felonious abuse and/or battery of a vulnerable adult, or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. No such employee of a covered entity hired before July 1, 2003, shall be permitted to provide direct patient care until the employee has signed the affidavit required by this paragraph (d). All such existing employees of covered entities must sign the affidavit required by this paragraph (d) within six (6) months of the final adoption of the regulations promulgated by the State Board of Health. If a person signs the affidavit required by this paragraph (d), and it is later determined that the person actually had been convicted of or pleaded guilty or nolo contendere to any of the offenses listed in this paragraph (d) and the conviction or plea has not been reversed on appeal or a pardon has not been granted for the conviction or plea, the person is guilty of perjury. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a violent offense, the person, upon a conviction of perjury under this paragraph, shall be punished as provided in Section 97-9-61. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a nonviolent offense, the person, upon a conviction of perjury under this paragraph, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

(e) The covered entity may, in its discretion, allow any employee who is unable to sign the affidavit required by paragraph (d) of this subsection ( \*\* \*6) or any employee applicant aggrieved by an employment decision under this subsection ( \*\* \*6) to appear before the covered entity's hiring officer, or his or her designee, to show mitigating circumstances that may exist and allow the employee or employee applicant to be employed by the covered entity. The covered entity, upon report and recommendation of the hiring officer, may grant waivers for those mitigating circumstances, which shall

include, but not be limited to: (i) age at which the crime was committed; (ii) circumstances surrounding the crime; (iii) length of time since the conviction and criminal history since the conviction; (iv) work history; (v) current employment and character references; and (vi) other evidence demonstrating the ability of the individual to perform the employment responsibilities competently and that the individual does not pose a threat to the health or safety of the patients of the covered entity.

(f) The licensing agency may charge the covered entity submitting the fingerprints a fee not to exceed Fifty Dollars (\$50.00), which covered entity may, in its discretion, charge the same fee, or a portion thereof, to the employee applicant. Any increase in the fee charged by the licensing agency under this paragraph shall be in accordance with the provisions of Section 41-3-65. Any costs incurred by a covered entity implementing this subsection ( \*\* \*6) shall be reimbursed as an allowable cost under Section 43-13-116.

(g) If the results of an employee applicant's criminal history record check reveals no disqualifying event, then the covered entity shall, within two (2) weeks of the notification of no disqualifying event, provide the employee applicant with a notarized letter signed by the chief executive officer of the covered entity, or his or her authorized designee, confirming the employee applicant's suitability for employment based on his or her criminal history record check. An employee applicant may use that letter for a period of two (2) years from the date of the letter to seek employment with any covered entity without the necessity of an additional criminal history record check. Any covered entity presented with the letter may rely on the letter with respect to an employee applicant's criminal background and is not required for a period of two (2) years from the date of the letter to conduct or have conducted a criminal history record check as required in this subsection ( \*\* \*6).

(h) The licensing agency, the covered entity, and their agents, officers, employees, attorneys and representatives, shall be presumed to be acting in good faith for any employment decision or action taken under this subsection ( \*\* \*6). The presumption of good faith may be overcome by a preponderance of the evidence in any civil action. No licensing agency, covered entity, nor their agents, officers, employees, attorneys and representatives shall be held liable in any employment decision or action based in whole or in part on compliance with or attempts to comply with the requirements of this subsection ( \*\* \*6).

(i) The licensing agency shall promulgate regulations to implement this subsection ( \*\* \*6).

(j) The provisions of this subsection ( \*\* \*6) shall not apply to:

(i) Applicants and employees of the University of Mississippi Medical Center for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-115-41; or

(ii) Health care professional/vocational technical students for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-29-232.

( \*\* \*7) The State Board of Health shall promulgate rules, regulations and standards regarding the operation of adult foster care facilities.

SECTION 5. Section 47-5-28, Mississippi Code of 1972, is amended as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other

state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to \* \* \* conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender \* \* \*;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; \* \* \*

(j) To contract with licensed special care facilities for paroled inmates to provide authorized medical services and support services for medically frail inmates who

have been paroled and who have voluntarily submitted to the Department of Corrections an address to one of the licensed care facilities to receive such services; and

( \* \* \*k) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 6. Section 47-7-4, Mississippi Code of 1972, is amended as follows:

47-7-4. (1) The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by the Division of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

(2) (a) The State Parole Board may grant a medical parole and referral to licensed special care facilities for paroled inmates for an inmate determined to be "medically frail" as defined in this subsection.

(b) For purposes of this subsection (2), the term "medically frail" means an individual who has a mental or physical medical condition from which he or she, to a reasonable degree of medical certainty, is not expected to recover and as a result cannot perform daily living activities and who is a minimal threat to society as a result of the mental or physical medical condition.

(2): (c) The following conditions apply to a parole granted under this subsection

(i) An inmate who has been sentenced to capital punishment is not eligible;

(ii) An inmate who has been convicted as a criminal sex offender is not eligible;

(iii) An inmate does not pose a public safety risk or risk of flight as determined by the State Parole Board;

(iv) If the prisoner is incapacitated as a result of a mental or physical medical condition as prescribed under paragraph (b) of this subsection, an individual legally entitled to agree to the inmate's placement agrees to the inmate's placement in a licensed special care facility for paroled inmates or in a medical facility where medical care and treatment are determined to be appropriate for the parolee by the State Parole Board;

(v) An inmate shall agree to the release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail

to any prosecuting attorney of the county from which the inmate was committed before the State Parole Board determines whether or not to grant parole under this subsection;

(vi) If the inmate is granted parole under this subsection (2), the inmate shall agree to the quarterly release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail at the request of any prosecuting attorney of the county from which the inmate was committed;

(vii) The parolee shall adhere to the terms of his or her parole for the length of his or her parole term, and the parole shall be for a term not less than the time necessary to reach the prisoner's earliest release date;

(viii) The department or the State Parole Board shall not retain authority over the medical treatment plan for the inmate granted parole under this subsection (2);

(ix) The department and the State Parole Board shall ensure that the placement and terms and conditions of parole granted under this subsection (2) do not violate any other state or federal regulations;

(x) A facility utilized by the department to facilitate parole under this subsection (2) shall be operated in a manner that ensures the safety of the residents of the facility;

(xi) If the inmate recovers from the mental or physical medical condition that rendered the inmate medically frail under this subsection (2), the State Parole Board shall revoke the parole granted under this subsection (2), and the department shall ensure that the inmate returns to incarceration.

(d) The Mississippi Department of Corrections may enter into contracts to facilitate the housing of paroled inmates under this subsection (2). The Mississippi Department of Corrections shall appoint a specialist in the appropriate field of medicine, who is not employed by the department, to evaluate the condition of the inmate considered for parole under this subsection (2) and to report on that condition to the department and the State Parole Board. The State Parole Board shall determine whether the inmate is medically frail in consultation with the Mississippi Department of Health.

SECTION 7. The following shall be codified as Section 43-13-117.6, Mississippi Code of 1972:

43-13-117.6. (1) The Division of Medicaid may apply to the federal Center for Medicaid Services (CMS) for necessary waivers to provide federal funding under the Medicaid program for providing reimbursement for authorized services to medically frail inmates who qualify for nursing home-level care and who the state deems are not public safety risks, provided through a Special Care Facility for Paroled Inmates licensed by the State Department of Health under contract with the Mississippi Department of Corrections, as specifically authorized under this act.

(2) Subject to CMS approval, the program for paroled inmates shall be funded from monies that are appropriated or otherwise made available to the division specifically to cover the cost of the paroled inmate program. This program shall be a separate program within the Division of Medicaid as the administering agent.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVISION OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITIES FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITIES FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITIES FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Kevin Horan

Shanda Yates

Otis Anthony

## CONFEREES FOR THE SENATE

Juan Barnett

Brice Wiggins

Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 936** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--36.

Nays--Barrett, Branning, Caughman, Chism, Fillingane, Hill, McDaniel, McLendon, Moran, Parker, Seymour, Sojourner, Suber, Tate, Whaley, Williams. Total--16.

Absent and those not voting----None.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 971** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 971: Driver's license; increase time period to renew expired license without examination.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-1-49, Mississippi Code of 1972, is amended as follows:

63-1-49. (1) An expired license issued pursuant to this article may be renewed at any time within \* \* \* sixty (60) months after the expiration date of the license upon application and payment of the required fee, and the payment of a delinquent fee prescribed in Section 63-1-43, in lieu of a driver examination, unless the holder of the expired license is required to be examined, or unless the department has reason to believe the licensee is no longer qualified to receive a license.

(2) (a) Any person in the Armed Services of the United States, who holds a valid license issued pursuant to this chapter and is out of state due to military service at the time the license expires, may renew the license by mail or by online renewal services while out of state due to military service or at any time within ninety (90) days after being discharged from military service or upon returning to the state without payment of any delinquent fee or examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license. The person shall make proof by affidavit of the fact of the person's current military service or of the time of discharge or return. The expiration of the license of a military person under the provisions of this paragraph (a) shall not affect the validity of the license, but the license shall continue to be valid and permit the person to operate a motor vehicle in this state for a period of ninety (90) days after discharge from military service or return to the state or until renewal of the license, whichever occurs first.

(b) The provisions of paragraph (a) of this subsection (2) also apply to a dependent of a person in the Armed Services of the United States who is out of state due to military service if the dependent resides out of state with the Armed Services member and the license of the dependent expires during the family member's absence from the state. The Commissioner of Public Safety may adopt such rules and regulations under the Administrative Procedures Act as may be necessary to implement the provisions of this paragraph.

(3) Any person holding a valid license issued pursuant to this article who is going overseas for two (2) to four (4) years and whose license will expire during the stay overseas may renew the license for four (4) years or eight (8) years before leaving. The person shall make proof by affidavit of the fact of the overseas travel.

SECTION 2. The Department of Public Safety shall be the state agency with responsibility for regulating a digital wallet for state agency credentials. The Commissioner of Public Safety may promulgate rules and regulations regarding such digital wallet technology.

SECTION 3. Section 63-1-216, Mississippi Code of 1972, is amended as follows:

63-1-216. (1) (a) A person shall be disqualified from driving a commercial motor vehicle for a period of one (1) year if the person's license or permit to drive has been

administratively suspended under Section 63-11-23 or the person has been convicted of a first violation of:

(i) Operating, attempting to operate, or being in actual physical control of a commercial motor vehicle on a highway with an alcohol concentration of four one-hundredths percent (0.04%) or more, or under the influence as provided in Section 63-11-30;

(ii) Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(iii) Using a motor vehicle in the commission of any offense under state or federal law that is punishable by imprisonment for a term exceeding one (1) year;

(iv) Refusal to submit to a test to determine the operator's alcohol concentration, as provided in Title 63, Chapter 11, Mississippi Code of 1972;

(v) Operating, attempting to operate, or being in actual physical control of a motor vehicle on a highway with an alcohol concentration of eight one-hundredths percent (0.08%) or more, or under the influence of intoxicating liquor or other substance, as provided in Section 63-11-30;

(vi) Operating, attempting to operate, or being in actual physical control of a motor vehicle on a highway when the person is under the influence of any other drug or under the combined influence of alcohol and any other drug to a degree which renders the person incapable of driving safely as provided in Section 63-11-30;

(vii) Operating or attempting to operate a commercial motor vehicle while the license is revoked, suspended, cancelled, or disqualified;

(viii) Operating a commercial motor vehicle in a negligent manner resulting in a fatal injury.

(b) A person shall be disqualified from driving a commercial motor vehicle for three (3) years if convicted of a violation listed in subsection (1) of this section, if the violation occurred while transporting a hazardous material required to be placarded.

(c) A person shall be disqualified from driving a commercial motor vehicle for life if convicted of two (2) or more violations or a combination of them listed in subsection (1) of this section arising from two (2) or more separate occurrences.

(d) A person shall be disqualified from driving a commercial motor vehicle for a period of sixty (60) days if convicted of two (2) serious traffic violations, or one hundred twenty (120) days if convicted of three (3) serious traffic violations, arising from separate incidents occurring within a three-year period. A disqualification for three (3) serious traffic violations must be imposed consecutively to any other previous period of disqualification.

(e) A person shall be disqualified from driving a commercial motor vehicle for life if the person uses a motor vehicle in the commission of any offense under state or federal law that is punishable by imprisonment for a term exceeding one (1) year involving the manufacture, distribution, or dispensing of a regulated drug, or possession with intent to manufacture, distribute, or dispense a regulated drug and for which the person was convicted.

(f) A person who is disqualified from driving a commercial motor vehicle shall surrender the person's Mississippi commercial driver's license no later than the effective date of the disqualification. Upon receipt of the person's commercial driver's

license, that person, if otherwise eligible, may apply for a non-CDL, and upon payment of sufficient fees receive the driver's license.

(g) The commissioner shall adopt rules establishing guidelines, including conditions, under which a disqualification for life under this section, except for a disqualification issued pursuant to paragraph (e) of this subsection, may be reduced to a period of not less than ten (10) years.

(h) A person shall be disqualified from driving a commercial motor vehicle for a period of sixty (60) days if the driver is convicted of a first violation of a railroad-highway grade crossing violation.

(i) A person shall be disqualified from driving a commercial motor vehicle for a period of one hundred twenty (120) days if, during any three-year period, the driver is convicted of a second railroad-highway grade crossing violation in a separate incident.

(j) A person shall be disqualified from driving a commercial motor vehicle for a period of one (1) year if, during any three-year period, the driver is convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.

(k) A person who is simultaneously subject to a disqualification issued by the administrator of the Federal Motor Carrier Safety Administration pursuant to 49 CFR, Part 383.52 and a disqualification under any other provision of this section shall serve those disqualification periods concurrently.

(2) (a) A person's privilege to operate a commercial motor vehicle in the State of Mississippi shall be suspended for one (1) year, if:

(i) The person is convicted of a first violation of operating, attempting to operate or being in actual physical control of a commercial motor vehicle on a highway with an alcohol concentration of four one-hundredths percent (0.04%) or more, or under the influence, as provided in Section 63-11-30; and

(ii) The person's commercial driver's license is issued by a state or country that does not issue commercial driver's licenses and disqualify persons in accordance with 49 CFR, Parts 383 and 384.

(b) A person's privilege to operate a commercial motor vehicle in the State of Mississippi shall be suspended for three (3) years if the person is convicted of violating subsection (1) of this section, and the violation occurred while the person was transporting a hazardous material required to be placarded.

(c) A person's privilege to operate a commercial motor vehicle in the State of Mississippi shall be suspended for life if the person is convicted a second time of violating subsection (1) of this section, and both convictions arise out of separate occurrences.

(d) A person's privilege to operate a commercial motor vehicle in the State of Mississippi shall be suspended for sixty (60) days if the person is convicted of two (2) serious traffic violations, or for one hundred twenty (120) days if the person is convicted of three (3) serious traffic violations, arising from separate incidents occurring within a three-year period.

(e) A person's privilege to operate a commercial motor vehicle in the State of Mississippi shall be suspended for life if the person uses a commercial motor vehicle in the commission of any offense under state or federal law that is punishable by imprisonment for a term exceeding one (1) year, involving the manufacture, distribution, or dispensing of a regulated drug, or possession with intent to manufacture, distribute, or dispense a regulated drug, and for which the person was convicted.

(f) In addition to the reasons specified in this section for suspension of the commercial driver's license, the commissioner shall be authorized to suspend the commercial driver's license of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a commercial driver's license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a commercial driver's license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a commercial driver's license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(3) A person shall be disqualified from driving a commercial motor vehicle for life if the person is convicted of any crime under the Mississippi Human Trafficking Act in Sections 97-3-54 et seq. or any felony involving a severe form of trafficking in persons, as defined by 22 USC 7102(11).

SECTION 4. Section 1 of this act shall take effect and be in force from and after its passage, and the remainder of this act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE TIME PERIOD DURING WHICH AN EXPIRED DRIVER'S LICENSE MAY BE RENEWED WITHOUT EXAMINATION; TO CREATE A NEW SECTION OF LAW TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL BE THE STATE AGENCY WITH RESPONSIBILITY FOR REGULATING CERTAIN DIGITAL WALLETS; TO AMEND SECTION 63-1-216, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE IF CONVICTED OF ANY CRIME UNDER THE MISSISSIPPI HUMAN TRAFFICKING ACT OR ANY FELONY INVOLVING A SEVERE FORM OF TRAFFICKING IN PERSONS AS DEFINED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Charles Busby	Jenifer B. Branning
Steve Massengill	Scott DeLano
Jay McKnight	Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 971** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 1052** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1052: MS Department of Corrections; provide for Deputy Commissioner for Workforce Development.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is

sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education \* \* \* and Reentry, \* \* \* who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education \* \* \* and Reentry \* \* \* shall focus on reentry programs aimed at reducing recidivism \* \* \*. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(e) A Deputy Commissioner for Workforce Development who shall serve as the Chief Executive Officer of Prison Industries and Director of Prison Agricultural Enterprises. The Deputy Commissioner for Workforce Development shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7. Such deputy commissioner shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The Deputy Commissioner for Workforce Development shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience

related to workforce development. The Deputy Commissioner for Workforce Development, with the assistance from the Office of Workforce Development, shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short- and long-term goals for the state related to workforce development and reentry offender employment within the corrections system, and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

Out of the deputy commissioners employed under this subsection (1), as set out in paragraphs (a) through (\*\*\*e), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall

institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the Commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(d) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 3. Section 47-5-10, Mississippi Code of 1972, is amended as follows:

47-5-10. (1) The department shall have the following powers and duties:

(a) To accept adult offenders committed to it by the courts of this state for incarceration, care, custody, treatment and rehabilitation;

(b) To provide for the care, custody, study, training, supervision and treatment of adult offenders committed to the department;

(c) To maintain, administer and exercise executive and administrative supervision over all state correctional institutions and facilities used for the custody, training, care, treatment and after-care supervision of adult offenders committed to the department; provided, however, that such supervision shall not extend to any institution or facility for which executive and administrative supervision has been provided by law through another agency;

(d) To plan, develop and coordinate a statewide, comprehensive correctional program designed to train and rehabilitate offenders in order to prevent, control and retard recidivism;

(e) To maintain records of persons committed to it, and to establish programs of research, statistics and planning;

(i) An offender's records shall include a single cover sheet that contains the following information about the offender: name, including any aliases; department inmate number; social security number; photograph; court of conviction; cause number; date of conviction; date of sentence; total number of days in the department's custody or number of days creditable toward time served on each charge; date of actual custody; and date of any revocation of a suspended sentence;

(ii) The department shall maintain an offender's cover sheet in the course of its regularly conducted business activities and shall include an offender's cover sheet in each request from a court, prosecutor or law enforcement agency for a summary of an offender's records with the department, also known as a "pen-pack." The cover sheet shall conform to Rules 803(6) and 803(8) of the Mississippi Rules of Evidence for admission as an exception to the hearsay rule and may be admissible when properly authenticated according to evidentiary rules and when offered for the purpose of enhanced sentencing under Section 41-29-147, 99-19-81 or 99-19-83 or other similar purposes; and

(iii) This subsection is not intended to conflict with an offender's right of confrontation in criminal proceedings under the state or federal constitution;

(f) To investigate the grievances of any person committed to the department, and to inquire into any alleged misconduct by employees; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it;

(g) To administer programs of training and development of personnel of the department;

(h) To develop and implement diversified programs and facilities to promote, enhance, provide and assure the opportunities for the successful custody, training and treatment of adult offenders properly committed to the department or confined in any facility under its control. Such programs and facilities may include, but not be limited to, institutions, group homes, halfway houses, diagnostic centers, work and educational release centers, technical violation centers, restitution centers, counseling and

supervision of probation, parole, suspension and compact cases, presentence investigating and other state and local community-based programs and facilities;

(i) To receive, hold and use, as a corporate body, any real, personal and mixed property donated to the department, and any other corporate authority as shall be necessary for the operation of any facility at present or hereafter;

(j) To provide those personnel, facilities, programs and services the department shall find necessary in the operation of a modern correctional system for the custody, care, study and treatment of adult offenders placed under its jurisdiction by the courts and other agencies in accordance with law;

(k) To develop the capacity and administrative network necessary to deliver advisory consultation and technical assistance to units of local government for the purpose of assisting them in developing model local correctional programs for adult offenders;

(l) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this state;

(m) To administer all monies and properties of the department;

(n) To report annually to the Legislature and the Governor on the committed persons, institutions and programs of the department;

(o) To cooperate with the courts and with public and private agencies and officials to assist in attaining the purposes of this chapter and Chapter 7 of this title. The department may enter into agreements and contracts with other departments of federal, state or local government and with private agencies concerning the discharge of its responsibilities or theirs. The department shall have the authority to accept and expend or use gifts, grants and subsidies from public and private sources;

(p) To make all rules and regulations and exercise all powers and duties vested by law in the department;

(q) The department may require a search of all persons entering the grounds and facilities at the correctional system;

(r) To submit, in a timely manner, to the Oversight Task Force established in Section 47-5-6 any reports required by law or regulation or requested by the task force.

(s) To discharge any other power or duty imposed or established by law.

(2) The department is hereby established as a Local Educational Agency and an Educational Service Agency both as defined in 34 CFR Section 300, to receive Title I, Part B funding and other available funding and to provide educational services to eligible incarcerated students. The department is authorized, if necessary, to adopt policies and procedures to carry out its responsibilities as a Local Educational Agency and an Educational Service Agency.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE DEPUTY COMMISSIONER FOR PROGRAMS, EDUCATION AND REENTRY TO ADEQUATELY PREPARE ATTENDEES FOR

EMPLOYMENT UPON THEIR RELEASE; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO PROVIDE ELIGIBILITY QUALIFICATION FOR THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO REQUIRE THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT TO PERFORM CERTAIN DUTIES; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF WORKFORCE DEVELOPMENT WITHIN THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS IS ESTABLISHED AS A LOCAL EDUCATIONAL AGENCY AND AN EDUCATIONAL SERVICE AGENCY FOR CERTAIN PURPOSES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Kevin Horan

Jerry R. Turner

Kevin Felsher

CONFEREES FOR THE SENATE

Juan Barnett

David Parker

Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1052** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 49, **H. B. No. 918**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 918** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 918: Alcoholic beverages; authorize issuance of food truck permit.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate

facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales

made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours

of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this chapter, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this chapter to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing

body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places and (v) is located in a historic district.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 2. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or rectifier's:

(i) For a permittee with annual production of five thousand (5,000) gallons or more..... \$4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons ..... \$2,800.00

(b) Manufacturer's permit, Class 2, wine manufacturer ..... \$1,800.00

(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced ..... \$ 10.00

(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced ..... \$ 300.00

(e) Native wine retailer's permit..... \$ 50.00

(f) Package retailer's permit, each..... \$ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each....\$ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each\$ 225.00

(i) On-premises retailer's permit for clubs..... \$ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle..... \$ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... \$ 100.00

(l) Filing fee for each application except for an employee identification card..... \$ 25.00

(m) Temporary permit, Class 1, each..... \$ 10.00

(n) Temporary permit, Class 2, each..... \$ 50.00

(o) (i) Caterer's permit..... \$ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit.....	\$ 150.00
(p) Research permit.....	\$ 100.00
(q) Temporary permit, Class 3 (wine only) .....	\$ 10.00
(r) Special service permit .....	\$ 225.00
(s) Merchant permit.....	\$ 225.00
(t) Temporary alcoholic beverages charitable auction permit .....	\$ 10.00
(u) Event venue retailer's permit .....	\$ 225.00
(v) Temporary theatre permit, each.....	\$ 10.00
(w) Charter ship operator's permit.....	\$ 100.00
(x) Distillery retailer's permit.....	\$ 450.00
(y) Festival wine permit.....	\$ 10.00
(z) Charter vessel operator's permit .....	\$ 100.00
(aa) Native spirit retailer's permit.....	\$ 50.00
(bb) Delivery service permit .....	\$ 500.00
(cc) Food truck permit.....	\$ 100.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars

(\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A FOOD TRUCK PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE THE HOLDER OF AN ON-PREMISES RETAILER'S PERMIT TO USE A FOOD TRUCK TO SELL ALCOHOLIC BEVERAGES OFF ITS PREMISES TO GUESTS WHO MUST CONSUME THE BEVERAGES IN OPEN CONTAINERS; TO DEFINE THE TERM "FOOD TRUCK"; TO

PROVIDE THAT FOOD TRUCKS MUST MAINTAIN SUCH DISTANCE REQUIREMENTS FROM SCHOOLS, CHURCHES, KINDERGARTENS AND FUNERAL HOMES AS ARE REQUIRED FOR ON-PREMISES RETAILER'S PERMITTEES AND THAT SALES MUST BE MADE WITHIN A VALID LEISURE AND RECREATION DISTRICT; TO PROVIDE THAT FOOD TRUCKS CANNOT SELL OR SERVE ALCOHOLIC BEVERAGES UNLESS ALSO OFFERING FOOD PREPARED AND COOKED WITHIN THE FOOD TRUCK AND PERMITTEES MUST MAINTAIN A 25% FOOD SALE REVENUE REQUIREMENT BASED ON THE FOOD SOLD FROM A FOOD TRUCK ALONE; TO PROVIDE THAT A FOOD TRUCK PERMIT HOLDER MUST PROVIDE NOTICE OF NOT LESS THAN 48 HOURS TO THE DEPARTMENT OF REVENUE OF EACH LOCATION AT WHICH ALCOHOLIC BEVERAGES WILL BE SOLD; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A FOOD TRUCK PERMIT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Rob Roberson	Chris Johnson
Henry Zuber III	Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 918** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Simmons D. T. (12th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Branning, Chism, Frazier, Norwood, Parker, Seymour, Suber, Tate. Total--8.

Absent and those not voting---None.

Voting Present--Barnett, Simmons S. (13th). Total--2.

Senator Harkins moved that the rules be suspended to move to calendar item 50, **H. B. No. 1162**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1162** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1162: Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.7, Mississippi Code of 1972, is reenacted as follows:

27-7-22.7. (1) As used in this section, the term "port" means a state, county or municipal port or harbor established pursuant to Sections 59-5-1 through 59-5-69, Sections 59-7-1 through 59-7-519, Sections 59-9-1 through 59-9-85 or Sections 59-11-1 through 59-11-7.

(2) For any income taxpayer utilizing the port facilities at any port for the export of cargo that is loaded on a carrier calling at any such port, a credit against the taxes imposed pursuant to this chapter shall be allowed in the amounts provided in this section.

(3) Except as otherwise provided by subsection (5) of this section, the amount of the credit allowed pursuant to this section shall be the total of the following charges on export cargo paid by the corporation:

- (a) Receiving into the port;
- (b) Handling to a vessel; and
- (c) Wharfage.

(4) The credit provided for in this section shall not exceed fifty percent (50%) of the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding five (5) years. The maximum cumulative credit that may be claimed by a taxpayer pursuant to this section and for the period of time beginning on January 1, 1994, and ending on December 31, 2005, is limited to One Million Two Hundred Thousand Dollars (\$1,200,000.00).

(5) To obtain the credit provided for in this section, a taxpayer must provide to the Department of Revenue a statement from the governing authority of the port certifying the amount of charges paid by the taxpayer for which a credit is claimed and any other information required by the Department of Revenue.

(6) The purpose of the tax credit provided for in this section is to promote the increased use of ports and related facilities in this state, particularly by those taxpayers which would not otherwise use such ports and related facilities without the benefit of such tax credit, and increase the number of port related jobs and other economic development benefits associated with the increased use of such ports and related facilities. It is the intent of the Legislature that in determining whether or not such tax credit will be continued in future years, the attainment of the purposes set forth in this subsection must be demonstrated by the material contained in the reports prepared by the Mississippi Development Authority under Section 27-7-22.9.

SECTION 2. Section 27-7-22.9, Mississippi Code of 1972, is reenacted as follows:

27-7-22.9. The Mississippi Development Authority shall report annually to the Legislature regarding the impact of the credit granted in Section 27-7-22.7 on shipping

and economic growth. Each report shall show the overall annual increase on shipping at each port for the most recent year for which data is available and for each of the previous five (5) years. Each report shall estimate the number of jobs created or retained at each port and in businesses related to port activity at each port since January 1, 1994, as compared to the number of similar jobs created during the ten (10) years preceding January 1, 1994. Each report shall state the net economic impact on the state as a result of the tax credit provided for in Section 27-7-22.7. The Mississippi Development Authority shall file a copy of the report with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives and the Chairmen of the House Ways and Means Committee and the Senate Finance Committee of the Legislature on May 1 of each year. The Department of Revenue and all state, county and municipal ports shall cooperate with the Mississippi Development Authority in providing the information required in the annual reports.

SECTION 3. Section 4, Chapter 492, Laws of 1994, as amended by Section 3, Chapter 548, Laws of 1998, as amended by Section 3, Chapter 537, Laws of 2002, as amended by Section 3, Chapter 457, Laws of 2005, as amended by Section 3, Chapter 322, Laws of 2009, as amended by Section 3, Chapter 377, Laws of 2012, as amended by Section 3, Chapter 335, Laws of 2016, as amended by Section 3, Chapter 321, Laws of 2019, is amended as follows:

Section 4. This act shall take effect and be in force from and after January 1, 1994, and shall stand repealed from and after December 31, \* \* \* 2025.

SECTION 4. Section 27-7-22.25, Mississippi Code of 1972, is reenacted and amended as follows:

27-7-22.25. (1) As used in this section, the term "airport" means an airport established pursuant to Chapters 3 and 5, Title 61, Mississippi Code of 1972.

(2) Subject to the provisions of this section, for any income taxpayer utilizing the facilities at any airport for the export or import of cargo that is unloaded from a carrier at any such airport, a credit against the taxes imposed pursuant to this chapter shall be allowed in the amounts provided in this section. In order to be eligible for the credit authorized under this section, a taxpayer must locate its United States headquarters in Mississippi on or after July 1, 2005, employ at least five (5) new permanent full-time employees who actually work at such headquarters and, after July 1, 2005, invest a minimum of Two Million Dollars (\$2,000,000.00), in the aggregate, in real property and/or personal property in Mississippi. For the purposes of this section, "full-time employee" shall mean an employee who works at least thirty-five (35) hours per week.

(3) Except as otherwise provided by subsection (4) of this section, the amount of the credit allowed pursuant to this section shall be the total of the following charges on import or export of cargo paid by the corporation:

- (a) Receiving into the airport;
- (b) Aircraft marshalling or handling fees; and
- (c) Aircraft landing fees.

(4) The credit provided for in this section shall not exceed fifty percent (50%) of the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for the succeeding five (5) years. The maximum cumulative credit that may be claimed by a taxpayer under this section is limited to One Million Dollars (\$1,000,000.00) if the taxpayer employs at least five (5), but not more than twenty-five (25) permanent full-time employees at its headquarters in Mississippi; Two Million Dollars

(\$2,000,000.00) if the taxpayer employs more than twenty-five (25), but not more than one hundred (100) permanent full-time employees at its headquarters in Mississippi; Three Million Dollars (\$3,000,000.00) if the taxpayer employs more than one hundred (100), but not more than two hundred (200) permanent full-time employees at its headquarters in Mississippi; and Four Million Dollars (\$4,000,000.00) if the taxpayer employs more than two hundred (200) permanent full-time employees at its headquarters in Mississippi.

(5) To obtain the credit provided for in this section, a taxpayer must provide to the Department of Revenue a statement from the governing authority of the airport certifying the amount of charges paid by the taxpayer for which a credit is claimed and any other information required by the Department of Revenue.

(6) Any taxpayer who is eligible, before July 1, \* \* \* 2025, for the credit provided for in this section, shall remain eligible for such credit after July 1, \* \* \* 2025, notwithstanding the repeal of this section.

SECTION 5. Section 27-7-22.26, Mississippi Code of 1972, is reenacted as follows:

27-7-22.26. The Mississippi Development Authority shall report annually to the Legislature regarding the impact of the credit granted in Section 27-7-22.25 on shipping and economic growth. Each report shall show the overall annual increase in shipping at each airport for the most recent year for which data is available and for each of the previous five (5) years. Each report shall estimate the number of jobs created or retained at each airport and in businesses related to airport activity at each airport since January 1, 2006, as compared to the number of similar jobs created during the ten (10) years preceding January 1, 2006. Each report shall state the net economic impact on the state as a result of the tax credit provided for in Section 27-7-22.25. The Mississippi Development Authority shall file a copy of the report with the Governor, the Secretary of the Senate, the Clerk of the House of Representatives and the Chairmen of the House Ways and Means Committee and the Senate Finance Committee of the Legislature on May 1 of each year. The Department of Revenue and all state, regional, county and municipal airports shall cooperate with the Mississippi Development Authority in providing the information required in the annual reports.

SECTION 6. Section 3, Chapter 442, Laws of 2005, as amended by Section 3, Chapter 519, Laws of 2007, as amended by Section 3, Chapter 323, Laws of 2009, as amended by Section 6, Chapter 377, Laws of 2012, as amended by Section 6, Chapter 335, Laws of 2016, as amended by Section 6, Chapter 321, Laws of 2019, is amended as follows:

Section 3. Sections 1 and 2 of this act shall stand repealed from and after July 1, \* \* \* 2025.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.7

AND 27-7-22.9, MISSISSIPPI CODE OF 1972; TO REENACT SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS THAT USE THE AIRPORT FACILITIES AT PUBLIC AIRPORTS FOR CERTAIN CHARGES PAID BY THE TAXPAYER ON THE EXPORT OR IMPORT OF CARGO; TO AMEND REENACTED SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 27-7-22.26, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH INCOME TAX CREDIT; TO AMEND SECTION 3, CHAPTER 442, LAWS OF 2005, AS LAST AMENDED BY SECTION 6, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.25 AND 27-7-22.26, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	David Parker
Steve Massengill	David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1162** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins moved that the rules be suspended to move to calendar item 52, **H. B. No. 1430**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1430** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1430: Motor vehicle title; authorize beneficiary designation.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following terms shall have the following meanings, unless the context clearly indicates otherwise:

(a) "Beneficiary designation" means the designation by an owner of a motor vehicle of a beneficiary of the vehicle as provided by Section 6 of this act.

(b) "Designated beneficiary" means a person designated as a beneficiary of an owner's interest in a motor vehicle under Section 6 of this act.

(c) "Joint owner with right of survivorship" or "joint owner" means a person who owns a motor vehicle concurrently with one or more other persons with a right of survivorship.

(d) "Motor vehicle" shall have the same meaning as the term as defined in Section 63-21-5(l).

SECTION 2. (1) An owner of a motor vehicle may transfer the owner's interest in the motor vehicle to a sole beneficiary effective on the owner's death by designating a beneficiary as provided by Section 6 of this act.

(2) A beneficiary designation is:

(a) Subject to Section 3 of this act, revocable and may be changed at any time without the consent of the designated beneficiary as provided by Section 6 of this act;

(b) A nontestamentary instrument; and

(c) Effective without:

(A) Notice or delivery to or acceptance by the designated beneficiary during the owner's life; or

(B) Consideration.

(3) A will may not revoke or supersede a beneficiary designation, regardless of when the will is made.

(4) A designated beneficiary may disclaim the designated beneficiary's interest in the motor vehicle as provided by applicable law.

SECTION 3. (1) If a motor vehicle that is the subject of a beneficiary designation is owned by joint owners with right of survivorship, the beneficiary designation must be made by all of the joint owners.

(2) A beneficiary designation made by joint owners with right of survivorship:

(a) May be revoked or changed as provided by Section 6 of this act, only if it is revoked or changed by all of the joint owners; and

(b) May be revoked or changed by the last surviving joint owner as provided by Section 6 of this act.

SECTION 4. During a motor vehicle owner's life, a beneficiary designation does not:

(a) Affect an interest or right of the owner or owners making the designation, including the right to transfer or encumber the motor vehicle that is the subject of the designation;

(b) Create a legal or equitable interest in favor of the designated beneficiary in the motor vehicle that is the subject of the designation, even if the beneficiary has actual or constructive notice of the designation;

(c) Affect an interest or right of a secured or unsecured creditor or future creditor of the owner or owners making the designation, even if the creditor has actual or constructive notice of the designation; or

(d) Affect an owner's or the designated beneficiary's eligibility for any form of public assistance, subject to applicable federal law.

SECTION 5. (1) On the death of the owner of a motor vehicle that is the subject of a beneficiary designation, the following rules apply to an interest in the motor vehicle:

(a) If the designated beneficiary survives the owner making the designation by one hundred twenty (120) hours, the interest in the motor vehicle is transferred to the designated beneficiary; and

(b) If the designated beneficiary fails to survive the owner making the designation by one hundred twenty (120) hours, the share of the designated beneficiary lapses and is subject to and passes as if the beneficiary designation were a devise made in a will.

(2) If an owner is a joint owner with right of survivorship who is survived by one or more other joint owners, the motor vehicle that is the subject of the beneficiary designation belongs to the surviving joint owner or owners. If an owner is a joint owner with right of survivorship who is the last surviving joint owner, the beneficiary designation is effective.

(3) A designated beneficiary takes the motor vehicle subject to all encumbrances, assignments, contracts, liens and other interests to which the vehicle is subject at the owner's or last surviving owner's death, as applicable. The transfer to the designated beneficiary does not affect the ability of a lienholder to pursue an existing means of debt collection permitted under the laws of this state.

(4) The transfer to the designated beneficiary upon death is not a taxable event, regardless of the designated beneficiary's relationship to the deceased owner of the motor vehicle.

SECTION 6. (1) The owner of a motor vehicle may designate a sole beneficiary to whom the owner's interest in the vehicle transfers on the owner's death as provided by Sections 1 through 5 of this act, by submitting an application for title with the designation. To be effective, the designation must state that the transfer of an interest in the vehicle to the designated beneficiary is to occur at the transferor's death.

(2) The legal name of a beneficiary designated under this section must be included on the title.

(3) The department shall transfer title of a motor vehicle to a beneficiary designated under this section for the vehicle if the beneficiary submits:

(a) An application for title not later than the 180th day after the date of the owner's death or, if the vehicle is owned by joint owners, the last surviving owner's death, as applicable; and

(b) Satisfactory proof of the death of the owner or owners, as applicable.

(4) A beneficiary designation may be changed or revoked by submitting a new application for title.

(5) A beneficiary designation or a change or revocation of a beneficiary designation made on an application for title of a motor vehicle that has not been submitted to the department before the death of a vehicle's owner or owners who made, changed, or revoked the designation, as applicable, is invalid.

(6) The Department of Revenue may adopt rules to administer this section.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE A BENEFICIARY DESIGNATION THAT TRANSFERS A MOTOR VEHICLE AT THE OWNER'S DEATH; TO PROVIDE DEFINITIONS; TO PROVIDE FOR REQUIREMENT OF THE BENEFICIARY DESIGNATION; TO PROVIDE THE PROCEDURE FOR JOINT OWNERS; TO MAKE CERTAIN REQUIREMENTS OF THE DEPARTMENT OF REVENUE AND AUTHORIZE RULEMAKING AUTHORITY TO THE DEPARTMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

Chris Johnson

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1430** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley offered the following report of the Conference Committee on **H. B. No. 1065** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1065: Nuisance animals; bring forward certain sections of law relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-31.5, Mississippi Code of 1972, is amended as follows:

49-7-31.5. (1) The hunting, trapping and taking of nuisance animals shall be regulated by the commission. The commission may adopt regulations to regulate the hunting, trapping and taking of nuisance animals and to control the population of nuisance animals.

(2) (a) Landowners, agricultural leaseholders or their designated agents may take predatory and nuisance animals year-round on lands owned or leased by them.

(b) Landowners, agricultural leaseholders or their designated agents may take nuisance animals with any type of weapon and may take nuisance animals during the night after legal hunting hours on lands owned or leased by them with a permit issued by the department.

(c) No license is required for a resident landowner hunting or trapping nuisance animals on his own land. An agricultural leaseholder, designated agent and any other person must possess either an all-game hunting license or trapping license, unless otherwise exempt.

(d) No license is required for a recipient of the Purple Heart Medal for wounds suffered in combat, to hunt nuisance animals on private lands. Persons exempt from purchasing a hunting license under this paragraph shall have in their possession and on their person a copy of their DD-214 discharge form indicating the receipt of the Purple Heart Medal and any proof as may be required by the commission or the Department of Wildlife, Fisheries and Parks, while engaged in such activities.

(3) The taking of any animal or animals other than nuisance animals by the use of a trap or traps is unlawful except during the time the season is open for the taking of fur-bearing animals.

(4) Nuisance animals may be run, chased or pursued with dogs, except as provided in Section 49-7-32, year-round by licensed hunters.

(5) Nuisance animals may be hunted with the aid of electronic calls.

(6) Nuisance animals may be hunted or trapped with the aid of bait and lures, on private lands, according to regulations adopted by the commission.

(7) Any part of a nuisance animal may be bought and sold year-round.

(8) (a) Wild hogs may not be caught or trapped and released into the wild at a location different from the location where the wild hog was caught or trapped, or otherwise transported live in the State of Mississippi.

(b) A violation of this subsection is a Class I violation and is punishable as provided under Section 49-7-141.

(9) When hunting wild hogs during any open gun season on deer, a hunter must wear in full view at least five hundred (500) square inches of solid unbroken fluorescent orange.

SECTION 2. Section 49-7-140, Mississippi Code of 1972, is amended as follows:

49-7-140. (1) No person may import into the state or release into the wild, any live feral hog, wild swine or Russian Boar.

(2) No person may transport on public roads or off of the property of record where captured or relocate within the state any live feral hog, wild swine or Russian Boar \* \* \*.

(3) For the purposes of this section, "feral hogs, wild swine or Russian Boar" are defined as any hog that is not a domesticated pet or livestock.

(4) A violation of this section is a Class I violation punishable as provided in Section 49-7-141.

\* \* \*

( \* \* \*5) Nothing in this section shall be construed to prohibit the lawful transport of domestic swine for customary and ordinary purposes of intrastate or interstate commerce, or agricultural practices.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 49-7-31.5 AND 49-7-140, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE TRANSPORTATION, IMPORTATION AND RELEASE OF WILD HOGS, AND IMPOSE PENALTIES FOR SUCH VIOLATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Bill Pigott	Neil S. Whaley
Vince Mangold	
C. Scott Bounds	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1065** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Seymour. Total--1.

Absent and those not voting---None.

Voting Present--DeBar, Hill, Moran, Tate. Total--4.

Senator Seymour offered the following report of the Conference Committee on **H. B. No. 1177** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1177: Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 33-11-1, Mississippi Code of 1972, is amended as follows:

33-11-1. The Adjutant General of this state may \* \* \* make on behalf of the state, conveyances of real property \* \* \* that are in the best interest of the Mississippi Military Department. \* \* \* Such real property may be conveyed to a subdivision of government or state agency, institution, public university or community or junior college, for any consideration and upon such other terms and conditions as the Adjutant General may deem advisable. The Adjutant General is further empowered to enter into cooperative agreements with any county, municipality, or other political subdivision, of the state for \* \* \* providing facilities for National Guard training purposes.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 33-11-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ADJUTANT GENERAL TO MAKE CONVEYANCES OF REAL PROPERTY ON BEHALF OF THE STATE THAT ARE IN THE BEST INTEREST OF THE MISSISSIPPI MILITARY DEPARTMENT AND CONVEY TO ANY PUBLIC ENTITY UPON SUCH TERMS AND CONDITIONS AS THE ADJUTANT GENERAL MAY DEEM ADVISABLE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Lester Carpenter	Joseph M. Seymour
Gene Newman	Angela Turner-Ford
Steve Hopkins	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1177** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 1185** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1185: State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.
2. That the House and Senate adopt the following amendment:

AMEND by inserting the following after Senate Amendment No. 1 and renumbering subsequent section(s) accordingly:

SECTION 4. The Southern Rail Commission is granted the authority to execute and enter into contracts with parties for the purpose of construction of any related infrastructure and/or operations of intercity passenger rail service subject to the approval of any affected railroad and other interested party.

AMEND FURTHER, the title to conform by inserting the following on line 6 before the word "and":

TO AUTHORIZE THE SOUTHERN RAIL COMMISSION TO EXECUTE AND ENTER INTO CONTRACTS WITH PARTIES FOR THE PURPOSE OF CONSTRUCTION OF ANY RELATED INFRASTRUCTURE AND/OR OPERATIONS OF INTERCITY PASSENGER RAIL SERVICE SUBJECT TO THE APPROVAL OF ANY AFFECTED RAILROAD AND OTHER INTERESTED PARTY;

AMEND FURTHER, on line 330 by deleting "July 1, 2022" and inserting in lieu thereof the following: "its passage"

CONFEREES FOR THE HOUSE

Charles Busby

Steve Massengill

Larry Byrd

CONFEREES FOR THE SENATE

Jenifer B. Branning

Scott DeLano

Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1185** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford offered the following report of the Conference Committee on **H. B. No. 1247** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1247: Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Trustees of State Institutions of Higher Learning, acting by and through the University of Southern Mississippi, may lease portions of the property administered by the Mississippi State Port Authority at Gulfport.

(2) The University of Southern Mississippi may enter into subleases with public and/or private entities for all or part of such property.

(3) The University of Southern Mississippi, acting with the approval of the Board of Trustees of State Institutions of Higher Learning, may negotiate all aspects of any lease and sublease of such property and any terms and ancillary agreements pertaining to any lease and sublease of such property as may be reasonably necessary to effectuate the intent and purposes of this section and to ensure a fair and equitable return to the state.

(4) Any lease and sublease as provided for in this section and approved and entered into by the University of Southern Mississippi shall not exceed a term of forty (40) years and shall not be cancelled by any successor boards on the basis of the binding successor doctrine.

SECTION 2. (1) The Mississippi Board of Mental Health, acting through the Department of Mental Health and on behalf of the East Mississippi State Hospital, is authorized to sell certain state-owned real property and any improvements thereon, which was purchased in 2007 and formerly served as offices for the Community Residential Services Division, consisting of approximately 8,000 square feet and situated on a lot containing 3.6 acres, located at 5800 North Hills Street in the City of Meridian, Lauderdale County, Mississippi, such property being more particularly described as follows:

Part of the NE1/4 of the SW1/4 and part of the NW1/4 of Section 35, T7N, R15E, Meridian, Lauderdale County, Mississippi; and can be found in Deed Book 768 at page 16.

(2) The real property and any improvements thereon described under subsection (1) of this section shall be sold for not less than the fair market value as determined by the average of at least two (2) appraisals by qualified appraisers, one (1) of which shall be selected by the Department of Finance and Administration, and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

(3) All monies derived from the sale of the property described in subsection (1) of this section shall be deposited into a special fund created in the State Treasury for the use and benefit of the East Mississippi State Hospital. Unexpended amounts remaining in the special fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned on the amounts remaining in the special fund shall be deposited to the credit of the special fund.

(4) The Department of Finance and Administration may correct any discrepancies in the legal description provided in this section.

(5) The State of Mississippi shall retain all mineral rights to the property sold under this section.

SECTION 3. (1) The Mississippi Board of Mental Health, acting through the Department of Mental Health and on behalf of the East Mississippi State Hospital, is authorized to sell certain state-owned real property and any improvements thereon, which formerly served as an Alzheimer's unit by the Central Mississippi Residential Center, and more recently occupied by Weems Community Mental Health, consisting of approximately 3,800 square feet and situated on a 1-acre lot, located at 851 Northside Drive in the City of Newton, Newton County, Mississippi, such property being more particularly described as follows:

Start at the southeast corner of Lot 1, Pinecrest Subdivision, City of Newton, Newton County, Mississippi, and run North 894 feet; thence South 88 degrees 40 minutes West 413 feet to the point of beginning; Thence South 88 degrees 40 minutes West, 165 feet, thence North 01 degrees 30 minutes East, 260 feet to the South right-of-way line of U.S. Highway No. 80; thence Northeasterly, 155 feet along said right-of-way line; thence South 01 degree 22 minutes East, 299.7 feet to the point of beginning. The above-described property is situated in the E 1/2 of SE ¼ of Section 28, Township 6 North, Range 11 East, City of Newton, Newton County, Mississippi, and contains 1 acre, more or less.

(2) The real property and any improvements thereon described under subsection (1) of this section shall be sold for not less than the fair market value as determined by

the average of at least two (2) appraisals by qualified appraisers, one (1) of which shall be selected by the Department of Finance and Administration, and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

(3) All monies derived from the sale of the property described in subsection (1) of this section shall be deposited into a special fund created in the State Treasury for the use and benefit of the East Mississippi State Hospital. Unexpended amounts remaining in the special fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned on the amounts remaining in the special fund shall be deposited to the credit of the special fund.

(4) The Department of Finance and Administration may correct any discrepancies in the legal description provided in this section.

(5) The State of Mississippi shall retain all mineral rights to the property sold under this section.

SECTION 4. Notwithstanding any other provision of law to the contrary, the Board of Supervisors of Tallahatchie County is authorized to convey, lease or transfer, under such terms and conditions the board deems appropriate to promote the historical, educational and economic welfare of the county, any county-owned real property and any improvements thereon to the United States Government or any entity thereof, or a nonprofit organization dedicated to the preservation of historical and cultural sites, areas, items or artifacts of historical significance. The real property which shall be taken into consideration for purposes of conveyance, lease or transfer as authorized under this section are more particularly described as follows: (a) The Second Judicial Courthouse of Tallahatchie County, including the buildings and grounds located in Sumner, Mississippi; (b) the annex building located at 158 North Court Street in Sumner, Mississippi, which houses the Emmett Till Interpretive Center; and (c) Graball Landing on River Road in Tallahatchie County.

SECTION 5. Notwithstanding any other provision of law to the contrary, the Department of Finance and Administration may renegotiate any and all costs included in the lease provided for by Section 39-25-1.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; TO AUTHORIZE THE MISSISSIPPI BOARD OF MENTAL HEALTH, ACTING THROUGH THE DEPARTMENT OF MENTAL HEALTH AND ON BEHALF OF THE EAST MISSISSIPPI STATE HOSPITAL TO SELL CERTAIN STATE-OWNED REAL PROPERTY IN LAUDERDALE AND NEWTON COUNTIES, WHICH, RESPECTIVELY, WERE FORMERLY USED BY THE HOSPITAL AS OFFICES FOR THE COMMUNITY RESIDENTIAL SERVICES DIVISION AND AN ALZHEIMER'S UNIT BY THE CENTRAL MISSISSIPPI RESIDENTIAL CENTER; TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY TO CONVEY, LEASE OR TRANSFER ANY COUNTY-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON TO

THE UNITED STATES GOVERNMENT OR ANY ENTITY THEREOF, OR A NONPROFIT ORGANIZATION DEDICATED TO HISTORICAL PRESERVATION, UNDER SUCH TERMS AND CONDITIONS THE BOARD DEEMS APPROPRIATE TO PROMOTE THE HISTORICAL, EDUCATIONAL AND ECONOMIC WELFARE OF THE COUNTY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Tom Weathersby	Angela Turner-Ford
Richard Bennett	Albert Butler
Manly Barton	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1247** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker offered the following report of the Conference Committee on **H. B. No. 1323** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1323: Tallahatchie River Authority; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby created the Tallahatchie River Authority composed of the geographic boundaries of the following counties that the Tallahatchie River or Little Tallahatchie River traverse or border in the State of Mississippi, subject to the board of supervisors of a county voting and spreading on its minutes the decision to participate in the authority: Leflore, Tallahatchie, Quitman, Panola, Lafayette, Marshall, Union and Tippah. The authority shall be governed by a board of directors consisting of one (1) member appointed by the board of supervisors of each of the counties eligible and

whose board of supervisors chooses to participate. Board members shall be appointed by the appointing authorities within sixty (60) days after passage of this act.

(2) The boards of supervisors of the counties of Leflore and Tallahatchie shall each appoint a member from their respective counties for an initial term of one (1) year; the boards of supervisors of the counties of Quitman and Panola shall each appoint a member from their respective counties for an initial term of two (2) years; the boards of supervisors of the counties of Lafayette and Marshall shall each appoint a member from their respective counties for an initial term of three (3) years; and the boards of supervisors of the counties of Union and Tippah shall each appoint a member from their respective counties for an initial term of four (4) years. All appointments made after the initial appointments shall be for terms of four (4) years each from the expiration of the previous term, or until a successor is appointed and qualifies.

(3) Board members shall serve without pay. Upon appointment the members shall meet and organize at Charleston, Mississippi, set a regular time and place for the meetings of the authority, and secure offices and all necessary equipment therefor. A full-time executive director may be appointed by the board if the board deems the appointment advisable, and, if a director is appointed, he or she shall be full-time and shall serve at the pleasure of the board. The salary of a director may be paid out of such funds as may be available to the authority or from any source.

SECTION 2. The Tallahatchie River Authority is specifically authorized and empowered to contract with and to be contracted with by the Tennessee Valley Authority and any other agency or agencies of the federal government or of any state or subdivision thereof which may be of assistance in carrying out the purposes set forth in this act. In addition, the authority is empowered to do any and all other things necessary or desirable in effectuating a plan for the comprehensive development of the resources of the authority's geographic region, including, but not limited to, such subjects as tourism, economic development, forestry, drainage and land reclamation and preservation, bank stabilization, electric power utilization, water conservation, recreation, public health and education, such program of development to be carried on in cooperation with the appropriate local, state and federal agencies. All agencies of the State of Mississippi are hereby authorized, empowered, and directed to extend their cooperation and assistance to the Tallahatchie River Authority in the formulation and implementation of the program of development.

SECTION 3. Each of the counties in which the Tallahatchie River Authority is located is authorized and empowered to contribute any amount or amounts which the board of supervisors thereof deems advisable, acting in their sole discretion, to be paid from the general county fund of the respective counties.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE TALLAHATCHIE RIVER AUTHORITY TO BE COMPOSED OF THE GEOGRAPHIC REGION OF THE COUNTIES THAT THE TALLAHATCHIE RIVER OR LITTLE TALLAHATCHIE RIVER TRAVERSE OR BORDER IN THE STATE OF MISSISSIPPI, SUBJECT TO THE BOARD OF SUPERVISORS OF A COUNTY VOTING AND SPREADING ON ITS MINUTES THE DECISION TO PARTICIPATE IN THE AUTHORITY; TO PROVIDE THAT EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS MAY SELECT ONE MEMBER OF THE BOARD OF DIRECTORS; TO PROVIDE CERTAIN AUTHORITY TO THE TALLAHATCHIE RIVER AUTHORITY; TO AUTHORIZE EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS TO CONTRIBUTE FUNDS TO THE AUTHORITY; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Chris Brown

Bryant W. Clark

Johnathan Ray Lancaster

## CONFEREES FOR THE SENATE

David Parker

Daniel H. Sparks

Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1323** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Turner-Ford offered the following report of the Conference Committee on **H. B. No. 1343** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1343: Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 386, Laws of 2017, as amended by Section 3, Chapter 449, Laws of 2018, as last amended by Sections 1 and 2, Chapter 363, Laws of 2019, is amended as follows:

Section 3. (1) The Department of Finance and Administration is authorized to transfer and convey to the Marion County Economic Development District certain real property located at Columbia Training School in Marion County, Mississippi. The real property contains approximately 1,148.92 acres, more or less, and is more particularly described as follows:

Parcel 1 Description:

Commencing at a found iron pin at the Northwest Corner of Section 15, Township 4 North, Range 18 West, thence South 88 degrees 44 minutes 13 seconds East a distance of 1,320.20 feet to the NE corner of the NW  $\frac{1}{4}$  of the of the NW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West and the point beginning, thence South 88 degrees 44 minutes 13 seconds East a distance of 4,066.30 feet to the NE corner of Section 15, Township 4 North, Range 18 West, thence South 00 degrees 05 minutes 56 seconds West a distance of 242.83 feet along the East line of Section

15, Township 4 North, Range 18 West, thence South 47 degrees 12 minutes 45 seconds West a distance of 4,789.95 feet along the north boundary of the Columbia-Marion County Airport Authority property, thence South 44 degrees 56 minutes 53 seconds West a distance of 761.75 feet along the north boundary of the Columbia-Marion County Airport Authority property to the center of the SW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West, thence North 00 degrees 09 minutes 35 seconds East a distance of 4,125.33 feet to the NE corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 15, Township 4 North, Range 18 West back to an iron pin and the point of beginning, Said parcel containing 202.11 acres, more or less.

Parcel 2 Description:

Commencing at a found pine stake at the Southeast Corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 00 degrees 05 minutes 56 seconds East a distance of 6,028.64 feet to a point on the East line of Section 22, Township 4 North, Range 18

West to the point beginning, thence South 89 degrees 44 minutes 33 seconds West a distance of 4,068.43 feet to the SE corner of the N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the of the NW  $\frac{1}{4}$  of Section 22, Township 4 North, Range 18 West, thence North 00 degrees 49 minutes 42 seconds East a distance of 1,648.69 feet to the South boundary of Columbia-Marion County Airport Authority Property, thence North 62 degrees 00 minutes 33 seconds East a distance of 181.98 feet along the South boundary of the Columbia-Marion County Airport Authority Property, thence North 62 degrees 00 minutes 33 seconds East a distance of 1,448.60 feet along the South boundary of the Columbia-Marion County Airport Authority Property, thence North 59 degrees 44 minutes 40 seconds East a distance of 3,023.35 feet along the South boundary of the Columbia-Marion County Airport Authority Property to a point on the East line of Section 15, Township 4 North, Range 18 West, thence South 00 degrees 05 minutes 56 seconds West a distance of 3,918.86 feet to a point on the east line of Section 22, Township 4 North, Range 18 West back to the point of beginning, Said parcel containing 256.81 acres, more or less.

Parcel 3 Description:

Beginning at a found pine stake at the Southeast Corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 89 degrees 42 minutes 39 seconds West a distance of 1,323.60 feet to the NW corner of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 27, Township 4

North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 1,320.0 feet to the SW corner of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence South 89 degrees 42 minutes 39 seconds East a distance of 662.10 feet to the NE

corner of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 1,320.0 feet to the SE corner of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence

South 89 degrees 42 minutes 37 seconds East a distance of 662.50 feet to the SE corner of Section 27, Township 4 North, Range 18 West, thence South 00 degrees 23 minutes 21 seconds West a distance of 114.57 feet to a point on the north right of way line of Old Highway 44,

thence South 84 degrees 05 minutes 37 seconds West a distance of 2,278.91 feet along said north right of way, thence South 82 degrees 30 minutes 32 seconds West a distance of 1,164.47 feet along said north right of way, thence South 73 degrees 56 minutes 48 seconds West a distance of 1,400.42 feet along said north right of way, thence South 64 degrees 06 minutes 42 seconds West a distance of 277.68 feet along said north right of way, thence South 38 degrees 11 minutes 49 seconds West a distance of 240.36 feet along said north right of way, thence South 38 degrees 11 minutes 49 seconds West a distance of 69.88 feet along said north right of way to the north line of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 34, Township 4 North, Range 18 West, thence South 89 degrees 45 minutes 36 seconds West a distance of 127.05 feet to the NW corner of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 34, Township 4 North, Range 18 West, thence North 00 degrees 04 minutes 10 seconds West a distance of 3,929.52 feet to the NW corner of the SW  $\frac{1}{4}$  of Section 27, Township 4 North, Range 18 West, thence North 89 degrees 49 minutes 47 seconds West a distance of 1,294.10 feet to the NE corner NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 28, Township 4 North, Range 18 West, thence North 00 degrees 16 minutes 38 seconds West a distance of 2,649.20 feet to the NE corner of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 28, Township 4 North, Range 18 West. thence East a distance of 265.82 feet to the west right of way line of Airport Road, thence along said west right of way line as follows: thence South 42 degrees 05 minutes 14 seconds East a distance of 107.03 feet, thence South 27 degrees 31 minutes 10 seconds East a distance of 185.56 feet, thence South 21 degrees 40 minutes 56 seconds East a distance of 1,482.37 feet, thence North 43 degrees 56

minutes 03 seconds East a distance of 497.83 feet crossing Airport Road and running along the south boundary of Marion County Economic Development District property, thence continuing along said south boundary North 43 degrees 58 minutes 36 seconds East a distance of 1,761.55 feet to the north line of Section 27 Township 4 North, Range 18 West. thence run East a distance of 4,097.68 feet to the NE corner of Section 27, Township 4 North, Range 18 East, thence South 00 degrees 05 minutes 56 seconds West a distance of 2,684.70 feet along the east line of Section 27, Township 4 North, Range 18 West back to the point of beginning said parcel containing 690.0 acres, more or less.

(2) The State of Mississippi shall retain any mineral rights to the property transferred and conveyed under subsection (1) of this section. The Department of Finance and Administration shall have the authority to correct any discrepancies in the property descriptions provided in subsection (1) of this section.

(3) The parcels of property conveyed under this section must be conveyed to the Marion County Economic Development District without any assumption of liability or financial responsibility by the State of Mississippi for any known or unknown environmental defects contained thereon. Upon receipt of the deed of title to the property, the Marion County Economic Development District shall indemnify the State of Mississippi for any damage, injury or loss.

(4) Upon sale or conveyance of the parcels of property conveyed hereunder, the Marion County Economic Development District shall first be reimbursed for out-of-pocket expenses for development of the parcels of property for water, sewer, roads, bridges, and electrical, and any remaining funds from the sale or conveyance shall be divided equally between the Marion County Economic Development District and the state.

(5) The parcels of property conveyed hereunder shall be sold for not less than the fair market value as determined by the average of at least two (2) appraisals by qualified appraisers, one (1) of which shall be selected by the Department of Finance and Administration and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

(6) The Columbia-Marion County Airport Authority and the Marion County Economic Development District shall provide the Mississippi Department of Human Services six (6) months to harvest and sell any timber located on the property transferred using a company of the department's preference prior to any improvement or development being made on the property by such entities, the revenue generated from which shall be deposited into the State Treasury and earmarked for use by the Department of Human Services for all administrative and program purposes deemed necessary by the executive director. Upon harvesting the timber on the property described in subsection (1) of this section within the time specified in this subsection (6), the Department of Human Services shall forfeit all future rights to any timber remaining on or regrown on the property, as well as any right of easement for accessing the property, and such rights shall then rest with the Marion County Economic Development District.

SECTION 2. Section 43-27-39, Mississippi Code of 1972, is amended as follows:

43-27-39. (1) The purpose of this section is to ensure that Mississippi's juvenile justice system is cost-efficient and effective at reducing juvenile crime and to create a continuum of options for Mississippi's youth court judges so that they are better equipped to protect our communities and to care for our children.

(2) The Columbia Training School shall no longer operate as a secure training school for juvenile delinquents. All youth, both male and female, committed to the custody of the Department of Human Services and adjudicated to training school shall be housed at the Oakley Youth Development Center. The Oakley Youth Development Center shall provide gender-specific treatment for youth who are adjudicated delinquent.

(3) Any portion of Columbia Training School property and facilities described in Section 1 of Chapter 553, Laws of 2012, may be conveyed or transferred to the Board of Supervisors of Marion County, Mississippi.

(4) Any portion of Columbia Training School property and facilities described in Section 2 of Chapter 386, Laws of 2017, may be conveyed or transferred to the Marion County Economic Development District for the purposes prescribed under that section.

(5) Any portion of Columbia Training School property and facilities described in Section 1 of this act may be conveyed or transferred to the Marion County Economic Development District.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, AS LAST AMENDED BY SECTIONS 1 AND 2, CHAPTER 363, LAWS OF 2019, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT; TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Tom Weathersby	Angela Turner-Ford
Gregory Holloway, Sr.	Josh Harkins
Ken Morgan	Jason Barrett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1343** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1479** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1479: Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-19-51, Mississippi Code of 1972, is amended as follows:

99-19-51. (1) At the discretion of the Commissioner, the Deputy Commissioner for Finance and Administration and the Deputy Commissioner for Institutions of the Mississippi Department of Corrections, the manner of inflicting the punishment of death shall be by \*\*\* one of the following: (a) intravenous \*\*\* injection of a substance or substances in a lethal quantity into the body; (b) nitrogen hypoxia; (c) electrocution or (d) firing squad, until death is pronounced by the county coroner where the execution takes place or by a licensed physician according to accepted standards of medical practice. \*\*\* Upon receipt of the warrant of execution from the Mississippi Supreme Court, the Commissioner of Corrections shall, within seven (7) days, provide written notice to the condemned person of the manner of execution. It is the policy of the State of Mississippi that intravenous injection of a substance or substances in a lethal quantity into the body shall be the preferred method of execution.

\*\*\*

( \*\* \*2) The Commissioner of Corrections has the authority and discretion to select and obtain the substances and the means necessary to carry out an execution, and may adopt and promulgate rules and regulations as the Commissioner deems necessary to administer and implement the provisions of this section.

( \*\* \*3) (a) The Commissioner of Corrections shall select an execution team to assist the State Executioner and his deputies. \*\*\* The execution team shall consist of those persons, \*\*\* including all medical personnel, who provide direct support for the administration of lethal chemicals \*\*\* , those individuals involved in assisting in the execution in any capacity \*\*\* and those personnel assigned to specific duties related to an execution.

(b) For the purposes of this section, "supplier of lethal injection chemicals" means a supplier or suppliers of lethal injection chemicals located within the State of Mississippi.

(c) The identities of the State Executioner and his deputies, all members of the execution team, a supplier of lethal injection chemicals, and \*\*\* those witnesses listed in Section 99-19-55(2) who attend as members of the victim's family or designated by the condemned \*\*\* person shall at all times remain confidential, and the information is exempt from disclosure under the provisions of the Mississippi Public Records Act of 1983.

( \*\* \*4) Notwithstanding any provision of law to the contrary, any portion of any record of any kind that could identify a person as being a current or former State Executioner, his or her deputies, a member of an execution team \*\*\* , a current or former supplier of lethal injection chemicals, or those witnesses listed in Section 99-19-55(2) who attend as members of the victim's family or designated by the condemned \*\*\* person, shall at all times be confidential, exempt, and protected from disclosure, but the remainder of the record shall not be protected unless otherwise provided by law. A court shall preserve the secrecy of all confidential and exempt information described in this section by reasonable means, which may include granting protective orders, holding in-camera hearings, sealing the records of the action, and ordering any person involved in the litigation not to disclose such information without prior court approval.

( \*\* \*5) Notwithstanding any provision of law to the contrary, if the State Executioner, his or her deputies, a member of the execution team or supplier of lethal injection chemicals is licensed by a board or department, the licensing board or department shall not censure, reprimand, suspend, revoke, or take any other disciplinary action against the person's license because the person participated in a lawful execution. Any person or institution assisting with or participating in carrying out an execution in accordance with this statute shall be presumed to be acting in good faith. Any person or institution acting in good faith in connection with carrying out an execution shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed. The State Executioner and his deputies, and all members of the execution team perform their respective functions as official duties on behalf of the state or any agency of the state.

SECTION 2. Section 99-19-53, Mississippi Code of 1972, is amended as follows:

99-19-53. (1) The Governor shall appoint the State Executioner who shall serve at the pleasure of the Governor and until his successor shall have been duly appointed to replace him.

(2) The State Executioner, or his duly authorized representative, shall supervise and inflict the punishment of death as the same is hereby provided. All duties and necessary acts pertaining to the execution of a convict shall be performed by the Commissioner of Corrections except where such duties and actions are vested in the State Executioner. The State Executioner shall receive for his services in connection therewith compensation in the sum of Five Hundred Dollars (\$500.00) plus all actual and necessary expenses for each such execution, to be paid by the county where the crime was committed. The county of conviction shall likewise pay the fees of the attending physician or physicians in attendance. The State Executioner may appoint not more than two (2) deputies who shall be paid One Hundred Fifty Dollars (\$150.00) per execution and mileage as authorized by law, to be paid by the county where the crime was committed, to assist in the infliction of the punishment of death. The Executioner may appoint such other assistants as may be required; however, such assistants shall not be entitled to compensation or travel expenses. The State Executioner and his deputies may waive compensation, per diem or travel expenses.

(3) Any infliction of the punishment of death by administration of the required lethal substance or substances in the manner required by law shall not be construed to be the practice of medicine or nursing. Any pharmacist is authorized to dispense drugs to the State Executioner or the Commissioner of the Mississippi Department of Corrections without a prescription for the purpose of this chapter.

(4) The State Executioner shall be custodian of all equipment and supplies involved in the infliction of the death penalty. All expenses for the maintenance and protection of the property, together with operating expenses, which as a practical matter cannot be allocated to the county of conviction, shall be paid out of funds designated by law for that purpose or out of the general support fund of the Mississippi Department of Corrections.

(5) The State Executioner shall receive the per diem compensation authorized in Section 25-3-69 in addition to actual and necessary expenses, including mileage as authorized by law, for each day, not to exceed three (3) days each month, spent in maintaining the equipment and supplies involved in the infliction of the death penalty or preparing for an execution which does not occur. Such payments shall be paid out of funds designated by law for that purpose or out of the general support fund of the Mississippi Department of Corrections.

\* \* \*

SECTION 3. Section 99-19-55, Mississippi Code of 1972, is amended as follows:

99-19-55. (1) Whenever any person shall be condemned to suffer death for any crime for which such person shall have been convicted in any court of any county of this state, such punishment shall be inflicted at 6:00 p.m. or as soon as possible thereafter within the next twenty-four (24) hours at an appropriate place designated by the Commissioner of the Mississippi Department of Corrections. \* \* \* All male persons convicted of a capital offense wherein the death sentence has been imposed shall be immediately committed to the Department of Corrections and transported to the maximum security cell block \* \* \*. All female persons convicted of a capital offense wherein the death sentence has been imposed shall be immediately committed to the Department of Corrections and housed in an appropriate facility designated by the Commissioner of the Mississippi Department of Corrections. Upon final affirmance of the conviction, the punishment shall be imposed in the manner provided by law. The State Executioner or his duly authorized deputy shall supervise and perform such execution.

(2) When a person is sentenced to suffer death in the manner provided by law, it shall be the duty of the clerk of the court to deliver forthwith to the Commissioner of Corrections a warrant for the execution of the condemned person. It shall be the duty of the commissioner forthwith to notify the State Executioner of the date of the execution and it shall be the duty of the said State Executioner, or any person deputized by him in writing, in the event of his physical disability, as hereinafter provided, to be present at such execution, to perform the same, and have general supervision over said execution. In addition to the above designated persons, the Commissioner of Corrections shall secure the presence at such execution of the sheriff, or his deputy, of the county of conviction, at least one (1) but not more than two (2) physicians or the county coroner where the execution takes place, and bona fide members of the press, not to exceed eight (8) in number, and at the request of the condemned, such ministers of the gospel, not exceeding two (2), as said condemned person shall name. The Commissioner of Corrections shall also name to be present at the execution such \* \* \* members of the execution team deemed by him or her to be necessary to insure proper security. No other persons shall be permitted to witness the execution, except the commissioner may permit the condemned person to designate two (2) \* \* \* witnesses, if they so request and two (2) members of the victim's \* \* \* family as witnesses, if they so request. Provided further, that the Governor may \* \* \* designate two (2) additional persons of good and reputable character to witness an execution. No person shall be allowed to take photographs or other recordings of any type during the execution. The absence of the sheriff, or deputy, after due notice to attend, shall not delay the execution.

(3) \* \* \* The Commissioner of Corrections, or his duly authorized representative, and the physician or physicians or county coroner who witnessed such execution shall prepare and sign officially a certificate setting forth the time and place thereof and that such \* \* \* condemned person was then and there executed in conformity to the sentence of the court and the provisions of Sections 99-19-51 through 99-19-55, \* \* \* which certificate shall be filed with the clerk of the court where the conviction of the criminal was had, and the clerk shall subjoin the certificate to the record of the conviction and sentence.

(4) The body of the person so executed shall be released immediately by the State Executioner, or his duly authorized representative, to the relatives of the dead person, or to such friends as may claim the body. The Commissioner of the Mississippi Department of Corrections shall have sole charge of burial in the event the body is not claimed as aforesaid, and his discretion in the premises shall be final. The Commissioner may donate the unclaimed body of an executed person to the University of Mississippi Medical Center for scientific purposes. The county of conviction shall bear the reasonable expense of burial in the event the body is not claimed by relatives or friends or donated to the University of Mississippi Medical Center.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 99-19-51, 99-19-53 AND 99-19-55, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO INFLICT THE DEATH PENALTY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Nick Bain	Joey Fillingane
Noah Sanford	Jeremy England
Tom Miles	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1479** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--12.

Absent and those not voting---None.

Senator Younger offered the following report of the Conference Committee on **S. B. No. 2007** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2007: Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-29-601, Mississippi Code of 1972, is amended as follows:

75-29-601. (1) For purposes of this article, "honey" shall mean the sweet, syrupy substance produced by honey bees from the nectar of plants (including honeydew) which

the bees collect, transform, deposit, dehydrate and store, ripened and matured in the honeycombs. The consistency can be fluid, viscous, or partly to entirely crystallized. The flavor and aroma vary but are derived from the plant origin. "Honey" may not contain any additional food ingredients, including food additives. Every container of honey or honey products sold, offered or exposed for sale, by an individual, firm, organization or corporation in the State of Mississippi shall have on the outside of each container a paper label, permanent type stamped imprint or embossed material on the container itself, plainly printed in the English language truly certifying the net contents of the container, the name, brand, name and address of the person or processor offering such honey or honey products for sale, and a true statement of the contents contained therein.

(2) Adulterated or artificial honey. Any product consisting of honey and a sweetener cannot be labeled as "honey." If any sweetener has been added to honey, it shall be deemed adulterated or artificial. For a honey product consisting of honey and a sweetener, the label shall, among other information, include the following: All ingredients in descending order of predominance by weight: for example, "blend of honey and corn syrup," if the honey product has more honey than corn syrup. (Conversely, "blend of corn syrup and honey," if the honey product has more corn syrup than honey).

(3) Value added honey products (flavored or infused honey). All substances added to honey or honey products which enhance or alter the flavor shall be included on the label in the same size font as the word "honey." The label shall include the common or usual name of each ingredient in the ingredient statement in descending order of predominance by weight.

(4) Lab-grown honey. Any product outside the definition of honey shall not be considered honey and shall not be labeled as such.

( \*\* \*5) It shall be unlawful for any individual, firm, organization or corporation to label and/or sell, offer for sale or expose for sale at the retail level of trade any product as " \* \* \* honey" that does not meet the minimum requirements established by subsection (1) of this section and by the Mississippi Department of Agriculture and Commerce. \* \* \*

( \*\* \*6) It shall be unlawful for any manufacturer or distributor of honey or honey products to use a fictitious name or address on the container label required herein.

SECTION 2. Section 75-29-603, Mississippi Code of 1972, is amended as follows:

75-29-603. (1) The Mississippi Department of Agriculture and Commerce is hereby charged with the responsibility of enforcing this article, including the provisions of Section 75-29-601, Mississippi Code of 1972, and the Commissioner of Agriculture and Commerce or his representative shall be furnished samples of honey or honey products from the individual, firm, organization or corporation, upon request, and shall have such products analyzed by the State Chemist.

(2) The Commissioner of Agriculture and Commerce is authorized, in his discretion, to issue an order to stop the sale or distribution of any honey or honey products found to be in violation of this article, including the provisions of Section 75-29-601, Mississippi Code of 1972. Upon written notice by the commissioner to the manufacturer or distributor of the honey or honey products sold in violation of this article, including the provisions of Section 75-29-601, such honey or honey products shall be picked up by the manufacturer or distributor of such products and the buyer of the honey or honey products sold in violation of this article, including the provisions of Section 75-29-601, shall be refunded the purchase price by the manufacturer or distributor.

(3) The Commissioner of Agriculture and Commerce of the State of Mississippi is hereby authorized and empowered, in his discretion, to make and promulgate rules and regulations as may be necessary to carry out the provisions of this article, including the provisions of Section 75-29-601.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 75-29-601 AND 75-29-603, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF COMMERCIAL HONEY FOR PURPOSES OF LABELING REQUIREMENTS ENFORCED BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE LABEL OF ANY PRODUCT CONSISTING OF HONEY AND SWEETENER SHALL INCLUDE ALL INGREDIENTS BY WEIGHT, TO PROVIDE THAT ALL SUBSTANCES ADDED TO HONEY TO ALTER THE FLAVOR SHALL BE INCLUDED ON THE LABEL AND TO PROVIDE THAT ANY LAB-GROWN HONEY SHALL NOT BE LABELED AS HONEY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chuck Younger	Bill Pigott
Tyler McCaughn	Ken Morgan
Joseph M. Seymour	Lester Carpenter

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2007** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Hill and Moran as co-authors of **S. B. No. 2007**.

Senator Younger offered the following report of the Conference Committee on **S. B. No. 2029** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2029: Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chuck Younger	Bill Pigott
Chris Caughman	Vince Mangold
Neil S. Whaley	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2029** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2034** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2034: Intestacy; revise provisions for venue.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Angela Cockerham
Tyler McCaughn	Thomas U. Reynolds
Derrick T. Simmons	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2034** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Moran offered the following report of the Conference Committee on **S. B. No. 2076** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2076: Derelict vessels; provide certain requirements for the removal of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-27-71, Mississippi Code of 1972, is amended as follows:

49-27-71. (1) Definitions. As used in the section, the following words and phrases have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(a) "Abandoned vessel" means a vessel left unattended for four (4) or more weeks after a hurricane, tropical storm or other natural event resulting in a declaration of emergency by the Governor, or, in the absence of a hurricane, tropical storm or other natural event resulting in a declaration of emergency by the Governor, any of the following:

(i) A vessel left unattended that is moored, anchored, or otherwise in the waters of the state or on public property for a period of more than ten (10) days.

(ii) A vessel that is moored, anchored, or otherwise on or attached to private property for a period of more than ten (10) days without the consent of the owner or lessee of the property or of the public trust tidelands.

Upon notification from the owner of the vessel outlining the circumstances following a hurricane, tropical storm or other natural event, the department may grant an exception to the time frames indicated above.

(b) "Department" means the Mississippi Department of Marine Resources.

(c) "Derelict vessel" means a vessel in the waters of the State of Mississippi that satisfies any of the following:

(i) Is aground without the ability to extricate itself absent mechanical assistance;

(ii) Is sunk or otherwise resting on the bottom of the waterway;

(iii) Is abandoned;

(iv) Is wrecked, junked, or in a substantially dismantled condition upon any waters of this state:

1. A vessel is "wrecked" if it is sunken or sinking; or remaining after a marine casualty, including, but not limited to, a boating accident, extreme weather, or fire.

2. A vessel is "junked" if it has been substantially stripped of vessel components, if vessel components have substantially degraded or been destroyed, or if the vessel has been discarded by the owner or operator. Attaching an outboard motor to a vessel that is otherwise junked will not cause the vessel to no longer be junked if such motor is not an effective means of propulsion.

3. A vessel is "substantially dismantled" if at least two (2) of the three (3) following vessel systems or components are missing, compromised, incomplete, inoperable, or broken:

(A) The steering system;

(B) The propulsion system; or

(C) The exterior hull integrity.

Attaching an outboard motor to a vessel that is otherwise substantially dismantled will not cause the vessel to no longer be substantially dismantled if such motor is not an effective means of propulsion;

(v) Docked, grounded, or beached upon the property of another without the consent of the owner of the property;

(vi) Is obstructing a waterway or within one hundred (100) yards of the boundaries of any state, county or municipal port;

(vii) Is endangering life or property;

(viii) Has broken loose or is in danger of breaking loose from its anchor, mooring, or ties; or

(iv) A vessel that is otherwise not seaworthy.

(d) "Documented vessel" means a vessel documented under 46 USC, Chapter 121.

(e) "Effective means of propulsion" means a vessel, other than a barge, that is equipped with:

(i) A functioning motor, controls, and steering system; or

(ii) Rigging and sails that are present and in good working order, and a functioning steering system.

A vessel does not have an effective means of propulsion for safe navigation within seventy-two (72) hours after the vessel owner or operator received telephonic notice, in-person notice recorded on an agency-approved body camera, or written notice, which may be provided by facsimile, electronic mail, or other electronic means, stating such from a representative of the department, and the vessel owner or operator is unable to provide a receipt, proof of purchase, or other documentation of having ordered necessary parts for vessel repair. The department may adopt regulations to implement this paragraph.

(f) "Floating building or structure" means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes, but is not limited to, an entity used as a residence, place of business or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; a storage or parking facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such. Incidental movement upon water or resting partially or entirely on the bottom does not, in and of itself, preclude an entity from classification as a floating structure.

(g) "Gross negligence" means conduct so reckless or wanting in care that it constitutes a conscious disregard or indifference to the safety of the property to such conduct.

(h) "Moored" means a vessel that is anchored or affixed in some other way to the public trust tidelands, to leased tidelands, to private land, or within the riparian zone of a private or public landowner or leaseholder.

(i) "Registered" means a vessel documented under Section 59-21-5, Mississippi Code of 1972.

(j) "Unseaworthy" means a vessel that is not fit or safe for any normal perils of the sea or has no effective means of propulsion.

(k) "Vessel" means every description of watercraft, other than a seaplane, capable of being used as a means of transportation on the water. For the purposes of this section, vessels powered only by hand, foot, oars or paddles, are included. For the purposes of this section, floatable buildings and structures, whether or not they are used for navigation, are included.

(l) "Waters of the state" means any waters located within Harrison, Hancock and Jackson Counties under the jurisdiction of the Mississippi Department of Marine Resources as established pursuant to Section 49-15-23, Mississippi Code of 1972.

(m) "Willful misconduct" means conduct evidencing carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design or to show an intentional and substantial disregard of the interests of the vessel owner.

(2) Jurisdiction. (a) (i) In the waters of Harrison, Hancock and Jackson Counties, a person \* \* \*, firm, corporation or other entity may not leave derelict or at risk of being derelict, any vessel on the coastal wetlands, marine waters, or on public or privately owned lands without the owner's permission.

(ii) The Department of Marine Resources has the authority to remove derelict vessels, whether located on private or public property.

(iii) Vessels located in ports and harbors are subject to the provisions outlined in Title 50, Mississippi Code of 1972, Ports, Harbors, Landings and Watercraft.

(iv) Subparagraph (i) of this paragraph (a) does not apply to vessels located in marinas, garages or repair shops for repairs, improvements or other work with knowledge of the owner and for which the costs for such services have been unpaid.

(v) Vessels deemed to be derelict pursuant to this chapter are exempt from the salvage provisions in Section 89-17-1 et seq., Mississippi Code of 1972.

(b) (i) In all other waters of the State of Mississippi, a person, firm, corporation or other entity may not leave derelict or at risk of being derelict, any vessel in the wetlands, public waters or waterways or on public or privately owned lands without the owner's permission.

(ii) Subparagraph (i) of this paragraph (b) does not apply to vessels located in public or private marinas, garages or repair shops for repairs, improvements or other work with knowledge of the owner and for which the costs for such services have been unpaid.

(iii) Vessels deemed to be derelict pursuant to this chapter are exempt from the salvage provisions of Section 89-17-1 et seq., Mississippi Code of 1972.

(3) Penalties. Violations of this act will be subject to the penalties as provided in Section 49-15-63.

( \*\* \*4) Standing. \*\* \* A party with standing may initiate the derelict vessel procedures in this section. For purpose of this section, the following parties have standing:

(a) The owner of the property where the vessel came to rest or to which the vessel was made fast;

(b) Any harbormaster, police department, municipality or agent of the state that agrees to accept or process a derelict vessel; or

(c) Any professional marine salvager when the salvager is engaged by a person with standing.

(5) Landowner permission may be revoked at any time. The landowner must provide the department sufficient proof that the vessel owner has been notified of the revocation of landowner's permission or proof that the landowner cannot locate the owner of the vessel.

When a vessel that is not otherwise leased to another party is moored upon public trust tidelands for a period of thirty (30) days or longer, permission must be granted by the Secretary of State's Office.

( \*\* \*6) Notice. Any party with standing, or his or her representative, may initiate the notice process by filing an application with the department to remove the derelict vessel \*\* \*. Upon receipt and review of the application, \*\* \* the department may initiate the following notice process:

(a) A department officer \*\* \* is authorized to board any vessel that has been reported to the department as being derelict or at risk of being derelict to determine the condition of the vessel and in an attempt to establish ownership of the vessel.

(b) A department officer shall post notice, which must comply with the following requirements:

(i) Be posted on the vessel in a prominent location, visible to an approaching person;

(ii) Require the vessel owner to submit a plan for removal to the department within seven (7) days of the notice; and

( \* \* \*iii) \* \* \* Include a space for the owner of the vessel to respond.

(c) If the registered owner responds with a signature in the space or otherwise provides a written response to the department requesting an extension of time, then the registered owner will have an additional five (5) days to \* \* \* submit the plan for removal.

(d) \* \* \* The department will notify the respondent of the approval or denial of the removal plan within seven (7) business days.

(e) If the respondent fails to comply with the approved removal plan and fails to submit a satisfactory reason as to why the vessel cannot be moved as planned, the department may present the removal plan and evidence of the owner's noncompliance to the chancery court.

(f) Upon presentation of the required evidence, the chancery court will issue an order allowing the department or its representative to remove the vessel from its current location and make whatever disposition is deemed appropriate, including, but not limited to, immediate disposal, storage pending disposal, use for official purposes, transfer to another state agency or other disposition.

(g) If the vessel is located in an area of coastal wetlands where emergent vegetation is present or where the vessel is embedded in the ground, a wetlands permit may be required prior to removal.

(h) Any party who acts in good faith and without malicious intent in the processing, storing or moving any derelict vessel pursuant to this section is immune from liability for damages to the vessel.

(7) Determining ownership. (a) Upon receipt of an application for the removal of a derelict vessel where no removal plan has been submitted by the owner, the department must attempt to contact the registered owner of the vessel and any lien holders of record by other available means.

(b) The department must inquire of the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP) as to the status of the vessel in regard to the Mississippi Boating Law of 1960, Section 59-21-1 et seq., or the United States Coast Guard as to the status of the vessel in regard to documentation under 46 USC, Chapter 121.

(c) The inquiry must provide the description of the vessel, including the vessel registration number.

(d) The MDWFP is required to provide the requested information to the department within two (2) business days.

(e) The registered owner of a vessel must comply with Section 59-21-21 to change ownership. In the event a vessel owner fails to notify the MDWFP of a transfer of ownership and supply the new owner's contact information, the owner of the vessel according to MDWFP records is presumed to be the person to whom the vessel is registered.

(f) If there is no registered owner found, the department must make publication on the department's website and in a newspaper with general circulation for three (3) weeks, describing the vessel and the location.

( \*\* \*8) Derelict vessel removal. (a) After the initial notice period described in subsection ( \*\* \*6) has lapsed \*\* \* and the department can show proof of inquiries to ascertain the vessel ownership under subsection (7) of this section, the department may obtain an order from the chancery court for the derelict vessel to be removed from its current location.

(b) \*\* \* The chancery court order may authorize the department to make whatever disposition is deemed appropriate, including, but not limited to, immediate disposal of the vessel, storage pending disposal, use for official purposes, transfer to another state agency or other disposition.

(c) \*\* \* If the vessel is located in an area of coastal wetlands where emergent vegetation is present or where the vessel is embedded in the ground, a wetlands permit may be required prior to removal.

(d) Any person who acts in good faith and without malicious intent in the processing, \*\* \* storing or \*\* \* moving of any derelict vessel pursuant to this section is immune from civil liability for damage to the vessel.

( \*\* \*9) Emergency removal. Any derelict vessel that is obstructing a waterway, is within any designated navigation channel or within one hundred (100) yards of the boundaries of any state, county or municipal port may be declared a hazard to navigation and subject to immediate relocation, removal \*\* \* disposal, or other disposition by the department or other party with standing.

(a) Any derelict vessel that is leaking any hazardous substances, chemicals or fuels will be reported to the Mississippi Department of Environmental Quality (MDEQ) and may be declared an environmental hazard and subject to immediate relocation, removal \*\* \* disposal \*\* \* or other disposition by MDEQ, the department or other party with standing.

(b) The \*\* \* registered owner of a vessel removed in accordance with this subsection \*\* \* (9) is liable for the costs associated with the relocation, removal, salvage \*\* \* storage or disposal of the vessel and any damages to the flora and fauna within the affected area.

(c) Any funds derived from salvage or sale of a vessel pursuant to this section will be used to offset the costs to the department associated with the removal, salvage, storage or disposal of the vessel.

(d) Any funds derived from damages to the flora and fauna will be deposited into the Coastal Resource Management Fund if the Department of Marine Resources initiates the action.

\*\* \* (e) Any party who relocates or removes a vessel under this section is not liable for damages resulting from relocation or removal unless the damage results from gross negligence or willful misconduct.

( \*\* \*10) Cost recovery. (a) \*\* \* The department may seek full cost recovery from the registered owner of the derelict vessel for any expense incurred as a result of, or incidental to, removing the vessel. The registered owner of the vessel is liable for the costs of removal, storage, disposal, and restoration of affected lands \*\* \*, attorneys' fees, and all court costs \*\* \*.

(b) The owner of the vessel is also liable for \*\*\* an administrative penalty of Five Hundred Dollars (\$500.00) per day. \*\*\* The penalty for emergency removal of vessels under subsection (9) of this section may be imposed by the Executive Director of the Department of Marine Resources upon the recommendation of the Advisory Commission on Marine Resources, under Section 49-15-401 et seq. The fines for removal of all other vessels may be imposed by the chancery court.

(c) Expenses incurred, including, but not limited to, fines, court costs, vessel removal, storage, disposal, restoration of affected lands, and attorneys' fees for derelict vessels will be imposed by the chancery court as outlined in subsection (11) of this section.

(d) If the registered owner should fail to pay fines imposed by the department in accordance with paragraph (b) of this subsection, an enforcement action will be filed with the chancery court which may result in the court issuing an order, including, but not limited to, the collection of fines, court costs, and/or any legal avenue the court finds appropriate to collect such funds.

(e) All proceeds from any activity initiated by the Department of Marine Resources related to the disposition of a vessel under this chapter will go into the Derelict Vessel Fund, a special fund within the Seafood Fund. However, any fines imposed for the damage to coastal wetlands will be placed in the Coastal Resource Management Fund.

( \*\* \*11) Court process. (a) The chancery court of the county in which the vessel is located has jurisdiction over all matters concerning derelict vessels under this section, including injunctions and demands for damages. If the vessel is allowed to float and/or is otherwise moved to another county after notice has been provided under subsection (6) of this section, the county in which the vessel was first provided notice shall have continuing jurisdiction.

(b) If there is no response to the publication attempts under subsection (7)(e) of this section, the chancery court will issue an order to the department allowing the department to take possession of the vessel and make such use or disposition of the vessel as deemed appropriate under the circumstances. If the department determines that the vessel may be used for official purposes or otherwise sold, the MDWFP will issue a vessel registration number or a hull identification number to the department after proof of publication has been submitted.

( \*\* \*c) The chancery court may, in its discretion, order damages up to Five Hundred Dollars (\$500.00) per day for every day the vessel was left abandoned or derelict, beginning on the day \*\*\* notice was posted on the vessel. \*\*\*

( \*\* \*d) If the department or a party with standing desires to require the registered owner to remove the vessel, then he or she may apply to the chancery court for a writ of mandatory injunction ordering the registered owner to remove the vessel. The chancery court must allow a reasonable time for removal and restoration of the affected lands. The chancery court may order further damages not to exceed Five Hundred Dollars (\$500.00) per day for each day that the violation exists beyond the date set by the court in an injunction for the removal of the vessel and restoration of the affected lands.

( \*\* \*e) Any court-ordered reimbursed costs or damages in excess of the actual costs of removal and restoration initiated by the Department of Marine Resources must be deposited in a special fund in the State Treasury known as the "Derelict Vessel Fund" \*\*\* within the Seafood Fund. Any funds deposited in the fund must be used to cover the administrative costs and removal costs incurred by the department for the removal of vessels. Any remaining funds must be used to cover the costs of removing additional derelict vessels. However, any fines imposed for the damage to coastal wetlands will be placed in the Coastal Resource Management Fund.

( \*\* \*12) Department authorities. (a) The department is authorized to enter into contracts with individuals, firms and corporations, or agreements with other state agencies for the removal and/or temporary storage of vessels prior to removal. The salvage value, if any, of the vessel may be used to offset the costs of the removal of the vessel and the restoration of the affected area. The department may enter into noncompetitive contracts or agreements with any state or federal entity for the removal of vessels.

(b) The \*\* \* department may \*\* \* enter into interstate or intrastate \*\* \* agreements toward this end, and may seek and utilize aid from all federal, state, and local sources in this endeavor.

(c) The Department of Marine Resources shall adopt rules and regulations necessary and appropriate to carry out this section for actions falling within its jurisdiction.

(d) The department may promulgate regulations to establish a derelict vessel prevention program to address vessels at risk of becoming derelict. Such program may, but is not required to, include:

(i) Removal, relocation, and destruction of vessels declared a public nuisance due to the lack of proper marine sanitation, derelict or at risk of becoming derelict, or lost or abandoned.

(ii) Creation of a vessel turn-in program allowing the owner of a vessel determined by the department to be at risk of becoming derelict, to turn the vessel and vessel title over to the department to be destroyed without penalty.

(iii) Providing for removal and destruction or other disposition of an abandoned vessel for which an owner cannot be identified or the owner of which is deceased and no heir is interested in acquiring the vessel.

(iv) Purchase of anchor line, anchors, and other equipment necessary for securing vessels at risk of becoming derelict.

(v) Creating or acquiring moorings designated for securing vessels at risk of becoming derelict.

( \*\* \*e) The State of Mississippi, the Commission on Marine Resources, the Department of Marine Resources, and their employees and representatives shall not be liable for any damages resulting from the removal, towing, storage, sale or disposal of any vessel \*\* \* that is derelict or hazardous under this section.

(f) The department or any party with standing does not incur liability for any resulting damage to the vessel or any damage the vessel may cause to any property or person during the time frame between posting notice and vessel removal. If any damages occur during the period of time between notice and removal of the vessel, the registered vessel owner, according to MDWFP records, is presumed liable for all damages.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-27-71, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATING TO DERELICT VESSELS; TO PROVIDE FOR JURISDICTION IN ACTIONS TO REMOVE DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE REMOVAL OF DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE NOTICE PROCESS FOR THE

REMOVAL OF DERELICT VESSELS; TO PROVIDE FOR THE PROCESS FOR DETERMINING OWNERSHIP OF DERELICT VESSELS; TO PROVIDE FOR RECOVERY OF COSTS ASSOCIATED WITH REMOVING DERELICT VESSELS; TO AUTHORIZE CERTAIN POWERS AND DUTIES OF THE DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Philip Moran	Timmy Ladner
Brice Wiggins	Kevin Felsher
Mike Thompson	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2076** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate moved that the rules be suspended to move to calendar item 139, **S. B. No. 2879**, and the motion prevailed.

Senator Tate moved that the Conference Committee Report on **S. B. No. 2879** be recommitted for further conference and the motion prevailed.

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

Senator McDaniel moved that the rules be suspended to move to calendar item 101, **S. B. No. 2158**, and the motion prevailed.

Senator McDaniel offered the following report of the Conference Committee on **S. B. No. 2158** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2158: Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-17-405, Mississippi Code of 1972, is amended as follows:

49-17-405. (1) There is hereby created the Mississippi Groundwater Protection Trust Fund, hereinafter referred to as the "fund" to be administered by the Executive Director of the Department of \* \* \* Environmental Quality. The commission shall adopt regulations for administering this fund.

(2) The commission shall expend or utilize monies up to One Million Dollars (\$1,000,000.00) annually in the fund by an annual appropriation approved by the Legislature to supplement all reasonable direct and indirect costs associated with the development and administration of the Underground Storage Tank (UST) Program if the annual tank regulatory fee in Section 49-17-421 does not adequately cover the costs associated with Sections 49-17-401 through 49-17-435. All reasonable direct and indirect costs associated with development and administration of the UST Program, including, but not limited to, the reasonable costs of the following activities as they relate to the UST Program:

- (a) Preparing generally applicable regulations or guidance regarding the UST Program or its implementation or enforcement;
- (b) Administering the UST Program, including the supporting and tracking of UST owners/operators and associated UST systems, compliance with UST regulations, the fund, UST-certified contractors, tank fees and related data entry;
- (c) Implementing and enforcing the terms of the UST regulations; and
- (d) Investigation, assessment and rehabilitation of contamination sites with restoration or replacement of potable water supplies.

At no time shall an annual fund appropriation result in more than supplemental funding for the current annual cost of administering the UST Program.

(3) Whenever in the executive director's determination a release of motor fuels at an active site may pose a threat to the environment or the public health, safety or welfare, the department shall obligate monies available in the fund to provide for:

- (a) Investigation and assessment of contamination sites;
- (b) Restoration or replacement of potable water supplies;
- (c) Rehabilitation of contamination sites, which may consist of cleanup of affected soil, groundwater and inland surface waters, using cost-effective alternatives that are technologically feasible and reliable, and that provide adequate protection of the public health, safety and welfare and minimize environmental damage, in accordance with the site selection and clean-up criteria established by the commission, except that nothing herein shall be construed to authorize the commission to obligate funds for payment of costs which may be associated with, but are not integral to, site rehabilitation, such as the cost for retrofitting or replacing underground storage tanks.

(\* \* \*4) Whenever the commission has expended funds from the fund created by Sections 49-17-401 through 49-17-433, the owner of the underground storage tank shall not be liable to the department for such costs if the owner was in substantial compliance on the date on which the discharge of the motor fuels which necessitates the cleanup was reported to the department. Otherwise owners are responsible for reimbursement and

the reimbursed monies shall go back into the fund. In such circumstances the commission is authorized to take any necessary action to recover these monies from responsible owners.

( \*\* \*5) Any provisions of this section and chapter regarding liability for the costs of cleanup, removal, remediation or abatement of any pollution, hazardous waste or solid waste shall be limited as provided in Section 49-17-42 and rules adopted thereto.

SECTION 2. Section 49-17-407, Mississippi Code of 1972, is amended as follows:

49-17-407. (1) (a) An environmental protection fee of Four-tenths of One Cent (4/10 of 1¢) per gallon is hereby levied upon any bonded distributor, as defined by Sections 49-17-401 through 49-17-433, who sells or delivers motor fuels to a retailer or user in this state.

(b) Every person, other than a bonded distributor, who shall purchase or acquire motor fuels within this state on which the environmental protection fee has not accrued, shall be liable for the environmental protection fee.

(c) The environmental protection fee shall be imposed only one (1) time on motor fuels sold in the state.

(d) The environmental protection fee shall be collected by the Department of Revenue and shall be designated separately from the excise taxes on fuels.

(e) Any person liable for the environmental protection fee shall be subject to the same requirements and penalties as distributors under the provisions of the Mississippi Special Fuel Tax Law.

(f) Any person liable for the environmental protection fee shall file a report and remit any fees due at the same time provided for filing reports under Section 27-55-523, on forms prescribed by the Department of Revenue.

(g) The Department of Revenue is hereby authorized and empowered to promulgate all rules and regulations necessary for the administration of the environmental protection fee.

(2) (a) On or before the fifteenth day of each month the environmental protection fees collected during the previous month shall be deposited into the Mississippi Groundwater Protection Trust Fund established in Section 49-17-405. When the unobligated balance in the fund reaches or exceeds Ten Million Dollars (\$10,000,000.00), the administrator of the fund shall notify in writing the Department of Revenue no later than the twenty-fifth day of the month to revise the distribution of the environmental protection fee and the Department of Revenue shall deposit the fee into the State Highway Fund. Such distribution shall become effective on the last day of the month succeeding the month in which such notice was given. All environmental protection fees accrued shall be reported and paid.

(b) When the fund balance is reduced below Six Million Dollars (\$6,000,000.00), the fee shall again be deposited into the Mississippi Groundwater Protection Trust Fund until such time as the fund shall reach or exceed Ten Million Dollars (\$10,000,000.00). The administrator of the fund shall notify, no later than the twenty-fifth day of the month, the Department of Revenue to deposit the environmental protection fee into the Mississippi Groundwater Protection Trust Fund and such distribution shall become effective on the first day of the second month succeeding the month in which the notice to deposit the fee into the fund was given.

(3) This fund shall be used for the purposes set forth in Sections 49-17-401 through 49-17-435 and for no other governmental purposes, nor shall any portion hereof ever be

available to borrow from by any branch of government; it being the intent of the Legislature that this fund and its increments shall remain intact and inviolate. Any interest earned on monies in this fund shall remain in this fund.

(4) Monies held in the fund established under Sections 49-17-401 through 49-17-435 shall be used for supplemental funding of the Underground Storage Tank (UST) Program as described in Section 49-17-405 and only at an active site and shall be disbursed in accordance with the commission requirements and as follows:

(a) Payments shall be made to any third party who brings a third-party claim against any owner of an underground storage tank and the commission as trustee of the Mississippi Groundwater Protection Trust Fund and who obtains a final judgment in such action which is valid and enforceable in this state against such parties. Payment shall be paid to the third party upon filing by such party an application with the department attaching the original or a certified copy of the final judgment.

(b) Payments shall be made in reasonable amounts to approved response action contractors and other parties involved in the site study and cleanup. Payment shall be made to the party incurring the costs by filing of a sworn application with the department indicating the fair and reasonable value of the costs of site rehabilitation, subject to the regulations and limitations as set by the department.

(5) Payments from the fund are limited as follows:

(a) For cleanup purposes, a maximum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) may be disbursed from the fund for any one (1) site, per confirmed release occurrence.

(b) For third-party judgments, a maximum of One Million Dollars (\$1,000,000.00) may be disbursed from the fund for any one (1) site, per confirmed release occurrence.

(c) Nothing in Sections 49-17-401 through 49-17-435 shall establish or create any liability or responsibility on the part of the department or the State of Mississippi to pay any cleanup costs or third-party claims if the fund created herein is insufficient to do so.

(6) Monies held in the fund established under Sections 49-17-401 through 49-17-435 shall not be used for purchases of equipment needed to assist in cleanup operations.

(7) Nothing in Sections 49-17-401 through 49-17-435 shall serve to limit any recovery against an owner of an underground storage tank in excess of the fund payment limits established under this section.

(8) Substantial compliance shall in no way be construed to be an absolute defense to civil liability.

SECTION 3. Section 49-17-421, Mississippi Code of 1972, is amended as follows:

49-17-421. (1) After receiving the annual report and recommendation of the Underground Storage Tank (UST) Advisory Council, the commission may assess and collect an annual tank regulatory fee in an amount sufficient to administer Sections 49-17-401 through 49-17-435, but not to exceed Two Hundred Dollars (\$200.00) per tank. The fee, as set by the commission, shall be assessed per tank per year and shall be collected from the owner of each underground storage tank available for use in Mississippi on July 1, 1988, or brought into use or available for use after that date, as provided in the Mississippi Underground Storage Tank Act of 1988 (Sections 49-17-401 through

49-17-435). The fee assessed under this section is a debt due by the owner of each tank in use in Mississippi on July 1, 1988, or brought into use after that date.

(2) The commission shall establish the amount of the tank regulatory fee to cover the costs of the Underground Storage Tank Program. The fee for each state fiscal year shall be set by order of the commission, which shall include:

(a) A receipt of the report and recommendations of the UST Advisory Council, and

(b) A public notice to allow the public a period of at least thirty (30) days to provide comments regarding the underground storage tank fee report and recommendation, or to request a public hearing in accordance with Section 49-17-29(4)(a).

The department may conduct a public hearing on the tank regulatory fee when a significant level of public interest exists or when warranted by other factors. Notwithstanding the provisions of this subsection (2), the commission may proceed with entry of the order if the UST Advisory Council fails to submit its report in a timely manner.

The tank regulatory fee shall be due July 1 of each year, and if any part of the fee is not paid within thirty (30) days after the due date, a penalty of fifty percent (50%) of the amount due shall accrue at once and be added to the fee, unless the owner of the underground storage tank demonstrates to the commission that the failure to make timely payment was unavoidable due to financial hardship or otherwise beyond the control of the owner.

Monies collected under this section shall be deposited in a special fund which is created in the State Treasury. Unexpended amounts remaining in the special fund at the end of the fiscal year shall not lapse into the General Fund and any interest earned on amounts in the special fund shall be credited to the special fund by the Treasurer. The fund may receive monies from any available public or private source, including, but not limited to, the fund, collection of fees, interest, grants, taxes, public or private donations and judicial actions. Monies in this special fund shall be expended by annual appropriation approved by the Legislature to administer Sections 49-17-401 through 49-17-435.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 49-17-405, 49-17-407 AND 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UNDERGROUND STORAGE TANK FEES ARE INSUFFICIENT TO COVER ADMINISTRATIVE COSTS, THE COSTS ASSOCIATED WITH ADMINISTRATION OF THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND AND RELATED PURPOSES SHALL BE PAID FROM THE FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chris McDaniel	Chris Brown
Chris Caughman	Price Wallace
Scott DeLano	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2158** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Senator Younger offered the following report of the Conference Committee on **S. B. No. 2077** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2077: Mississippi Farms and Families Program; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Healthy Food and Families Program."

(2) Subject to appropriation, the Mississippi Department of Agriculture and Commerce shall fund qualified nonprofit organizations that shall distribute incentive dollars to participating Mississippi farmers markets and retailers for developing a nutrition incentive program to double the purchasing power of Mississippi residents with limited access to fresh fruits and vegetables, support farmers, and invest in Mississippi's local economy.

(3) The designated nonprofit organizations shall have a demonstrated track record of:

- (a) Building a statewide network;
- (b) Implementing such funds for distribution and reporting processes;
- (c) Providing training and technical assistance to farmers markets, produce stands, and direct producer-to-consumer venues;
- (d) Conducting community outreach and data collection; and

(e) Providing full accounting and administration of funds distributed to farmers markets and retailers.

(4) At least ninety percent (90%) of the money deposited into the Mississippi Healthy Food and Families Program shall be distributed to participating Mississippi farmers markets, produce stands, and retailers for healthy food incentives. A maximum of ten percent (10%) of the money deposited into the Mississippi Healthy Food and Families Program may be used for administrative costs.

(5) Guidelines and eligibility for the Mississippi Healthy Food and Families Program shall be established by the Department of Agriculture, consistent with the U.S. Agriculture Improvement Act of 2018. For the purposes of this program, "eligible fruits and vegetables" means any fresh or frozen, whole or cut fruits and vegetables that do not contain added sugar, fat, oil or salt. "Eligible retailers" means a small business whose principal office is located in Mississippi and that has a demonstrated commitment to procuring Mississippi-grown foods, including fruits and vegetables.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI HEALTHY FOOD AND FAMILIES PROGRAM" WHICH REQUIRES THE DEPARTMENT OF AGRICULTURE AND COMMERCE, SUBJECT TO APPROPRIATION, TO FUND QUALIFIED MISSISSIPPI NONPROFITS TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chuck Younger	Bill Pigott
Neil S. Whaley	Vince Mangold
Robert L. Jackson	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2077** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

Senator Moran moved that the rules be suspended to move to calendar item 117, **S. B. No. 2476**, and the motion prevailed.

Senator Moran offered the following report of the Conference Committee on **S. B. No. 2476** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2476: Shellfish aquaculture farms; authorize Department of Marine Resources to license.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Philip Moran	Timmy Ladner
Mike Thompson	Kevin Felsher
Jeremy England	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2476** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 5:24 PM, the Senate stood in recess.

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The Senate resumed business at 6:10 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 531:** AN ACT TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2022; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE STATE INCOME TAX ON THE TAXABLE INCOME OF INDIVIDUALS; TO PROVIDE THAT IT IS THE INTENT OF THE LEGISLATURE THAT BEFORE CALENDAR YEAR 2026, THE LEGISLATURE WILL CONSIDER WHETHER THE REVISED INCOME TAX RATES PROVIDED FOR IN THIS ACT WILL BE FURTHER DECREASED FOR CALENDAR YEARS AFTER CALENDAR YEAR 2026; TO PROVIDE THAT IF THE REVISED TAX RATES ARE FURTHER DECREASED FOR CALENDAR YEARS AFTER CALENDAR YEAR 2026 TO THE EXTENT THAT THERE IS NO TAX LEVIED ON THE TAXABLE INCOME INDIVIDUALS UNDER THIS SECTION, THE INDIVIDUAL INCOME TAX SHALL STAND REPEALED; AND FOR RELATED PURPOSES.

**H. B. No. 919:** AN ACT TO AMEND SECTION 47-5-357, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH A LEASING POLICY FOR AGRICULTURAL EQUIPMENT WHICH MAY BE EXEMPT FROM CERTAIN BID REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1586:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

**H. B. No. 1587:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2023.

**H. B. No. 1589:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2023.

**H. B. No. 1603:** AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2023.

**H. B. No. 1619:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1621:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2023.

**H. B. No. 1623:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 89:** A CONCURRENT RESOLUTION EXTENDING THE 2022 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS, REVENUE BILLS AND OTHER BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2022 REGULAR SESSION OF THE LEGISLATURE.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 89:** Legislature; extend 2022 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Rules.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs.

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create.

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs.

**S. B. No. 2263:** Adult adoptions; authorize chancellor to waive procedural requirements.

**S. B. No. 2530:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

**S. B. No. 2600:** Recidivism; create study committee to review means to reduce through support, supervision and skills attainment.

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's request.

**S. B. No. 2735:** Freestanding emergency room; revise definition to include rural emergency hospital.

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27 71 5(d).

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises.

Adopted: 03/28/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1247:** Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority.

**H. B. No. 1323:** Tallahatchie River Authority; create.

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

**H. B. No. 1691:** Income tax; revise certain provisions relating pass-through entities.

Adopted: 03/28/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1759:** Holmes County; authorize to provide certain compensation for county patrol officers.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. C. R. No. 89:** Legislature; extend 2022 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 89**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**H. C. R. No. 89:** Legislature; extend 2022 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment.

YEAS AND NAYS On H. C. R. No. 89. On motion of Senator Hopson, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 89.

Senator Kirby moved that the rules be suspended to move to calendar item 3, **S. C. R. No. 588**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 588:** Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months.

YEAS AND NAYS On S. C. R. No. 588. On motion of Senator Blackwell, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Barrett, Branning, Chism, Hill, Seymour, Sojourner, Tate. Total--7.

Absent and those not voting----None.

Senator Simmons D. T. (12th), who would have voted yea on S. C. R. No. 588, announced a pair with Senator McDaniel, who would have voted nay.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 588.

Senator Branning moved that the rules be suspended to move to calendar item 118, **S. B. No. 2507**, and the motion prevailed.

Senator Branning moved that the Conference Committee Report on **S. B. No. 2507** be recommitted for further conference and the motion prevailed.

**S. B. No. 2507**: MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

Senator Fillingane moved that the rules be suspended to move to calendar item 126, **S. B. No. 2543**, and the motion prevailed.

Senator Fillingane moved that the Conference Committee Report on **S. B. No. 2543** be recommitted for further conference and the motion prevailed.

**S. B. No. 2543**: Department of Public Safety; revise provision related to.

Senator Moran moved that the rules be suspended to move to calendar item 121, **S. B. No. 2511**, and the motion prevailed.

Senator Moran offered the following report of the Conference Committee on **S. B. No. 2511** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2511: Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

#### CONFEREES FOR THE SENATE

Philip Moran

Mike Thompson

Jeremy England

#### CONFEREES FOR THE HOUSE

Timmy Ladner

Kevin Felsher

Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2511** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Sojourner entered a motion to reconsider the vote whereby **S. C. R. No. 588** was adopted by the Senate.

**S. C. R. No. 588:** Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John Arthur Eaves of Canton, MS.

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Senators Michel, Harkins, Blount, Wiggins, Horhn, Fillingane, Kirby and Hopson moved that when the Senate adjourns, it adjourn in memory of Steve Edds of Ridgeland, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Otto Johnson and Paulette Butler of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of C. L. Derrick of Pulaski, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Harry D. Hastings of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lonnie Albert Adams of Decatur, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Betty Nell Nick of Walnut Grove, MS.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Joseph C. Davis of Port Gibson, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Frankie Mae Jordan of Bude, MS.

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Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Langdon A. Barber of Chunky, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Geraldine Blackwell, Robert E. Corey and Iva Lee Odom of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Thomas Edward Bergin, Sr. of Lauderdale, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Tommy Spivey of Vimville, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Curtis R. Butler, Sr. of Whynot, MS.

---

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 30, 2022.

The motion prevailed, and at 6:32 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 9:20 PM in memory of John Arthur Eaves, Otto Johnson, Langdon A. Barber, Geraldine Blackwell, Robert E. Corey, Iva Lee Odom, Thomas Edward Bergin, Sr., Tommy Spivey, Curtis R. Butler, Sr., Paulette Butler, C. L. Derrick, Harry D. Hastings, Lonnie Albert Adams, Betty Nell Nick, Joseph C. Davis, Frankie Mae Jordan and Steve Edds.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR TUESDAY, MARCH 29, 2022

##### **S. R. No. 59:** Rules

A RESOLUTION RECOGNIZING THE SERVICE AND LEGACY OF WORLD WAR II VETERAN HENRY "HOWARD" BENNETT OF SUMRALL, MISSISSIPPI, AND EXTEND THE CONGRATULATIONS OF THE SENATE FOR HIS AWARD BY THE FRENCH GOVERNMENT OF THE MEDAL OF A LIBERATED FRANCE, THE LEGION OF HONOUR, FRANCE'S HIGHEST DEGREE OF MERIT, AND FOR HIS UPCOMING KNIGHTHOOD BY THE PRESIDENT OF FRANCE, AND EXTEND BEST WISHES ON HIS 100TH BIRTHDAY.

By Senator(s) Fillingane

##### **S. R. No. 60:** Rules

A RESOLUTION RECOGNIZING THE CAREER OF STATE HEALTH OFFICER THOMAS DOBBS, MD, MPH, AS HE LEAVES THIS POSITION AND PAYING TRIBUTE TO HIS HEROIC LEADERSHIP IN COVID-19 AND COMMUNICABLE DISEASE TREATMENT OF PATIENTS IN MISSISSIPPI.

By Senator(s) Blount, Horhn, Norwood, Simmons (12th)

##### **S. R. No. 61:** Rules

A RESOLUTION COMMENDING THE DISTINGUISHED SERVICE OF MS. MICHELE T. BLOCKER TO THE CITIZENS OF MISSISSIPPI ON THE OCCASION OF

HER RETIREMENT AS CHIEF ADMINISTRATIVE OFFICER OF THE MISSISSIPPI  
DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES (ITS).

By Senator(s) DeLano

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EIGHTY-SIXTH DAY, WEDNESDAY, MARCH 30, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Butler K. (38th).

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Senator Jackson (11th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 52:** Nancy Carol Norris-Johnson, LPN, Hattiesburg, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 48:** Jane M. (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, unexpired four year term effective May 19, 2021 and ending June 30, 2022, vice Blake Ward. Do Advise and Consent.

BRYAN, Chairman

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**REPORT OF COMMITTEE ON JUDICIARY, DIVISION B**

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 1730:** Suffrage; restore to Ray Ferrell of Harrison County. Title Sufficient. Do Pass.

**H. B. No. 1731:** Suffrage; restore to Deborah Ledbetter of Hinds County. Title Sufficient. Do Pass.

**H. B. No. 1732:** Suffrage; restore to Annie Mae Grant of Hinds County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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**MESSAGE FROM THE HOUSE**

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

Andrew Ketchings, Clerk of the House of Representatives

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**MESSAGE FROM THE HOUSE**

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins moved that the Conference Committee Report on **H. B. No. 833** be recommitted for further conference and the motion prevailed.

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1685** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1685: Pregnancy Resource Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization.

The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). For credits allocated during a calendar year for

contributions to eligible charitable organizations, no more than fifty percent (50%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. Section 27-7-22.41, Mississippi Code of 1972, is amended as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

( \* \* \*d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is

allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), for calendar year 2022, \* \* \* the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00) , and for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars (\$18,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. \* \* \* For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than \* \* \* four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization. \* \* \*

SECTION 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Blood donation" means the voluntary and uncompensated donation of whole blood, or specific components of blood, by an employee, drawn for use by a nonprofit blood bank organization as part of a blood drive.

(b) "Blood drive" means a function held at a specific date and time which is organized by a nonprofit blood bank organization in coordination with an employer or group of employers and is closed to nonemployees.

(c) "Employee" means an individual employed by an employer authorized to claim a tax credit under this section.

(d) "Employer" means a sole proprietor, general partnership, limited partnership, limited liability company, corporation or other legally recognized business entity.

(e) "Verified donation" means a blood donation by an employee, made during a blood drive, which can be documented by an employer.

(2) Subject to the provisions of this section, for calendar year 2022 and for calendar year 2023, a taxpayer that is an employer shall be allowed a credit against the taxes imposed under this chapter for each verified blood donation made by an employee as part of a blood drive. The credit shall be for an amount equal to Twenty Dollars (\$20.00) for each verified donation. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. The maximum aggregate amount of tax credits that may be claimed by all taxpayers claiming a credit under this section in a taxable year shall not exceed One Hundred Thousand Dollars (\$100,000.00). The department shall annually calculate and publish a percentage by which the tax credit authorized by this section shall be reduced so the maximum aggregate amount of tax credits claimed by all taxpayers claiming a credit in a taxable year does not exceed One Hundred Thousand Dollars (\$100,000.00).

SECTION 4. Section 27-7-17, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, and House Bill No. 1529, 2022 Regular Session, is amended as follows:

[Through February 1, 2022, this section shall read as follows:]

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free

bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation

associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

[From and after February 2, 2022, this section shall read as follows:]

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a

condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 26 of Senate Bill No. 2095, 2022 Regular Session.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component

member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance

Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 5. Sections 1 and 3 of this act shall be codified as new sections in Chapter 7, Title 27, Mississippi Code of 1972.

SECTION 6. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws, insurance premium tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws, insurance premium tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 7. Section 4 of this act shall take effect and be in force from and after January 1, 2020. Section 2 of this act shall take effect and be in force from and after January 1, 2023. The remainder of this act shall take effect and be in force from and after January 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE PREGNANCY RESOURCE ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THAT CONTRIBUTIONS FOR WHICH TAX CREDITS ARE CLAIMED UNDER THIS ACT MAY NOT BE USED AS DEDUCTIONS FOR STATE TAX PURPOSES; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR THE TAX CREDIT AUTHORIZED BY THIS ACT; TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; TO ADD AS PART OF THE REQUIRED WRITTEN CERTIFICATION A STATEMENT THAT THE FUNDS GENERATED FROM THE TAX CREDIT SHALL BE USED FOR EDUCATIONAL RESOURCES, STAFF AND EXPENDITURES AND/OR OTHER PURPOSES DESCRIBED IN THIS SECTION; TO DELETE PROVISIONS THAT REQUIRE A CERTAIN PORTION OF TAX CREDITS THAT MAY BE ALLOCATED UNDER THIS SECTION TO BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE PERCENTAGE OF TAX CREDITS THAT MAY BE ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO AUTHORIZE AN INCOME

TAX CREDIT FOR TAXPAYERS FOR BLOOD DONATIONS MADE BY EMPLOYEES OF A TAXPAYER DURING A BLOOD DRIVE; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Steve Massengill	Joey Fillingane
Lee Yancey	Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1685** (version 3) was adopted:

Yeas--Barnett, Blackmon, Blackwell, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Blount, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--8.

Absent and those not voting----None.

Voting Present--Barrett, Boyd, Butler A. (36th), Butler K. (38th), Frazier, McLendon, McMahan. Total--7.

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Senator Kirby moved that the rules be suspended to move to calendar item 12, **S. N. No. 149**, and the motion prevailed.

Senator Kirby called up the following entitled nomination:

**S. N. No. 149:** Whitney Holliday Lipscomb, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 10, 2022 and expiring June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 149 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 589, S. C. R. No. 590, S. C. R. No. 591, S. C. R. No. 592, S. R. No. 49, S. R. No. 50, S. R. No. 51, H. C. R. No. 79, H. C. R. No. 80, H. C. R. No. 81, H. C. R. No. 82, H. C. R. No. 83 and H. C. R. No. 84 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 589:** Commend Summer Field Program at USM Gulf Coast Research Laboratory on its 75th Anniversary.

**S. C. R. No. 590:** Commemorate the 150th Anniversary of the City of McComb.

**S. C. R. No. 591:** Designate April 2, 2022, as "World Autism Awareness Day in Mississippi."

**S. C. R. No. 592:** Commend State Parole Board member Betty Lou Jones on the occasion of her retirement.

**S. R. No. 49:** Recognize Award-Winning Country Singer, Songwriter and Musician Charlie Worsham.

**S. R. No. 50:** Recognize 45th Anniversary of the founding of Mu Xi Chapter of Alpha Phi Alpha Fraternity at USM.

**S. R. No. 51:** Recognize Dr. Ailean Stingley as the recipient of USA Today's Women of the Year - Mississippi Honoree.

**H. C. R. No. 79:** Millicent "Mandy" Gunter; commend for receiving the 2020 Presidential Award for Excellence in Math and Science Teaching.

**H. C. R. No. 80:** Bobbie Gentry; commend Chickasaw County native, legendary and renowned singer-songwriter.

**H. C. R. No. 81:** Global Reman Day; designate April 14, 2022, as period of observation in the State of Mississippi.

**H. C. R. No. 82:** Mississippi Export Railroad; commend upon occasion of 100th anniversary.

**H. C. R. No. 83:** Pine Grove High School Boys Basketball Team; commend for winning MHSAA Class 2A Boys Basketball State Championship.

**H. C. R. No. 84:** City of McComb; commend upon the 150th anniversary of its founding.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 589, S. C. R. No. 590, S. C. R. No. 591, S. C. R. No. 592, S. R. No. 49, S. R. No. 50, S. R. No. 51, H. C. R. No. 79, H. C. R. No. 80, H. C. R. No. 81, H. C. R. No. 82, H. C. R. No. 83 and H. C. R. No. 84. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Thompson and England as co-authors of **S. C. R. No. 589**.

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Unanimous consent was granted to add Senators Caughman and Thompson as co-authors of **S. C. R. No. 591**.

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Unanimous consent was granted to add Senator Thompson as co-author of **S. R. No. 49**.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 593, S. C. R. No. 594, S. C. R. No. 595, S. C. R. No. 596, S. C. R. No. 597, S. C. R. No. 598, S. C. R. No. 599, S. C. R. No. 600, S. C. R. No. 601, S. C. R. No. 602, S. C. R. No. 603, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, H. C. R. No. 85, H. C. R. No. 86, H. C. R. No. 87 and H. C. R. No. 88 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 593:** Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi.

**S. C. R. No. 594:** Commend Booneville High School "Lady Blue Devils" for winning 2022 MHSAA Class 3A Girls Basketball Championship.

**S. C. R. No. 595:** Commend Booneville High School "Blue Devils" Baseball Team for winning the 2021 Class 3A State Championship.

**S. C. R. No. 596:** Commend Belmont High School "Cardinals" Boys Golf Team for winning 2021 MHSAA 3A State Championship.

**S. C. R. No. 597:** Commend Booneville High School "Blue Devils" Boys Basketball Team for winning 2022 Class 3A State Championship.

**S. C. R. No. 598:** Commend Booneville "Lady Blue Devils" Girls Fast Pitch Softball Team for winning 2021 3A State Championship.

**S. C. R. No. 599:** Commend Belmont High School "Lady Cardinals" Volleyball Team for winning first State Championship in program history.

**S. C. R. No. 600:** Commend Booneville High School "Blue Devil" Marching Band for winning 3A State Championship.

**S. C. R. No. 601:** Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships.

**S. C. R. No. 602:** Commend Pearl River Community College "Wildcats" Women's Basketball Team for MACCC Championship.

**S. C. R. No. 603:** Commend Pearl River Community College "Wildcats" Men's Basketball Team for third consecutive MACCC title.

**S. R. No. 52:** Recognize Tara Denevan as Mississippi Department of Education 2022 "Parent of the Year".

**S. R. No. 53:** Commend Vancleave High School "Lady Bulldogs" Girls Volleyball Team for fifth consecutive State Championship.

**S. R. No. 54:** Commend Alcorn State University Women's Cross Country Team for winning SWAC.

**S. R. No. 55:** Commend Alcorn State University Men's Basketball Team for winning the SWAC Regular Season.

**H. C. R. No. 85:** Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 20, 2022.

**H. C. R. No. 86:** Poised Pearls of Laurel of Alpha Kappa Alpha Sorority; Inc.; congratulate upon the charter of a graduate chapter.

**H. C. R. No. 87:** The Commercial Dispatch; commend and congratulate on 100th anniversary.

**H. C. R. No. 88:** Bob Tyler; commend life of service to Yalobusha County and State of Mississippi.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 593, S. C. R. No. 594, S. C. R. No. 595, S. C. R. No. 596, S. C. R. No. 597, S. C. R. No. 598, S. C. R. No. 599, S. C. R. No. 600, S. C. R. No. 601, S. C. R. No. 602, S. C. R. No. 603, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, H. C. R. No. 85, H. C. R. No. 86, H. C. R. No. 87 and H. C. R. No. 88. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, Caughman, Hill, Thompson and England as co-authors of **S. C. R. No. 593**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 594**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 595**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 596**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 597.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 598.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 599.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 600.**

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Unanimous consent was granted to add Senators Barnett, Hill and Thompson as co-authors of **S. C. R. No. 601.**

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Unanimous consent was granted to add Senators Barnett and Thompson as co-authors of **S. C. R. No. 602.**

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Unanimous consent was granted to add Senators Barnett and Thompson as co-authors of **S. C. R. No. 603.**

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Unanimous consent was granted to add Senators Barnett and Hill as co-authors of **S. R. No. 52.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 53.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 54.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 55.**

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 58** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 58:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021.

The foregoing motion prevailed.

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 59** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 59:** Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025.

The foregoing motion prevailed.

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 85** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 85:** Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May 5, 2023.

The foregoing motion prevailed.

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 102** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 102:** Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

The foregoing motion prevailed.

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 105** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 105:** Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending May 5, 2025.

The foregoing motion prevailed.

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Senator Barnett called up the motion to reconsider the vote whereby **S. N. No. 131** was confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 131:** Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022.

The foregoing motion prevailed.

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Senator Kirby moved that the rules be suspended to move to calendar item 55, **S. C. R. No. 588**, and the motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **S. C. R. No. 588** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. C. R. No. 588:** Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months.

The foregoing motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 660** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 660: Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-119-9, Mississippi Code of 1972, is amended as follows:

57-119-9. (1) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, public schools, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. Projects that are eligible for assistance under this section are projects that have the potential to generate increased economic activity in the region, as described in Section 57-119-11(3).

(2) MDA shall establish criteria, rules, and procedures for accepting and reviewing applications for assistance under this section. MDA, with advice from the Gulf Coast Restoration Fund Advisory Board, shall review, compile and score all timely received applications, and shall present the applications and its recommendations for assistance to individual projects under this section to the Legislature no later than December 1 of the year. The Legislature shall determine individual projects that will be funded under this section by separate line items in an appropriation bill.

(3) Applications for assistance under this section will be received through web portals set up by MDA. MDA shall set criteria for the web portal which may include protection of the confidentiality of any or all of the applications.

(4) The project described in paragraph (m) of Section 18, Chapter 106, Laws of 2020 (Senate Bill No. 2977), to assist George County with a rail connection project, shall not be required to meet the criteria established by the Mississippi Development Authority for the selection and recommendation of projects under this section in order to receive the funds allocated for that project under Chapter 106.

SECTION 2. Section 57-119-11, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

57-119-11. (1) MDA is further authorized, on such terms and conditions consistent with the criteria set forth in this section as it may determine, to establish programs for making loans, loan guarantees, grants and any other financial assistance from the GCRF to applicants whose projects are approved for assistance under this section. MDA shall establish criteria, rules and procedures for accepting, reviewing, granting or denying applications, and for terms and conditions of financial assistance under this section in accordance with state law. The Legislature shall appropriate monies from the GCRF to

the MDA to fund the programs established under this section in an amount requested annually by MDA for such purpose.

(2) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, public schools, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities, and local economic development entities.

(3) MDA shall establish programs and an application process to provide assistance to applicants under this section that prioritize:

(a) Projects that will impact the long-term competitiveness of the region and may result in a significant positive impact on tax base, private sector job creation and private sector investment in the region;

(b) Projects that demonstrate the maximum long-term economic benefits and long-term growth potential of the region based on a financial analysis such as a cost-benefit analysis or a return-on-investment analysis;

(c) Projects that demonstrate long-term financial sustainability, including clear performance metrics, over the duration of the project;

(d) Projects that leverage or encourage leveraging of other private sector, local, state and federal funding sources with preference to projects that can demonstrate contributions from other sources than funds from the BP settlement;

(e) Projects that are supported by multiple government or private sector entities;

(f) Projects that can move quickly and efficiently to the design, engineering, and permitting phase;

(g) Projects that enhance the quality of life/place and business environment of the region, including tourism and recreational opportunities;

(h) Projects that expand the region's ability to attract high-growth industries or establish new high-growth industries in the region;

(i) Projects that leverage or further enhance key regional assets, including educational institutions, research facilities, ports, airports, rails and military bases;

(j) Projects that are transformational for the future of the region but create a wider regional impact;

(k) Projects that enhance the marketability of existing industrial properties;

(l) Projects that enhance a targeted industry cluster or create a Center of Excellence unique to the region;

(m) Infrastructure projects for business retention and development;

(n) Projects that enhance research and innovative technologies in the region; and

(o) Projects that provide outcome and return on investment measures, to be judged by clear performance metrics, over the duration of the project or program.

(4) The MDA shall not approve any application for assistance or provide any assistance under this section for projects that are medical cannabis establishments as defined in the Mississippi Medical Cannabis Act or for projects related in any manner to medical cannabis establishments.

SECTION 3. Section 57-119-13, Mississippi Code of 1972, is amended as follows:

57-119-13. (1) Assistance provided under this chapter may not be used to finance one hundred percent (100%) of the cost of any project; however, this limitation shall not apply to projects for public schools.

(2) Contracts executed by MDA with recipients of assistance under this chapter must include provisions requiring a performance report on the contracted activities, must account for the proper use of funds provided under the contract, and must include provisions for recovery of assistance if the assistance was based upon fraudulent information or the recipient of the assistance is not meeting the performance requirements established by MDA of the assistance. Recipients of assistance under this chapter must regularly report to MDA the status of the project on a schedule determined by MDA.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 57-119-9 AND 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOLS ARE ELIGIBLE FOR ASSISTANCE FOR PROJECTS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL NOT APPLY TO PROJECTS FOR PUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Read

W. Briggs Hopson III

Manly Barton

J. Walter Michel

Casey Eure

Philip Moran

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 660** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 842** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 842: Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-23-1, Mississippi Code of 1972, is amended as follows:

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Unobligated amounts remaining in the Rural Fire Truck Fund, Fund No. 3507, or in any fund created for funds appropriated or otherwise made available for this program, may be used as matching funds by any county with remaining eligibility as provided herein. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed \* \* \* One Million Ten Thousand Dollars (\$1,010,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) \* \* \* and (xiii) \* \* \* of this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars (\$50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars (\$70,000.00) per fire truck for the seventh, eighth, ninth, tenth and eleventh trucks, and not more than Ninety Thousand Dollars (\$90,000.00) per fire truck for the twelfth, thirteenth \* \* \*, fourteenth and fifteenth truck. Monies distributed under this chapter shall be expended only for the purchase of new or used fire trucks and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series and be approved by the Rural Fire Truck Review Committee.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for \* \* \* fifteen (15) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \* \* \* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of \* \* \* One Million Ten Thousand Dollars (\$1,010,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for \*\*\* fourteen (14) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of \*\*\* Nine Hundred Sixty Thousand Dollars (\$960,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for \*\*\* thirteen (13) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Nine Hundred Ten Thousand Dollars (\$910,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for \*\*\* twelve (12) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Eight Hundred Sixty Thousand Dollars (\$860,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for \*\*\* eleven (11) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Eight Hundred Ten Thousand Dollars (\$810,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for \*\*\* ten (10) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Seven Hundred Sixty Thousand Dollars (\$760,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for \*\*\* nine (9) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Seven Hundred Ten Thousand Dollars (\$710,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for \*\*\* eight (8) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Six Hundred Forty Thousand Dollars (\$640,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for \*\*\* seven (7) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Five Hundred Seventy Thousand Dollars (\$570,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for \*\*\* six (6) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Five Hundred Thousand Dollars (\$500,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for \*\*\* five (5) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than \*\*\* Four Hundred Thirty Thousand Dollars (\$430,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck.

(xiii) Any county may apply for \*\*\* four (4) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(b) The board of supervisors of the county shall submit its request for the receipt of monies to the Department of Insurance. A committee composed of the Commissioner of Insurance, the State Fire Coordinator, the Director of the Rating Bureau and the Director of the State Fire Academy shall review the requests by the boards of supervisors and shall determine whether the county or municipality for which the board of supervisors has requested a truck meets the requirements of eligibility under this chapter.

(c) To be eligible to receive monies under this chapter:

(i) A county or municipality must pledge to set aside or dedicate each year as matching funds, for a period not to extend over ten (10) years, local funds in an amount equal to or not less than one-tenth (1/10) of the amount of monies for which it is requesting distribution from the Rural Fire Truck Fund, which pledged monies may be derived from local ad valorem tax authorized by law or from any other funds available to the county or municipality, except for those funds received by municipalities or counties from the Municipal Fire Protection Fund or the County Volunteer Fire Department Fund, as defined in Sections 83-1-37 and 83-1-39.

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term "rural areas" means any area within the county located outside the boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

(d) The Department of Insurance shall maintain an accurate record of all monies distributed to counties and municipalities and the number of fire trucks purchased and the cost for each fire truck, such records to be kept separate from other records of the Department of Insurance; notify counties and municipalities of the Rural Fire Truck Acquisition Assistance Program and the requirements for them to become eligible to participate; adopt and promulgate such rules and regulations as may be necessary and desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases, and the cost of each fire truck purchased.

(4) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Matching Assistance Fund," which shall consist of funds appropriated by the Legislature from the State General Fund or any other special source fund. The Department of Insurance shall use the funds for matching assistance to counties and municipalities with remaining eligibility in accordance with the provisions of subsection (5) of this section. Unexpended amounts remaining in the fund at the end of a fiscal year

shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(5) Subject to appropriation by the Legislature, the Department of Insurance may provide funds to counties and municipalities out of the Rural Fire Truck Matching Assistance Fund in an amount exceeding the amount authorized in subsection (3) of this section. However, the total amount of funds allowed under this subsection combined with the funds provided in subsection (3) of this section shall not exceed eighty percent (80%) of the purchase price of the rural fire truck. A county or municipality is eligible for such matching assistance upon meeting the following criteria:

(a) The county or municipality's application is approved for funding in accordance with the criteria in subsection (3) of this section;

(b) The department determines that the county or municipality does not have sufficient funds available for the purchase of a rural fire truck with the funds authorized in subsection (3) of this section; and

(c) The county has received funding for no more than eight (8) rounds from the Rural Fire Truck Acquisition Assistance Program.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; TO CREATE A SPECIAL FUND TO BE DESIGNATED THE "RURAL FIRE TRUCK MATCHING ASSISTANCE FUND" WHICH SHALL BE USED TO ASSIST COUNTIES AND MUNICIPALITIES WITH REMAINING ELIGIBILITY UNDER THE RURAL FIRE TRUCK ACQUISITION PROGRAM; TO PROVIDE THAT THE TOTAL AMOUNT OF MATCHING ASSISTANCE SHALL NOT EXCEED 80% OF THE PURCHASE PRICE OF THE RURAL FIRE TRUCK; TO PROVIDE THAT THE DEPARTMENT OF INSURANCE MAY PROVIDE SUCH MATCHING ASSISTANCE TO COUNTIES AND MUNICIPALITIES UPON MEETING CERTAIN CRITERIA; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Lester Carpenter

Steve Massengill

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 842** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1031** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1031: Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Finance and Administration.

(b) "Governing authorities" means the governing Authorities of the City of Jackson, Mississippi.

(c) "Project" or "projects" means construction, reconstruction, repairs, upgrades and improvements to the City of Jackson's water and sewer systems and related facilities.

(2) (a) There is created in the State Treasury a special fund, to be designated as the "Capital City Water/Sewer Projects Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. However, any unexpended amounts remaining in the fund on January 1, 2027, shall lapse into the State General Fund.

(b) Except as otherwise provided in this paragraph (b), monies in the fund shall be used by the department, upon appropriation by the Legislature, for the purpose of providing funds to assist the City of Jackson in paying costs associated with projects. An amount not to exceed one percent (1%) of the monies deposited into the fund may be used, upon appropriation by the Legislature, to reimburse the department for reasonable actual and necessary costs incurred by the department in performing its duties under this section.

(3) (a) If the governing authorities desire assistance under this section, the governing authorities must establish a plan for the project or projects for which the

governing authorities desire assistance and submit the plan and an application for assistance to the department. The plan shall include at least the following:

(i) A description of the project or projects for which the assistance is requested, including the projected cost of the project or projects;

(ii) The projected starting date and completion date for the project or projects;

(iii) A description of any funds from other sources that may be available to the City of Jackson to assist with paying the costs of the project or projects; and

(iv) Any other information required by the department.

(b) The department shall review the application and determine whether to approve the assistance requested, and if approved, whether to provide the assistance in whole or in part. In addition to using assistance received under this section to fully fund a project or projects, the governing authorities may use the assistance to fund a portion of a project or projects in cases in which other funds are available for the project or projects and may be used as leverage or matching funds for the project or projects. If the department provides assistance for a project or projects under this section, the governing authorities shall provide quarterly reports to the department describing the receipt and expenditure of such assistance, the status of the project or projects and any other information required by the department.

(4) The department shall have all powers necessary to implement and administer the provisions of this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) This section shall stand repealed on January 1, 2027.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE CAPITAL CITY WATER/SEWER PROJECTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION, REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY OF JACKSON'S WATER AND SEWER SYSTEMS AND RELATED FACILITIES; TO PROVIDE THAT IF THE CITY OF JACKSON DESIRES ASSISTANCE UNDER THIS ACT, THE CITY MUST ESTABLISH A PLAN FOR THE PROJECT OR PROJECTS FOR WHICH IT DESIRES ASSISTANCE AND SUBMIT THE PLAN AND AN APPLICATION FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT IF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROVIDES ASSISTANCE TO THE CITY OF JACKSON UNDER THIS ACT, THE CITY SHALL PROVIDE QUARTERLY REPORTS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION DESCRIBING THE RECEIPT AND EXPENDITURE OF SUCH ASSISTANCE, THE STATUS OF THE PROJECT OR PROJECTS AND ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Shane Aguirre

Nick Bain

Shanda Yates

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1031** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1101** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1101: Trip optimizer system; exempt youth services counselors from.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-41, Mississippi Code of 1972, is amended as follows:

25-3-41. (1) Subject to the provisions of subsection (10) of this section, when any officer or employee of the State of Mississippi, or any department, agency or institution thereof, after first being duly authorized, is required to travel in the performance of his official duties, the officer or employee shall receive as expenses for each mile actually and necessarily traveled, when the travel is done by a privately owned automobile or other privately owned motor vehicle, the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel.

(2) When any officer or employee of any county or municipality, or of any agency, board or commission thereof, after first being duly authorized, is required to travel in the performance of his official duties, the officer or employee shall receive as expenses

Twenty Cents (20¢) for each mile actually and necessarily traveled, when the travel is done by a privately owned motor vehicle; provided, however, that the governing authorities of a county or municipality may, in their discretion, authorize an increase in the mileage reimbursement of officers and employees of the county or municipality, or of any agency, board or commission thereof, in an amount not to exceed the mileage reimbursement rate authorized for officers and employees of the State of Mississippi in subsection (1) of this section.

(3) Where two (2) or more officers or employees travel in one (1) privately owned motor vehicle, only one (1) travel expense allowance at the authorized rate per mile shall be allowed for any one (1) trip. When the travel is done by means of a public carrier or other means not involving a privately owned motor vehicle, then the officer or employee shall receive as travel expense the actual fare or other expenses incurred in such travel.

(4) In addition to the foregoing, a public officer or employee shall be reimbursed for other actual expenses such as meals, lodging and other necessary expenses incurred in the course of the travel, subject to limitations placed on meals for intrastate and interstate official travel by the Department of Finance and Administration, provided, that the Legislative Budget Office shall place any limitations for expenditures made on matters under the jurisdiction of the Legislature. The Department of Finance and Administration shall set a maximum daily expenditure annually for such meals and shall notify officers and employees of changes to these allowances immediately upon approval of the changes. Travel by airline shall be at the tourist rate unless that space was unavailable. The officer or employee shall certify that tourist accommodations were not available if travel is performed in first class airline accommodations. Itemized expense accounts shall be submitted by those officers or employees in such number as the department, agency or institution may require; but in any case one (1) copy shall be furnished by state departments, agencies or institutions to the Department of Finance and Administration for preaudit or postaudit. The Department of Finance and Administration shall promulgate and adopt reasonable rules and regulations which it deems necessary and requisite to effectuate economies for all expenses authorized and paid pursuant to this section. Requisitions shall be made on the State Fiscal Officer who shall issue his warrant on the State Treasurer. Provided, however, that the provisions of this section shall not include agencies financed entirely by federal funds and audited by federal auditors.

(5) Any officer or employee of a county or municipality, or any department, board or commission thereof, who is required to travel in the performance of his official duties, may receive funds before the travel, in the discretion of the administrative head of the county or municipal department, board or commission involved, for the purpose of paying necessary expenses incurred during the travel. Upon return from the travel, the officer or employee shall provide receipts of transportation, lodging, meals, fees and any other expenses incurred during the travel. Any portion of the funds advanced which is not expended during the travel shall be returned by the officer or employee. The Department of Audit shall adopt rules and regulations regarding advance payment of travel expenses and submission of receipts to ensure proper control and strict accountability for those payments and expenses.

(6) No state or federal funds received from any source by any arm or agency of the state shall be expended in traveling outside of the continental limits of the United States until the governing body or head of the agency makes a finding and determination that the travel would be extremely beneficial to the state agency and obtains a written concurrence thereof from the Governor, or his designee, and the Department of Finance and Administration. However, employees of state institutions of higher learning may expend funds for travel outside of the continental limits of the United States upon a written finding by the president or head of the institution that the travel would be extremely beneficial to the institution.

(7) Where any officer or employee of the State of Mississippi, or any department, agency or institution thereof, or of any county or municipality, or of any agency, board or

commission thereof, is authorized to receive travel reimbursement under any other provision of law, the reimbursement may be paid under the provisions of this section or the other section, but not under both.

(8) When the Governor, Lieutenant Governor or Speaker of the House of Representatives appoints a person to a board, commission or other position that requires confirmation by the Senate, the person may receive reimbursement for mileage and other actual expenses incurred in the performance of official duties before the appointment is confirmed by the Senate, as reimbursement for those expenses is authorized under this section.

(9) (a) The Department of Finance and Administration may contract with one or more commercial travel agencies, after receiving competitive bids or proposals therefor, for that travel agency or agencies to provide necessary travel services for state officers and employees. Municipal and county officers and municipal and county employees may also participate in the state travel agency contract and utilize these travel services for official municipal or county travel. However, the administrative head of each state institution of higher learning may, in his discretion, contract with a commercial travel agency to provide necessary travel services for all academic officials and staff of the university in lieu of participation in the state travel agency contract. Any such decision by a university to contract with a separate travel agency shall be approved by the Board of Trustees of State Institutions of Higher Learning and the Executive Director of the Department of Finance and Administration.

(b) Before executing a contract with one or more travel agencies, the Department of Finance and Administration shall advertise for competitive bids or proposals once a week for two (2) consecutive weeks in a regular newspaper having a general circulation throughout the State of Mississippi. If the department determines that it should not contract with any of the bidders initially submitting proposals, the department may reject all those bids, advertise as provided in this paragraph and receive new proposals before executing the contract or contracts. The contract or contracts may be for a period not greater than three (3) years, with an option for the travel agency or agencies to renew the contract or contracts on a one-year basis on the same terms as the original contract or contracts, for a maximum of two (2) renewals. After the travel agency or agencies have renewed the contract twice or have declined to renew the contract for the maximum number of times, the Department of Finance and Administration shall advertise for bids in the manner required by this paragraph and execute a new contract or contracts.

(c) Whenever any state officer or employee travels in the performance of his official duties by airline or other public carrier, he may have his travel arrangements handled by that travel agency or agencies. The amount paid for airline transportation for any state officer or employee, whether the travel was arranged by that travel agency or agencies or was arranged otherwise, shall not exceed the amount specified in the state contract established by the Department of Finance and Administration, Office of Purchasing and Travel, unless prior approval is obtained from the office.

(10) (a) For purposes of this subsection, the term "state agency" means any agency that is subject to oversight by the Bureau of Fleet Management of the Department of Finance and Administration under Section 25-1-77.

(b) Each state agency shall use a trip optimizer type system developed and administered by the Department of Finance and Administration in computing the optimum method and cost for travel by state officers and employees using a motor vehicle where the travel will exceed one hundred (100) miles per day and the officer or employee is not driving a state-owned or state-leased vehicle that has been dedicated or assigned to the officer or employee.

(c) The provisions of this subsection shall be used to determine the most cost-effective method of travel by motor vehicles, whether those vehicles are owned by the state agency, leased by the state agency, or owned by the officer or employee, and shall be applicable for purposes of determining the maximum authorized amount of any travel reimbursement for officers and employees of those agencies related to vehicle usage.

(d) The maximum authorized amount of travel reimbursement related to motor vehicle usage shall be the lowest cost option as determined by the trip optimizer type system. All travel claims submitted for reimbursement shall include the results of the trip optimizer type system indicating the lowest cost option for travel by the state officer or employee.

(e) In providing a calculation of rates, the trip optimizer type system shall account for the distance that an officer or employee must travel to pick up a rental or state fleet vehicle, and shall account for the long-term rate discounts offered through the state purchasing contract for vehicle rentals.

(f) This subsection shall not apply to travel by state officials in motor vehicles driven by the official or in vehicles used for the transport of the official. The exemption in this paragraph (f) applies only to the state official and not to the staff or other employees of the state official. As used in this paragraph (f), "state official" means statewide elected officials and the elected members of the Public Service Commission.

(g) The provisions of this subsection shall not be applicable to any state agency for the period beginning on the effective date of this act through June 30, 2024.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A MORATORIUM ON THE APPLICATION OF THE TRIP OPTIMIZER SYSTEM REQUIREMENTS FOR TRAVEL TO ANY STATE AGENCY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Read

W. Briggs Hopson III

Charles Jim Beckett

Kevin Blackwell

C. Scott Bounds

Angela Turner-Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1101** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2781** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2781: Appropriations; make various corrections to FY2022 appropriation bills.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29, Chapter 102, Laws of 2021, appropriation to the Department of Finance and Administration, is amended as follows:

Section 29. Of the funds appropriated under the provisions of Section 2, Ninety-seven Million Five Hundred Sixty-eight Thousand Eight Hundred Dollars (\$97,568,800.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer. These funds are provided for such purposes as follows:

- (a) To assist the \*\*\* Office of the District Attorney in the 12th Circuit Court District in paying the costs associated with the 12th Circuit Community Service Inmate Program..... \$ 125,000.00
- (b) To assist the City of Heidelberg in paying the costs associated with repairs to Magnolia Street and East Poplar Street ..... \$ 100,000.00
- (c) To assist Marshall County in paying the costs associated with improvements to Barringer Road..... \$ 1,200,000.00
- (d) To assist the City of Byram in paying the costs associated with Flood Control Project ..... \$ 400,000.00
- (e) To assist Hinds County in paying the costs associated with the District Attorney's Office..... \$ 150,000.00
- (f) To assist the \*\*\* Lee County 4th District Community Development Group, a nonprofit corporation, in paying the costs associated with the construction/improvements to its Community Center ..... \$ 300,000.00
- (g) To assist the Windows of Amory, a nonprofit corporation, for expenses related to improvements and operations of the First Christian Church in Amory, Mississippi, known as "The Windows" ..... \$ 200,000.00
- (h) To assist the City of Hazlehurst in paying the costs associated with Reflective Signs..... \$ 75,000.00
- (i) Funding is provided to Rankin County for the purpose of advancing implementation of its comprehensive stormwater management program, including, but not limited to, activities in connection with Section 51-29-1 et seq., Mississippi Code of 1972, and for related purposes..... \$ 2,000,000.00
- (j) To assist the City of Winona in paying the costs associated with the construction and replacement of historic clock tower ..... \$ 100,000.00

- (k) To assist the Town of Leakesville in paying the costs associated with infrastructure upgrades..... \$ 500,000.00
- (l) To assist the Jackson County Economic Development Foundation for infrastructure Upgrades ..... \$ 500,000.00
- (m) To assist the Town of Sumrall in paying the costs associated with Phase II of Sportsplex ..... \$ 600,000.00
- (n) To assist Rankin County in paying the costs associated with improvements to Andrew Chapel Road \$ 1,000,000.00
- (o) To assist the City of Brandon in paying the costs associated with its downtown revitalization project ..... \$ 1,250,000.00
- (p) To assist the Pearl River Valley Water Supply District in paying the costs associated with Dredging by deposit into the Ross Barnett Reservoir Dredging Fund.... \$ 500,000.00
- (q) To assist Rankin County in paying the costs associated with improvements to Gunter Road..... \$ 750,000.00
- (r) To assist City of Picayune in paying the costs associated with construction of a new police station \* \* \* ..... \$ 500,000.00
- (s) To assist the City of Vicksburg in paying the costs associated with the Levee Street Road Truck Route \$ 5,000,000.00
- (t) To assist Hinds Community College in paying the costs associated with the Maritime Center..... \$ 1,000,000.00
- (u) To assist the Warren County Port Commission in paying the costs associated with conducting a port study \$ 325,000.00
- (v) To assist the Mississippi State University in paying the costs associated with construction/improvements of Kinesiology Building ..... \$ 5,000,000.00
- (w) To assist the City of Marks in paying the costs associated with renovations to the City Hall..... \$ 300,000.00
- (x) To assist the Perry County in paying the costs associated with extension of natural gas line..... \$ 1,000,000.00
- (y) To assist Leflore County in paying the costs associated with the construction of an Emmett Till Monument..... \$ 150,000.00
- (z) To assist the City of Pearl in paying the costs associated with Intermodal Connector ..... \$ 2,000,000.00
- (aa) To assist the City of Forest in paying the costs associated with paving and infrastructure ..... \$ 300,000.00
- (bb) To assist Newton County in paying the costs associated with the paving of entrance into Mississippi State Veterans Cemetery ..... \$ 150,000.00
- (cc) To assist the City of Hernando in paying the costs associated with \* \* \* a traffic light at the intersection of Highway 51 and Oak Grove Road..... \$ 250,000.00
- (dd) To assist Sandcreek Wastewater Authority in paying the costs associated with the construction of a new wastewater facility in Northeast Mississippi ... \$ 1,000,000.00
- (ee) To assist Lee County in paying the costs associated with land acquisition for the Richmond Volunteer Fire Department any remaining funds may be used for facility and ground improvements ..... \$ 50,000.00
- (ff) To assist the City of Madison in paying the costs associated with construction of a road to Madison City Centre ..... \$ 500,000.00
- (gg) To assist the City of Southaven in paying the costs associated with repairs to its streets ..... \$ 350,000.00
- (hh) To assist the City of Farmington in paying the costs associated with police station upgrades..... \$ 150,000.00

- (ii) To assist the City of Purvis in paying the costs associated with the construction of a new city hall \$ 700,000.00
- (jj) To assist the City of Greenville in paying the costs associated with downtown park improvements..... \$ 500,000.00
- (kk) To assist the University of Southern Mississippi – Ocean Enterprise.. \$ 2,500,000.00
- (ll) To assist Chickasaw County in paying the costs associated with renovations to the Houston courthouse..... \$ 350,000.00
- (mm) To assist Lauderdale County in paying the costs associated with reconstruction of the Long Creek Reservoir Dam \$ 300,000.00
- (nn) To assist City of Rolling Fork in paying the costs associated with Civic and Event Center improvements..... \$ 200,000.00
- (oo) To assist the Yazoo County in paying the costs associated with the Health Department..... \$ 100,000.00
- (pp) To assist the City of Pass Christian in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative ..... \$ 500,000.00
- (qq) To assist the City of Holly Springs in paying the costs associated with the repair of Cuba Street and Hill Street \$ 600,000.00
- (rr) To assist the City of Magnolia in paying the costs associated with infrastructure upgrades and renovations to the community center ..... \$ 250,000.00
- (ss) To assist Department of Finance and Administration in paying the costs associated with the LeFleur's Bluff Master Plan..... \$ 100,000.00
- (tt) To assist the Town of Lula, Mississippi, in paying costs associated with park improvements..... \$ 75,000.00
- (uu) To assist in paying costs associated with the purchase of a fire truck for the Cairo Volunteer Fire Department in Prentiss County, Mississippi..... \$ 100,000.00
- (vv) To assist the Town of Centreville, Mississippi, \* \* \* for the reimbursement of the procurement and installation of a generator in fiscal years 2021 and 2022 ..... \$ 25,000.00
- (ww) To assist the City of Scooba, Mississippi, in paying costs associated with making improvements to sports and athletic fields and related facilities in the City of Scooba..... \$ 50,000.00
- (xx) To assist the Nanih Waiya Water Association in paying costs associated with painting the association's water tank ..... \$ 50,000.00
- (yy) To assist in paying costs associated with acquisition of a digital hand printing machine for the Neshoba County Sheriff's Department..... \$ 30,000.00
- (zz) To assist in paying costs associated with construction, furnishing and equipping of the Tibbee Development Club, Inc., community center in West Point, Mississippi..... \$ 50,000.00
- (aaa) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's baseball park and related facilities..... \$ 50,000.00
- (bbb) To assist the VFW Post 3806 in paying costs associated with the repair and renovation of the VFW Post 3806 building in the Town of Eupora, Mississippi \$ 25,000.00
- (ccc) To assist the \* \* \* Benton County Board of Supervisors in paying costs associated with upgrades and improvements to Veterans Park in the Town of Ashland, Mississippi..... \$ 50,000.00
- (ddd) To assist the City of McComb, Mississippi, in paying costs associated with the purchase of a fire truck \$ 250,000.00
- (eee) To be deposited into the Ross Barnett Reservoir Dredging Fund..... \$ 200,000.00

- (fff) To assist the City of Ellisville, Mississippi, in paying costs associated with the purchase of a fire truck ..... \$ 150,000.00
- (ggg) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department... \$ 75,000.00
- (hhh) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 75,000.00
- (iii) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 50,000.00
- (jjj) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 75,000.00
- (kkk) To assist in paying costs associated with the purchase of equipment for the Gravestown Volunteer Fire Department in Tippah County, Mississippi .....\$ 25,000.00
- (lll) To assist in paying costs associated with the purchase of equipment for the Mitchell Volunteer Fire Department in Tippah County, Mississippi ..... \$ 25,000.00
- (mmm) To assist in paying costs associated with the purchase of equipment for the Spout Springs Volunteer Fire Department in Tippah County, Mississippi.....\$ 25,000.00
- (nnn) To assist in paying costs associated with the purchase of equipment for the Three Forks Volunteer Fire Department in Tippah County, Mississippi .....\$ 25,000.00
- (ooo) To assist in paying costs associated with the purchase of equipment for the Dry Creek Volunteer Fire Department in Tippah County, Mississippi \$ 25,000.00
- (ppp) To assist Ripley Main Street Association in paying costs associated with various projects ..... \$ 50,000.00
- (qqq) To assist the Ripley Arts Council in paying costs associated with repair and renovation of and upgrades and improvements to the Dixie Theater in the City of Ripley ..... \$ 25,000.00
- (rrr) To assist in paying costs associated with the purchase of a fire truck for the Wheeler Volunteer Fire Department in Prentiss County, Mississippi\$ 100,000.00
- (sss) To assist in paying costs associated with repair and renovation of and upgrades and improvements to Mississippi Craft Center ..... \$ 100,000.00
- (ttt) To provide funds for the GRAMMY® Museum Mississippi for use as matching funds for infrastructure and infrastructure related purposes and other purposes ..... \$ 2,500,000.00
- (uuu) To assist the Town of Edwards, Mississippi, in paying costs associated with the repair and renovation of and upgrades to buildings and facilities for the \*\*\* West Hinds Volunteer Fire Department..... \$ 100,000.00
- (vvv) To assist in paying costs associated with repair, upkeep and maintenance of streets in the Town of Sardis ..... \$ 150,000.00
- (www) To assist in paying costs associated with repair, upkeep and maintenance of streets in the Town of Como ..... \$ 150,000.00
- (xxx) To the Mississippi Department of Education for use in the Emergency Assistance for Non-Public Schools (EANS)Program..... \$ 1,000,000.00
- (yyy) To assist the City of Jackson with capital improvements at the JH Fewell Water Treatment Plant for corrosion control, plant generator and filter replacement \$ 3,000,000.00
- (zzz) To assist Kipling Water Association for a running water line \*\*\* to provide adequate drinking water services to \*\*\* the presently unserved community on Fatty Leggett Road outside of Daleville, Mississippi..... \$ 300,000.00
- (aaaa) To assist the Fannie Lou Hamer Cancer Center in Ruleville, Mississippi..... \$ 1,500,000.00
- (bbbb) For the paving of sidewalks on beaches in Ocean Springs, Mississippi..... \$ 1,000,000.00
- (cccc) For the maintenance of facilities at Long Beach High School .....\$ 500,000.00

(dddd) For maintenance and repair of the Mary C. O'Keefe Cultural Center in Ocean Springs, Mississippi..... \$ 500,000.00  
(eeee) For improvements and development of Town Commons in Gautier, Mississippi..... \$ 1,000,000.00  
(ffff) To assist the Department of Finance and Administration with the purchase of the real property and any improvement thereon, located on Greymont Street in the City of Jackson, Mississippi, as authorized by Chapter 405, Laws of 2018, demolition of buildings and other structures on such property, necessary services, and construction of additional facilities on such property \* \* \* as determined by the Department of Finance and Administration and for purchasing other personal property as allowed by statute ..... \$ 10,200,000.00  
(gggg) To assist the Brewer Community Association, Inc., for expenses related to the improvement and operation of the community center in Brewer, Mississippi \$ 100,000.00  
(hhhh) To assist the Department of Wildlife, Fisheries and Parks in paying the costs associated with park enhancements..... \$ 3,500,000.00  
(iiii) To assist George County and/or MDOT with the removal of the J-turn at the intersection of U.S. Highway 98 and Old Highway 63 in George County and to insert a traffic light in its place ..... \$ 400,000.00  
(jjjj) For repaving of the Jones County Industrial Park ..... \$ 913,800.00  
(kkkk) To assist Department of Finance and Administration in paying the costs associated with the following:  
(1) Space optimization..... \$ 1,500,000.00  
(2) Capitol Site ..... \$ 3,000,000.00  
(3) Ladner Building renovation ..... \$ 250,000.00  
(4) Statewide Critical ..... \$ 5,000,000.00  
(5) War Memorial ..... \$ 5,000,000.00  
(6) Capitol Complex ..... \$ 2,000,000.00  
(7) Mississippi Military  
Department ..... \$ 5,000,000.00  
(8) Department of Health..... \$ 6,000,000.00  
(9) Mississippi School for Blind & Deaf \$ 1,000,000.00  
(10) Department of Health - Local Government and Rural Water....\$ 3,200,000.00  
(11) Mississippi School for the Arts..... \$ 1,000,000.00  
(12) Mississippi School for Math and Science ..... \$ 1,000,000.00  
(llll) To assist with the purchase of a fire truck for the Madison County Board of Supervisors \* \* \*. As a condition of receiving these funds, the fire truck shall be housed in a facility to be constructed within two (2) miles of the Amazon Fulfillment Center building on the Madison County \* \* \* Mega Site situated on Sections 28, 29, and 33, T9N-R2E, Madison County, Mississippi, and provide service for the Madison County Mega Site and the surrounding community ..... \$ 750,000.00  
(mmmm) To assist the City of Canton for flood control projects .....\$ 250,000.00  
(nnnn) To assist Issaquena County Board of Supervisors with road improvements and maintenance..... \$ 150,000.00

SECTION 2. Section 20, Chapter 100, Laws of 2021, appropriation to the Mississippi Development Authority, is amended as follows:

Section 20. Of the funds appropriated under the provisions of Section 2, Fifty-two Million Seven Hundred Ninety-three Thousand Dollars (\$52,793,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Gulf Coast Restoration Fund, as created in Section 57-119-1, Mississippi Code of

1972. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. These funds will be reappropriated each year until the project is completed.

Of the funds appropriated in this section the following sums are provided for projects:

- (a) To assist the Mississippi State University Mississippi Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... \$ 13,500,000.00.
- (b) To assist the University of Southern Mississippi Ocean Enterprise ..... \$ 4,500,000.00.
- (c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass..... \$ 2,500,000.00.
- (d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment..... \$ 2,500,000.00.
- (e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..... \$ 6,000,000.00.
- (f) To assist the Pascagoula Redevelopment with downtown revitalization project ..... \$ 3,000,000.00.
- (g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center ..... \$ 2,500,000.00.
- (h) To assist the City of Diamondhead with the Town Center District – Commercial District Project ..... \$ 2,000,000.00.
- (i) To assist Stone County School District with the Stone County High School Career and Technical Education Center ..... \$ 3,200,000.00.
- (j) To assist Hancock County Port and Harbor Assault Landing Strip ..... \$ 2,500,000.00.
- (k) To assist the City of Gulfport with flood control and/or drainage for the Forest Heights Project..... \$ 2,100,000.00.
- (l) To assist the City of Moss Point with the Interstate 10 Frontage Roads, North and South \$ 2,000,000.00.
- (m) To assist the City of Picayune with the Friendship Park Revitalization Project..... \$ 1,900,000.00.
- (n) To assist Pearl River Community College PRCC Aviation Aerospace Academy ..... \$ 1,900,000.00.
- (o) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements..... \$ 1,000,000.00.
- (p) To assist the Walter Anderson Museum with Phase 3 and Phase 4 .... \$ 636,000.00.
- (q) To assist the City of Lucedale with Ventura Drive Improvements..... \$ 577,000.00.
- (r) To assist George County with the Scott Road Project, widening and infrastructure ..... \$ 480,000.00.

SECTION 3. Section 11, Chapter 82, Laws of 2021, appropriation to the Mississippi National Guard, is amended as follows:

Section 11. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds and capital expense

funds, to special funds, within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 4. Section 2, Chapter 51, Laws of 2021, appropriation to the State Department of Agriculture and Commerce, is amended as follows:

Section 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 11,884.00.

(g) For the support of the \* \* \* Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..... \$ 42,730.00.

SECTION 5. Section 8, Chapter 46, Laws of 2021, appropriation to the State Treasurer's office, is amended as follows:

Section 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

- (a) Mississippi Prepaid Affordable College Tuition program \$ 1,854,655.00.
- (b) Mississippi Affordable College Savings

program..... \$ 177,860.00.

- (c) Treasury Office - Support

programs..... \$ \* \* \* 3,681,196.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 6. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased,

constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. The Department of Public Safety shall, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the district. The jurisdiction of the Department of Public Safety under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 7. Section 25, Chapter 101, Laws of 2021, appropriation to the Mississippi Department of Transportation, is amended as follows:

Section 25. It is the intention of the Legislature to provide general improvements, widening and/or overlay of the following:

- (a) Highway 41 in Pontotoc County..... \$ 250,000.00
  - (b) Old West Point Road in Lowndes County..... \$ 250,000.00
  - (c) Highway 8 from Calhoun City to the intersection of Highway 9 ..... \$ 500,000.00
  - (d) Intersection of Searcy Road and Highway 366 in Tishomingo County..... \$ 500,000.00
  - (e) Highway 51 in Desoto County ..... \$ 500,000.00
  - (f) Highway 45 from Saltillo to Guntown for safety enhancements, including, but not limited to, deceleration lanes, red light, striping and lighting \$ 250,000.00
  - (g) Intersection of Green Tea and Highway 51 in Desoto County..... \$ 250,000.00
  - (h) County Road 600 in Corinth ..... \$ 250,000.00
  - (i) Highway 7 from Grenada to Greenwood..... \$ 500,000.00
  - (j) Highway 7 at University Blvd in Oxford, Mississippi..... \$ 250,000.00
  - (k) Highway 403 in Webster County..... \$ 250,000.00
  - (l) Highway 51 in Tate County North of Highway 740 ..... \$ 500,000.00
  - (m) Highway 6 in Quitman County ..... \$ 250,000.00
  - (n) Highway 49 in Greenwood, Mississippi..... \$ 250,000.00
  - (o) Highway 25 in Monroe County..... \$ 250,000.00
  - (p) Highway 16 West from Philadelphia to Carthage \$ 500,000.00
  - (q) Canton/Madison corridor Highway 51 (repair, renovation, upgrades) ..... \$ 500,000.00
- \*\*\*
- (\*\*\*) Highway 463 Madison County at the Intersection of Stribling Road..... \$ 250,000.00
  - (\*\*\*) Hebron Christian Road in

Clay County.....	\$ 250,000.00
( ** *t) Highway 16 West in Kemper County between Dekalb and	
Philadelphia.....	\$ 500,000.00
( ** *u) Intersection of Highway 15 and Broad	
Street in the Town of Decatur for upgrades to	
signal lights and poles .....	\$ 250,000.00
( ** *v) Main Street, Town of	
Carthage .....	\$ 500,000.00
( ** *w) State Highway 18, South of I-20 in	
Hinds County.....	\$ 500,000.00
( ** *x) I-55 exit at Terry,	
Mississippi.....	\$ 250,000.00
* * *	
( ** *y) Old Highway 16 from Yazoo City to	
Canton \$	250,000.00
( ** *z) Highway 3 between 49 W and	
Highway 82 .....	\$ 250,000.00
( ** *aa) Highway 438 in Washington	
County.....	\$ 250,000.00
* * *	
( ** *bb) Highway 589/Purvis Oloh Road Intersection	
in Lamar County.....	\$ 500,000.00
* * *	
( ** *cc) Highway 49 in Harrison	
County.....	\$ 500,000.00
( ** *dd) Highway 605 at Dedeaux Road in Harrison	
County \$	500,000.00
( ** *ee) Highway 11 North starting at the	
Jones/Jasper County line going north.....	\$ 500,000.00
( ** *ff) Highway 583 in Lincoln	
County.....	\$ 250,000.00
( ** *gg) Highway 24/Main Street in Liberty,	
Mississippi.....	\$ 250,000.00
( ** *hh) County Farm Road in Harrison	
County.....	\$ 500,000.00

SECTION 8. Section 4, Chapter 87, Laws of 2021, appropriation to the Mississippi Department of Mental Health, is amended as follows:

Section 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time .....	6,351
	Part Time .....	19
Time-Limited:	Full Time .....	460
	Part Time .....	9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless

programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

The Department of Mental Health (DMH) is authorized to grant temporary COVID-19 adjustments to the compensation for employees in the following occupational title: Nurse Licensed Practical I, II and III; Nurse I, II, III and IV; Nurse Manager; Nurse Administrator; Nurse Chief; and for those employees who function as a nurse and are already classified in their new nurse titles as part of Project SEC2. Authority is provided for an increase of up to seventy-five percent (75%) temporary COVID adjustment pay for Fiscal Year 2022.

SECTION 9. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

- (a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.
- (b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.
- (c) "Effective date" means January 1 of the tax year.
- (d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.
- (e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.
- (f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.
- (g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.
- (h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the

employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to

the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criterions divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or State Workforce Investment contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes

of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the  
successor;

2. Approval of the department;

3. Continued operation of the transferred portion by the  
successor after transfer; and

4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 29, CHAPTER 102, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022 TO CLARIFY AND CORRECT NAMES AND PURPOSES OF VARIOUS PROJECTS FUNDED FROM THE CAPITAL EXPENSE FUND; TO AMEND SECTION 20, CHAPTER 100, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022 TO CLARIFY THE NAME OF A RECIPIENT OF FUNDS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 11, CHAPTER 82, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022 TO AUTHORIZE THE ADJUTANT GENERAL TO TRANSFER CAPITAL EXPENSE FUNDS WITHIN THE MILITARY DEPARTMENT TO FACILITATE FEDERAL GRANT MATCHING REQUIREMENTS; TO AMEND SECTION 2, CHAPTER 51, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2022 TO CORRECT THE NAME OF AN EVENT FOR WHICH THE DEPARTMENT MAY PROVIDE FINANCIAL SUPPORT; TO AMEND SECTION 8, CHAPTER 46, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022 TO CHANGE THE AMOUNT THAT IS AVAILABLE IN THE SUPPORT PROGRAMS BUDGET; TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ACCRUED PERSONAL, MEDICAL AND COMPENSATORY LEAVE BALANCES EARNED BY EMPLOYEES OF THE CAPITOL POLICE SHALL BE TRANSFERRED FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 25, CHAPTER 101, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022 TO REMOVE CERTAIN HIGHWAYS DESIGNATED FOR GENERAL IMPROVEMENTS, WIDENING AND/OR OVERLAY; TO AMEND SECTION 4, CHAPTER 87, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF MENTAL HEALTH TO AUTHORIZE THE DEPARTMENT TO GRANT TEMPORARY COVID-19 ADJUSTMENTS TO THE COMPENSATION FOR CERTAIN EMPLOYEES FOR FISCAL YEAR 2022; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO DESIGNATE DECEMBER 31 AS THE DATE FOR CALCULATING THE EXPOSURE CRITERION FOR CALENDAR YEARS 2020 AND 2021; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Angela Cockerham
David Parker	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2781** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 770** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 770: Mississippi Equal Pay for Equal Work Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The provisions of this act shall be known and may be cited as the "Mississippi Equal Pay for Equal Work Act".

SECTION 2. For the purposes of this act, the following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Employee" means any individual who is employed to work forty (40) or more hours a week and who is employed by an employer, including individuals employed by the state or any of its political subdivisions or instrumentalities of subdivisions.

(b) "Employer" means any person who employs five (5) or more employees.

(c) "Wage" means and includes all compensation paid by an employer or his or her agent for the performance of service by an employee, including the cash value of all compensation paid in any medium other than cash.

(d) "Rate" with reference to wages means the basis of compensation for services by an employee for an employer and includes compensation based on time spent in the performance of such services, on the number of operations accomplished, or on the quality produced or handled.

(e) "Unpaid wages" means the difference between the wages actually paid to an employee and the wages required to be paid to an employee as provided in this act.

(f) "Skill" means and shall be measured by factors such as experience, ability, education and training that are required to perform a job.

(g) "Effort" means the amount of physical or mental exertion needed to perform a job.

(h) "Responsibility" means the degree of accountability required to perform the job.

(i) "Working Conditions" means and includes the following two (2) factors:

(i) The physical surroundings of a job including, but not limited to, temperature, fumes and ventilation; and

(ii) The hazards of the job.

SECTION 3. (1) No employer may pay an employee a wage at a rate less than the rate at which an employee of the opposite sex in the same establishment is paid for equal work on a job, the performance of which requires equal skill, education, effort and responsibility, and which is performed under similar working conditions, except where payment is made pursuant to differential based on:

(a) A seniority system;

(b) A merit system;

(c) A system which measures earnings by quantity or quality of production;

or

(d) Any other factor other than sex. "Any other factor other than sex" shall include, but not be limited to, the following factors:

(i) The salary history or continuity of employment history demonstrated by the employee as compared to employees of the opposite sex in the same establishment;

(ii) The extent to which there was competition with other employers for the employee's services as compared to employees of the opposite sex in the same establishment; and

(iii) The extent to which the employee attempted to negotiate for higher wages as compared to employees of the opposite sex in the same establishment.

(2) (a) The provisions of this act may be enforced by private action in a civil suit in the circuit court in the county in Mississippi where the cause of action occurred pursuant to the Mississippi Rules of Civil Procedure.

(b) If an employer is found to have violated the provisions of subsection (1) of this section, the employee shall be awarded reasonable attorney's fees, prejudgment interest, back pay and costs of the action.

(3) An employer who is paying a wage differential in violation of this act shall not, in order to comply with this act, reduce the wage rate of any employee.

(4) No employer may discharge, discriminate or in any way retaliate against any employee by reason of any action taken by the employee to invoke or assist in any manner the enforcement of this act.

SECTION 4. (1) A civil action brought under this act may be commenced no later than two (2) years from the day the employee knew or should have known his or her employer was in violation of this act.

(2) If an employee brings a claim under the Equal Pay Act of 1963, a separate action may not be maintained under this act. If an employee brings a claim under this act, then later initiates a claim under the Equal Pay Act of 1963, the action brought under this act shall be dismissed with prejudice. An employee who seeks relief under this act must first waive any right to relief under the Equal Pay Act of 1963.

(3) (a) For any action under this act, published precedents of the United States Supreme Court, the United States Court of Appeals for the Fifth Circuit and federal district

courts embracing the circuit court in which any action under this act is pending, deciding cases under the Equal Pay Act of 1963, after which this act is patterned, shall be considered mandatory authority and shall be followed by the circuit court in which the action is pending, until there is a contrary ruling interpreting this act by the Mississippi Supreme Court or the Mississippi Court of Appeals.

(b) If any section, paragraph, sentence, clause, phrase or any part of this act passed is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no manner affected thereby but shall remain in full force and effect.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI EQUAL PAY ACT; TO PROVIDE DEFINITIONS FOR "EMPLOYEE", "EMPLOYER", "WAGE", "RATE", AND "UNPAID WAGES"; TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF THE OPPOSITE SEX IN THE SAME ESTABLISHMENT IS PAID FOR EQUAL WORK ON A JOB, THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL, EFFORT AND RESPONSIBILITY, AND WHICH IS PERFORMED UNDER SIMILAR WORKING CONDITIONS; TO PROVIDE REMEDIES; TO PROVIDE THE TIME IN WHICH A CIVIL ACTION MUST BE FILED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Angela Cockerham	Brice Wiggins
Jason White	Nicole Boyd
Mark Tullos	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 770** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Chism, Polk, Simmons S. (13th), Sojourner. Total--5.

Absent and those not voting---None.

Voting Present--Branning, Frazier, Hill, Horhn, Jackson (11th), Tate, Turner-Ford. Total--7.

Senator Parks offered the following report of the Conference Committee on **H. B. No. 1005** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1005: Nursing Education Incentive Program; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-106-60, Mississippi Code of 1972:

37-106-60. (1) This section shall be known as the Nursing and Respiratory Therapy Education Incentive Program.

(2) There is created a forgivable loan program for study in nursing to become a licensed practical nurse or a registered nurse, for advanced study in nursing by licensed registered nurses, or for study in respiratory therapy to become a respiratory therapist. Forgivable loans are established and shall be allocated to students who: (a) are accepted and enrolled in an accredited nursing program or respiratory therapy program approved by the board; (b) complete an application by the deadline established by the board; and (c) enter into contract with the board, obligating themselves to pursue to completion the course of study agreed upon, and following the completion of the course of study, to practice nursing or respiratory therapy, as the case may be, in the State of Mississippi for not less than five (5) years.

(3) Repayment and conversion terms shall be the same as outlined in Section 37-106-53, except that the following provisions shall apply instead of subsection (1)(b) of that section: In lieu of payment in full of both principal and interest, a loan recipient under this section may elect to repay by entry into service employment as provided in subsection (2)(c) of this section. Repayment under this option shall convert the loan to an interest-free scholarship and discharge the same, on the basis of one fifth (1/5) of the total loan amount for each full year of service, or the appropriate proportion of the total outstanding balance of principal and interest, all as established by rule and regulation of the board. If at any time before the repayment in full of the total obligation the recipient abandons or abrogates repayment by this service option, the provisions of Section 37-106-53(1)(c) shall apply.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 37-106-60, MISSISSIPPI CODE OF 1972, TO CREATE THE NURSING AND RESPIRATORY THERAPY EDUCATION INCENTIVE PROGRAM; TO PROVIDE THAT THE PROGRAM IS FOR STUDY IN NURSING TO BECOME A LICENSED PRACTICAL NURSE OR A REGISTERED NURSE, FOR ADVANCED STUDY IN NURSING BY LICENSED REGISTERED NURSES, OR FOR STUDY IN RESPIRATORY THERAPY TO BECOME A RESPIRATORY THERAPIST; TO PROVIDE THAT THE LOANS MAY BE REPAYED BY PRACTICING NURSING OR

RESPIRATORY THERAPY IN THE STATE OF MISSISSIPPI FOR NOT LESS THAN FIVE YEARS AFTER COMPLETION OF THE COURSE OF STUDY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Rita Potts Parks
Missy McGee	John A. Polk
Jason White	Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1005** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1351** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1351: Affidavit of Scrivener's Error; revise recording of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 89-5-8, Mississippi Code of 1972, is amended as follows:

89-5-8. (1) Any affidavit containing a statement relating to the identification, the marital status, the heirship, the relation, the death or the time of death of any person who is a party to a document affecting the title to real property, or any affidavit relating to the identification of any corporation or other legal entity which is a party to a document affecting the title to real property, signed by the affiant and verified upon oath or affirmation before a notarial officer, shall be recordable in the land records in the office of the chancery clerk in the county where the real property is situated.

(2) (a) Notice of a typographical or other minor error in a document affecting the title to real property may be given by recording an affidavit containing a statement of scrivener's error. If an affidavit is conspicuously identified as an affidavit of scrivener's error, the chancery clerk shall index the affidavit in the general index under the names of the original parties to the document if they are identified in the affidavit, and in the sectional index as provided in the indexing instructions of the affidavit. Notice of the corrective information provided by the affiant is effective upon recordation. An affidavit under this paragraph (a) may be prepared only by an attorney licensed to practice law in this state \* \* \*.

(b) \* \* \* The affidavit of scrivener's error shall be executed and acknowledged by the affiant and verified upon oath or affirmation before a notarial officer, and shall be recordable in the land records in the office of the chancery clerk in the county where the real estate is situated. The affidavit shall recite: (i) the name and Mississippi bar number of the affiant attorney, (ii) the instrument containing clerical error, and (iii) a statement that the affiant is in good standing with The Mississippi Bar, is licensed to practice law in the State of Mississippi, and that his or her license is active at the time of verification or affirmation. Any affidavit of scrivener's error recorded that is not executed by an attorney licensed to practice law in the State of Mississippi, and who prepared any document in the chain of title to the subject real property, regardless of the date of recording shall be void.

(c) \* \* \* The chancery clerk shall make a marginal notation on the document to which the affidavit refers.

(3) Where title to homestead property is in the titled spouse, the nontitled spouse, in lieu of joining the titled spouse in executing a conveyance, mortgage, deed of trust or other encumbrance upon a homestead, may file an affidavit of nonhomestead verified upon oath or affirmation that either: (a) the nontitled spouse, together with the titled spouse, freely and voluntarily abandoned the old homestead and secured and currently together occupy a new homestead residence; or (b) the nontitled spouse freely and voluntarily separated from the titled spouse with no intent to return to the titled spouse or to reside with the titled spouse, either temporarily or permanently, on the titled spouse's homestead, and the nontitled spouse currently maintains and occupies a separate residence.

(4) A person who knowingly makes or causes to be made a false statement in an affidavit is guilty of perjury and liable for the actual damages suffered or incurred by any person as a result or consequence of the making of or reliance upon the false affidavit. The court may award punitive damages, costs and attorney's fees.

(5) From and after July 1, 2021, an affidavit recorded under this section must include a description of the real property covered by the affidavit.

(6) Any affidavit so recorded, or a certified copy thereof, shall be admissible as evidence in any action involving the document to which it relates or the title to the real property affected by the document and shall be prima facie evidence of the facts stated therein and the marketability of the title to real property.

SECTION 2. (1) This section shall be known and may be cited as the "Mississippi Architects and Engineers Good Samaritan Act."

(2) As used in this act, the following words shall have the meanings described in this section:

(a) "Building inspection official" means any appointed or elected federal, state, or local official with executive responsibility to coordinate building inspection in the jurisdiction in which the emergency or event has occurred;

(b) "Emergency" means an earthquake, eruption, flood, storm, hurricane, fire or other catastrophe that has been designated as a major disaster or emergency by the President of the United States, the Governor, or other public official, and shall include the terms "State of Emergency" and "Local emergency" as defined in Section 33-15-5;

(c) "Good Samaritan" means a professional engineer or a registered architect who performs safety assessment services only, and who provides such services uncompensated (other than reimbursement of expenses) at the scene of an emergency;

(d) "Law enforcement official" means any appointed or elected federal, state, or local official with executive responsibility to coordinate law enforcement in the jurisdiction in which the emergency or event has occurred;

(e) "Professional engineer" means a person duly licensed under the engineering licensure laws of a United States or Canadian jurisdiction as a professional engineer;

(f) "Public official" means any federal, state, or local official with executive responsibility in the jurisdiction in which the emergency or event has occurred;

(g) "Public safety official" means any appointed or elected federal, state, or local official with executive responsibility to coordinate public safety in the jurisdiction in which the emergency or event has occurred;

(h) "Registered architect" means a person duly licensed under the architectural licensure laws of a United States or Canadian jurisdiction as a registered architect; and

(i) "Safety assessment services" means inspection and evaluation of any structure, building, facility, project utility, equipment, machine, process, piping, or other system at the scene of an emergency related to structural integrity or nonstructural elements affecting life, safety and habitability.

(3) (a) Any registered architect or professional engineer who provides safety assessment services as a Good Samaritan at the request of or with the approval of a public official, law enforcement official, public safety official, or building inspection official acting in his or her official capacity as such shall be immune from liability from any civil action arising only from an act, service or omission performed in the course of providing safety assessment services as a Good Samaritan. The immunity provided in this act shall apply only to safety assessment services if, such services: (i) occurred during the emergency or within ninety (90) days following the end of the period for the emergency, unless extended by an executive order; and (ii) if the architect or engineer was acting as a reasonably prudent person would have acted under the same or similar circumstances during a period of declared emergency, to include any other loss of any other nature related to the registered architect's or professional engineer's acts, errors or omissions in the performance of any architectural or engineering services for any structure, building or facility during the declared period of emergency.

(b) Architectural or engineering services beyond safety assessment services including, but not limited to, design of repairs, demolition plans, construction documents, or construction administration shall only be undertaken by an architect or professional engineer licensed in Mississippi.

(c) Nothing in this act shall be construed to provide immunity for wanton, willful, or intentional misconduct.

(4) Any architect or professional engineer not licensed in this state acting within the confines of this act as a Good Samaritan in order to perform safety assessment services shall be exempted from being required to be licensed as an architect or

professional engineer in the State of Mississippi, but only to the extent of the services rendered for the period of time as provided for in subsection (4) of this act.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO REGULATE THE EXECUTION OF SCRIVENER'S ERROR AFFIDAVITS FOR PROPERTY DEEDS; TO CREATE THE "MISSISSIPPI ARCHITECTS AND ENGINEERS GOOD SAMARITAN ACT"; TO PROVIDE IMMUNITY FROM LIABILITY FOR ANY CIVIL ACTIONS ARISING FROM WORK PERFORMED BY ARCHITECTS OR ENGINEERS AT THE REQUEST OF AN ELECTED OFFICIAL DURING A STATE OF EMERGENCY; TO PROVIDE THAT THE IMMUNITY PROVIDED BY THIS ACT SHALL ONLY APPLY TO SAFETY ASSESSMENT SERVICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Angela Cockerham	Brice Wiggins
John Thomas "Trey" Lamar, III	Tyler McCaughn
Chris Brown	Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1351** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:30 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2519:** AN ACT TO AMEND SECTIONS 63-5-19 AND 63-7-47, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS REGARDING ILLUMINATION OF LOADS EXTENDING BEYOND THE REAR OF VEHICLES; AND FOR RELATED PURPOSES.

**S. B. No. 3067:** AN ACT TO AMEND CHAPTER 943, LOCAL AND PRIVATE LAWS OF 1993, AS AMENDED BY CHAPTER 983, LOCAL AND PRIVATE LAWS OF 1999, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF MERIDIAN, MISSISSIPPI, TO INCREASE, BY 2% EVERY JULY 1, BEGINNING JULY 1, 2022, THE MONTHLY BENEFITS OF PERSONS WHO, ON JUNE 30, 2022, ARE RECEIVING BENEFITS FROM THE MERIDIAN POLICE AND FIRE DISABILITY AND RELIEF FUND OR THE MERIDIAN GENERAL MUNICIPAL EMPLOYEE RETIREMENT FUND; AND FOR RELATED PURPOSES.

**S. B. No. 3068:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE AMERICAN LEGION BOYS STATE PROGRAM; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2898:** AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE SECTION ALLOWING CERTAIN MUNICIPALITIES TO ADOPT RULES AND PROCEDURES FOR ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR WATER AND SEWER SERVICES; AND FOR RELATED PURPOSES.

**S. B. No. 2981:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND THE FANNIE LOU HAMER BREAST CANCER FOUNDATION; AND FOR RELATED PURPOSES.

**S. B. No. 3065:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FRIENDS OF ARTS, CULTURE AND EDUCATION (F.A.C.E.); AND FOR RELATED PURPOSES.

**S. B. No. 3066:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE JUNIOR AUXILIARY OF PASCAGOULA-MOSS POINT; AND FOR RELATED PURPOSES.

**S. B. No. 3069:** AN ACT TO AMEND CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2020, TO ADD CARE NOW FOOD PANTRY AS A 501(C)(3) QUALIFIED CHARITABLE ORGANIZATION TO WHICH THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, MAY CONTRIBUTE ANNUALLY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 3000:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC., VICKSBURG FAMILY DEVELOPMENT SERVICE, TRIUMPH MINISTRIES, INC., WOMEN'S RESTORATION SHELTER OF MOUNTAIN OF FAITH MINISTRIES, GOOD SHEPHERD, INC., AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 567:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LEAKE ACADEMY "LADY REBELS" GIRLS BASKETBALL TEAM AND COACH AMANDA GULLEY HATCH FOR WINNING THE MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) 5A STATE CHAMPIONSHIP.

**S. C. R. No. 581:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "LADY TIGERS" BASKETBALL TEAM AND HEAD COACH TOMEKIA REED FOR WINNING THE 2022 SWAC WOMEN'S BASKETBALL REGULAR SEASON TITLE AND FOR THEIR SECOND CONSECUTIVE SWAC TOURNAMENT CHAMPIONSHIP.

**S. C. R. No. 582:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2022 MANCHESTER ACADEMY "LADY MAVERICKS" GIRLS BASKETBALL TEAM AND HEAD COACH EMILY POE FOR WINNING BACK-TO-BACK MHSAA STATE CHAMPIONSHIPS.

**S. C. R. No. 584:** A CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE COLUMBUS COMMERCIAL DISPATCH NEWSPAPER (1921-2022) IN COLUMBUS, MISSISSIPPI, THE ONLY FAMILY-OWNED NEWSPAPER IN THE STATE, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

**S. C. R. No. 586:** A CONCURRENT RESOLUTION DESIGNATING APRIL 14, 2022, AS "REMAN DAY" IN MISSISSIPPI.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 155:** AN ACT TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT COVERAGE UNDER THE STATE HEALTH INSURANCE PLAN OF HEARING AIDS FOR INDIVIDUALS OVER THE AGE OF 21 YEARS; TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE

BOARD TO COLLECT PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN; AND FOR RELATED PURPOSES.

**H. B. No. 1035:** AN ACT TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; TO PROVIDE THAT VELVET HUNTING SEASON SHALL BEGIN ON SEPTEMBER 10 AND END SEPTEMBER 20; TO REQUIRE THE COMMISSION TO ESTABLISH A SPECIAL HUNTING PERMIT FOR VELVET HUNTING SEASON; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, WHICH RELATES TO OPEN SEASON ON DEER, TO REQUIRE THE COMMISSION TO ESTABLISH AND REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON; AND FOR RELATED PURPOSES.

**H. B. No. 1691:** AN ACT TO ALLOW PARTNERSHIPS, S CORPORATIONS OR SIMILAR PASS-THROUGH ENTITIES TO ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY FOR STATE INCOME TAX PURPOSES AND PAY INCOME TAX AT THE ENTITY LEVEL; TO PROVIDE THE MANNER BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL REPORT HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF THE INCOME OF THE ELECTING PASS-THROUGH ENTITY BUT SHALL NOT BE LIABLE FOR INCOME TAX IMPOSED ON SUCH PRO RATA OR DISTRIBUTIVE SHARE; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL BE ALLOWED A CREDIT AGAINST INCOME TAXES IN AN AMOUNT EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF INCOME TAX PAID BY THE ELECTING PASS-THROUGH ENTITY WITH RESPECT TO THE CORRESPONDING TAXABLE YEAR; TO AMEND SECTIONS 27-7-25 AND 27-8-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1759:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO PROVIDE CERTAIN COMPENSATION TO COUNTY PATROL OFFICERS; AND FOR RELATED PURPOSES.

**H. B. No. 1769:** AN ACT TO CODIFY ARTICLE 3, SECTION 17A OF THIS MISSISSIPPI CONSTITUTION IN THE MISSISSIPPI CODE OF 1972; TO PROVIDE THAT NO PROPERTY ACQUIRED BY THE EXERCISE OF THE POWER OF EMINENT DOMAIN UNDER THE LAWS OF THE STATE OF MISSISSIPPI SHALL, FOR A PERIOD OF TEN YEARS AFTER ITS ACQUISITION, BE TRANSFERRED OR ANY INTEREST THEREIN TRANSFERRED TO ANY PERSON, NONGOVERNMENTAL ENTITY, PUBLIC-PRIVATE PARTNERSHIP, CORPORATION, OR OTHER BUSINESS ENTITY; TO PROVIDE CERTAIN EXCEPTIONS; AND OTHER LIMITED CONDITIONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 89:** A CONCURRENT RESOLUTION EXTENDING THE 2022 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS, REVENUE BILLS AND OTHER BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2022 REGULAR SESSION OF THE LEGISLATURE.

Joseph Thomas, Chairman

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Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:22 PM, the Senate stood in recess.

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The Senate resumed business at 3:33 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2034:** Intestacy; revise provisions for venue.

**S. B. No. 2076:** Derelict vessels; provide certain requirements for the removal of.

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.

**S. B. No. 2306:** Campaign finance reports; amend provisions relating to.

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property.

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from.

**S. B. No. 2336:** State and School Employees Health Insurance Management Board; extend repealer on premium payment authority.

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor.

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance.

**S. B. No. 2358:** Candidate filing fees; authorize parties to determine.

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions.

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement.

**S. B. No. 2536:** Offender registry; create registry of individuals whose crimes involve public funds.

**S. B. No. 2545:** Detached catalytic converter; prescribe criminal penalties for purchase unless certain conditions are met.

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests.

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited.

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services.

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

Adopted: 03/29/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 3202:** City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority.

**S. B. No. 3206:** Marshall County; authorize contributions to Byhalia Area Arts Council.

**S. B. No. 3208:** Rankin County; authorize certain road project contracts extending more than 30 days after term of current board.

**S. B. No. 3211:** Meridian Public School District; authorize transfer of former school property to Meridian Housing Authority.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**J. R. No. 1:** Mississippi House of Representatives; reapportion. Title Sufficient. Do Be Adopted.

**S. C. R. No. 604:** Paying tribute to United States Army Korean War casualty PFC Jimmy Rowland of Baldwyn, Mississippi, finally laid to rest. Title Sufficient. Do Be Adopted.

**S. R. No. 56:** Commend the life of Ruth Antoninette Batton Campbell. Title Sufficient. Do Be Adopted.

**S. R. No. 57:** Recognize athletic and professional educator legacy of Coach Leon Campbell. Title Sufficient. Do Be Adopted.

**S. R. No. 58:** Commend Pascagoula High School Navy JROTC Air Rifle Team for winning State and Regional Titles and for All-Service competition. Title Sufficient. Do Be Adopted.

**S. R. No. 59:** Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 60:** Recognize career and public health leadership of State Health Officer Thomas Dobbs, MD, MPH. Title Sufficient. Do Be Adopted.

**S. R. No. 61:** Commend service of Michele Blocker ITS on her retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 77:** Russian invasion of Ukraine; condemn. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 470:** Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Covich County.

**H. B. No. 474:** Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives.

**H. B. No. 586:** Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; remove repealer on.

**H. B. No. 679:** Mississippi Pill Press Act of 2022; create.

**H. B. No. 698:** Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts.

**H. B. No. 842:** Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities.

**H. B. No. 863:** "Mississippi Prison Industries Act of 1990"; bring forward for the purposes of possible amendment.

**H. B. No. 906:** Corrections omnibus bill; enact.

**H. B. No. 918:** Alcoholic beverages; authorize issuance of food truck permit.

**H. B. No. 936:** Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction.

**H. B. No. 1005:** Nursing Education Incentive Program; create.

**H. B. No. 1029:** Mississippi Broadband Accessibility Act; create.

**H. B. No. 1031:** Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects.

**H. B. No. 1052:** MS Department of Corrections; provide for Deputy Commissioner for Workforce Development.

**H. B. No. 1162:** Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities.

**H. B. No. 1343:** Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District.

**H. B. No. 1351:** Affidavit of Scrivener's Error; revise recording of.

**H. B. No. 1430:** Motor vehicle title; authorize beneficiary designation.

**H. B. No. 1509:** COVID-19 vaccine mandate; prohibit state and local government from imposing.

**H. B. No. 1510:** Elections; revise procedures regarding voter roll maintenance.

Adopted: 03/29/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1757:** Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals.

**H. B. No. 1767:** Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 833:** Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided.

Andrew Ketchings, Clerk of the House of Representatives

Senator Tate offered the following report of the Conference Committee on **H. B. No. 1510** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1510: Elections; revise procedures regarding voter roll maintenance.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-15, Mississippi Code of 1972, is amended as follows:

23-15-15. \* \* \* (1) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System. Said registration application shall be compared with the Department of Public Safety driver's license and identification information. If such information indicates that a particular applicant is not a citizen of the United States, the Statewide Elections Management System shall notify the registrar, or his or her designee, that the applicant may not be a citizen of the United States.

(2) After receiving the notice from the Statewide Elections Management System as provided in subsection (1) of this section, the registrar, or his or her designee, shall:

(a) Enter the applicant's information into the United States Citizenship and Immigration Service's Systematic Alien Verification for Entitlements (SAVE) or its successor database for further inquiry; and

(b) If both the Department of Public Safety driver's license and identification information and the database in paragraph (a) of this subsection indicate that the applicant is not a citizen, send a notice by first-class mail to the applicant's mailing address provided on the voter registration application inquiring whether the individual is eligible to be registered to vote. The registrar may, in addition to first-class mail, contact the applicant by email or telephone.

(3) Any applicant who receives the notice under subsection (2)(b) of this section shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the registrar or his or her designee.

(4) For purposes of this section, proof of citizenship includes, but is not limited to:

(a) The applicant's birth certificate or a legible photocopy of the birth certificate;

(b) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the applicant and showing the passport number;

(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

(5) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.

(6) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as "PENDING" in the Statewide Elections Management System until the next federal general election:

(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection (4) of this section to the registrar within five (5) days of casting the affidavit ballot.

(b) If the applicant fails to respond to the notice or cast an affidavit ballot and provide the proof described in subsection (4) of this section by the next federal general election, the registrar shall mark the applicant as "REJECTED" in the Statewide Election Management System.

SECTION 2. Section 23-15-5, Mississippi Code of 1972, is amended as follows:

23-15-5. (1) There is created in the State Treasury a special fund to be known as the Elections Support Fund. Monies derived from annual report fees imposed upon limited liability companies under Section 79-29-1203 shall be deposited into the Elections Support Fund. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be disbursed as provided in subsection (2) of this section. The expenditure of monies in the fund shall be under the direction of the Secretary of State as provided by subsection (2) of this section, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration.

(2) (a) Monies in the fund shall be used as follows:

(i) \* \* \* Seventy percent (70%) of the monies in the special fund shall be distributed annually to the counties, upon appropriation of the Legislature, based on the proportion that the population of a county bears to the total population in all counties of the state population according to the most recent information from the United States

Census Bureau, and held in a separate fund solely for the purpose of acquiring, upgrading, maintaining or repairing voting equipment, systems and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems, employing such personnel to conduct an election, and training election officials; and

(ii) The remaining \* \* \* thirty percent (30%) of the monies in the special fund shall be deposited in the State General Fund.

(b) The Secretary of State shall create standard training guidelines to assist counties in training election officials with the funds authorized under subsection (2)(a)(ii) of this section. Any criteria established by the Secretary of State for the purposes of this section shall be used in addition to any other training or coursework prescribed by the Secretary of State to train circuit clerks, poll managers and any other election officials participating in county elections.

(c) Notwithstanding any other provision of law, no monies from the Elections Support Fund shall be used by the Secretary of State or any person associated with the Office of the Secretary of State to provide or otherwise support expert testimony in any manner for any hearing, trial or election contest.

(3) From and after July 1, 2017, none of the monies deposited in the Elections Support Fund may be used to reimburse or otherwise defray any costs that the Office of the Secretary of State may incur in administering the fund.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR UPON RECEIVING A COMPLETED VOTER REGISTRATION APPLICATION TO ENTER AN APPLICANT INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE THAT THE REGISTRATION APPLICATION SHALL BE COMPARED WITH THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE AND IDENTIFICATION INFORMATION; TO REQUIRE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM TO NOTIFY THE REGISTRAR IF SUCH INFORMATION REFLECTS THAT THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES; TO REQUIRE THE REGISTRAR TO NOTIFY CERTAIN APPLICANTS; TO REQUIRE AN APPLICANT WHO RECEIVES NOTICE UNDER THIS SECTION TO PROVIDE PROOF OF CITIZENSHIP TO THE REGISTRAR; TO PROVIDE THE DOCUMENTATION THAT MAY BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE THE REGISTRAR TO MARK THE APPLICANT AS REJECTED WHERE THE APPLICANT FAILS TO RESPOND TO THE NOTICE OR TO PROVIDE PROOF OF CITIZENSHIP WITHIN A CERTAIN PERIOD OF TIME; TO ESTABLISH AN APPEAL PROCEDURE; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MONIES THAT ARE DEPOSITED INTO THE ELECTIONS SUPPORT FUND; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Charles Jim Beckett

Dan Eubanks

Brent Powell

## CONFEREES FOR THE SENATE

Jeff Tate

Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1510** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Barnett, Blount, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--13.

Absent and those not voting---None.

Voting Present--Hickman. Total--1.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2245** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2245: Voyeurism; revise sentencing.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-29-61, Mississippi Code of 1972, is amended as follows:

97-29-61. (1) (a) Any person who enters upon real property, whether the original entry is legal or not, and thereafter pries or peeps through a window or other opening in a dwelling or other building structure for the lewd, licentious and indecent purpose of spying upon the occupants thereof, shall be guilty of a felonious trespass.

(b) Any person who looks through a window, hole or opening, or otherwise views by means of any instrumentality, including, but not limited to, a periscope, telescope, binoculars, drones, camera, motion-picture camera, camcorder or mobile phone, into the interior of a bedroom, bathroom, changing room, fitting room, dressing room, spa, massage room or therapy room or tanning booth, or the interior of any other

area in which the occupant has a reasonable expectation of privacy, with the intent to invade the privacy of a person or persons inside and without the consent or knowledge of every person present, for the lewd, licentious and indecent purpose of spying upon the occupant or occupants thereof, shall be guilty of a felony.

(2) (a) Except as provided in paragraph (b) of this subsection, a person who \* \* \* is over the age of \* \* \* eighteen (18) at the time of the offense \* \* \* and is convicted of a violation of subsection (1) of this section shall be imprisoned in the custody of the Department of Corrections not more than five (5) years.

(b) When one or more occupants spied upon is a child under sixteen (16) years of age, a person who was over the age of twenty-one (21) at the time of the offense who is convicted of a violation of subsection (1) of this section shall be imprisoned in the custody of the Department of Corrections not more than ten (10) years.

SECTION 2. (1) This section shall be known and may be cited as "Buddy's Law."

(2) When a child is adjudicated delinquent of an offense involving the intentional torturing, mutilating, maiming, burning, starving to death, crushing, disfiguring, drowning, suffocating or impaling of a domesticated dog or cat as described in Section 97-14-16, the youth court shall order that the child adjudicated delinquent receives a psychiatric evaluation and counseling or treatment for a length of time as prescribed by the youth court. The cost of any evaluation, counseling and treatment shall be paid by the offender's parent or guardian, or by the state if the offender is a ward of the state, upon order of the youth court, up to a maximum amount that is no more than the jurisdictional limit of the sentencing court. The youth court shall hold the offender's parent or guardian in contempt under Section 43-21-509 if the parent or guardian willfully does not follow the recommended treatment for the offender.

(3) The Legislature does recognize that animal abuse by a child often leads to further criminal activity by the child as he or she ages. This activity is sometimes homicidal; however, it is the Legislature's intent that a mental health evaluation under this section is only required in extreme situations as prescribed in Section 97-14-16. Further, it is the intent of the Legislature that a minor offense of abuse of a cat or dog by a child shall not require a mental health evaluation unless the judge, after a hearing, shall determine if the evaluation is necessary.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; TO ENACT "BUDDY'S LAW"; TO REQUIRE A CHILD ADJUDICATED DELINQUENT OF CERTAIN OFFENSES AGAINST A DOMESTICATED DOG OR CAT TO RECEIVE A PSYCHIATRIC EVALUATION AND COUNSELING OR TREATMENT FOR A LENGTH OF TIME PRESCRIBED BY THE YOUTH COURT;

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Joey Fillingane

Nick Bain

Jeremy England

Shanda Yates

Juan Barnett

Gene Newman

## POINT OF ORDER

Senator Barnett raised a point of order that Section 2 of the Conference Report is not germane to the bill.

## RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken. Joint Rule 24 states that when one house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2245** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Barnett, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.  
Absent and those not voting----None.

Unanimous consent was granted to add Senators Blackwell and McLendon as co-authors of **S. B. No. 2245**.

Senator Barnett entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2245** was adopted by the Senate.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2246**:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2246: Search warrants; authorize issuance for sex offenses against children upon oral testimony.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall only apply to search warrants issued in relation to computer crime investigations for sex offenses against children who are less than eighteen (18) years old involving a computer defined in Section 7-5-59(1)(a).

(2) If circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge who is authorized to issue search warrants may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(3) The person who is requesting the warrant shall prepare a document to be known as a "duplicate original warrant" and shall read such duplicate original warrant verbatim to the issuing judge. The judge shall enter what is so read on a document to be known as the "original warrant." The issuing judge may direct that the warrant be modified.

(4) If the judge is satisfied that the circumstances are such as to make it reasonable to dispense with a written affidavit and the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(5) When a telephone caller informs the judge that the purpose of the telephone call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for the warrant. If a voice recording device is available, the judge shall record by means of such device all of the call after the caller informs the judge that the purpose of the call is to request a warrant. Otherwise, a stenographic or longhand verbatim record shall be made. If a voice recording device is used or a stenographic record made, the judge shall have the record transcribed, shall certify the accuracy of the transcription, and shall file a copy of the original record and the transcription with the court. If a longhand verbatim record is made, the judge shall file a signed copy with the court.

(6) The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(7) The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

SECTION 2. (1) In any municipality in which Highway 6 and Highway 7 intersect and in which a university is located, an application for a warrant or signature utilized by the judicial branch of state government for a violation of the Implied Consent Law shall not be denied legal effect or enforceability solely because it is in electronic form. Any such application, signature or record in electronic form shall have the full effect of law.

(2) If a provision of law for a violation of the Implied Consent Law requires the application for any warrant to be in writing, an electronic record shall satisfy such provision of law.

(3) If a provision of law for a violation of the Implied Consent Law requires a signature, an electronic signature satisfies such provision of law.

(4) Any application used to attach a digital signature to any warrant or affidavit for a violation of the Implied Consent Law must have security procedures in place that ensure the authenticity of the digital signature. The application must also be able to keep an electronic record of the warrant or affidavit, including the time and date of when the signature was attached. The application must also include encryption measures to ensure secure access of the application.

(5) Unless otherwise agreed to by a sender of a warrant application and the judge, an electronic record is received when:

(a) The record enters an information-processing system that the local court rules have designated and approved for the purpose of receiving electronic applications for warrants and from which the recipient is able to retrieve the electronic record; and

(b) It is in a form capable of being processed by the system.

(6) In any instance where an affidavit is submitted to a judge electronically, the electronic signature of the affiant shall satisfy the constitutional requirement that the testimony of the affiant be made under oath, provided that such signature is made under penalty of perjury and in compliance with subsection (4) of this section. If the requirements of subsection (4) of this section are met, it shall not be necessary for the oath to be made orally for the affidavit to have legal effect.

(7) This section shall stand repealed from and after July 1, 2024.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS FOR A VIOLATION OF THE IMPLIED CONSENT LAW IN A CERTAIN MUNICIPALITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Tyler McCaughn	Noah Sanford
Mike Thompson	Shanda Yates

POINT OF ORDER

A point of order was raised by Senator Turner-Ford that Section 2 of the Conference Report adds additional language, and as a result it is not properly before the Senate.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The Conference Report inserts language that does not relate to the subject matter of the original bill or the amendment, and therefore is not germane.

Senator Fillingane moved that the Conference Committee Report on **S. B. No. 2246** be recommitted for further conference and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2263** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2263: Adult adoptions; authorize chancellor to waive procedural requirements.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption

facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

\* \* \*

( \* \* \*5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of Human Services on the prospective adoptive parties if required by Section 93-17-11.

( \* \* \*6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

( \* \* \*7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

( \* \* \*8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

SECTION 2. For purposes of this act, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Change of name petition" means a petition to change the legal name of an individual.

(b) "Offender" means any physically incarcerated person convicted of a crime or offense under the laws and ordinances of the state and its political subdivisions or the laws and regulations of the federal government.

SECTION 3. (1) (a) No offender shall have standing to file a change of name petition with the chancery court;

- (b) No chancellor shall grant a change of name petition for an offender; and
- (c) No chancery clerk shall file a change of name petition for an offender.

(2) A chancellor may change the name of an offender if:

- (a) A district attorney files a change of name petition on behalf of an offender;
- (b) A sheriff of a county in which a person is incarcerated files a change of name petition on behalf of an offender;
- (c) The Commissioner of the Mississippi Department of Corrections, or his or her designee, files a change of name petition on behalf of an offender; or
- (d) A Mississippi Department of Corrections Chaplain files a change of name petition on behalf of an offender.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CHANCELLOR TO WAIVE PROCEDURAL REQUIREMENTS FOR ADULT ADOPTEES WHO CONSENT TO THE ADOPTION; TO CONFORM TO FEDERAL LAW BY DELETING THE PROHIBITION AGAINST COUPLES OF THE SAME GENDER ADOPTING; TO PROHIBIT PHYSICALLY INCARCERATED OFFENDERS FROM REQUESTING A NAME CHANGE; TO DEFINE TERMS; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Angela Turner-Ford	Jody Steverson
Tyler McCaughn	Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2263** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate offered the following report of the Conference Committee on **S. B. No. 2306** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2306: Campaign finance reports; amend provisions relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Jeff Tate

David Blount

Kevin Blackwell

CONFEREES FOR THE HOUSE

Charles Jim Beckett

Dan Eubanks

Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2306** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel offered the following report of the Conference Committee on **S. B. No. 2319** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2319: Child support; authorize DHS to satisfy arrearages with unclaimed property.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
J. Walter Michel	Angela Cockerham
Nicole Boyd	Thomas U. Reynolds
Chuck Younger	Joey Hood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2319** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2321** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2321: Human trafficking; create civil cause of action for engaging in or benefitting from.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For purposes of this act, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Human trafficking" means the actions that constitute an offense under Section 97-3-54.1 or 97-3-54.3.

(b) "Venture" means any group of two (2) or more individuals associated in fact, whether or not a legal entity.

SECTION 2. (1) A defendant who engages in human trafficking or who willfully, intentionally and knowingly benefits from participating in a venture that trafficks another

person is liable to the person trafficked, as provided by this act, for damages proximately caused by the trafficking of that person by the defendant or venture.

(2) The occurrence of human trafficking on the property of one not engaged in or benefitting from such human trafficking shall not, in and of itself, subject the property owner to liability under this act.

(3) It is not a defense to liability under this act that a defendant has been acquitted or has not been prosecuted or convicted under Section 97-3-54.1 or Section 97-3-54.4, or has been convicted of a different offense or of a different type or class of offense, for the conduct that is alleged to give rise to liability under this act.

(4) The cause of action created by this section is in addition to any other remedy provided by common law or statute.

(5) An action under this act shall be filed within:

(a) Three (3) years after the cause of action accrued; or

(b) Three (3) years after the claimant reaches the age of majority if at the time the cause of action accrued the claimant was a minor.

SECTION 3. A claimant who prevails in a suit under this act may be awarded:

(a) Compensatory damages;

(b) Court costs; and

(c) Reasonable attorneys' fees.

SECTION 4. A person who engages in human trafficking or who willfully, intentionally and knowingly benefits from participating in a venture that trafficks another person and who is found liable under this act for any amount of damages proximately caused by the trafficking is jointly liable with any other defendant found liable under this act for the entire amount of damages proximately caused by the trafficking.

SECTION 5. Sections 1 through 5 of this act shall be liberally construed and applied to promote its underlying purpose to protect persons from human trafficking and provide adequate remedies to victims of human trafficking.

SECTION 6. Section 97-29-51, Mississippi Code of 1972, is amended as follows:

97-29-51. (1) (a) A person commits the misdemeanor of procuring the services of a prostitute if the person knowingly or intentionally pays, or offers or agrees to pay, money or other property to another person for having engaged in, or on the understanding that the other person will engage in, sexual intercourse or sexual conduct with the person or with any other person. "Sexual conduct" includes cunnilingus, fellatio, masturbation of another, anal intercourse or the causing of penetration to any extent and with any object or body part of the genital or anal opening of another.

(b) Upon conviction under this subsection, a person shall be punished by a fine not exceeding Two Hundred Dollars (\$200.00) or by confinement in the county jail for not more than six (6) months, or both. A second or subsequent violation of this section shall be a felony, punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or both.

(c) However, in all cases, if the person whose services are procured in violation of this subsection (1) is a minor under eighteen (18) years of age, the person

convicted shall be guilty of a felony and shall, upon conviction, be punished by imprisonment for not less than five (5) years, nor more than thirty (30) years, or by a fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(d) Consent of a minor is not a defense to prosecution under this subsection (1).

(2) (a) A person commits the felony of promoting prostitution if the person:

(i) Knowingly or intentionally entices, compels, causes, induces, persuades, or encourages by promise, threat, violence, or by scheme or device, another person to become a prostitute, engage in conduct in violation of Section 97-29-49, regardless of whether the other person can be or is arrested for, charged with or convicted of the offense of prostitution;

(ii) Knowingly or intentionally solicits or offers or agrees to solicit, or receives or gives, or agrees to receive or give any money or thing of value for soliciting, or attempting to solicit, another person for the purpose of prostitution;

(iii) Knowingly induces, persuades, or encourages a person to come into or leave this state for the purpose of prostitution;

(iv) Having control over the use of a place or vehicle, knowingly or intentionally permits another person to use the place or vehicle for prostitution;

(v) Accepts, receives, levies or appropriates money or other property of value from a prostitute, without lawful consideration, with knowledge or reasonable cause to know it was earned, in whole or in part, from prostitution; or

(vi) Conducts, directs, takes, or transports, or offers or agrees to take or transport, or aids or assists in transporting, any person to any vehicle, conveyance, place, structure, or building, or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution.

(b) Upon conviction, a person shall be punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by imprisonment in the custody of the Department of Corrections for not more than ten (10) years, or both. A second or subsequent violation shall be punished by a fine not exceeding Twenty Thousand Dollars (\$20,000.00) or by imprisonment in the custody of the Department of Corrections for up to twenty (20) years, or both.

(c) However, in all cases, if the person whose services are promoted in violation of this subsection (2) is a minor under eighteen (18) years of age, the person convicted shall be guilty of a felony and shall, upon conviction, be punished by imprisonment for not less than five (5) years, nor more than thirty (30) years, or by a fine of not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00), or both. There is no requirement that the defendant have actual knowledge of the age of the person and consent of a minor is not a defense to prosecution under this section.

(3) If it is determined that a person suspected of or charged with promoting prostitution is a trafficked person, as defined by Section 97-3-54.4, that fact shall be considered a mitigating factor in any prosecution of that person for prostitution, and the person shall be referred to appropriate resources for assistance. If it is determined that a person suspected of or charged with promoting prostitution is a minor under eighteen (18) years of age who meets the definition of a trafficked person as defined in Section 97-3-54.4, the minor is immune from prosecution for promoting prostitution as a juvenile or adult and provisions of Section 97-3-54.1(4) shall be applicable.

(4) Any partnership, association, corporation or other entity violating any provision of subsection (2) against the promotion of prostitution shall, upon conviction, be punished by a fine not exceeding Fifty Thousand Dollars (\$50,000.00). If the person whose services are promoted is under eighteen (18) years of age, the partnership, association, corporation or other legal entity convicted shall be punished by a fine not exceeding One Million Dollars (\$1,000,000.00). There is no requirement that the defendant have knowledge of the age of the person. Consent of a minor is not a defense to prosecution under this section.

(5) Investigation and prosecution of a person, partnership, association, corporation or other entity under this section shall not preclude investigation or prosecution against that person, partnership, association, corporation or other entity for a violation of other applicable criminal laws, including, but not limited to, the Mississippi Human Trafficking Act, Section 97-3-54 et seq.

SECTION 7. Section 97-3-54.7, Mississippi Code of 1972, is amended as follows:

97-3-54.7. Forfeiture of assets and disposition of proceeds.

(1) In addition to any other civil or criminal penalties provided by law, any property used in the commission of a violation of this act shall be forfeited as provided herein.

(a) The following property shall be subject to forfeiture if used or intended for use as an instrumentality in or used in furtherance of a violation of this act:

(i) Conveyances, including aircraft, vehicles or vessels;

(ii) Books, records, telecommunication equipment, or computers;

(iii) Money or weapons;

(iv) Everything of value furnished, or intended to be furnished, in exchange for an act in violation and all proceeds traceable to the exchange;

(v) Negotiable instruments and securities;

(vi) Any property, real or personal, directly or indirectly acquired or received in a violation or as an inducement to violate;

(vii) Any property traceable to proceeds from a violation; and

(viii) Any real property, including any right, title and interest in the whole of or any part of any lot or tract of land used in furtherance of a violation of this act.

(b) (i) No property used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the property is a consenting party or privy to a violation of this act;

(ii) No property is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the property is a leased or rented property, then the confiscating authority shall notify the owner of the property within five (5) days of the confiscation or within five (5) days of forming reason to believe that the property is a leased or rented property;

(iii) Forfeiture of a property encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission.

(2) No property shall be forfeited under the provisions of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

(3) Seizure without process may be made if the seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant.

(4) (a) When any property is seized under this section, proceedings shall be instituted within a reasonable period of time from the date of seizure or the subject property shall be immediately returned to the party from whom seized.

(b) A petition for forfeiture shall be filed by the Attorney General or a district attorney in the name of the State of Mississippi, the county, or the municipality, and may be filed in the county in which the seizure is made, the county in which the criminal prosecution is brought, or the county in which the owner of the seized property is found. Forfeiture proceedings may be brought in the circuit court or the county court if a county court exists in the county and the value of the seized property is within the jurisdictional limits of the county court as set forth in Section 9-9-21. A copy of the petition shall be served upon the following persons by service of process in the same manner as in civil cases:

(i) The owner of the property, if address is known;

(ii) Any secured party who has registered his lien or filed a financing statement as provided by law, if the identity of the secured party can be ascertained by the entity filing the petition by making a good faith effort to ascertain the identity of the secured party;

(iii) Any other bona fide lienholder or secured party or other person holding an interest in the property in the nature of a security interest of whom the seizing law enforcement agency has actual knowledge; and

(iv) Any person in possession of property subject to forfeiture at the time that it was seized.

(5) If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law and if there is any reasonable cause to believe that the vehicle has been titled, inquiry of the Department of Revenue shall be made as to what the records of the Department of Revenue show as to who is the record owner of the vehicle and who, if anyone, holds any lien or security interest that affects the vehicle.

(6) If the property is a motor vehicle and is not titled in the State of Mississippi, then an attempt shall be made to ascertain the name and address of the person in whose name the vehicle is licensed, and if the vehicle is licensed in a state which has in effect a certificate of title law, inquiry of the appropriate agency of that state shall be made as to what the records of the agency show as to who is the record owner of the vehicle and who, if anyone, holds any lien, security interest or other instrument in the nature of a security device that affects the vehicle.

(7) If the property is of a nature that a financing statement is required by the laws of this state to be filed to perfect a security interest affecting the property and if there is any reasonable cause to believe that a financing statement covering the security interest has been filed under the laws of this state, inquiry of the appropriate office designated in Section 75-9-501, shall be made as to what the records show as to who is the record

owner of the property and who, if anyone, has filed a financing statement affecting the property.

(8) If the property is an aircraft or part thereof and if there is any reasonable cause to believe that an instrument in the nature of a security device affects the property, inquiry of the Mississippi Department of Transportation shall be made as to what the records of the Federal Aviation Administration show as to who is the record owner of the property and who, if anyone, holds an instrument in the nature of a security device which affects the property.

(9) If the answer to an inquiry states that the record owner of the property is any person other than the person who was in possession of it when it was seized, or states that any person holds any lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust that affects the property, the record owner and also any lienholder, secured party, other person who holds an interest in the property in the nature of a security interest, or holder of an encumbrance, mortgage or deed of trust that affects the property is to be named in the petition of forfeiture and is to be served with process in the same manner as in civil cases.

(10) If the owner of the property cannot be found and served with a copy of the petition of forfeiture, or if no person was in possession of the property subject to forfeiture at the time that it was seized and the owner of the property is unknown, there shall be filed with the clerk of the court in which the proceeding is pending an affidavit to such effect, whereupon the clerk of the court shall publish notice of the hearing addressed to "the Unknown Owner of \_\_\_\_\_," filling in the blank space with a reasonably detailed description of the property subject to forfeiture. Service by publication shall contain the other requisites prescribed in Section 11-33-41, and shall be served as provided in Section 11-33-37, for publication of notice for attachments at law.

(11) No proceedings instituted pursuant to the provisions of this section shall proceed to hearing unless the judge conducting the hearing is satisfied that this section has been complied with. Any answer received from an inquiry required by this section shall be introduced into evidence at the hearing.

(12) (a) An owner of a property that has been seized shall file an answer within thirty (30) days after the completion of service of process. If an answer is not filed, the court shall hear evidence that the property is subject to forfeiture and forfeit the property to the seizing law enforcement agency. If an answer is filed, a time for hearing on forfeiture shall be set within thirty (30) days of filing the answer or at the succeeding term of court if court would not be in session within thirty (30) days after filing the answer. The court may postpone the forfeiture hearing to a date past the time any criminal action is pending against the owner upon request of any party.

(b) If the owner of the property has filed an answer denying that the property is subject to forfeiture, then the burden is on the petitioner to prove that the property is subject to forfeiture. However, if an answer has not been filed by the owner of the property, the petition for forfeiture may be introduced into evidence and is prima facie evidence that the property is subject to forfeiture. The burden of proof placed upon the petitioner in regard to property forfeited under the provisions of this chapter shall be by a preponderance of the evidence.

(c) At the hearing any claimant of any right, title or interest in the property may prove his lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust to be bona fide and created without knowledge or consent that the property was to be used so as to cause the property to be subject to forfeiture.

(d) If it is found that the property is subject to forfeiture, then the judge shall forfeit the property. However, if proof at the hearing discloses that the interest of any bona

fide lienholder, secured party, other person holding an interest in the property in the nature of a security interest, or any holder of a bona fide encumbrance, mortgage or deed of trust is greater than or equal to the present value of the property, the court shall order the property released to him. If the interest is less than the present value of the property and if the proof shows that the property is subject to forfeiture, the court shall order the property forfeited.

(13) Unless otherwise provided herein, all personal property which is forfeited under this section shall be liquidated and, after deduction of court costs and the expense of liquidation, the proceeds shall be divided as follows:

(a) If only one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the \* \* \* Victims of Human Trafficking and Commercial Sexual Exploitation Fund, and fifty percent (50%) shall be deposited and credited to the budget of the participating law enforcement agency.

(b) If more than one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the \* \* \* Victims of Human Trafficking and Commercial Sexual Exploitation Fund, twenty-five percent (25%) of the proceeds shall be deposited and credited to the budget of the law enforcement agency whose officers initiated the criminal case and twenty-five percent (25%) shall be divided equitably between or among the other participating law enforcement agencies, and shall be deposited and credited to the budgets of the participating law enforcement agencies. In the event that the other participating law enforcement agencies cannot agree on the division of their twenty-five percent (25%), a petition shall be filed by any one of them in the court in which the civil forfeiture case is brought and the court shall make an equitable division.

(14) All money forfeited under this section shall be divided, deposited and credited in the same manner as provided in subsection (13).

(15) All real estate forfeited under the provisions of this section shall be sold to the highest and best bidder at a public auction for cash, the auction to be conducted by the chief law enforcement officer of the initiating law enforcement agency, or his designee, at such place, on such notice and in accordance with the same procedure, as far as practicable, as is required in the case of sales of land under execution at law. The proceeds of the sale shall first be applied to the cost and expense in administering and conducting the sale, then to the satisfaction of all mortgages, deeds of trust, liens and encumbrances of record on the property. The remaining proceeds shall be divided, forwarded and deposited in the same manner as provided in subsection (13).

(16) (a) Any county or municipal law enforcement agency may maintain, repair, use and operate for official purposes all property described in subsection (1)(a)(i) of this section that has been forfeited to the agency if it is free from any interest of a bona fide lienholder, secured party or other party who holds an interest in the property in the nature of a security interest. The county or municipal law enforcement agency may purchase the interest of a bona fide lienholder, secured party or other party who holds an interest so that the property can be released for its use. If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law, the law enforcement agency shall be deemed to be the purchaser, and the certificate of title shall be issued to it as required by subsection (9) of this section.

(b) (i) If a vehicle is forfeited to or transferred to a sheriff's department, then the sheriff may transfer the vehicle to the county for official or governmental use as the board of supervisors may direct.

(ii) If a vehicle is forfeited to or transferred to a police department, then the police chief may transfer the vehicle to the municipality for official or governmental use as the governing authority of the municipality may direct.

(c) If a motor vehicle forfeited to a county or municipal law enforcement agency becomes obsolete or is no longer needed for official or governmental purposes, it may be disposed of in accordance with Section 19-7-5 or in the manner provided by law for disposing of municipal property.

(17) The forfeiture procedure set forth in this section is the sole remedy of any claimant, and no court shall have jurisdiction to interfere therewith by replevin, injunction, supersedeas or in any other manner.

SECTION 8. Section 97-3-54.9, Mississippi Code of 1972, is amended as follows:

97-3-54.9. Statewide Human Trafficking Coordinator; duties.

(1) There is created the position of statewide human trafficking coordinator within the Mississippi Bureau of Investigation of the Department of Public Safety office. The duties of the coordinator shall be as follows:

(a) Coordinate the implementation of this act;

(b) Evaluate state efforts to combat human trafficking;

(c) Collect data on human trafficking activity within the state on an ongoing basis, including types of activities reported, efforts to combat human trafficking, and impact on victims and on the state;

(d) Exclude from publicly released portions of the data collected under subsection (1)(c) the identity of any victim and the victim's family;

(e) Promote public awareness about human trafficking, remedies and services for victims, and national hotline information;

(f) Create and maintain a website to publicize the coordinator's work;

(g) Submit to the Legislature an annual report of its evaluation under subsection (1)(b) and any other annual report required by law, including any recommendations, and summary of data collected under subsection (1)(c) and any other data otherwise required by law to be collected by the coordinator;

\* \* \*

( \* \* \*h) Assist in the creation and operations of local human trafficking task forces or working groups around the state, including serving on a task force or a multidisciplinary child protection team;

( \* \* \*i) Conduct other activities, including, but not limited to, applying for grants to enhance investigation and prosecution of trafficking offenses or to improve victim services to combat human trafficking within this state which are appropriate; and

( \* \* \*j) Perform any other duties specifically required by law for the coordinator.

(2) The coordinator shall be authorized to seek input and assistance from state agencies, nongovernmental agencies, service providers and other individuals in the performance of the foregoing duties.

(3) Each state agency, board and commission shall be required to fully cooperate with the coordinator in the performance of the duties of that position.

(4) Every investigation of an offense under this chapter shall be reported to the coordinator by the initiating law enforcement agency pursuant to guidelines established by the coordinator.

(5) Notwithstanding the provisions of Section 43-21-261, disclosure by any state agency, nongovernmental agency, service provider or local or state law enforcement agency of nonidentifying information regarding a minor victim to the coordinator for the purposes of evaluating and collecting data regarding trafficking offenses in the state is specifically authorized.

SECTION 9. Section 97-3-54.8, Mississippi Code of 1972, which provides for the Victims of Human Trafficking Fund, is repealed.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A CIVIL CAUSE OF ACTION FOR ENGAGING IN HUMAN TRAFFICKING OR WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITTING FROM PARTICIPATION IN HUMAN TRAFFICKING; TO DEFINE TERMS; TO PROVIDE THAT A DEFENDANT WHO ENGAGES IN HUMAN TRAFFICKING OR WHO WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITS FROM PARTICIPATING IN A VENTURE THAT TRAFFICKS ANOTHER PERSON IS LIABLE TO THE PERSON TRAFFICKED FOR DAMAGES PROXIMATELY CAUSED BY THE TRAFFICKING OF THAT PERSON BY THE DEFENDANT OR VENTURE; TO PROVIDE FOR SHAREHOLDER OR MEMBER LIABILITY; TO CLARIFY THAT THE OCCURRENCE OF HUMAN TRAFFICKING ON THE PROPERTY OF ONE NOT ENGAGED IN OR BENEFITTING FROM SUCH HUMAN TRAFFICKING SHALL NOT, IN AND OF ITSELF, SUBJECT THE PROPERTY OWNER TO LIABILITY; TO AMEND SECTION 97-29-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CRIME OF PROMOTION OF PROSTITUTION; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO REVISE WHERE THE PROCEEDS OF FORFEITED ASSETS FROM HUMAN TRAFFICKING ARE DEPOSITED; TO AMEND SECTION 97-3-54.9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 97-3-54.8, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE "RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Angela Cockerham
Tyler McCaughn	Thomas U. Reynolds
David Parker	Edward Blackmon, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2321** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Michel offered the following report of the Conference Committee on **S. B. No. 2335** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2335: State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-11-7, Mississippi Code of 1972, is amended as follows:

45-11-7. (1) There is hereby created a State Fire Academy for the training and education of persons engaged in municipal, county and industrial fire protection. The Commissioner of Insurance shall appoint an Executive Director of the State Fire Academy who, along with his employees, shall be designated as a division of the Insurance Department. The executive director shall serve at the pleasure of the Commissioner of Insurance. The State Fire Academy shall be under the supervision and direction of the Executive Director of the State Fire Academy. State Fire Academy training programs for fire personnel shall be conducted at the academy with seminars to be conducted in other sections of the state as and when the State Fire Academy Advisory Board considers it necessary and advisable.

The Commissioner of Insurance may establish and charge reasonable fees for the training programs and other services provided by the academy. A record of all funds received pursuant to this paragraph shall be maintained as is required for other monies pursuant to Section 45-11-5.

The Executive Director of the State Fire Academy is authorized and empowered to purchase, operate and maintain mobile firefighting equipment as he may find necessary and proper for the operation of the academy subject to approval of the Commissioner of Insurance. The equipment may be utilized wherever training sessions may be held at the discretion of the State Fire Academy Advisory Board.

(2) The Commissioner of Insurance shall be authorized to undertake appropriate action to accomplish and fulfill the purposes of the State Fire Academy, including the hiring of instructors and personnel, the lease and purchase of appropriate training equipment and to lease, purchase or construct suitable premises and quarters for conducting annual school and seminars, as the State Fire Academy Advisory Board may deem necessary

and required for such purposes. Any contract entered into under and by virtue of the provisions of this section shall first be submitted to and approved by the Public Procurement Review Board, and construction pursuant to the contract shall be under the supervision of the Governor's Office of General Services.

(3) Vouchers for operating expense for the State Fire Academy shall be signed by the Executive Director of the State Fire Academy and payment thereof shall be made from such funds to be derived from a special allocation from the State Fire Academy Fund as provided in Section 45-11-5.

(4) The State Fire Academy is hereby officially designated as the agency of this state to conduct training for fire personnel on a statewide basis in which members of all duly constituted fire departments may participate. This subsection shall not be construed to affect the authority of any fire department to conduct training for its own personnel.

(5) Each state agency, private agency or federal agency which provides training for the fire service shall coordinate such efforts with the State Fire Academy to prevent duplication of cost and to \* \* \* ensure standardization of training.

(6) The State Fire Academy shall present an appropriate certificate signifying the successful completion of its prescribed courses.

(7) National firefighter standards approved by the Mississippi Fire Personnel Minimum Standards and Certification Board shall be used as the basis for classroom instruction at the fire academy.

(8) The Commissioner of Insurance, Executive Director of the State Fire Academy, and the Mississippi Fire Personnel Minimum Standards and Certification Board shall coordinate all state programs related to fire department operations.

(9) The Commissioner of Insurance is hereby authorized and empowered to establish standard guidelines for the use of, and accountability for, municipal and county fire protection funds distributed pursuant to the provisions of Sections 83-1-37 and 83-1-39, Mississippi Code of 1972. Such guidelines shall include requirements for the establishment of record keeping and reports to the Commissioner of Insurance by municipalities and counties relating to the receipt and expenditure of fire protection funds, the training of fire department personnel and the submission to the Commissioner of Insurance of other data reasonably related to local fire protection responsibilities which the Commissioner of Insurance deems necessary for the performance of the duties of the State Fire Academy Advisory Board.

(10) In order that the Commissioner of Insurance may more effectively execute the duties imposed upon him by subsection (9) of this section, there is hereby created within the State Fire Academy a Division of Fire Services Development. The division shall be staffed by a Fire Services Development Coordinator, appointed by the executive director of the academy from his current staff and by such other personnel as deemed by the Commissioner of Insurance. The division shall work with municipal and county fire coordinators to ensure effective implementation of guidelines established pursuant to subsection (9) of this section and shall serve in an advisory capacity for all aspects of fire service improvement. The Fire Service Coordinator shall annually notify the Department of Finance and Administration of those municipalities and counties which are not eligible to receive a portion of fire protection fund distributions because of failure to comply with requirements imposed in Sections 83-1-37 and 83-1-39 as a prerequisite to receipt of such funds.

(11) There is created in the State Treasury a separate account to be known as the "State Fire Academy Construction Fund." The State Treasurer shall transfer on July 1, 1997, the sum of Six Hundred Seventy-five Thousand Dollars (\$675,000.00) and on July 1, 1998, the sum of Six Hundred Seventy-five Thousand Dollars (\$675,000.00) from the

State Fire Academy Fund 3502 into the separate account created in this subsection. Monies in such account shall be expended solely, upon legislative appropriations, to defray expenses related to the construction of capital improvements project known as "Fire Safety and Education Building" and parking areas at the State Fire Academy by the Bureau of Building, Grounds and Real Property Management of the Office of General Services and to pay any indebtedness incurred to accomplish such construction. Funds not used after the completion of this capital improvements project shall be transferred back into State Fund 3502.

(12) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(13) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

(14) The State Fire Academy is designated as an authorized training program for Emergency Medical Response and Emergency Medical Technician, and is authorized to provide initial and national continued competency program training, including Emergency Medical Responder, Emergency Medical Technician-Basic and Emergency Medical Technician-Advanced. The State Fire Academy shall be limited to a total of one hundred twenty (120) students per year for \* \* \* Emergency Medical Technician-Basic and Emergency Medical Technician-Advanced training; however, no limitation shall apply to the number of Emergency Medical Responder students. The training program established by the State Fire Academy shall meet or exceed the requirements of the most current training program national standard curriculum as developed by the United States Department of Transportation, National Highway Traffic Safety Administration, and shall also meet the minimum testing and certification requirements established by the State Board of Health. Successful graduates of the State Fire Academy Emergency Medical Response and Emergency Medical Technician training shall be eligible for certification by the State Board of Health for the training level achieved, provided that their training meets or exceeds the minimum testing and certification requirements established by the State Board of Health for these respective skills, and such certification may be obtained in coordination with the State Board of Health pursuant to Chapters 59 and 60, Title 41, Mississippi Code of 1972.

SECTION 2. Section 83-1-37, Mississippi Code of 1972, is amended as follows:

83-1-37. (1) The Department of Revenue shall pay for credit to a fund known as the "Municipal Fire Protection Fund," the sum of Four Million Eight Hundred Fifty Thousand Dollars (\$4,850,000.00) annually out of the insurance premium tax collected annually from the taxes levied on the gross premiums on fire insurance policies written on properties in this state, under Sections 27-15-103 through 27-15-127. The State Treasurer shall credit this amount to the Municipal Fire Protection Fund. This fund shall be set aside and earmarked for payment to municipalities in this state, as hereinafter provided.

(2) Using 1990 as a base year, the Department of Revenue shall pay over annually to the State Treasurer, for credit to the "Municipal Fire Protection Fund," an amount representing one-half of ten percent (1/2 of 10%) of any growth after 1990 of the insurance premium tax collected annually from the taxes levied on the gross premium on fire insurance policies written on properties in this state, under Sections 27-15-103 through 27-15-127.

(3) The fund hereby created and denominated "Municipal Fire Protection Fund" shall be apportioned and paid over by the Department of Insurance to the incorporated municipalities certified as eligible to participate in the fund by the Commissioner of Insurance, and shall be distributed \* \* \* in the following manner annually: each

municipality shall be paid Six Thousand Dollars (\$6,000.00), with the remainder of the monies to be paid on a population basis, to be determined by the most recent federal census \* \* \*. Municipalities receiving these funds shall earmark such monies for fire protection services.

\* \* \*

( \* \* \*4) The amount paid under subsections (1) and (2) of this section to a municipality shall be used and expended in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7, \* \* \* for the training of municipal personnel as needed for the adoption of and compliance with the minimum building codes as established and promulgated by the Mississippi Building Codes Council, \* \* \* for windstorm mitigation programs as approved by the Commissioner of Insurance, and for emergency medical service training and equipment as provided by municipal fire protection services. A municipality may provide reasonable remuneration to municipal volunteer firefighters in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7.

( \* \* \*5) Each municipality shall levy a tax of not less than one-fourth (1/4) mill on all property of the municipality or appropriate the avails of not less than one-fourth (1/4) mill from the municipality's general fund for fire protection purposes. Municipalities may allow such millage to be collected by the county. Each municipality shall annually provide the Commissioner of Insurance and the State Fire Coordinator on a form provided by the State Fire Coordinator a report stating whether the municipality is levied the one-fourth (1/4) mill hereby required or in lieu thereof is allowing such millage to be collected by the county.

(6) The Commissioner of Insurance may promulgate rules and regulations to establish guidelines for the use of fire rebate funds.

SECTION 3. Section 83-1-39, Mississippi Code of 1972, is amended as follows:

83-1-39. (1) The Department of Revenue shall pay over to the State Treasurer, to be credited to a fund entitled "County Volunteer Fire Department Fund," the sum of Four Million Eight Hundred Fifty Thousand Dollars (\$4,850,000.00) annually out of the insurance premium tax in addition to the amount collected by it under the provisions of Section 27-15-103 et seq. Such funds, hereinafter referred to as insurance rebate monies, are hereby earmarked for payment to the various counties of the state and shall be paid over to the counties by the Department of Insurance in the following manner: each county shall be paid Thirty Thousand Dollars (\$30,000.00), with the remainder of the monies to be paid on the basis of the population of each county as it compares to the population of participating counties, not counting residents of any municipality. Such insurance rebate monies shall only be distributed to those counties which are in compliance with subsections (5) and (6) of this section. \* \* \*

(2) Using 1990 as a base year, the Department of Revenue shall pay to the State Treasurer, to be credited to the "County Volunteer Fire Department Fund," an amount representing one-half of ten percent (1/2 of 10%) of any growth after 1990 of the insurance premium tax collected annually from the taxes levied on the gross premium on fire insurance policies written on properties in this state, in addition to the amount collected by it under Section 27-15-103 et seq.

(3) Insurance rebate monies shall be expended by the board of supervisors for fire protection purposes of each county for the following categories:

(a) For training expenses, including emergency medical services training;

(b) Purchase of equipment, purchase of fire trucks, repair and refurbishing of fire trucks and firefighting equipment, for emergency medical services equipment, and

capital construction anywhere in the county or pledging as security for a period of not more than ten (10) years for such purchases;

(c) Purchase of insurance on county-owned firefighting or emergency medical services equipment;

(d) Fire protection service contracts, including, but not limited to, municipalities, legal fire protection districts, and nonprofit corporations providing or coordinating fire service or emergency medical services in or out of the county;

(e) Appropriations to legal fire protection districts located in counties subject to all restrictions applicable to the use of insurance rebate monies; \* \* \*

(f) Training of any county personnel as needed for the adoption of and compliance with the codes established and promulgated by the Mississippi Building Codes Council or for windstorm mitigation programs as approved by the Commissioner of Insurance \* \* \*;

(g) Any county-owned equipment or other property, at the option of the board of supervisors, may be used by any legally created fire department \* \* \*;

(h) At the option of the board of supervisors, a county may provide reasonable remuneration to volunteer firefighters in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7; or

(i) For any use allowed in accordance with the guidelines as established by the Commissioner of Insurance.

(4) Insurance rebate monies not expended in a given fiscal year for fire protection purposes shall be placed in a special fund with a written plan approved by the Commissioner of Insurance for disposition and expenditure of such monies. After the contracts for fire protection services have been approved and accepted by the board of supervisors, the monies shall be released to be expended in such manner as provided by this section.

(5) No county shall receive payments pursuant to this section after July 1, 1988, unless such county:

(a) Designates a county fire service coordinator who is responsible for seeing that standard guidelines established by the Commissioner of Insurance pursuant to Section 45-11-7(9), Mississippi Code of 1972, are followed. The county fire coordinator must demonstrate that he possesses fire-related knowledge and experience;

(b) Designates one (1) member of the sheriff's department to be the county fire investigator and, from and after July 1, 2008, requires the designated member of the sheriff's department to attend the State Fire Academy to be trained in arson investigation; however, in the event of a loss of the county fire investigator due to illness, death, resignation, discharge or other legitimate cause, notice shall be immediately given to the Commissioner of Insurance and the county may continue to receive payments on an interim basis for a period not to exceed one (1) year;

(c) Adheres to the standard guidelines established by the Commissioner of Insurance pursuant to Section 45-11-7(9); and

(d) Counties shall levy a tax of not less than one-fourth (1/4) mill on all property of the county or appropriate avails of not less than one-fourth (1/4) mill from the county's general fund for fire protection purposes. Municipalities making a written declaration to the county that they fund and provide their own fire services shall be

exempted from this levy. This levy shall be used for fire protection purposes which include, but are not limited to, contracting with any provider of fire protection services.

(6) (a) No funds shall be paid by the county to any provider of fire protection services except in accordance with a written contract entered into in accordance with guidelines established by the Commissioner of Insurance and properly approved by the board of supervisors and Commissioner of Insurance. No county shall distribute funds to any fire service provider which has not met the reporting requirements required by the Commissioner of Insurance. At such time that a fire protection services provider, particularly a county volunteer fire department, a municipality or a fire protection district, has fulfilled the obligations of the written contract and has met the reporting requirements provided for in this subsection and the board of supervisors has received the insurance rebate monies, the board of supervisors shall disburse the appropriate amount to the fire protection services provider within a reasonable time, not to exceed six (6) weeks, from the time such requirements are met. Insurance rebate monies used for the purposes of contracting shall be expended by the fire service provider for capital construction, training expenses, purchase of firefighting equipment, including payments on any loans made for the purpose of purchasing firefighting equipment, \* \* \* purchase of insurance for any fire equipment owned or operated by the provider, and for training and equipment of emergency medical services as provided by fire protection services.

(b) If the Commissioner of Insurance believes that a county is using the funds in a manner not consistent with subsections (5) and (6) of this section, the commissioner shall request the State Auditor to conduct an investigation pursuant to Section 7-7-211(e).

(7) The board of supervisors of any county may contribute funds directly to any provider of fire protection services serving such county. Such contributions must be used for fire protection purposes as may be reasonably established by the Commissioner of Insurance.

(8) Any municipal, county or local water association or other utility district supplying water may, upon adoption of a resolution authorizing such action, contribute free of charge to a volunteer fire department or fire protection district serving such local government, political subdivision or utility district such water as is necessary for firefighting or training activities of such volunteer fire department or fire protection district.

(9) The board of supervisors of any county may, in its discretion, grade, gravel, shell and/or maintain real property of a county volunteer fire department, including roads or driveways thereof, as necessary for the effective and safe operation of such county volunteer fire department. Any action taken by the board of supervisors under the authority of this subsection shall be spread upon the minutes of the board of supervisors when the work is authorized.

(10) For the purpose of this section, "fire protection district" means a district organized under Section 19-5-151 et seq., or pursuant to any other code section or by any local and private act authorizing the establishment of a fire protection district, unless the context clearly requires otherwise.

(11) The Commissioner of Insurance may promulgate rules and regulations to establish guidelines for the use of fire rebate funds.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-11-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATION ON THE NUMBER OF EMERGENCY MEDICAL RESPONDER STUDENTS THE STATE FIRE ACADEMY MAY TRAIN PER YEAR; TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO REVISE THE MUNICIPAL FIRE PROTECTION FUND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO REVISE THE COUNTY VOLUNTEER FIRE PROTECTION FUND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
J. Walter Michel	Henry Zuber III
Scott DeLano	Kevin Ford
John Horhn	Stacey Hobgood-Wilkes

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2335** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2338** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2338: DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

## CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Brice Wiggins	Angela Cockerham
Jeremy England	Charles Jim Beckett
Jason Barrett	Donnie Bell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2338** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins moved that the Conference Committee Report on **S. B. No. 2341** be recommitted for further conference and the motion prevailed.

**S. B. No. 2341:** Child support; create presumption that support continues past the age of majority for a disabled child.

Senator Tate offered the following report of the Conference Committee on **S. B. No. 2358** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2358: Candidate filing fees; authorize parties to determine.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-297, Mississippi Code of 1972, is amended as follows:

23-15-297. (1) All candidates, upon entering the race for party nominations for office, shall first pay to the proper officer as provided for in Section 23-15-299 for each primary election the following amounts:

(a) Candidates for Governor, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section but no less than One Thousand Dollars (\$1,000.00) and no more than Five Thousand Dollars (\$5,000.00.)

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section but no less than Five Hundred Dollars (\$500.00) and no more than Two Thousand Five Hundred Dollars (\$2,500.00).

(c) Candidates for State Senator and State Representative, Two Hundred Fifty Dollars (\$250.00).

(d) Candidates for district attorney, Two Hundred Fifty Dollars (\$250.00).

(e) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(f) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(g) Candidates for United States Senator, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section but no less than One Thousand Dollars (\$1,000.00) and no more than Five Thousand Dollars (\$5,000.00).

(h) Candidates for United States Representative, the amount determined by the state executive committee of the party pursuant to subsection (2) of this section but no less than Five Hundred Dollars (\$500.00) and no more than Two Thousand Five Hundred Dollars (\$2,500.00).

(2) (a) The state executive committee of a political party shall set the entry fee that a candidate is to pay upon entering the race for party nominations for the offices listed in paragraphs (a), (b), (g) and (h) of subsection (1) of this section and Section 23-15-1093(2)(a). The authority granted under this subsection shall not be exercised by any state executive committee of a political party for any individual office more than once every two (2) years, beginning from the effective date of this act.

(b) Each state executive committee of a political party shall report the entry fee determined for each office to the Secretary of State by October 1 of the year before the election is held for that office. If a state executive committee does not meet the deadline in this paragraph for any office, the minimum entry fee shall be assessed for the office in that party's primary election during that election cycle.

(3) All \* \* \* independent candidates and special election candidates entering the race for office shall pay to the proper officer as provided for in Section 23-15-299 the following amounts:

(a) Candidates for Governor, One Thousand Dollars (\$1,000.00).

(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance,

Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, Five Hundred Dollars (\$500.00).

(c) Candidates for district attorney, State Senator and State Representative, Two Hundred Fifty Dollars (\$250.00).

(d) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars (\$100.00).

(e) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars (\$100.00).

(f) Candidates for United States Senator, One Thousand Dollars (\$1,000.00).

(g) Candidates for United States Representative, Five Hundred Dollars (\$500.00).

(4) The Secretary of State shall publish the fees listed in this section and Section 23-15-1093 no later than forty-five (45) days before the qualifying period begins for each office.

SECTION 2. Section 23-15-1093, Mississippi Code of 1972, is amended as follows:

23-15-1093. (1) Any person desiring to have his name placed on the presidential preference primary ballot shall pay a qualifying fee and file the petition or petitions as described in this section.

(2) (a) For candidates entering the race for party nominations for office, the amount of the qualifying fee shall be the amount determined by the state executive committee of the party pursuant to Section 23-15-297(2) but no less than Two Thousand Five Hundred Dollars (\$2,500.00) and no more than Twenty-five Thousand Dollars (\$25,000.00).

(b) For independent candidates entering the race for office, the amount of the qualifying fee shall be Two Thousand Five Hundred Dollars (\$2,500.00).

(c) Each independent candidate shall pay the qualifying fee to the Secretary of State. Each political party candidate shall pay the qualifying fee to the state executive committee of the appropriate political party.

(3) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable.

(\* \* \*4) A candidate shall file a petition or petitions in support of his candidacy with the state executive committee of the appropriate political party or the Secretary of State, whichever is applicable, after January 1 of the year in which the presidential preference primary is to be held and before January 15 of that same year. To comply with this section, a candidate may file a petition or petitions signed by a total of not less than five hundred (500) qualified electors of the state, or petitions signed by not less than one hundred (100) qualified electors of each congressional district of the state, in which case there shall be a separate petition for each congressional district. The petitions shall be in such form as prescribed by the state executive committee or Secretary of State, whichever is

applicable; provided, that there shall be a space for the county of residence of each signer next to the space provided for his signature. No signature may be counted as valid unless the county of residence of the signer is provided. Each petition shall contain an affirmation under the penalties of perjury that each signer is a qualified elector in his congressional district or in the state, as appropriate.

SECTION 3. Section 23-15-299, Mississippi Code of 1972, is amended as follows:

23-15-299. (1) (a) Assessments made pursuant to \* \* \* subsection (1)(a), (b) \* \* \*, (c) and (d) of Section 23-15-297 shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \* \* \* subsection (3)(a), (b) and (c) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(2) (a) Assessments made pursuant to \* \* \* subsection (1)( \* \* \*e) and ( \* \* \*f) of Section 23-15-297, shall be paid by each candidate who seeks a nomination in the political party election to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall forward the fee and all necessary information to the secretary of the proper county executive committee within two (2) business days. No candidate may attempt to qualify with any political party that does not have a duly organized county executive committee, and the circuit clerk shall not accept any assessments paid for nonlegislative offices pursuant to \* \* \* subsection (1)( \* \* \*e) and ( \* \* \*f) of Section 23-15-297 if the circuit clerk does not have contact information for the secretary of the county executive committee for that political party.

(b) Assessments made pursuant to \* \* \* subsection (3)(d) and (e) of Section 23-15-297 shall be paid by each independent candidate or special election candidate to the circuit clerk of that candidate's county of residence by 5:00 p.m. on February 1 of the year in which the primary election for the office is held or on the date of the qualifying deadline provided by statute for the office, whichever is earlier; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If February 1 or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The circuit clerk shall

forward the fee and all necessary information to the secretary of the proper county election commission within two (2) business days.

(3) (a) Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297 must be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (1)(\*\*g) and (\*\*h) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each candidate who seeks a nomination in the political party election to the secretary of the state executive committee with which the candidate is affiliated by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297 must be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. Assessments made pursuant to \*\*\* subsection (3)(f) and (g) of Section 23-15-297, in years when a presidential preference primary is not being held, shall be paid by each independent candidate or special election candidate to the Secretary of State by 5:00 p.m. on March 1 of the year in which the primary election for the office is held; however, no such assessments may be paid before January 1 of the year in which the primary election for the office is held. If sixty (60) days before the presidential preference primary in years in which a presidential preference primary is held, March 1, or the date of the qualifying deadline provided by statute for the office occurs on a Saturday, Sunday or legal holiday, then the assessments required to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(4) (a) The fees paid pursuant to subsections (1), (2) and (3) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he or she is affiliated, if applicable, the email address of the candidate, if any, and the office for which he or she is a candidate.

(b) The state executive committee shall transmit to the Secretary of State a copy of the written statements accompanying the fees paid pursuant to subsections (1) and (2) of this section. All copies must be received by the Office of the Secretary of State by not later than 6:00 p.m. on the date of the qualifying deadline; provided, however, the failure of the Office of the Secretary of State to receive such copies by 6:00 p.m. on the date of the qualifying deadline shall not affect the qualification of a person who pays the required fee and files the required statement by 5:00 p.m. on the date of the qualifying deadline. The name of any person who pays the required fee and files the required statement after 5:00 p.m. on the date of the qualifying deadline shall not be placed on the primary election ballot or the general election ballot.

(5) The Secretary of State or the secretary or circuit clerk to whom such payments are made shall promptly receipt for same stating the office for which the candidate making payment is running and the political party with which he or she is affiliated, if applicable, and he or she shall keep an itemized account in detail showing the exact time and date of

the receipt of each payment received by him or her and, where applicable, the date of the postmark on the envelope containing the fee and from whom, and for what office the party paying same is a candidate.

(6) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable. The Secretary of State shall deposit any qualifying fees received from candidates into the Elections Support Fund established in Section 23-15-5.

(7) (a) Upon receipt of the proper fee and all necessary information, the proper executive committee or the Secretary of State, whichever is applicable, shall then determine at the time of the qualifying deadline, unless otherwise provided by law, whether each candidate is a qualified elector of the state, state district, county or county district which they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office. The proper executive committee or the Secretary of State, whichever is applicable, shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee or the Secretary of State, whichever is applicable, shall also determine whether any candidate has been convicted (i) of any felony in a court of this state, (ii) on or after December 8, 1992, of any offense in another state which is a felony under the laws of this state, (iii) of any felony in a federal court on or after December 8, 1992, or (iv) of any offense that involved the misuse or abuse of his or her office or money coming into his or her hands by virtue of the office. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state.

(b) If the proper executive committee or the Secretary of State, whichever is applicable, finds that a candidate either (i) is not a qualified elector, (ii) does not meet all qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (iii) has been convicted of a felony or other disqualifying offense as described in paragraph (a) of this subsection, and not pardoned, then the executive committee shall notify the candidate and give the candidate an opportunity to be heard. The executive committee shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and the committee shall attempt to contact the candidate by telephone, email and facsimile if the candidate provided this information on the forms. If the candidate fails to appear at the hearing or to prove that he or she meets all qualifications to hold the office subject to no contingencies, then the name of that candidate shall not be placed upon the ballot.

(c) If the proper executive committee or the Secretary of State, whichever is applicable, determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(d) Where there is but one (1) candidate for each office contested at the primary election, the proper executive committee or the Secretary of State, whichever is applicable, when the time has expired within which the names of candidates shall be furnished shall declare such candidates the nominees.

(8) No candidate may qualify by filing the information required by this section by using the internet.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PUBLISH THE FEES; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO USE OR DISBURSE FUNDS RECEIVED AS QUALIFYING FEES FOR PRESIDENTIAL CANDIDATES; TO CONFORM; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeff Tate	Charles Jim Beckett
Lydia Graves Chassaniol	Dan Eubanks
Joey Fillingane	Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2358** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Barnett, Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--10.

Absent and those not voting----None.

Voting Present--Branning, Butler A. (36th), Chism, Hill, McDaniel, Seymour, Simmons S. (13th), Sojourner, Turner-Ford. Total--9.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2010:** AN ACT TO AMEND SECTION 49-7-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO DECLARE SPECIAL SEASONS, WITHIN OR OUTSIDE THE ESTABLISHED OPEN SEASONS, FOR COLLECTING CHRONIC WASTING DISEASE TESTING SAMPLES; TO ESTABLISH AIR GUNS, AIR BOWS AND PRE-CHARGED PNEUMATIC WEAPONS AS LAWFUL MEANS OF HUNTING GAME; TO AUTHORIZE THE COMMISSION TO DEFINE AIR GUNS, AIR BOWS AND PRE-CHARGED PNEUMATIC WEAPONS SUITABLE FOR HUNTING GAME; AND FOR RELATED PURPOSES.

**S. B. No. 2223:** AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP BULLDOGS; AND FOR RELATED PURPOSES.

**S. B. No. 2273:** AN ACT TO CREATE A NEW SECTION WITHIN TITLE 47 OF CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN OFFENDER'S

EMPLOYER TO SUBMIT TIMESHEETS, PROOF OF EMPLOYMENT AND REQUIRED DRUG TESTS TO THE PERSON WHO SUPERVISES AN OFFENDER'S PROBATION OR PAROLE IN LIEU OF IN-PERSON OR ELECTRONIC MEETINGS; TO AUTHORIZE AN OFFENDER'S EMPLOYER TO WITHHOLD STATUTORILY REQUIRED FEES FROM AN OFFENDER'S PAYCHECK AND PAY THE DEPARTMENT OF CORRECTIONS DIRECTLY; TO REQUIRE THE STATE PAROLE BOARD TO COORDINATE WITH THE DEPARTMENT OF CORRECTIONS TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THIS ACT; TO AMEND SECTION 47-7-36, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO IMPLEMENT CERTAIN RULES AND REGULATIONS REGARDING THE USE OF TECHNOLOGY PORTALS BY THOSE WHO ARE ON PAROLE OR PROBATION AND PROBATION OFFICERS WHO SUPERVISE THOSE WHO ARE ON PAROLE OR PROBATION; TO CONFORM; TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COLLECT MONTHLY FEES FROM OFFENDERS WHO ARE ON PROBATION, PAROLE OR ANY OTHER FIELD SUPERVISION AND TO DEPOSIT THOSE FEES INTO THE COMMUNITY SERVICE REVOLVING FUND; TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2437:** AN ACT TO AUTHORIZE THE CREATION OF A PILOT WORK INITIATIVE WITHIN THE MISSISSIPPI PRISON INDUSTRIES CORPORATION; AMEND SECTION 47-5-539, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF A PILOT WORK INITIATIVE FOR NO MORE THAN 25 INMATES; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS SHALL HAVE THE ULTIMATE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THE PILOT INITIATIVE; TO PROSCRIBE CERTAIN ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE PILOT INITIATIVE; TO PROHIBIT ANY INMATE SENTENCED FOR A SEX OFFENSE FROM PARTICIPATION IN THE PROGRAM; TO PROHIBIT ANY INMATE CONVICTED OF ESCAPE WITHIN THE PAST 5 YEARS FROM PARTICIPATION IN THE PROGRAM; TO REQUIRE THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SELECT INMATES FOR ADMISSION TO THE PROGRAM; TO REQUIRE THE CORPORATION, IN CONSULTATION WITH THE DEPARTMENT, TO ADOPT AND PROMULGATE RULES TO EFFECTUATE THIS SECTION; TO REQUIRE THE INMATE TO MAINTAIN A BANK ACCOUNT; TO ESTABLISH CERTAIN RULES CONCERNING THE INMATE'S DISBURSEMENT OF FUNDS; TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO COLLECT AND MAINTAIN DATA TO SHARE WITH PEER AND THE COLLECTION AND CRIMINAL JUSTICE OVERSIGHT TASK FORCE; TO REQUIRE PEER TO CONDUCT A REVIEW OF THE PILOT WORK INITIATIVE; TO AMEND SECTIONS 47-5-1251 AND 97-9-49, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2505:** AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AT THE TIME A PERSON IS APPLYING FOR OR RENEWING A HUNTING OR FISHING LICENSE, THE DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS SHALL ASK THE PERSON IF HE OR SHE WOULD LIKE TO BE A DONOR OF AN ANATOMICAL GIFT; TO REQUIRE THE DEPARTMENT TO COMPLY WITH CERTAIN PROVISIONS; TO REQUIRE THE DONOR REGISTRY TO SEND INFORMATION ABOUT THE PROSPECTIVE DONOR'S DECISION TO THE DESIGNATED PERSON AS REQUESTED; TO AMEND SECTION 41-39-139, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2690:** AN ACT TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITIONS OF CERTAIN TERMINOLOGY RELATED TO NAME, IMAGE AND LIKENESS AGREEMENTS FOR STUDENT-ATHLETES; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ABILITY OF A STUDENT-ATHLETE TO EARN COMPENSATION FOR THE USE OF HIS OR HER PUBLICITY RIGHTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF POSTSECONDARY EDUCATIONAL INSTITUTIONS REGARDING RESTRICTIONS ON COMPENSATION FOR THE USE

OF A STUDENT-ATHLETE'S PUBLICITY RIGHTS; TO FURTHER RESTRICT ASSOCIATIONS OR ORGANIZATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS FROM PENALIZING A POSTSECONDARY EDUCATIONAL INSTITUTION OR ITS INTERCOLLEGIATE ATHLETIC PROGRAM FOR COMPLIANCE WITH PROVISIONS OF THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT; TO PERMIT POSTSECONDARY EDUCATIONAL INSTITUTIONS TO FACILITATE OPPORTUNITIES FOR STUDENT-ATHLETES TO ENGAGE THIRD PARTIES INTERESTED IN ENTERING INTO NAME, IMAGE AND LIKENESS AGREEMENTS; TO REMOVE THE PROHIBITION ON A STUDENT-ATHLETE ENTERING INTO A NAME, IMAGE AND LIKENESS AGREEMENT BEFORE ENROLLING AT A POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 73-42-19, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIRED WARNING TO STUDENT-ATHLETES IN AN AGENCY CONTRACT TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2747:** AN ACT TO AMEND SECTION 67-11-11, MISSISSIPPI CODE OF 1972, TO CORRECT THE PRIVILEGE LICENSE TAX PROVISION TO CONFORM WITH THE AMOUNT SPECIFIED IN SECTION 27-71-5; AND FOR RELATED PURPOSES.

**S. B. No. 2770:** AN ACT TO AMEND SECTION 27-7-22.40, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX JOB CREDIT FOR ENTERPRISES THAT ARE PRIMARILY ENGAGED IN PROVIDING INLAND WATER TRANSPORTATION OF CARGO ON LAKES, RIVERS AND INTRACOASTAL WATERWAYS FOR EACH FULL-TIME EMPLOYEE EMPLOYED BY THE ENTERPRISE IN A MISSISSIPPI FULL-TIME JOB, TO EXTEND THE REPEALER ON THE CREDIT; AND FOR RELATED PURPOSES.

**S. B. No. 3055:** AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2022; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022; THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2022; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022; THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 4:29 PM, the Senate stood in recess.

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The Senate resumed business at 5:08 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE GOVERNOR  
March 30, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2818:** MS Department of Health and MS Department of Revenue; provide certain exemptions for operation required under Medical Cannabis Act. (March 30, 2022, 4:29 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Senator Polk moved that the rules be suspended to move to calendar item 182, **H. B. No. 719**, and the motion prevailed.

Senator Polk offered the following report of the Conference Committee on **H. B. No. 719** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 719: Compensation for certain county officials; bring forward sections pertaining to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-1-43, Mississippi Code of 1972, is amended as follows:

9-1-43. (1) After making deductions for employer contributions paid by the chancery or circuit clerk to the Public Employees' Retirement System under Sections 25-11-106.1 and 25-11-123(f)(4), employee salaries and related salary expenses, and expenses allowed as deductions by Schedule C of the Internal Revenue Code, no office of the chancery clerk or circuit clerk of any county in the state shall receive fees as compensation for the chancery clerk's or circuit clerk's services in excess of \* \* \* Ninety-nine Thousand Five Hundred Dollars (\$99,500.00). All such fees received by the office of chancery or circuit clerks that are in excess of the salary limitation shall be deposited by such clerk into the county general fund on or before April 15 for the preceding calendar year. If the chancery clerk or circuit clerk serves less than one (1) year, then he shall not receive as compensation any fees in excess of that portion of the salary limitation that can be attributed to his time in office on a pro rata basis. Upon leaving office, income earned by any clerk in his last full year of office but not received until after his last full year of office shall not be included in determining the salary limitation of the successor clerk. There shall be exempted from the provisions of this subsection any monies or commissions from private or governmental sources which: (a) are to be held by the chancery or circuit clerk in a trust or custodial capacity as prescribed in subsections (4) and (5); or (b) are received as compensation for services performed upon order of a court or board of supervisors which are not required of the chancery clerk or circuit clerk by statute.

(2) It shall be unlawful for any chancery clerk or circuit clerk to use fees in excess of \* \* \* Ninety-nine Thousand Five Hundred Dollars (\$99,500.00), to pay the salaries or actual or necessary expenses of employees who are related to such clerk by blood or marriage within the first degree of kinship according to the civil law method of computing kinship as provided in Sections 1-3-71 and 1-3-73. However, the prohibition of this subsection shall not apply to any individual who was an employee of the clerk's office prior to the date his or her relative was elected as chancery or circuit clerk. The spouse and/or any children of the chancery clerk or circuit clerk employed in the office of the chancery clerk may be paid a salary; however, the combined annual salaries of the clerk, spouse and any child of the clerk may not exceed an amount equal to the salary limitation.

(3) The chancery clerk and the circuit clerk shall be liable on their official bond for the proper deposit and accounting of all monies received by his office. The State Auditor shall promulgate uniform accounting methods for the accounting of all sources of income by the offices of the chancery and circuit clerk.

(4) There is created in the county depository of each county a clearing account to be designated as the "chancery court clerk clearing account," into which shall be deposited: (a) all such monies as the clerk of the chancery court shall receive from any person complying with any writ of garnishment, attachment, execution or other like process authorized by law for the enforcement of child support, spousal support or any other judgment; (b) any portion of any fees required by law to be collected in civil cases which are to pay for the service of process or writs in another county; and (c) any other money as shall be deposited with the court which by its nature is not, at the time of its deposit, public monies, but which is to be held by the court in a trust or custodial capacity in a case or proceeding before the court. The clerk of the chancery court shall account for all monies deposited in and disbursed from such account and shall be authorized and empowered to draw and issue checks on such account at such times, in such amounts and to such persons as shall be proper and in accordance with law.

The following monies paid to the chancery clerk shall be subject to the salary limitation prescribed under subsection (1): (a) all fees required by law to be collected for the filing, recording or abstracting of any bill, petition, pleading or decree in any civil case in chancery; (b) all fees collected for land recordings, charters, notary bonds, certification of decrees and copies of any documents; (c) all land redemption and mineral documentary stamp commissions; and (d) any other monies or commissions from private or governmental sources for statutory functions which are not to be held by the court in a trust capacity. Such fees as shall exceed the salary limitations shall be maintained in a bank account in the county depository and accounted for separately from those monies paid into the chancery court clerk clearing account.

(5) There is created in the county depository in each county a clearing account to be designated as the "circuit court clerk civil clearing account," into which shall be deposited: (a) all such monies and fees as the clerk of the circuit court shall receive from any person complying with any writ of garnishment, attachment, execution or any other like process authorized by law for the enforcement of a judgment; (b) any portion of any fees required by law or court order to be collected in civil cases; (c) all fees collected for the issuance of marriage licenses; and (d) any other money as shall be deposited with the court which by its nature is not, at the time of its deposit, public monies but which is to be held by the court in a trust or custodial capacity in a case or proceeding before the court.

There is created in the county depository in each county a clearing account to be designated as the "circuit court clerk criminal clearing account," into which shall be deposited: (a) all such monies as are received in criminal cases in the circuit court pursuant to any order requiring payment as restitution to the victims of criminal offenses; (b) any portion of any fees and fines required by law or court order to be collected in criminal cases; and (c) all cash bonds as shall be deposited with the court. The clerk of the circuit court shall account for all monies deposited in and disbursed from such account and shall be authorized and empowered to draw and issue checks on such account, at such times, in such amounts and to such persons as shall be proper and in accordance with law; however, such monies as are forfeited in criminal cases shall be paid by the clerk of the circuit court to the clerk of the board of supervisors for deposit in the general fund of the county.

The following monies paid to the circuit clerk shall be subject to the salary limitation prescribed under subsection (1): (a) all fees required by law to be collected for the filing, recording or abstracting of any bill, petition, pleading or decree in any civil action in circuit court; (b) copies of any documents; and (c) any other monies or commissions from private or governmental sources for statutory functions which are not to be held by the court in a trust capacity.

(6) The chancery clerk and the circuit clerk shall establish and maintain a cash journal for recording cash receipts from private or government sources for furnishing copies of any papers of record or on file, or for rendering services as a notary public, or other fees wherein the total fee for the transaction is Ten Dollars (\$10.00) or less. The cash journal entry shall include the date, amount and type of transaction, and the clerk shall not be required to issue a receipt to the person receiving such services. The State Auditor shall not take exception to the furnishing of copies or the rendering of services as a notary by any clerk free of charge.

In any county having two (2) judicial districts, whenever the chancery clerk serves as deputy to the circuit clerk in one (1) judicial district and the circuit clerk serves as deputy to the chancery clerk in the other judicial district, the chancery clerk may maintain a cash journal, separate from the cash journal maintained for chancery clerk receipts, for recording the cash receipts paid to him as deputy circuit clerk, and the circuit clerk may maintain a cash journal, separate from the cash journal maintained for circuit clerk receipts, for recording the cash receipts paid to him as deputy chancery clerk. The cash receipts collected by the chancery clerk in his capacity as deputy circuit clerk and the cash receipts collected by the circuit clerk in his capacity as deputy chancery clerk shall be subject to the salary limitation prescribed under subsection (1).

(7) Any clerk who knowingly shall fail to deposit funds or otherwise violate the provisions of this section shall be guilty of a misdemeanor in office and, upon conviction thereof, shall be fined in an amount not to exceed double the amount that he failed to deposit, or imprisoned for not to exceed six (6) months in the county jail, or be punished by both such fine and imprisonment.

SECTION 2. Section 23-15-225, Mississippi Code of 1972, is amended as follows:

[Through December 31, 2023, this section shall read as follows:]

23-15-225. (1) The registrar shall be entitled to such compensation, payable monthly out of the county treasury, which the board of supervisors of the county shall allow on an annual basis in the following amounts:

(a) For counties with a total population of more than two hundred thousand (200,000), an amount not to exceed Thirty-one Thousand Three Hundred Ninety-five Dollars (\$31,395.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(b) For counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed Twenty-six Thousand Five Hundred Sixty-five Dollars (\$26,565.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(c) For counties with a total population of more than fifty thousand (50,000) and not more than one hundred thousand (100,000), an amount not to exceed Twenty-four Thousand One Hundred Fifty Dollars (\$24,150.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(d) For counties with a total population of more than thirty-five thousand (35,000) and not more than fifty thousand (50,000), an amount not to exceed Twenty-one Thousand Seven Hundred Thirty-five Dollars (\$21,735.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(e) For counties with a total population of more than twenty-five thousand (25,000) and not more than thirty-five thousand (35,000), an amount not to exceed Nineteen Thousand Three Hundred Twenty Dollars (\$19,320.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(f) For counties with a total population of more than fifteen thousand (15,000) and not more than twenty-five thousand (25,000), an amount not to exceed Sixteen Thousand Nine Hundred Five Dollars (\$16,905.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(g) For counties with a total population of more than ten thousand (10,000) and not more than fifteen thousand (15,000), an amount not to exceed Fourteen Thousand Four Hundred Ninety Dollars (\$14,490.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(h) For counties with a total population of more than six thousand (6,000) and not more than ten thousand (10,000), an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(i) For counties with a total population of not more than six thousand (6,000), an amount not to exceed Nine Thousand Six Hundred Sixty Dollars (\$9,660.00) but not less than Six Thousand Six Hundred Forty-one Dollars and Twenty-five Cents (\$6,641.25).

(j) For counties having two (2) judicial districts, the board of supervisors of the county may allow, in addition to the sums prescribed herein, in its discretion, an amount not to exceed Eleven Thousand Five Hundred Dollars (\$11,500.00).

(2) In the event of a reregistration within such county, or a redistricting that necessitates the hiring of additional deputy registrars, the board of supervisors, in its discretion, may by contract compensate the county registrar amounts in addition to the sums prescribed herein.

(3) As compensation for their services in assisting the county election commissioners in performance of their duties in the revision of the voter roll as electronically maintained by the Statewide Elections Management System and in assisting the election commissioners, executive committees or boards of supervisors in connection with any election, the registrar shall receive the same daily per diem and limitation on meeting days as provided for the board of election commissioners as set out in Sections 23-15-153 and 23-15-227 to be paid from the general fund of the county.

(4) In any case where an amount has been allowed by the board of supervisors pursuant to this section, such amount shall not be reduced or terminated during the term for which the registrar was elected.

(5) The circuit clerk shall, in addition to any other compensation provided for by law, be entitled to receive as compensation from the board of supervisors the amount of Two Thousand Five Hundred Dollars (\$2,500.00) per year. This payment shall be for the performance of his or her duties in regard to the conduct of elections and the performance of his or her other duties.

(6) The municipal clerk shall, in addition to any other compensation for performance of duties, be eligible to receive as compensation from the municipality's governing authorities a reasonable amount of additional compensation for reimbursement of costs and for additional duties associated with mail-in registration of voters.

(7) The board of supervisors shall not allow any additional compensation authorized under this section for services as county registrar to any circuit clerk who is receiving fees as compensation for his or her services equal to the limitation on compensation prescribed in Section 9-1-43.

[From and after January 1, 2024, this section shall read as follows:]

(1) The registrar shall be entitled to such compensation, payable monthly out of the county treasury, which the board of supervisors of the county shall allow on an annual basis in the following amounts:

(a) For counties with a total population of more than two hundred thousand (200,000), an amount not to exceed Thirty-one Thousand Three Hundred Ninety-five Dollars (\$31,395.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(b) For counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed Twenty-six Thousand Five Hundred Sixty-five Dollars (\$26,565.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(c) For counties with a total population of more than fifty thousand (50,000) and not more than one hundred thousand (100,000), an amount not to exceed Twenty-four Thousand One Hundred Fifty Dollars (\$24,150.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(d) For counties with a total population of more than thirty-five thousand (35,000) and not more than fifty thousand (50,000), an amount not to exceed Twenty-one Thousand Seven Hundred Thirty-five Dollars (\$21,735.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(e) For counties with a total population of more than twenty-five thousand (25,000) and not more than thirty-five thousand (35,000), an amount not to exceed Nineteen Thousand Three Hundred Twenty Dollars (\$19,320.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(f) For counties with a total population of more than fifteen thousand (15,000) and not more than twenty-five thousand (25,000), an amount not to exceed Sixteen Thousand Nine Hundred Five Dollars (\$16,905.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(g) For counties with a total population of more than ten thousand (10,000) and not more than fifteen thousand (15,000), an amount not to exceed Fourteen Thousand Four Hundred Ninety Dollars (\$14,490.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(h) For counties with a total population of more than six thousand (6,000) and not more than ten thousand (10,000), an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(i) For counties with a total population of not more than six thousand (6,000), an amount not to exceed Nine Thousand Six Hundred Sixty Dollars (\$9,660.00) but not

less than Six Thousand Six Hundred Forty-one Dollars and Twenty-five Cents (\$6,641.25).

(j) For counties having two (2) judicial districts, the board of supervisors of the county may allow, in addition to the sums prescribed herein, in its discretion, an amount not to exceed Eleven Thousand Five Hundred Dollars (\$11,500.00).

(2) In the event of a reregistration within such county, or a redistricting that necessitates the hiring of additional deputy registrars, the board of supervisors, in its discretion, may by contract compensate the county registrar amounts in addition to the sums prescribed herein.

(3) As compensation for their services in assisting the county election commissioners in performance of their duties in the revision of the voter roll as electronically maintained by the Statewide Elections Management System and in assisting the election commissioners, executive committees or boards of supervisors in connection with any election, the registrar shall receive the same daily per diem and limitation on meeting days as provided for the board of election commissioners as set out in Sections 23-15-153 and 23-15-227 to be paid from the general fund of the county.

(4) In any case where an amount has been allowed by the board of supervisors pursuant to this section, such amount shall not be reduced or terminated during the term for which the registrar was elected.

(5) The circuit clerk shall, in addition to any other compensation provided for by law, be entitled to receive as compensation from the board of supervisors the amount of \* \* \* Five Thousand Dollars (\$5,000.00) per year. This payment shall be for the performance of his or her duties in regard to the conduct of elections and the performance of his or her other duties.

(6) The municipal clerk shall, in addition to any other compensation for performance of duties, be eligible to receive as compensation from the municipality's governing authorities a reasonable amount of additional compensation for reimbursement of costs and for additional duties associated with mail-in registration of voters.

(7) The board of supervisors shall not allow any additional compensation authorized under this section for services as county registrar to any circuit clerk who is receiving fees as compensation for his or her services equal to the limitation on compensation prescribed in Section 9-1-43.

[From and after January 1, 2028, this section shall read as follows:]

(1) The registrar shall be entitled to such compensation, payable monthly out of the county treasury, which the board of supervisors of the county shall allow on an annual basis in the following amounts:

(a) For counties with a total population of more than two hundred thousand (200,000), an amount not to exceed Thirty-one Thousand Three Hundred Ninety-five Dollars (\$31,395.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(b) For counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed Twenty-six Thousand Five Hundred Sixty-five Dollars (\$26,565.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(c) For counties with a total population of more than fifty thousand (50,000) and not more than one hundred thousand (100,000), an amount not to exceed Twenty-four Thousand One Hundred Fifty Dollars (\$24,150.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(d) For counties with a total population of more than thirty-five thousand (35,000) and not more than fifty thousand (50,000), an amount not to exceed Twenty-one Thousand Seven Hundred Thirty-five Dollars (\$21,735.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(e) For counties with a total population of more than twenty-five thousand (25,000) and not more than thirty-five thousand (35,000), an amount not to exceed Nineteen Thousand Three Hundred Twenty Dollars (\$19,320.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(f) For counties with a total population of more than fifteen thousand (15,000) and not more than twenty-five thousand (25,000), an amount not to exceed Sixteen Thousand Nine Hundred Five Dollars (\$16,905.00), but not less than Nine Thousand Six Hundred Sixty Dollars (\$9,660.00).

(g) For counties with a total population of more than ten thousand (10,000) and not more than fifteen thousand (15,000), an amount not to exceed Fourteen Thousand Four Hundred Ninety Dollars (\$14,490.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(h) For counties with a total population of more than six thousand (6,000) and not more than ten thousand (10,000), an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00), but not less than Eight Thousand Four Hundred Fifty-two Dollars and Fifty Cents (\$8,452.50).

(i) For counties with a total population of not more than six thousand (6,000), an amount not to exceed Nine Thousand Six Hundred Sixty Dollars (\$9,660.00) but not less than Six Thousand Six Hundred Forty-one Dollars and Twenty-five Cents (\$6,641.25).

(j) For counties having two (2) judicial districts, the board of supervisors of the county may allow, in addition to the sums prescribed herein, in its discretion, an amount not to exceed Eleven Thousand Five Hundred Dollars (\$11,500.00).

(2) In the event of a reregistration within such county, or a redistricting that necessitates the hiring of additional deputy registrars, the board of supervisors, in its discretion, may by contract compensate the county registrar amounts in addition to the sums prescribed herein.

(3) As compensation for their services in assisting the county election commissioners in performance of their duties in the revision of the voter roll as electronically maintained by the Statewide Elections Management System and in assisting the election commissioners, executive committees or boards of supervisors in connection with any election, the registrar shall receive the same daily per diem and limitation on meeting days as provided for the board of election commissioners as set out in Sections 23-15-153 and 23-15-227 to be paid from the general fund of the county.

(4) In any case where an amount has been allowed by the board of supervisors pursuant to this section, such amount shall not be reduced or terminated during the term for which the registrar was elected.

(5) The circuit clerk shall, in addition to any other compensation provided for by law, be entitled to receive as compensation from the board of supervisors the amount of \* \* \* Ten Thousand Dollars (\$10,000.00) per year. This payment shall be for the performance of his or her duties in regard to the conduct of elections and the performance of his or her other duties.

(6) The municipal clerk shall, in addition to any other compensation for performance of duties, be eligible to receive as compensation from the municipality's governing authorities a reasonable amount of additional compensation for reimbursement of costs and for additional duties associated with mail-in registration of voters.

(7) The board of supervisors shall not allow any additional compensation authorized under this section for services as county registrar to any circuit clerk who is receiving fees as compensation for his or her services equal to the limitation on compensation prescribed in Section 9-1-43.

SECTION 3. Section 25-3-3, Mississippi Code of 1972, is amended as follows:

[Through December 31, 2023, this section shall read as follows:]

25-3-3. (1) The term "total assessed valuation" as used in this section only refers to the ad valorem assessment for the county and, in addition, in counties where oil or gas

is produced, the actual value of oil at the point of production, as certified to the counties by the Department of Revenue under the provisions of Sections 27-25-501 through 27-25-525, and the actual value of gas as certified by the Department of Revenue under the provisions of Sections 27-25-701 through 27-25-723.

(2) The salary of assessors and collectors of the various counties is fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of Three Billion Dollars (\$3,000,000,000.00) or more, a salary of Seventy Thousand Five Hundred Sixty Dollars (\$70,560.00);

(b) For counties having a total assessed valuation of at least Two Billion Dollars (\$2,000,000,000.00) but less than Three Billion Dollars (\$3,000,000,000.00), a salary of Sixty-seven Thousand Two Hundred Dollars (\$67,200.00);

(c) For counties having a total assessed valuation of at least One Billion Dollars (\$1,000,000,000.00) but less than Two Billion Dollars (\$2,000,000,000.00), a salary of Sixty-four Thousand Five Hundred Seventy-five Dollars (\$64,575.00);

(d) For counties having a total assessed valuation of at least Five Hundred Million Dollars (\$500,000,000.00) but less than One Billion Dollars (\$1,000,000,000.00), a salary of Sixty-one Thousand Four Hundred Twenty-five Dollars (\$61,425.00);

(e) For counties having a total assessed valuation of at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but less than Five Hundred Million Dollars (\$500,000,000.00), a salary of Fifty-eight Thousand Eight Hundred Dollars (\$58,800.00);

(f) For counties having a total assessed valuation of at least One Hundred Fifty Million Dollars (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary of Fifty-six Thousand Seven Hundred Dollars (\$56,700.00);

(g) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00) but less than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary of Fifty-five Thousand One Hundred Twenty-five Dollars (\$55,125.00);

(h) For counties having a total assessed valuation of less than Seventy-five Million Dollars (\$75,000,000.00), a salary of Fifty Thousand Nine Hundred Twenty-nine Dollars (\$50,929.00).

(3) In addition to all other compensation paid pursuant to this section, the board of supervisors shall pay to a person serving as both the tax assessor and tax collector in their county an additional Five Thousand Dollars (\$5,000.00) per year.

(4) The annual salary established for assessors and tax collectors shall not be reduced as a result of a reduction in total assessed valuation. The salaries shall be increased as a result of an increase in total assessed valuation.

(5) In addition to all other compensation paid to assessors and tax collectors in counties having two (2) judicial districts, the board of supervisors shall pay such assessors and tax collectors an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year. In addition to all other compensation paid to assessors or tax collectors, in counties maintaining two (2) full-time offices, the board of supervisors shall pay the assessor or tax collector an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year.

(6) In addition to all other compensation paid to assessors and tax collectors, the board of supervisors of a county shall allow for such assessor or tax collector, or both, to be paid additional compensation when there is a contract between the county and one or more municipalities providing that the assessor or tax collector, or both, shall assess or collect taxes, or both, for the municipality or municipalities; and such assessor or tax collector, or both, shall be authorized to receive such additional compensation from the county and/or the municipality or municipalities in any amount allowed by the county and/or the municipality or municipalities for performing those services.

(7) When any tax assessor holds a valid certificate of educational recognition from the Mississippi Cooperative Extension Service or is a licensed appraiser under Section 73-34-1 et seq., he shall receive an additional One Thousand Five Hundred Dollars (\$1,500.00) annually beginning the next fiscal year after completion. When any tax assessor is a licensed state certified Residential Appraiser (RA) or licensed state certified Timberland Appraiser (TA) under Section 73-34-1 et seq., or when any tax assessor holds a valid designation from the International Association of Assessing Officers as a Cadastral Mapping Specialist (CMS) or Personal Property Specialist (PPS) or Residential Evaluation Specialist (RES), he shall receive an additional Six Thousand Five Hundred Dollars (\$6,500.00) annually beginning the next fiscal year after completion. When any tax assessor holds the valid designation of Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers or is a state certified General Real Estate Appraiser (GA) under Section 73-34-1 et seq., he shall receive an additional Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning the next fiscal year after completion.

(8) The salaries provided for in this section shall be the total funds paid to the county assessors and tax collectors and shall be full compensation for their services, with any fees being paid to the county general fund.

(9) The salaries provided for in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month or every two (2) weeks pursuant to Section 25-3-29. If a pay date falls

on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

[From and after January 1, 2024, this section shall read as follows:]

(1) The term "total assessed valuation" as used in this section only refers to the ad valorem assessment for the county and, in addition, in counties where oil or gas is produced, the actual value of oil at the point of production, as certified to the counties by the Department of Revenue under the provisions of Sections 27-25-501 through 27-25-525, and the actual value of gas as certified by the Department of Revenue under the provisions of Sections 27-25-701 through 27-25-723.

(2) The salary of assessors and collectors of the various counties is fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of Three Billion Dollars (\$3,000,000,000.00) or more, a salary of \* \* \* Seventy-five Thousand Five Hundred Sixty Dollars (\$75,560.00);

(b) For counties having a total assessed valuation of at least Two Billion Dollars (\$2,000,000,000.00) but less than Three Billion Dollars (\$3,000,000,000.00), a salary of \* \* \* Seventy-two Thousand Two Hundred Dollars (\$72,200.00);

(c) For counties having a total assessed valuation of at least One Billion Dollars (\$1,000,000,000.00) but less than Two Billion Dollars (\$2,000,000,000.00), a salary of \* \* \* Sixty-nine Thousand Five Hundred Seventy-five Dollars (\$69,575.00);

(d) For counties having a total assessed valuation of at least Five Hundred Million Dollars (\$500,000,000.00) but less than One Billion Dollars (\$1,000,000,000.00), a salary of \* \* \* Sixty-six Thousand Four Hundred Twenty-five Dollars (\$66,425.00);

(e) For counties having a total assessed valuation of at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but less than Five Hundred Million Dollars (\$500,000,000.00), a salary of \* \* \* Sixty-three Thousand Eight Hundred Dollars (\$63,800.00);

(f) For counties having a total assessed valuation of at least One Hundred Fifty Million Dollars (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary of \* \* \* Sixty-one Thousand Seven Hundred Dollars (\$61,700.00);

(g) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00) but less than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary of \* \* \* Sixty Thousand One Hundred Twenty-five Dollars (\$60,125.00);

(h) For counties having a total assessed valuation of less than Seventy-five Million Dollars (\$75,000,000.00), a salary of \* \* \* Fifty-five Thousand Nine Hundred Twenty-nine Dollars (\$55,929.00).

(3) In addition to all other compensation paid pursuant to this section, the board of supervisors shall pay to a person serving as both the tax assessor and tax collector in their county an additional Five Thousand Dollars (\$5,000.00) per year.

(4) The annual salary established for assessors and tax collectors shall not be reduced as a result of a reduction in total assessed valuation. The salaries shall be increased as a result of an increase in total assessed valuation.

(5) In addition to all other compensation paid to assessors and tax collectors in counties having two (2) judicial districts, the board of supervisors shall pay such assessors and tax collectors an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year. In addition to all other compensation paid to assessors or tax collectors, in counties maintaining two (2) full-time offices, the board of supervisors shall pay the assessor or tax collector an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year.

(6) In addition to all other compensation paid to assessors and tax collectors, the board of supervisors of a county shall allow for such assessor or tax collector, or both, to be paid additional compensation when there is a contract between the county and one or more municipalities providing that the assessor or tax collector, or both, shall assess or collect taxes, or both, for the municipality or municipalities; and such assessor or tax collector, or both, shall be authorized to receive such additional compensation from the county and/or the municipality or municipalities in any amount allowed by the county and/or the municipality or municipalities for performing those services.

(7) When any tax assessor holds a valid certificate of educational recognition from the Mississippi Cooperative Extension Service or is a licensed appraiser under Section 73-34-1 et seq., he shall receive an additional One Thousand Five Hundred Dollars (\$1,500.00) annually beginning the next fiscal year after completion. When any tax assessor is a licensed state certified Residential Appraiser (RA) or licensed state certified Timberland Appraiser (TA) under Section 73-34-1 et seq., or when any tax assessor holds a valid designation from the International Association of Assessing Officers as a Cadastral Mapping Specialist (CMS) or Personal Property Specialist (PPS) or Residential Evaluation Specialist (RES), he shall receive an additional Six Thousand Five Hundred Dollars (\$6,500.00) annually beginning the next fiscal year after completion. When any tax assessor holds the valid designation of Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers or is a state certified General Real Estate Appraiser (GA) under Section 73-34-1 et seq., he shall receive an additional Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning the next fiscal year after completion.

(8) The salaries provided for in this section shall be the total funds paid to the county assessors and tax collectors and shall be full compensation for their services, with any fees being paid to the county general fund.

(9) The salaries provided for in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month or every two (2) weeks pursuant to Section 25-3-29. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

[From and after January 1, 2028, this section shall read as follows:]

(1) The term "total assessed valuation" as used in this section only refers to the ad valorem assessment for the county and, in addition, in counties where oil or gas is produced, the actual value of oil at the point of production, as certified to the counties by the Department of Revenue under the provisions of Sections 27-25-501 through 27-25-525, and the actual value of gas as certified by the Department of Revenue under the provisions of Sections 27-25-701 through 27-25-723.

(2) The salary of assessors and collectors of the various counties is fixed as full compensation for their services as county assessors or tax collectors, or both if the office of assessor has been combined with the office of tax collector. The annual salary of each assessor or tax collector, or both if the offices have been combined, shall be based upon the total assessed valuation of his respective county for the preceding taxable year in the following categories and for the following amounts:

(a) For counties having a total assessed valuation of Three Billion Dollars (\$3,000,000,000.00) or more, a salary of \* \* \* Eighty Thousand Five Hundred Sixty Dollars (\$80,560.00);

(b) For counties having a total assessed valuation of at least Two Billion Dollars (\$2,000,000,000.00) but less than Three Billion Dollars (\$3,000,000,000.00), a salary of \* \* \* Seventy-seven Thousand Two Hundred Dollars (\$77,200.00);

(c) For counties having a total assessed valuation of at least One Billion Dollars (\$1,000,000,000.00) but less than Two Billion Dollars (\$2,000,000,000.00), a salary of \* \* \* Seventy-four Thousand Five Hundred Seventy-five Dollars (\$74,575.00);

(d) For counties having a total assessed valuation of at least Five Hundred Million Dollars (\$500,000,000.00) but less than One Billion Dollars (\$1,000,000,000.00), a salary of \* \* \* Seventy-one Thousand Four Hundred Twenty-five Dollars (\$71,425.00);

(e) For counties having a total assessed valuation of at least Two Hundred Fifty Million Dollars (\$250,000,000.00) but less than Five Hundred Million Dollars

(\$500,000,000.00), a salary of \* \* \* Sixty-eight Thousand Eight Hundred Dollars (\$68,800.00);

(f) For counties having a total assessed valuation of at least One Hundred Fifty Million Dollars (\$150,000,000.00) but less than Two Hundred Fifty Million Dollars (\$250,000,000.00), a salary of \* \* \* Sixty-six Thousand Seven Hundred Dollars (\$66,700.00);

(g) For counties having a total assessed valuation of at least Seventy-five Million Dollars (\$75,000,000.00) but less than One Hundred Fifty Million Dollars (\$150,000,000.00), a salary of \* \* \* Sixty-five Thousand One Hundred Twenty-five Dollars (\$65,125.00);

(h) For counties having a total assessed valuation of less than Seventy-five Million Dollars (\$75,000,000.00), a salary of \* \* \* Sixty Thousand Nine Hundred Twenty-nine Dollars (\$60,929.00).

(3) In addition to all other compensation paid pursuant to this section, the board of supervisors shall pay to a person serving as both the tax assessor and tax collector in their county an additional Five Thousand Dollars (\$5,000.00) per year.

(4) The annual salary established for assessors and tax collectors shall not be reduced as a result of a reduction in total assessed valuation. The salaries shall be increased as a result of an increase in total assessed valuation.

(5) In addition to all other compensation paid to assessors and tax collectors in counties having two (2) judicial districts, the board of supervisors shall pay such assessors and tax collectors an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year. In addition to all other compensation paid to assessors or tax collectors, in counties maintaining two (2) full-time offices, the board of supervisors shall pay the assessor or tax collector an additional Three Thousand Five Hundred Dollars (\$3,500.00) per year.

(6) In addition to all other compensation paid to assessors and tax collectors, the board of supervisors of a county shall allow for such assessor or tax collector, or both, to be paid additional compensation when there is a contract between the county and one or more municipalities providing that the assessor or tax collector, or both, shall assess or collect taxes, or both, for the municipality or municipalities; and such assessor or tax collector, or both, shall be authorized to receive such additional compensation from the county and/or the municipality or municipalities in any amount allowed by the county and/or the municipality or municipalities for performing those services.

(7) When any tax assessor holds a valid certificate of educational recognition from the Mississippi Cooperative Extension Service or is a licensed appraiser under Section 73-34-1 et seq., he shall receive an additional One Thousand Five Hundred Dollars (\$1,500.00) annually beginning the next fiscal year after completion. When any tax assessor is a licensed state certified Residential Appraiser (RA) or licensed state certified Timberland Appraiser (TA) under Section 73-34-1 et seq., or when any tax assessor holds

a valid designation from the International Association of Assessing Officers as a Cadastral Mapping Specialist (CMS) or Personal Property Specialist (PPS) or Residential Evaluation Specialist (RES), he shall receive an additional Six Thousand Five Hundred Dollars (\$6,500.00) annually beginning the next fiscal year after completion. When any tax assessor holds the valid designation of Certified Assessment Evaluator (CAE) from the International Association of Assessing Officers or is a state certified General Real Estate Appraiser (GA) under Section 73-34-1 et seq., he shall receive an additional Eight Thousand Five Hundred Dollars (\$8,500.00) annually beginning the next fiscal year after completion.

(8) The salaries provided for in this section shall be the total funds paid to the county assessors and tax collectors and shall be full compensation for their services, with any fees being paid to the county general fund.

(9) The salaries provided for in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month or every two (2) weeks pursuant to Section 25-3-29. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

SECTION 4. Section 25-7-9, Mississippi Code of 1972, is amended as follows:

[Through December 31, 2023, this section shall read as follows:]

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....\$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5) pages..... \$ 25.00

(ii) Each additional page.....\$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....\$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....\$ 25.00

per additional assignee.....\$ 18.00

(iii) Each additional page.....\$ 1.00

(iv) Sectional index entries per section or subdivision lot.....\$ 1.00

(v) Archive fee.....\$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page.....\$ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....\$ .50

If performed by any other person,

per page.....\$ .25

(ii) Entering marginal notations on

documents of record.....\$ 1.00

(e) For each day's attendance on the board of supervisors, for himself and one (1) deputy, each.....\$ 20.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding.....\$3,000.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each.....\$ 85.00

For the second chancellor sitting, clerk only.....\$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding.....\$5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund.....\$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoption, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or

fee.....\$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....\$ 10.00

(b) An additional fee to be deposited to the

credit of the Judicial System Operation Fund established in

Section 9-21-45.....\$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

[From and after January 1, 2024, this section shall read as follows:]

(1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....\$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5)

pages..... \$ 25.00

(ii) Each additional page.....\$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....\$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....\$ 25.00

per additional assignee.....\$ 18.00

(iii) Each additional page.....\$ 1.00

(iv) Sectional index entries per section or subdivision  
lot.....\$ 1.00

(v) Archive fee.....\$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter,  
pertaining to the recording of any oil and gas document only per book and page.....\$  
4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....\$ .50

If performed by any other person,

per page.....\$ .25

(ii) Entering marginal notations on

documents of record.....\$ 1.00

(e) For \*\*\* attending the board of supervisors' \*\*\* meeting, an annual sum  
not exceeding.....\$ \*\*\*2,500.00

(f) For other services as clerk of the board of supervisors an allowance shall  
be made to him (payable semiannually at the July and January meetings) out of the county  
treasury, an annual sum not exceeding.....\$ \*\*\*5,500.00

(g) For each day's attendance on the chancery court, to be approved by the  
chancellor:

For the first chancellor sitting only, clerk and two (2) deputies,  
each.....\$ 85.00

For the second chancellor sitting, clerk only.....\$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk  
and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be  
allowed five (5) extra days for each term of court for attendance upon the court to get up  
records.

(i) For public service not otherwise specifically provided for, the chancery  
court may by order allow the clerk to be paid by the county on the order of the board of  
supervisors, an annual sum not exceeding.....\$5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance  
Fund.....\$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all  
charges due or paid for filing, recording and abstracting same. No person shall be  
required to pay such fees until same have been so itemized, but those fees may be  
demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with  
respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth  
or marriage certificate, removal of minority, guardianship or conservatorship, estate of  
deceased, adoption, land dispute injunction, settlement of small claim, contempt,  
modification, partition suit, or commitment, which shall be payable upon filing and shall  
accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall  
perform all duties set forth without additional compensation or

fee.....\$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive  
Electronic Court Systems Fund established in Section 9-21-14.....\$  
10.00

(b) An additional fee to be deposited to the

credit of the Judicial System Operation Fund established in

Section 9-21-45.....\$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

[From and after January 1, 2028, this section shall read as follows:]

(1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....\$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5)

pages..... \$ 25.00

(ii) Each additional page.....\$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....\$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....\$ 25.00

per additional assignee.....\$ 18.00

(iii) Each additional page.....\$ 1.00

(iv) Sectional index entries per section or subdivision  
lot.....\$ 1.00

(v) Archive fee.....\$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter,  
pertaining to the recording of any oil and gas document only per book and page.....\$  
4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....\$ .50

If performed by any other person,

per page.....\$ .25

(ii) Entering marginal notations on

documents of record.....\$ 1.00

(e) For \*\*\* attending the board of supervisors' \*\*\* meeting an annual sum  
not exceeding.....\$ \*\*\*5,000.00

(f) For other services as clerk of the board of supervisors an allowance shall  
be made to him (payable semiannually at the July and January meetings) out of the county  
treasury, an annual sum not exceeding.....\$ \*\*\*10,000.00

(g) For each day's attendance on the chancery court, to be approved by the  
chancellor:

For the first chancellor sitting only, clerk and two (2) deputies,  
each.....\$ 85.00

For the second chancellor sitting, clerk only.....\$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding.....\$5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund.....\$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoption, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or

fee.....\$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....\$ 10.00

(b) An additional fee to be deposited to the

credit of the Judicial System Operation Fund established in

Section 9-21-45.....\$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

SECTION 5. Section 25-7-13, Mississippi Code of 1972, is brought forward as follows:

25-7-13. (1) The clerks of the circuit court shall charge the following fees:

(a) Docketing, filing, marking and registering each complaint, petition and indictment..... \$ 85.00

The fee set forth in this paragraph shall be the total fee for all services performed by the clerk up to and including entry of judgment with respect to each complaint, petition or indictment, including all answers, claims, orders, continuances and other papers filed therein, issuing each writ, summons, subpoena or other such instruments, swearing witnesses, taking and recording bonds and pleas, and recording judgments, orders, fiats and certificates; the fee shall be payable upon filing and shall accrue to the clerk at the time of collection. The clerk or his successor in office shall perform all duties set forth above without additional compensation or fee.

(b) Docketing and filing each motion to renew judgment, notice of renewal of judgment, suggestion for a writ of garnishment, suggestion for a writ of execution and judgment debtor actions and issuing all process, filing and recording orders or other papers and swearing witnesses..... \$ 35.00

(c) For every civil case filed, an additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14...\$ 10.00

(d) For every civil case filed, an additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45..... \$ 40.00

(2) Except as provided in subsection (1) of this section, the clerks of the circuit court shall charge the following fees:

(a) Filing and marking each order or other paper and recording and indexing same \$ 2.00

(b) Issuing each writ, summons, subpoena, citation, capias and other such instruments.....\$ 1.00

(c) Administering an oath and taking bond.....\$ 2.00

(d) Certifying copies of filed documents, for each complete document.....\$ 1.00

(e) Recording orders, fiats, licenses, certificates, oaths and bonds:

First page .....\$ 2.00

Each additional page.....\$ 1.00

(f) Furnishing copies of any papers of record or on file and entering marginal notations on documents of record:

If performed by the clerk or his employee,  
per page.....\$ 1.00

If performed by any other person,  
per page.....\$ .25

(g) Judgment roll entry.....\$ 5.00

(h) Taxing cost and certificate.....\$ 1.00

(i) For taking and recording application for marriage license, for filing and recording consent of parents when required by law, for filing and recording medical

certificate, filing and recording proof of age, recording and issuing license, recording and filing returns..... \$ 35.00

The clerk shall deposit Fourteen Dollars (\$14.00) of each fee collected for a marriage license in the Victims of Domestic Violence Fund established in Section 93-21-117, on a monthly basis.

(j) For certified copy of marriage license and search of record, the same fee charged by the Bureau of Vital Statistics of the State Board of Health.

(k) For public service not particularly provided for, the circuit court may allow the clerk, per annum, to be paid by the county on presentation of the circuit court's order, the following amount ..... \$5,000.00

However, in the counties having two (2) judicial districts, such above allowance shall be made for each judicial district.

(l) For drawing jurors and issuing venire, to be paid by the county. \$ 5.00

(m) For each day's attendance upon the circuit court term, for himself and necessary deputies allowed by the court, each to be paid by the county ..... \$ 75.00

(n) Summons, each juror to be paid by the county upon the allowance of the court..... \$ 1.00

(o) For issuing each grand jury subpoena, to be paid by the county on allowance by the court, not to exceed Twenty-five Dollars (\$25.00) in any one (1) term of court \$ 1.00

(p) For each civil filing, to be deposited into the Civil Legal Assistance Fund \$ 5.00

(3) On order of the court, clerks and deputies may be allowed five (5) extra days for attendance upon the court to get up records.

(4) The clerk's fees in state cases where the state fails in the prosecution, or in cases of felony where the defendant is convicted and the cost cannot be made out of his estate, in an amount not to exceed Four Hundred Dollars (\$400.00) in one (1) year, shall be paid out of the county treasury on approval of the circuit court, and the allowance thereof by the board of supervisors of the county. In counties having two (2) judicial districts, such allowance shall be made in each judicial district; however, the maximum thereof shall not exceed Eight Hundred Dollars (\$800.00). Clerks in the circuit court, in cases where appeals are taken in criminal cases and no appeal bond is filed, shall be allowed by the board of supervisors of the county after approval of their accounts by the circuit court, in addition to the above fees, for making such transcript the rate of Two Dollars (\$2.00) per page.

(5) The clerk of the circuit court may retain as his commission on all money coming into his hands, by law or order of the court, a sum to be fixed by the court not exceeding one-half of one percent (1/2 of 1%) on all such sums.

(6) For making final records required by law, including, but not limited to, circuit and county court minutes, and furnishing transcripts of records, the circuit clerk shall charge Two Dollars (\$2.00) per page. The same fees shall be allowed to all officers for making and certifying copies of records or papers which they are authorized to copy and certify.

(7) The circuit clerk shall prepare an itemized statement of fees for services performed, cost incurred, or for furnishing copies of any papers of record or on file, and shall submit the statement to the parties or, if represented, to their attorneys within sixty (60) days. A bill for same shall accompany the statement.

SECTION 6. Section 25-7-19, Mississippi Code of 1972, is brought forward as follows:

25-7-19. (1) The sheriffs of the various counties of the State of Mississippi shall charge the following fees:

(a) A uniform total fee in all criminal and civil cases for the service or attempted service of any process, summons, warrant, writ or other notice as may be required by law or the court, each..... \$ 45.00

(b) In all cases where there is more than one (1) defendant residing at the same household, service on each additional defendant..... \$ 5.00

(c) After final judgment has been enrolled, notice of further proceedings involving levy of execution on judgments, and attachment and garnishment proceedings, shall be deemed a new suit and the sheriff shall be entitled to the following fee ..... \$ 45.00

(d) Taking bonds of every kind (for purposes of this fee multiple bonds for criminal charges arising out of a single incident or transaction shall be considered a single bond) \$ 25.00

(e) Attendance in habeas corpus proceeding in vacation, eminent domain court and commitment cases..... \$ 25.00

(f) On all money made by virtue of any decree, execution or attachment, or other process, the following commissions, to wit:

On the first One Hundred Dollars (\$100.00), five percent (5%),

On the second One Hundred Dollars (\$100.00), four percent (4%),

On all sums over Two Hundred Dollars (\$200.00), three percent (3%).

(g) For all service of all process of every kind and nature issued from without the county wherein it is to be served, a fee of ..... \$ 45.00

In civil cases, all process sent out of the county, where issued to another county for service, shall be accompanied by a fee of Forty-five Dollars (\$45.00) to pay the sheriff's fee for his execution of such process unless the clerk or justice shall endorse on the process that the party at whose instance it issued had filed an affidavit of inability to pay costs thereof. All fees sent and unearned, and the whole of it, shall be unearned if the writ be not legally and properly executed and returned, and shall be remitted by the sheriff with the writ at his own expense.

(2) (a) The sheriff shall keep a complete account of every fee of every nature, commission or charge collected by him, and shall file an itemized statement thereof monthly, under oath, with the clerk of the board of supervisors of his county who shall preserve same as a part of the records of his office, and he shall make a remittance to the clerk of the board of supervisors of his county on or before the fifteenth of each month for deposit into the general fund of the county of all said fees, commissions and charges collected during the preceding month. A fee for attempted service of process is unearned absent two (2) documented actual attempts to serve the process.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of this section shall be used for the sheriffs' salaries authorized in Section 25-3-25, as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(3) Any sheriff who shall knowingly fail to collect any fee established by law which was in fact collectible by him or having collected the fee shall fail to keep account of such fee or fail to deposit the fee with the clerk of the board of supervisors as provided by subsection (2), or such other person or office entitled thereto, shall be guilty of a misdemeanor in office and, upon conviction therefor, shall be fined in an amount not to exceed double the amount he failed to collect or pay over, or imprisoned for not to exceed six (6) months in the county jail, or be punished by both such fine and imprisonment.

This provision shall in no way lessen the sheriff's civil liability on his bond, but shall be an additional penalty for misfeasance or nonfeasance in office.

SECTION 7. Section 25-7-27, Mississippi Code of 1972, is amended as follows:

25-7-27. (1) Marshals and constables shall charge the following fees:

(a) (i) In all civil and criminal cases, for each service of process, summons, warrant, writ or other notice \$ \*\* \*55.00

(ii) In all cases where there is more than one (1) defendant residing at the same household, for service on each additional defendant.....\$ \*\* \*10.00

(iii) For service of each process of every kind and nature issued from outside the county where it is to be served, the fees provided in subparagraphs (i) and (ii) of this paragraph, as applicable, shall be assessed.

(iv) When a complaining party has provided erroneous information to the clerk of the court relating to the service of process on the defendant or defendants and process cannot be served after diligent search and inquiry on oath thereof of the marshal or constable, as the case may be, charged with serving such process, the fees provided in subparagraphs (i) and (ii) of this paragraph, as applicable, shall be assessed.

(v) When process has been attempted in one (1) county but the defendant is not found, and process must be served on that defendant in another county, the clerk shall notify the complaining party that an additional fee or fees must be paid before the process can be delivered to the other county.

(b) After final judgment has been enrolled, further proceedings involving levy of execution on judgments, and attachment and garnishment proceedings shall be a new suit for which the marshal or constable shall be entitled to the following fee \$ \*\* \*55.00

(c) For conveying a person charged with a crime to jail, mileage reimbursement in an amount not to exceed the rate established under Section 25-3-41(2).

To be paid out of the county treasury on the allowance of the board of supervisors, when the state fails in the prosecution, or the person is convicted but is not able to pay the costs.

(d) For other service, the same fees allowed sheriffs for similar services.

(e) For service as a bailiff in any court in a civil case, to be paid by the county on allowance of the court on issuance of a warrant therefor, an amount equal to the amount provided under Section 19-25-31 for each day, or part thereof, for which he serves as bailiff when the court is in session.

(f) For serving all warrants and other process and attending all trials in state cases in which the state fails in the prosecution, to be paid out of the county treasury on the allowance of the board of supervisors without itemization, subject, however, to the condition that the marshal or constable must not have overcharged in the collection of fees for costs, contrary to the provisions of this section, annually.....\$ \*\* \*4,500.00

(2) Marshals and constables shall be paid all uncollected fees levied under subsection (1) of this section in full from the first proceeds received by the court from the guilty party or from any other source of payment in connection with the case.

(3) In addition to the fees authorized to be paid to a constable under subsection (1) of this section, a constable may receive payments for collecting delinquent criminal fines in justice court pursuant to the provisions of Section 19-3-41(3).

SECTION 8. Section 41-61-59, Mississippi Code of 1972, is brought forward as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

- (a) Violent death, including homicidal, suicidal or accidental death.
- (b) Death caused by thermal, chemical, electrical or radiation injury.
- (c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.
- (d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.
- (e) Death that has occurred unexpectedly or from an unexplained cause.
- (f) Death of a person confined in a prison, jail or correctional institution.
- (g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.
- (h) Death of a person where the body is not claimed by a relative or a friend.
- (i) Death of a person where the identity of the deceased is unknown.
- (j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.
- (k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.
- (l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.
- (m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars (\$300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars (\$300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 9. Section 41-61-75, Mississippi Code of 1972, is amended as follows:

[Through December 31, 2023, this section shall read as follows:]

(1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage

expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

[From and after January 1, 2024, this section shall read as follows:]

(1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive \* \* \* One Hundred Eighty-five Dollars (\$185.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

[From and after January 1, 2028, this section shall read as follows:]

(1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive \* \* \* One Hundred Ninety-five Dollars (\$195.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE LIMIT ON THE COMPENSATION OF CHANCERY CLERKS AND CIRCUIT CLERKS; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF CIRCUIT CLERKS FOR CONDUCTING ELECTIONS; TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF COUNTY TAX ASSESSORS AND COLLECTORS; TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHANCERY CLERKS SHALL RECEIVE A CERTAIN ANNUAL SUM FOR ATTENDING THE MEETINGS OF BOARDS OF SUPERVISORS; TO BRING FORWARD SECTION 25-7-13, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-19, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO FEES CHARGED BY SHERIFFS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO INCREASE CERTAIN FEES CHARGED BY MARSHALS AND CONSTABLES; TO BRING FORWARD SECTION 41-61-59, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF COUNTY MEDICAL EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER INVESTIGATORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION THAT COUNTY MEDICAL EXAMINERS RECEIVE FOR EACH COMPLETED REPORT OF INVESTIGATION OF DEATH; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Larry Byrd

Cheikh Taylor

John Read

CONFEREES FOR THE SENATE

John A. Polk

Mike Thompson

Angela Turner-Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 719** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Hill. Total--1.

Absent and those not voting----None.

Voting Present--Chism, McDaniel, Sojourner. Total--3.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2371** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2371: Purchasing law; revise threshold for bid requirement and clarify use of reverse auction.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13, Mississippi Code of 1972, as amended by Senate Bill No. 2806 and Senate Bill No. 2818, 2022 Regular Session, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \* \* \* \$75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under \* \* \* Seventy-five Thousand Dollars (\$75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes

of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \* \* \* \$75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges \* \* \*. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of \* \* \* Seventy-five Thousand Dollars (\$75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted

method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges

shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and

obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this

section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other

relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school

district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and/or the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2023.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an

electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than \* \* \* Seventy-five Thousand Dollars (\$75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the

Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2806 AND SENATE BILL NO. 2818, 2022 REGULAR SESSION, TO INCREASE THE THRESHOLD FOR BID REQUIREMENT UNDER THE PUBLIC PURCHASING LAW; TO PROVIDE THAT REVERSE AUCTIONS SHALL ONLY BE REQUIRED FOR INDIVIDUAL PUBLIC SCHOOLS, CHARTER SCHOOLS AND SCHOOL DISTRICTS, WHEN PURCHASING COPYRIGHTED EDUCATIONAL SUPPLEMENTAL MATERIALS AND SOFTWARE AS A SERVICE PRODUCT; TO ALLOW LOCAL SCHOOL BOARDS TO AUTHORIZE A PURCHASING ENTITY IN ITS JURISDICTION TO USE A REQUEST FOR QUALIFICATIONS WHICH PROMOTES OPEN COMPETITION AND MEETS THE REQUIREMENTS OF THE OFFICE OF PURCHASING AND TRAVEL FOR SUCH PURCHASES; TO CLARIFY THAT A PURCHASING ENTITY MAY, IN ITS DISCRETION, USE REVERSE AUCTION FOR

TERM CONTRACT PURCHASES; TO CLARIFY UNDER THE PUBLIC PURCHASING LAW THAT REVERSE AUCTION SHALL NOT BE USED FOR THE IMPROVEMENT, REPAIR OR REMODELING OF ANY PUBLIC FACILITIES, INCLUDING THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS FOR SAME; TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
John A. Polk	Donnie Bell
Albert Butler	Jason White
Rita Potts Parks	Kent McCarty

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2371** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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On request of Senator Polk, unanimous consent was granted to make the following correction in **S. B. No. 2371**:

Unanimous Consent of the House is requested to make the following changes to the conference report for S.B. 2371:

On line 124, insert "not" after the word "shall".

So this sentence will read: "The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product."

This is just a typographical error on the conference report for Senate Bill 2371.

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John Polk, Chairman  
Accountability, Efficiency, Transparency Committee

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Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2421** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2421: Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Sam C. Mims, V

David Parker

Missy McGee

John Horhn

Rob Roberson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2421** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2424** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2424: School district employee payroll; allow monthly or bimonthly payments.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Richard Bennett
David Blount	Kent McCarty
Chris Johnson	Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2424** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Jackson (11th) as co-author of **S. B. No. 2424**.

Senator DeBar moved that the Conference Committee Report on **S. B. No. 2430** be recommitted for further conference and the motion prevailed.

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2508** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2508: Personal delivery devices; regulate.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

## SECTION 1. (1) A personal delivery device must:

(a) Yield to all other traffic, including pedestrians;

(b) Refrain from transporting hazardous materials regulated under the Hazardous Materials Transportation Act, 49 USC Section 5103, that are required to be placarded under 49 CFR Part 172, Subpart F; and

(c) Be equipped with:

(i) A marker clearly stating the name and contact information of the owner and a unique identification number;

(ii) A braking system enabling the device to come to a controlled stop;  
and

(iii) If operated between sunset and sunrise, lighting on both the front and rear which is visible in clear weather from at least five hundred (500) feet.

(2) A personal delivery device may be operated in a pedestrian area at speeds of no more than ten (10) miles per hour. For purposes of this section, a pedestrian area is a sidewalk, crosswalk, school crossing zone or safety zone.

(3) Personal delivery devices and personal delivery device operators are not subject to requirements or laws applicable to motor vehicles.

(4) Personal delivery devices may be prohibited by local resolutions or ordinances if the local government determines that the prohibition is necessary, in the interest of public safety. This section does not affect the authority of a local government's law enforcement officers to enforce the laws of this state relating to the operation of a personal delivery device.

(5) A business entity that operates a personal delivery device under this act shall maintain an insurance policy that includes general liability coverage of not less than One Hundred Thousand Dollars (\$100,000.00) for damages arising from the operation of the personal delivery device.

## SECTION 2. Section 17-17-403, Mississippi Code of 1972, is amended as follows:

17-17-403. The following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Commission" means the Commission on Environmental Quality.

(b) "Collection contractor" means a person approved by the department and used by a county, municipality or multicounty agency to operate a household hazardous waste collection and management program.

(c) "Department" means the Department of Environmental Quality.

(d) "Household hazardous waste" means any waste that would be considered hazardous under the Solid Wastes Disposal Law of 1974, Section 17-17-1 et seq., Mississippi Code of 1972, or any rules and regulations promulgated thereto, but for the fact that it is produced in quantities smaller than those regulated under that law or regulations and is generated by persons not otherwise covered by that law or regulations.

(e) "Motor vehicle" means an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, farm equipment or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled

by power other than muscular power, but does not include traction engines, road rollers, earth movers, graders, loaders and other similar construction equipment requiring oversized tires, any vehicles which run only upon a track, bicycles, electric bicycles, personal delivery devices or mopeds. For purposes of this article, "farm equipment" means any vehicle which uses tires having the following designations: I-1, I-2, I-3, R-1, R-2, R-3, F-1, F-2 and Farm Highway Service.

(f) "Small business" means any commercial establishment not regulated under the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 42 USCS 6901 et seq.), as amended or regulations promulgated thereto.

(g) "Small quantity waste tire generator" means any private individual generating twenty-five (25) or fewer waste tires annually, or a tire retail outlet, automotive mechanic shop or other commercial or governmental entity that generates ten (10) or fewer waste tires per week.

(h) "Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle.

(i) "Waste tire" means a whole tire that is no longer suitable for its original intended purpose because of wear, damage or defect.

(j) "Waste tire hauler" means any person engaged in the collection and/or transportation of fifty (50) or more waste tires for the purpose of storage, processing or disposal or any person transporting waste tires for compensation.

(k) "Waste tire processing facility" means a site where tires are reduced in volume by shredding, cutting, chipping or otherwise altered to facilitate recycling, resource recovery or disposal. The term includes mobile waste tire processing equipment. Commercial enterprises processing waste tires shall not be considered solid waste management facilities.

(l) "Waste tire collection site" means a site used for the storage of one hundred (100) or more waste tires.

SECTION 3. Section 21-37-3, Mississippi Code of 1972, is amended as follows:

21-37-3. (1) Except as otherwise provided in subsection (2) of this section, the governing authorities of municipalities shall have the power to exercise full jurisdiction in the matter of streets, sidewalks, sewers, and parks; to open and lay out and construct the same; and to repair, maintain, pave, sprinkle, adorn, and light the same.

(2) Section 63-3-208 shall govern the use of electric personal assistive mobility devices (as defined in Section 63-3-103) on streets and sidewalks. Section 63-3-1315 shall govern the use of electric bicycles, as defined in Section 63-3-103, on streets, sidewalks and bicycle or multi-use paths. Section 1 of this act shall govern the use of personal delivery devices, as defined in Section 63-3-103, on sidewalks and other pedestrian areas.

SECTION 4. Section 27-19-3, Mississippi Code of 1972, is amended as follows:

27-19-3. (a) The following words and phrases when used in this article for the purpose of this article have the meanings respectively ascribed to them in this section, except in those instances where the context clearly describes and indicates a different meaning:

(1) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by muscular power or used exclusively upon stationary rails or tracks.

(2) "Commercial vehicle" means every vehicle used or operated upon the public roads, highways or bridges in connection with any business function.

(3) "Motor vehicle" means every vehicle as defined in this section which is self-propelled, including trackless street or trolley cars. The term "motor vehicle" shall not include electric bicycles, personal delivery devices or electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1.

(4) "Tractor" means every vehicle designed, constructed or used for drawing other vehicles.

(5) "Motorcycle" means every vehicle designed to travel on not more than three (3) wheels in contact with the ground, except electric bicycles, personal delivery devices and vehicles included within the term "tractor" as herein classified and defined.

(6) "Truck tractor" means every motor vehicle designed and used for drawing other vehicles and so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn and has a gross vehicle weight (GVW) in excess of ten thousand (10,000) pounds.

(7) "Trailer" means every vehicle without motive power, designed to carry property or passengers wholly on its structure and which is drawn by a motor vehicle.

(8) "Semitrailer" means every vehicle (of the trailer type) so designed and used in conjunction with a truck tractor.

(9) "Foreign vehicle" means every motor vehicle, trailer or semitrailer, which shall be brought into the state otherwise than by or through a manufacturer or dealer for resale and which has not been registered in this state.

(10) "Pneumatic tires" means all tires inflated with compressed air.

(11) "Solid rubber tires" means every tire made of rubber other than pneumatic tires.

(12) "Solid tires" means all tires, the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

(13) "Person" means every natural person, firm, copartnership, corporation, joint-stock or other association or organization.

(14) "Owner" means a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale, lease or transfer of the possession, the person with the right of purchase upon performance of conditions stated in the agreement, and with an immediate right of possession vested in the conditional vendee, lessee, possessor or in the event such or similar transaction is had by means of a mortgage, and the mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, possessor or mortgagor shall be deemed the owner for the purposes of this article.

(15) "School bus" means every motor vehicle engaged solely in transporting school children or school children and teachers to and from schools; however, such vehicles may transport passengers on weekends and legal holidays and during summer months between the terms of school for compensation when the transportation of passengers is over a route of which not more than fifty percent (50%) traverses the route of a common carrier of passengers by motor vehicle and when no passengers are picked up on the route of any such carrier.

(16) "Dealer" means every person engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semitrailers, trucks, tractors or other character of commercial or industrial motor vehicles in this state, and having an established place of business in this state.

(17) "Highway" means and includes every way or place of whatever nature, including public roads, streets and alleys of this state generally open to the use of the public or to be opened or reopened to the use of the public for the purpose of vehicular travel, and notwithstanding that the same may be temporarily closed for the purpose of construction, reconstruction, maintenance or repair.

(18) "State Tax Commission," "commission" or "department" means the Commissioner of Revenue of the Department of Revenue of this state, acting directly or through his duly authorized officers, agents, representatives and employees.

(19) "Common carrier by motor vehicle" means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or property or any class or classes of property for the general public in interstate or intrastate commerce on the public highways of this state by motor vehicles for compensation, whether over regular or irregular routes. The term "common carrier by motor vehicle" shall not include passenger buses operating within the corporate limits of a municipality in this state or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(20) "Contract carrier by motor vehicle" means any person who or which under the special and individual contract or agreements, and whether directly or by a lease or any other arrangement, transports passengers or property in interstate or intrastate commerce on the public highways of this state by motor vehicle for compensation. The term "contract carrier by motor vehicle" shall not include passenger buses operating wholly within the corporate limits of a municipality in this state or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(21) "Private commercial and noncommercial carrier of property by motor vehicle" means any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle," who or which transports in interstate or intrastate commerce on the public highways of this state by motor vehicle, property of which such person is the owner, lessee, or bailee, other than for hire. The term "private commercial and noncommercial carrier of private property by motor vehicle" shall not include passenger buses operated wholly within the corporate limits of a municipality of this state, or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

Haulers of fertilizer shall be classified as private commercial carriers of property by motor vehicle.

(22) "Private carrier of passengers" means all other passenger motor vehicle carriers not included in the above definitions. The term "private carrier of passengers" shall not include passenger buses operating wholly within the corporate limits of a municipality in this state, or not exceeding five (5) miles beyond the corporate limits of the municipality, and hearses, ambulances, and school buses as such. In addition, this definition shall not include taxicabs.

(23) "Operator" means any person, partnership, joint-stock company or corporation operating on the public highways of the state one or more motor vehicles as the beneficial owner or lessee.

(24) "Driver" means the person actually driving or operating such motor vehicle at any given time.

(25) "Private carrier of property" means any person transporting property on the highways of this state as defined below:

(i) Any person, or any employee of such person, transporting farm products, farm supplies, materials and/or equipment used in the growing or production of his own agricultural products in his own truck.

(ii) Any person transporting his own fish, including shellfish, in his own truck.

(iii) Any person, or any employee of such person, transporting unprocessed forest products, or timber harvesting equipment wherein ownership remains the same, in his own truck.

(26) "Taxicab" means any passenger motor vehicle for hire with a seating capacity not greater than ten (10) passengers. For purposes of this paragraph (26), seating capacity shall be determined according to the manufacturer's suggested seating capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(27) "Passenger coach" means any passenger motor vehicle with a seating capacity greater than ten (10) passengers, operating wholly within the corporate limits of a municipality of this state or within five (5) miles of the corporate limits of the municipality, or motor vehicles substituted for abandoned electric railway systems in or between municipalities. For purposes of this paragraph (27), seating capacity shall be determined according to the manufacturer's suggested seating capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(28) "Empty weight" means the actual weight of a vehicle including fixtures and equipment necessary for the transportation of load hauled or to be hauled.

(29) "Gross weight" means the empty weight of the vehicle, as defined herein, plus any load being transported or to be transported.

(30) "Ambulance and hearse" shall have the meaning generally ascribed to them. A hearse or funeral coach shall be classified as a light carrier of property, as defined in Section 27-51-101.

(31) "Regular seats" means each seat ordinarily and customarily used by one (1) passenger, including all temporary, emergency, and collapsible seats. Where any seats are not distinguished or separated by separate cushions and backs, a seat shall be counted for each eighteen (18) inches of space on such seats or major fraction thereof. In the case of a regular passenger-type automobile which is used as a common or contract carrier of passengers, three (3) seats shall be counted for the rear seat of such automobile and one (1) seat shall be counted for the front seat of such automobile.

(32) "Ton" means two thousand (2,000) pounds avoirdupois.

(33) "Bus" means any passenger vehicle with a seating capacity of more than ten (10) but shall not include "private carrier of passengers" and "school bus" as defined in paragraphs (15) and (22) of this section. For purposes of this paragraph (33), seating capacity shall be determined according to the manufacturer's suggested seating

capacity for a vehicle. If there is no manufacturer's suggested seating capacity for a vehicle, the seating capacity for the vehicle shall be determined according to regulations established by the Department of Revenue.

(34) "Corporate fleet" means a group of two hundred (200) or more marked private carriers of passengers or light carriers of property, as defined in Section 27-51-101, trailers, semitrailers, or motor vehicles in excess of ten thousand (10,000) pounds gross vehicle weight, except for those vehicles registered for interstate travel, owned or leased on a long-term basis by a corporation or other legal entity. In order to be considered marked, the motor vehicle must have a name, trademark or logo located either on the sides or the rear of the vehicle in sharp contrast to the background, and of a size, shape and color that is legible during daylight hours from a distance of fifty (50) feet.

(35) "Individual fleet" means a group of five (5) or more private carriers of passengers or light carriers of property, as defined in Section 27-51-101, owned or leased by the same person and principally garaged in the same county.

(36) "Trailer fleet" means a group of fifty (50) or more utility trailers each with a gross vehicle weight of six thousand (6,000) pounds or less.

(b) (1) No lease shall be recognized under the provisions of this article unless it shall be in writing and shall fully define a bona fide relationship of lessor and lessee, signed by both parties, dated and be in the possession of the driver of the leased vehicle at all times.

(2) Leased vehicles shall be considered as domiciled at the place in the State of Mississippi from which they operate in interstate or intrastate commerce, and for the purposes of this article shall be considered as owned by the lessee, who shall furnish all insurance on the vehicles and the driver of the vehicles shall be considered as an agent of the lessee for all purposes of this article.

SECTION 5. Section 27-51-5, Mississippi Code of 1972, is amended as follows:

27-51-5. The subject words and terms of this section, for the purpose of this chapter, shall have meanings as follows:

(a) "Motor vehicle" means any device and attachments supported by one or more wheels which is propelled or drawn by any power other than muscular power over the highways, streets or alleys of this state. The term "motor vehicle" shall not include electric bicycles \* \* \*, personal delivery devices or electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1. However, mobile homes which are detached from any self-propelled vehicles and parked on land in the state are hereby expressly exempt from the motor vehicle ad valorem taxes, but house trailers which are actually in transit and which are not parked for more than an overnight stop are not exempted.

(b) "Public highway" means and includes every way or place of whatever nature, including public roads, streets and alleys of this state generally open to the use of the public or to be opened or reopened to the use of the public for the purpose of vehicular travel, notwithstanding that the same may be temporarily closed for the purpose of construction, reconstruction, maintenance, or repair.

(c) "Administrator of the road and bridge privilege tax law" means the official authorized by law to administer the road and bridge privilege tax law of this state.

SECTION 6. Section 63-3-103, Mississippi Code of 1972, is amended as follows:

63-3-103. (a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

(b) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles.

(c) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor. The term "motorcycle" includes motor scooters as defined in subsection (j) of this section. The term "motorcycle" shall not include electric bicycles or personal delivery devices.

(d) "Authorized emergency vehicle" means every vehicle of the fire department (fire patrol), every police vehicle, every 911 Emergency Communications District vehicle, every such ambulance and special use EMS vehicle as defined in Section 41-59-3, every Mississippi Emergency Management Agency vehicle as is designated or authorized by the Executive Director of MEMA and every emergency vehicle of municipal departments or public service corporations as is designated or authorized by the commission or the chief of police of an incorporated city.

(e) "School bus" means every motor vehicle operated for the transportation of children to or from any school, provided same is plainly marked "School Bus" on the front and rear thereof and meets the requirements of the State Board of Education as authorized under Section 37-41-1.

(f) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle and includes travel trailers, fifth-wheel trailers, camping trailers, truck campers and motor homes.

(g) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(h) "Electric assistive mobility device" means a self-balancing two-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour.

(i) "Autocycle" means a three-wheel motorcycle with a steering wheel, nonstraddle seating, rollover protection and seat belts.

(j) "Motor scooter" means a two-wheeled vehicle that has a seat for the operator, one (1) wheel that is ten (10) inches or more in diameter, a step-through chassis, a motor with a rating of two and seven-tenths (2.7) brake horsepower or less if the motor is an internal combustion engine, an engine of 50cc or less and otherwise meets all safety requirements of motorcycles. The term "motor scooter" shall not include electric bicycles or personal delivery devices.

(k) "Platoon" means a group of individual motor vehicles traveling in a unified manner at electronically coordinated speeds at following distances that are closer than would be reasonable and prudent without such coordination.

(l) "Electric bicycle" means a bicycle or tricycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than seven hundred fifty (750) watts that meets the requirements of one (1) of the following three (3) classes:

(i) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(ii) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(iii) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(m) "Personal delivery device" means a device:

(i) Solely powered by an electric motor;

(ii) Intended to be operated primarily on sidewalks, crosswalks, and other pedestrian areas to transport cargo;

(iii) Intended primarily to transport property on public rights-of-way, and not intended to carry passengers; and

(iv) Capable of navigating with or without the active control or monitoring of a natural person.

(n) "Personal delivery device operator" means a person or entity that exercises physical control or monitoring over the operation of a personal delivery device, excluding a person or entity that requests or receives the services of a personal delivery device, arranges for or dispatches the requested services of a personal delivery device, or stores, charges or maintains a personal delivery device.

SECTION 7. Section 63-15-3, Mississippi Code of 1972, is amended as follows:

63-15-3. The following words and phrases, when used in this chapter, shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(a) "Highway" means the entire width between property lines of any road, street, way, thoroughfare or bridge in the State of Mississippi not privately owned or controlled, when any part thereof is open to the public for vehicular traffic and over which the state has legislative jurisdiction under its police power.

(b) "Judgment" means any judgment which shall have become final by expiration, without appeal, of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

(c) "Motor vehicle" means every self-propelled vehicle (other than traction engines, road rollers and graders, tractor cranes, power shovels, well drillers, implements of husbandry, electric bicycles, personal delivery devices and electric personal assistive mobility devices as defined in Section 63-3-103) which is designed for use upon a highway, including trailers and semitrailers designed for use with such vehicles, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails.

For purposes of this definition, "implements of husbandry" shall not include trucks, pickup trucks, trailers and semitrailers designed for use with such trucks and pickup trucks.

(d) "License" means any driver's, operator's, commercial operator's, or chauffeur's license, temporary instruction permit or temporary license, or restricted license, issued under the laws of the State of Mississippi pertaining to the licensing of persons to operate motor vehicles.

(e) "Nonresident" means every person who is not a resident of the State of Mississippi.

(f) "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of Mississippi pertaining to the operation by him of a motor vehicle, or the use of a motor vehicle owned by him, in the State of Mississippi.

(g) "Operator" means every person who is in actual physical control of a motor vehicle.

(h) "Owner" means a person who holds the legal title of a motor vehicle; in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.

(i) "Person" means every natural person, firm, copartnership, association or corporation.

(j) "Proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, in the amount of Fifty Thousand Dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of Twenty-five Thousand Dollars (\$25,000.00) because of injury to or destruction of property of others in any one (1) accident. Liability insurance required under this paragraph (j) may contain exclusions and limitations on coverage as long as the exclusions and limitations language or form has been filed with and approved by the Commissioner of Insurance.

(k) "Registration" means a certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles.

(l) "Department" means the Department of Public Safety of the State of Mississippi, acting directly or through its authorized officers and agents, except in such sections of this chapter in which some other state department is specifically named.

(m) "State" means any state, territory or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

SECTION 8. Section 63-17-55, Mississippi Code of 1972, is amended as follows:

63-17-55. The following words, terms and phrases, when used in the Mississippi Motor Vehicle Commission Law, shall have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Motor vehicle" means any motor-driven vehicle of the sort and kind required to have a Mississippi road or bridge privilege license, and shall include, but not be limited to, motorcycles. "Motor vehicle" shall also mean an engine, transmission, or rear axle manufactured for installation in a vehicle having as its primary purpose the transport of person or persons or property on a public highway and having a gross vehicle weight rating of more than sixteen thousand (16,000) pounds, whether or not attached to a vehicle chassis. The term "motor vehicle" excludes electric bicycles and personal delivery devices.

(b) "Motor vehicle dealer" or "dealer" means any person, firm, partnership, copartnership, association, corporation, trust or legal entity, not excluded by paragraph (c) of this section, who holds a bona fide contract or franchise in effect with a manufacturer, distributor or wholesaler of new motor vehicles, and a license under the provisions of the Mississippi Motor Vehicle Commission Law, and such duly franchised and licensed motor vehicle dealers shall be the sole and only persons, firms, partnerships, copartnerships, associations, corporations, trusts or legal entities entitled to sell and publicly or otherwise solicit and advertise for sale new motor vehicles as such.

(c) The term "motor vehicle dealer" does not include:

(i) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under judgment, decree or order of any court;

(ii) Public officers while performing their duties as such officers;

(iii) Employees of persons, corporations or associations enumerated in paragraph (c)(i) of this section when engaged in the specific performance of their duties as such employees; or

(iv) A motor vehicle manufacturer operating a project as defined in Section 57-75-5(f)(iv)1; and the provisions of the Mississippi Motor Vehicle Commission Law shall not apply to:

1. a. Any lease by such a motor vehicle manufacturer of three (3) or fewer motor vehicles at any one time and related vehicle maintenance, of any line of vehicle produced by the manufacturer or its subsidiaries, to any one (1) employee of the motor vehicle manufacturer on a direct basis; or

b. Any sale or other disposition of such motor vehicles by the motor vehicle manufacturer at the end of a lease through direct sales to employees of the manufacturer or through an open auction or auction limited to dealers of the manufacturer's vehicle line or its subsidiaries' vehicle lines; or

2. Any sale or other disposition by such a motor vehicle manufacturer of motor vehicles for which the manufacturer obtained distinguishing number tags under Section 27-19-309(8).

(d) "New motor vehicle" means a motor vehicle which has not been previously sold to any person except a distributor or wholesaler or motor vehicle dealer for resale.

(e) "Ultimate purchaser" means, with respect to any new motor vehicle, the first person, other than a motor vehicle dealer purchasing in his capacity as such dealer, who in good-faith purchases such new motor vehicle for purposes other than for resale.

(f) "Retail sale" or "sale at retail" means the act or attempted act of selling, bartering, exchanging or otherwise disposing of a new motor vehicle to an ultimate purchaser for use as a consumer.

(g) "Motor vehicle salesman" means any person who is employed as a salesman by a motor vehicle dealer whose duties include the selling or offering for sale of new motor vehicles.

(h) "Commission" means the Mississippi Motor Vehicle Commission.

(i) "Manufacturer" means any person, firm, association, corporation or trust, resident or nonresident, who manufactures or assembles new motor vehicles.

(j) "Distributor" or "wholesaler" means any person, firm, association, corporation or trust, resident or nonresident, who, in whole or in part, sells or distributes new motor vehicles to motor vehicle dealers, or who maintains distributor representatives.

(k) "Factory branch" means a branch or division office maintained by a person, firm, association, corporation or trust who manufactures or assembles new motor vehicles for sale to distributors or wholesalers, to motor vehicle dealers, or for directing or supervising, in whole or in part, its representatives.

(l) "Distributor branch" means a branch or division office similarly maintained by a distributor or wholesaler for the same purposes a factory branch or division is maintained.

(m) "Factory representative" means a representative employed by a person, firm, association, corporation or trust who manufactures or assembles new motor vehicles, or by a factory branch, for the purpose of making or promoting the sale of his, its or their new motor vehicles, or for supervising or contacting his, its or their dealers or prospective dealers.

(n) "Distributor representative" means a representative similarly employed by a distributor, distributor branch or wholesaler.

(o) "Person" means and includes, individually and collectively, individuals, firms, partnerships, copartnerships, associations, corporations and trusts, or any other forms of business enterprise, or any legal entity.

(p) "Good faith" means the duty of each party to any franchise agreement, and all officers, employees or agents of such party, to act in a fair and equitable manner toward each other in the performance of the respective obligations under the franchise agreement.

(q) "Coerce" means to compel or attempt to compel by threat or duress. However, recommendation, exposition, persuasion, urging or argument shall not be deemed to constitute coercion.

(r) "Special tools" are those which a dealer was required to purchase by the manufacturer or distributor for service on that manufacturer's product.

(s) "Motor vehicle lessor" means any person, not excluded by paragraph (c) of this section, engaged in the motor vehicle leasing or rental business.

(t) "Specialty vehicle" means a motor vehicle manufactured by a second stage manufacturer by purchasing motor vehicle components, e.g. frame and drive train, and completing the manufacturer of finished motor vehicles for the purpose of resale with the primary manufacturer warranty unimpaired, to a limited commercial market rather than the consuming public. Specialty vehicles include garbage trucks, ambulances, fire trucks, buses, limousines, hearses and other similar limited purpose vehicles as the commission may by regulation provide.

(u) "Auto auction" means (i) any person who provides a place of business or facilities for the wholesale exchange of motor vehicles by and between duly licensed motor vehicle dealers, (ii) any motor vehicle dealer licensed to sell used motor vehicles selling motor vehicles using an auction format but not on consignment, or (iii) any person who provides the facilities for or is in the business of selling in an auction format motor vehicles.

(v) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(w) "Dealer-operator" means the individual designated in the franchise agreement as the operator of the motor vehicle dealership.

(x) "Franchise" or "franchise agreement" means a written contract or agreement between a motor vehicle dealer and a manufacturer or its distributor or factory branch by which the motor vehicle dealer is authorized to engage in the business of selling or leasing the specific makes, models or classifications of new motor vehicles marketed or leased by the manufacturer and designated in the agreement or any addendum to such agreement.

(y) "Net cost" means the price the motor vehicle dealer pays for new motor vehicles, supplies, parts, equipment, signs, furnishings and special tools, minus any applicable discounts or subsidies obtained by the motor vehicle dealer.

(z) "Line or make" means a collection of models, series, or groups of motor vehicles manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease or distribution pursuant to a common trademark, service mark or brand name; however:

(i) Multiple brand names or marks may constitute a single line or make, but only when included in a common motor vehicle dealer agreement and the manufacturer, distributor or importer offers such vehicles bearing the multiple names of marks together only, and not separately, to its authorized motor vehicle dealers.

(ii) Motor vehicles bearing a common brand name or mark may constitute separate line or makes when such vehicles are of different vehicle types or are intended for different types of use, provided that either:

1. The manufacturer has expressly defined or covered the subject line or makes of vehicles as separate and distinct line or makes in the applicable dealer agreements; or

2. The manufacturer has consistently characterized the subject vehicles as constituting separate and distinct line or makes to its dealer network.

(aa) "Site-control agreement" or "exclusive use agreement" means an agreement that, regardless of its name, title, form or the parties entering into it, has the effect of:

(i) Controlling the use and development of the premises of a motor vehicle dealer's franchise or facilities;

(ii) Requiring a motor vehicle dealer to establish or maintain an exclusive motor vehicle dealership facility on the premises of the motor vehicle dealer's franchise or facility;

(iii) Restricting the power or authority of the dealer or the lessor, if the motor vehicle dealer leases the dealership premises, to transfer, sell, lease, develop, redevelop or change the use of the dealership premises, whether by sublease, lease,

collateral pledge of lease, right of first refusal to purchase or lease, option to purchase or lease or any similar arrangement; or

(iv) Establishing a valuation process or formula for the motor vehicle dealership premises that does not allow for the motor vehicle dealership premises to be transferred, sold or leased by the motor vehicle dealer at the highest and best use valuation for the motor vehicle dealership premises.

(bb) "Market area" means the area of responsibility set forth in the franchise agreement.

(cc) "Core parts" means those original vehicle manufacturer parts that are listed in the original vehicle manufacturer's or distributor's current parts catalog, for which there is a core charge and which are returnable to the manufacturer or distributor.

(dd) "Pre-delivery preparation obligations" means all work and services, except warranty work, performed on new motor vehicles by motor vehicle dealers at the direction of the vehicle manufacturer prior to the delivery of such vehicles to the first retail consumer.

(ee) "Warranty work" means all labor, including that of a diagnostic character, performed, and all parts, including original or replacement parts, and components, including engine, transmission, and other parts assemblies, installed by motor vehicle dealers on motor vehicles which are reasonably incurred by motor vehicle dealers (other than the incidental expenses incurred in performing labor and installing parts on motor vehicles) in fulfilling a manufacturer's obligations under a new motor vehicle warranty, a recall, or a certified pre-owned warranty, to consumers, including, but not limited to, the expense of shipping or returning defective parts to the manufacturer, when required by the manufacturer.

(ff) "Repair order" means an invoice, paid by a retail customer, and closed as of the time of submission, encompassing one or more repairs to a new motor vehicle, and reflecting, in the case of a parts mark-up submission, the cost of each part and the sale price thereof, and in the case of a labor rate submission, the total charges for labor and the total number of hours that produced such charges, which invoice may be submitted in electronic form.

(gg) "Qualified repair" means a repair to a motor vehicle, paid by a retail customer, which would have come within the manufacturer's new motor vehicle warranty, but for the motor vehicle having exceeded the chronological or mileage limit of such warranty, and which does not constitute any of the work encompassed by subsection (4) of Section 63-17-86.

(hh) "Qualified repair order" means a repair order which encompasses, in whole or in part, a qualified repair or repairs.

SECTION 9. Section 63-17-155, Mississippi Code of 1972, is amended as follows:

63-17-155. As used in Sections 63-17-151 through 63-17-165, the following terms shall have the following meanings:

(a) "Collateral charges" means those additional charges to a consumer which are not directly attributable to the manufacturer's suggested retail price label for the motor vehicle. Collateral charges shall include, but not be limited to, dealer preparation charges, undercoating charges, transportation charges, towing charges, replacement car rental costs and title charges.

(b) "Comparable motor vehicle" means an identical or reasonably equivalent motor vehicle.

(c) "Consumer" means the purchaser, other than for purposes of resale, of a motor vehicle, primarily used for personal, family, or household purposes, and any person to whom such motor vehicle is transferred for the same purposes during the duration of an express warranty applicable to such motor vehicle, and any other person entitled by the terms of such warranty to enforce the obligations of the warranty.

(d) "Express warranty" means any written affirmation of fact or promise made in connection with the sale of a motor vehicle by a supplier to a consumer which relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect-free or will meet a specified level of performance over a specified period of time. For the purposes of Section 63-17-151 et seq., express warranties do not include implied warranties.

(e) "Manufacturer" means a manufacturer or distributor as defined in Section 63-17-55.

(f) "Motor vehicle" means a vehicle propelled by power other than muscular power which is sold in this state, is operated over the public streets and highways of this state and is used as a means of transporting persons or property, but shall not include vehicles run only upon tracks, off-road vehicles, motorcycles, mopeds, electric bicycles, personal delivery devices, electric personal assistive mobility devices as defined in Section 63-3-103, or golf carts or low-speed vehicles as defined in Section 63-32-1, or parts and components of a motor home which were added on and/or assembled by the manufacturer of the motor home. "Motor vehicle" shall include demonstrators or lease-purchase vehicles as long as a manufacturer's warranty was issued as a condition of sale.

(g) "Purchase price" means the price which the consumer paid to the manufacturer to purchase the motor vehicle in a cash sale or, if the motor vehicle is purchased in a retail installment transaction, the cash sale price as defined in Section 63-19-3.

SECTION 10. Section 63-19-3, Mississippi Code of 1972, is amended as follows:

63-19-3. The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context or subject matter otherwise requires:

(a) "Motor vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of less than fifteen thousand (15,000) pounds, but shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles as defined in Section 63-3-103.

(b) "Commercial vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of fifteen thousand (15,000) pounds or more; however, wherever "motor vehicle" appears in this chapter, except in Section 63-19-43, the same shall be construed to include commercial vehicles where such construction is necessary in order to give effect to this chapter.

(c) "Retail buyer" or "buyer" means a person who buys a motor vehicle or commercial vehicle from a retail seller, not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(d) "Retail seller" or "seller" means a person who sells a motor vehicle or commercial vehicle to a retail buyer under or subject to a retail installment contract.

(e) The "holder" of a retail installment contract means the retail seller of the motor vehicle or commercial vehicle under or subject to the contract or if the contract is purchased by a sales finance company or other assignee, the sales finance company or other assignee.

(f) "Retail installment transaction" means any transaction evidenced by a retail installment contract entered into between a retail buyer and a retail seller wherein the retail buyer buys a motor vehicle or commercial vehicle from the retail seller at a time price payable in one or more deferred installments. The cash sale price of the motor vehicle or commercial vehicle, the amount included for insurance and other benefits if a separate charge is made therefor, official fees and the finance charge shall together constitute the time price.

(g) "Retail installment contract" or "contract" means an agreement entered into in this state pursuant to which the title to or a lien upon the motor vehicle or commercial vehicle which is the subject matter of a retail installment transaction is retained or taken by a retail seller from a retail buyer as security for the buyer's obligation. The term includes a chattel mortgage, a conditional sales contract and a contract for the bailment or leasing of a motor vehicle or commercial vehicle by which the bailee or lessee contracts to pay as compensation for its use a sum substantially equivalent to or in excess of its value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the motor vehicle upon full compliance with the provisions of the contract.

(h) "Cash sale price" means the price stated in a retail installment contract for which the seller would have sold to the buyer, and the buyer would have bought from the seller, the motor vehicle or commercial vehicle which is the subject matter of the retail installment contract, if such sale had been a sale for cash instead of a retail installment transaction. The cash sale price may include any taxes, registration, certificate of title, if any, license and other fees and charges for accessories and their installation and for delivery, servicing, repairing or improving the motor vehicle or commercial vehicle.

(i) "Official fees" means the fees prescribed by law for filing, recording or otherwise perfecting and releasing or satisfying a retained title or a lien created by a retail installment contract, if recorded.

(j) "Finance charge" means the amount agreed upon between the buyer and the seller, as limited in this chapter, to be added to the aggregate of the cash sale price, the amount, if any, included for insurance and other benefits and official fees, in determining the time price.

(k) "Sales finance company" means a person engaged, in whole or in part, in the business of purchasing retail installment contracts from one or more retail sellers. The term includes, but is not limited to, a bank, trust company, private banker, industrial bank or investment company, if so engaged. The term also includes a retail seller engaged, in whole or in part, in the business of creating and holding retail installment contracts which exceed a total aggregate outstanding indebtedness of Five Hundred Thousand Dollars (\$500,000.00). The term does not include the pledgee to whom is pledged one or more of such contracts to secure a bona fide loan thereon.

(l) "Person" means an individual, partnership, corporation, association and any other group however organized.

(m) "Administrator" means the Commissioner of Banking and Consumer Finance or his duly authorized representative.

(n) "Commissioner" means the Commissioner of Banking and Consumer Finance.

(o) "Records" or "documents" means any item in hard copy or produced in a format of storage commonly described as electronic, imaged, magnetic, microphotographic or otherwise, and any reproduction so made shall have the same force and effect as the original thereof and be admitted in evidence equally with the original.

Words in the singular include the plural and vice versa.

SECTION 11. Section 63-21-5, Mississippi Code of 1972, is amended as follows:

63-21-5. The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning:

(a) "State Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Dealer" means every person engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semitrailers, trucks, tractors or other character of commercial or industrial motor vehicles in this state, and having in this state an established place of business as defined in Section 27-19-303, Mississippi Code of 1972. The term "dealer" shall also mean every person engaged regularly in the business of buying, selling or exchanging manufactured housing in this state, and licensed as a dealer of manufactured housing by the Mississippi Department of Insurance.

(c) "Designated agent" means each county tax collector in this state who may perform his duties under this chapter either personally or through any of his deputies, or such other persons as the Department of Revenue may designate. The term shall also mean those "dealers" as herein defined and/or their officers and employees and other persons who are appointed by the Department of Revenue in the manner provided in Section 63-21-13, Mississippi Code of 1972, to perform the duties of "designated agent" for the purposes of this chapter.

(d) "Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

(e) "Vehicle identification number" means the numbers and letters on a vehicle, manufactured home or mobile home designated by the manufacturer or assigned by the Department of Revenue for the purpose of identifying the vehicle, manufactured home or mobile home.

(f) "Lien" means every kind of written lease which is substantially equivalent to an installment sale or which provides for a right of purchase; conditional sale; reservation of title; deed of trust; chattel mortgage; trust receipt; and every other written agreement or instrument of whatever kind or character whereby an interest other than absolute title is sought to be held or given on a motor vehicle, manufactured home or mobile home.

(g) "Lienholder" means any natural person, firm, copartnership, association or corporation holding a lien as herein defined on a motor vehicle, manufactured home or mobile home.

(h) "Manufactured housing" or "manufactured home" means any structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three

hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such terms shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USCS, Section 5401.

(i) "Manufacturer" means any person regularly engaged in the business of manufacturing, constructing or assembling motor vehicles, manufactured homes or mobile homes, either within or without this state.

(j) "Mobile home" means any structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein and manufactured prior to June 15, 1976. Any mobile home designated as realty on or before July 1, 1999, shall continue to be designated as realty so that a security interest will be made by incorporating such mobile home in a deed of trust.

(k) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a farm tractor, personal delivery device and electric bicycle.

(l) "Motor vehicle" means every automobile, motorcycle, mobile trailer, semitrailer, truck, truck tractor, trailer and every other device in, upon, or by which any person or property is or may be transported or drawn upon a public highway which is required to have a road or bridge privilege license, except such as is moved by animal power or used exclusively upon stationary rails or tracks, and excepting electric bicycles and personal delivery devices.

(m) "New vehicle" means a motor vehicle, manufactured home or mobile home which has never been the subject of a first sale for use.

(n) "Used vehicle" means a motor vehicle, manufactured home or mobile home that has been the subject of a first sale for use, whether within this state or elsewhere.

(o) "Owner" means a person or persons holding the legal title of a vehicle, manufactured home or mobile home; in the event a vehicle, manufactured home or mobile home is the subject of a deed of trust or a chattel mortgage or an agreement for the conditional sale or lease thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the grantor in the deed of trust, mortgagor, conditional vendee or lessee, the grantor, mortgagor, conditional vendee or lessee shall be deemed the owner for the purpose of this chapter.

(p) "Person" includes every natural person, firm, copartnership, association or corporation.

(q) "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, boats or structural

members capable generally of sustaining themselves as beams between the supporting connections.

(r) "Security agreement" means a written agreement which reserves or creates a security interest.

(s) "Security interest" means an interest in a vehicle, manufactured home or mobile home reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is "perfected" when it is valid against third parties generally, subject only to specific statutory exceptions.

(t) "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to: ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes, vehicles so constructed that they exceed eight (8) feet in width and/or thirteen (13) feet six (6) inches in height, and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(u) "Nonresident" means every person who is not a resident of this state.

(v) "Current address" means a new address different from the address shown on the application or on the certificate of title. The owner shall within thirty (30) days after his address is changed from that shown on the application or on the certificate of title notify the department of the change of address in the manner prescribed by the department.

(w) "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation; but shall not include any auxiliary instrument designed to be reset by the operator of the motor vehicle for the purpose of recording the distance traveled on trips.

(x) "Odometer reading" means the actual cumulative distance traveled disclosed on the odometer.

(y) "Odometer disclosure statement" means a statement certified by the owner of the motor vehicle to the transferee or to the department as to the odometer reading.

(z) "Mileage" means actual distance that a vehicle has traveled.

(aa) "Trailer" means every vehicle other than a "pole trailer" as defined in this chapter without motive power designed to be drawn by another vehicle and attached to the towing vehicle for the purpose of hauling goods or products. The term "trailer" shall not refer to any structure, transportable in one or more sections regardless of size, when erected on site, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein regardless of the date of manufacture.

(bb) "Salvage mobile home" or "salvage manufactured home" means a mobile home or manufactured home for which a certificate of title has been issued that an insurance company obtains from the owner as a result of paying a total loss claim resulting from collision, fire, flood, wind or other occurrence. The term "salvage mobile home" or

"salvage manufactured home" does not mean or include and is not applicable to a mobile home or manufactured home that is twenty (20) years old or older.

(cc) "Salvage certificate of title" means a document issued by the department for a salvage mobile home or salvage manufactured home as defined in this chapter.

(dd) "All-terrain vehicle" means a motor vehicle that is designed for off-road use and is not required to have a motor vehicle privilege license. The term "all-terrain vehicle" shall not include electric bicycles.

SECTION 12. Section 1 of this act shall be codified in Title 63, Chapter 3, Mississippi Code of 1972.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE AND PROVIDE FOR THE REGULATION OF THE USE OF PERSONAL DELIVERY DEVICES IN PEDESTRIAN AREAS; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jenifer B. Branning	Charles Busby
Josh Harkins	Steve Massengill
Nicole Boyd	Shanda Yates

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2508** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins moved that the rules be suspended to move to calendar item 210, **S. B. No. 2461**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2461** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2461: Landlord-tenant law; revise provisions of to create procedures and protection for evictions.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 89-8-31, Mississippi Code of 1972:

89—8-31. A landlord may commence proceedings to evict a tenant:

(a) For breach of the rental agreement or for violation of this chapter pursuant to Section 89-8-13; or

(b) For failing to vacate after the expiration of the rental agreement pursuant to Sections 89-8-17 and 89-8-19.

SECTION 2. The following shall be codified as Section 89-8-33, Mississippi Code of 1972:

89-8-33. To commence an eviction under Section 89-8-31, the landlord shall file:

(a) A sworn affidavit or complaint, based upon the terms of the rental agreement, that:

(i) States the facts requiring the removal of the tenant;

(ii) Identifies the address of the dwelling unit and, if applicable, the amount of rent and any additional fees owed; and

(b) (i) A copy of the written notice of breach delivered to the tenant pursuant to Section 89-8-13; or

(ii) A copy of the written notice to terminate the tenancy delivered to the tenant pursuant to Sections 89-8-17 and 89-8-19.

SECTION 3. The following shall be codified as Section 89-8-35, Mississippi Code of 1972:

89-8-35. (1) Upon the filing of the sworn affidavit or complaint, a summons shall be issued for service upon the person in possession of the identified premises or claiming possession thereof. The summons shall command such person to immediately vacate the premises or to show cause before the judge, on a day to be named in the summons, why possession of the premises should not be delivered to the applicant.

(2) In addition to the information required by subsection (1) of this section and the applicable Mississippi Rules of Court, the summons shall state:

"You are being sued for eviction. At the eviction hearing, the judge will determine if the landlord is entitled to possession of your rental unit.

If the landlord is granted possession of the rental unit, then you will have at least seven (7) days from the date of the judgment to move out, unless a shorter or longer period of time for vacating the premises is ordered because of an emergency or other compelling circumstances.

If the landlord seeks possession based on nonpayment of rent, you do not have to move out if you pay all the sums owed to the landlord either before the eviction hearing or, afterwards, by the court-ordered move-out date.

If you move out by the date ordered by the court, leaving personal property behind, then the landlord may dispose of such abandoned property without further notice.

If you do not move out by the date and time ordered by the court, the landlord can have you removed by law enforcement, after which you will have seventy-two (72) hours to remove your belongings.

After seventy-two (72) hours, the landlord may remove any personal property remaining on the premises to the curb, an area designated for garbage or some other location agreed to by you and the landlord. You may still retrieve your personal property, but the landlord will have no obligation to preserve the personal property upon removal."

(3) Service of summons shall be pursuant to applicable Mississippi Rules of Court.

SECTION 4. The following shall be codified as Section 89-8-37, Mississippi Code of 1972:

89-8-37. (1) In eviction actions, the court shall grant a default judgment to the landlord where:

- (a) The landlord complies with Section 89-8-33;
- (b) Issuance and service of summons is proper;
- (c) The tenant fails to appear; and
- (d) The landlord is otherwise entitled to a judgment under law.

(2) In eviction actions, the court shall grant judgment to the landlord where:

- (a) The landlord complies with Section 89-8-33;
- (b) The judge finds that the tenant failed to present a valid defense or counterclaim; and
- (c) The landlord is otherwise entitled to a judgment under law.

(3) In eviction actions, judgments granted by the court shall be signed and executed on the same business day that the judgment is granted.

SECTION 5. The following shall be codified as Section 89-8-39, Mississippi Code of 1972:

89-8-39. (1) If a judgment of possession is granted to the landlord, either after a hearing or by default judgment, then the judge shall order the tenant to vacate the premises in seven (7) days from the date of the judgment, unless the court finds that a shorter or longer period of time is justified because of an emergency or other compelling

circumstances. Circumstances that justify setting the move-out date less than seven (7) days from the date of the judgment, include, but are not limited to:

- (a) The tenant has committed a substantial violation of the rental agreement or of this chapter that materially affects health or safety; or
- (b) The tenant poses an immediate and significant risk of damage to the premises or of harm or injury to persons on the premises.

Prior to the court-ordered move-out date, the tenant shall have the same access to the premises as previously allowed under the terms of the rental agreement. If the tenant moves out by the date ordered by the court, leaving personal property behind, then the landlord may dispose of such abandoned property without further notice.

(2) After the court-ordered move-out date, the landlord may request a warrant for removal. Upon such request and the payment of applicable fees, the judge shall, except as otherwise prohibited under subsection (4) of this section, immediately issue a warrant to the sheriff or any constable of the county in which the premises, or some part thereof, are situated, immediately commanding the sheriff or constable to remove all persons from the premises, and to put the landlord into full possession thereof.

(3) After the warrant for removal has been executed, the landlord shall allow the tenant reasonable access to the premises for seventy-two (72) hours to enable the tenant to remove the tenant's personal property, including any manufactured home. If the tenant moves out within seventy-two (72) hours of the execution of the warrant of removal, leaving personal property behind, then the landlord may dispose of such abandoned property without further notice. After said seventy-two (72) hours, the landlord may remove any property remaining on the premises to the curb, an area designated for garbage or some other location agreed to by the tenant and the landlord.

(4) (a) In cases in which the possession judgment is based solely on the tenant's nonpayment of rent, the judge shall not issue a warrant for removal if:

- (i) By the court-ordered move-out date, the tenant has paid in full all unpaid rent and other sums awarded to landlord in the judgment; or
- (ii) After such date, the landlord has accepted payment of such amounts.

(b) A landlord has an obligation of good faith to accept full payment of all sums owed pursuant to the money judgment entered if so tendered on or before the court-ordered move-out date.

SECTION 6. The following shall be codified as Section 89-8-41, Mississippi Code of 1972:

89-8-41. (1) The court may, at the request of either party, adjourn a hearing under this chapter from time to time.

(2) A single adjournment shall not exceed ten (10) days, except by consent of both the landlord and tenant. When an adjournment is granted, the court may issue subpoenas and attachments to compel the attendance of witnesses.

(3) In hearings for the removal of the tenant from the premises under this chapter, no adjournment shall extend the entire hearing beyond thirty (30) days from the date the eviction action was filed.

SECTION 7. The following shall be codified as Section 89-8-43, Mississippi Code of 1972:

89-8-43. Appeals from final judgments under this chapter shall be pursuant to applicable Mississippi Rules of Court.

SECTION 8. The following shall be codified as Section 89-8-45, Mississippi Code of 1972:

89-8-45. When a rental agreement with a definite term expires and the tenant fails or refuses to vacate the premises after being notified by the landlord to do so, then the landlord may, if not contradicted by the rental agreement, charge the tenant double the rent for the time that the tenant continues in possession of the premises following the date to vacate the premises specified in the notification.

SECTION 9. Section 89-8-11, Mississippi Code of 1972, is amended as follows:

89-8-11. (1) A landlord may, from time to time, adopt written rules or regulations, however described, concerning the tenant's use and occupancy of the premises. They are enforceable against the tenant only if:

(a) Their purpose is to promote the convenience, safety or welfare of the tenants in the premises, preserve the landlord's property from abuse, or make a fair distribution of services and facilities provided for the tenants generally;

(b) They are reasonably related to the purpose for which they are adopted;

(c) They apply to all tenants in the premises in a fair manner;

(d) They are sufficiently explicit in their prohibition, direction or limitation of the tenant's conduct to fairly inform what must or must not be done to comply;

(e) They are not for the purpose of evading the obligations of the landlord.

(2) A rule or regulation adopted or amended after the tenant enters into the rental agreement is enforceable against the tenant if reasonable notice of its adoption or amendment is given to the tenant and it does not work a substantial modification of the rental agreement.

(3) If the dwelling unit is an apartment in a horizontal property regime, the tenant shall comply with the bylaws of the association of the apartment owners; and if the dwelling unit is an apartment in a cooperative housing corporation, the tenant shall comply with the bylaws of the corporation.

(4) Unless otherwise agreed, the tenant shall occupy the dwelling unit only as a dwelling unit.

SECTION 10. Section 89-8-13, Mississippi Code of 1972, is amended as follows:

89-8-13. (1) If there is a material noncompliance by the tenant with the rental agreement or the obligations imposed by Section 89-8-25, the landlord may terminate the tenancy as set forth herein or resort to any other remedy at law or in equity not prohibited by this chapter.

(2) If there is a material noncompliance by the landlord with the rental agreement or the obligations imposed by Section 89-8-23, the tenant may terminate the tenancy as set out in subsection (3) of this section or resort to any other remedy at law or in equity not prohibited by this chapter.

(3) The nonbreaching party may deliver a notice to the party in breach in writing, or by email or text message if the breaching party has agreed in writing to be notified by

email or text message, specifying the acts and omissions constituting the breach and that the rental agreement will terminate upon a date not less than fourteen (14) days after receipt of the notice if the breach is not remedied within a reasonable time not in excess of fourteen (14) days; and the rental agreement shall terminate and the tenant shall surrender possession as provided in the notice subject to the following:

(a) If the breach is remediable by repairs, the payment of damages, or otherwise, and the breaching party adequately remedies the breach before the date specified in the notice, the rental agreement shall not terminate;

(b) In the absence of a showing of due care by the breaching party, if substantially the same act or omission which constituted a prior noncompliance of which notice was given recurs within six (6) months, the nonbreaching party may terminate the rental agreement upon at least fourteen (14) days' notice in writing, or by email or text message if the breaching party has agreed in writing to be notified by email or text message, specifying the breach and the date of termination of the rental agreement;

(c) \*\*\* A party may not terminate for a condition caused by \*\*\* that party's own deliberate or negligent act or omission or \*\*\* an act or omission by a family member \*\*\* or other person on the premises when done with \*\*\* the consent of the party.

(4) If the rental agreement is terminated, the landlord shall return all prepaid and unearned rent and security recoverable by the tenant under Section 89-8-21.

(5) (a) If the material noncompliance by the tenant is the nonpayment of rent pursuant to the rental agreement, \*\*\* the landlord may deliver a notice in writing or by email or text message if the breaching party has agreed in writing to be notified by email or text message, specifying the rental agreement will terminate if payment of such rent is not made within three (3) days.

(b) Any \*\*\* judge or other judge presiding over a hearing in which a landlord seeks to \*\*\* evict a tenant for the nonpayment of rent shall abide by the provisions of the rental agreement that was signed by the landlord and the defaulting tenant.

(6) \*\*\* The parties' obligations regarding a tenant's personal property, including any manufactured home, \*\*\* shall be governed by Section \*\*\* 89-8-39.

SECTION 11. Section 89-8-19, Mississippi Code of 1972, is amended as follows:

89-8-19. (1) Unless the rental agreement fixes a definite term a tenancy shall be week to week in case of a tenant who pays weekly rent, and in all other cases month to month.

(2) The landlord or the tenant may terminate a week-to-week tenancy by written notice given to the other at least seven (7) days prior to the termination date.

(3) The landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other at least thirty (30) days prior to the termination date.

(4) Notwithstanding the provisions of this section or any other provision of this chapter to the contrary, notice to terminate a tenancy shall not be required to be given when the landlord or tenant has committed a substantial violation of the rental agreement or this chapter that materially affects health \*\*\* or safety.

SECTION 12. Section 89-7-29, Mississippi Code of 1972, is amended as follows:

89-7-29. \* \* \* To commence a civil action under Section 89-7-27, the landlord shall file a sworn affidavit or complaint, based upon the terms of the rental agreement that:

- (a) States the facts requiring the removal of the tenant;
- (b) Identifies the address of, or otherwise describes, the premises and, if applicable, the amount of rent and any additional fees owed;
- (c) Declares that the necessary notice has been given to terminate the tenancy; and
- (d) Identifies any specific items of tenant property located at the premises as to which the landlord asserts a valid lien and has commenced, or is commencing, proceedings governed by Section 89-7-51 et seq., Mississippi Code of 1972.

SECTION 13. Section 89-7-27, Mississippi Code of 1972, is amended as follows:

89-7-27. A tenant or lessee at will or at sufferance, or for part of a year, or for one or more years, of \* \* \* premises or other lands not constituting a dwelling unit as defined in Section 89-8-7(b), and the assigns, undertenants, or legal representatives of such tenant or lessee, shall be removed from the premises by the justice court judge \* \* \*, county court judge or circuit court judge where the premises, or some part thereof, are situated, in the following cases, to wit:

First. Where such tenant shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his possessory term, without the permission of the landlord.

Second. After any default in the payment of the rent pursuant to the agreement under which such premises are held, \* \* \* and three (3) days' notice, in writing, requiring the payment of such rent or the possession of the premises, shall have been served by the person entitled to the rent on the person who owes the rent. Notice of default by email or text message is proper if the tenant has agreed in writing to be notified by that means.

Third. If a written agreement between the landlord and tenant exists, any event calling for eviction in the rental agreement may trigger the eviction process under this section. Notice of default by email or text message is proper if the \* \* \* tenant has agreed in writing to be notified by that means.

SECTION 14. Section 89-7-31, Mississippi Code of 1972, is amended as follows:

89-7-31. (1) \* \* \* Upon the filing of the sworn affidavit or complaint, a summons shall be issued for service upon the person in possession of the identified premises or claiming possession thereof. The summons shall command such person to immediately vacate the premises or to show cause before the judge, on a day to be named in the summons, why possession of the premises should not be delivered to the applicant.

(2) In addition to \* \* \* the information required \* \* \* by subsection (1) of this section and the applicable Mississippi Rules of Court, the summons shall state:

\* \* \* You are being sued for eviction. At the eviction hearing, the judge will determine if the landlord is entitled to possession of your rental unit.

If the landlord is granted possession of the rental unit, then you will have at least seven (7) days from the date of the judgment to move out, unless a shorter or longer period of time for vacating the premises is ordered because of an emergency or other compelling circumstances.

If the landlord seeks possession based on nonpayment of rent, you do not have to move out if you pay all the sums owed to the landlord either before the eviction hearing or, afterwards, by the court-ordered move-out date.

If you move out by the date ordered by the court, leaving property behind, then the landlord may dispose of such abandoned property without further notice.

If you do not move out by the date and time ordered by the court, the landlord can have you removed by law enforcement.

If the landlord has asserted a lien against certain specified items and has commenced proceedings against the items, your right to remove the specified items of property will be addressed by the court.

You will have seventy-two (72) hours after your removal by law enforcement to take your other property not subject to a lien proceeding.

After seventy-two (72) hours, the landlord may remove any personal property remaining on the premises to the curb, an area designated for garbage or some other location agreed to by you and the landlord. You may still retrieve your personal property, but the landlord will have no obligation to preserve the personal property upon removal."

SECTION 15. Section 89-7-33, Mississippi Code of 1972, is amended as follows:

89-7-33. \* \* \* Service of summons shall be pursuant to applicable Mississippi Rules of Court.

SECTION 16. The following shall be codified as Section 89-7-34, Mississippi Code of 1972:

89-7-34. (1) In eviction actions, the court shall grant a default judgment to the landlord where:

- (a) The landlord complies with Section 89-7-29;
- (b) Issuance and service of summons is proper;
- (c) The tenant fails to appear; and
- (d) The landlord is otherwise entitled to a judgment under law.

(2) In eviction actions, the court shall grant judgment to the landlord where:

- (a) The landlord complies with Section 89-7-29;
- (b) The judge finds that the tenant failed to present a valid defense or counterclaim; and
- (c) The landlord is otherwise entitled to a judgment under law.

(3) In eviction actions, judgments granted by the court shall be signed and executed on the same business day that the judgment is granted.

SECTION 17. Section 89-7-35, Mississippi Code of 1972, is amended as follows:

89-7-35. (1) \* \* \* If a judgment of possession is granted to the landlord, either after a hearing or by default judgment, then the judge shall order the tenant to vacate the premises in seven (7) days from the date of the judgment, unless the court finds that a

shorter or longer period of time is justified because of an emergency or other compelling circumstances.

(2) \*\*\* Prior to the court-ordered move-out date, the tenant shall have the same access to the premises as previously allowed under the terms of the rental agreement. Unless the judge has made some other finding regarding property at the premises, the tenant may remove its property during this time. If the tenant has vacated the premises by the court-ordered move-out date, then the landlord may dispose of any property, not addressed by the court, which the tenant leaves behind without further notice to the tenant.

(3) After the court-ordered move-out date, the landlord may request a warrant for removal. Upon such request and the payment of applicable fees, the judge shall, except as otherwise prohibited under subsection (5) of this section, immediately issue a warrant to the sheriff or any constable of the county in which the premises, or some part thereof, are situated, immediately commanding the sheriff or constable to remove all persons from the premises, and to put the landlord into full possession thereof.

(4) Unless the judge has made some other finding regarding property at the premises, the landlord shall allow the tenant reasonable access to the premises for seventy-two (72) hours after the warrant for removal has been executed to enable the tenant to remove the tenant's property, including any manufactured home. All property the tenant leaves on the premises seventy-two (72) hours after the execution of the warrant for removal shall be deemed abandoned and may be disposed of by the landlord without further notice or obligation to the tenant.

(5) In cases in which the possession judgment is based solely on the tenant's nonpayment of rent, the judge shall not issue a warrant for removal, on or before the court-ordered move-out date, if the tenant has paid in full all unpaid rent and other sums owed pursuant to the judgment. A landlord has an obligation of good faith to accept full payment of all sums owed pursuant to the money judgment entered if so tendered on or before the court-ordered move-out date.

SECTION 18. Section 89-7-37, Mississippi Code of 1972, is amended as follows:

89-7-37. The \*\*\* tenant in possession of \*\*\* the premises, or any person claiming possession thereof, may, at or before the time appointed in the summons for showing cause, file an affidavit with \*\*\* the court, denying the facts upon which the summons was issued; and the matters thus controverted may be tried \*\*\*.

SECTION 19. Section 89-7-39, Mississippi Code of 1972, is amended as follows:

89-7-39. The court may, at the request of either party, adjourn \*\*\* a hearing from time to time \*\*\*. A single adjournment shall not \*\*\* exceed ten (10) days, except by consent of both the landlord and tenant. When an adjournment is granted, the court, \*\*\* may issue subpoenas and attachments to compel the attendance of witnesses. However, in hearings for eviction, no adjournment shall extend the entire hearing beyond forty-five (45) days from the date the eviction action was filed.

SECTION 20. Section 89-7-43, Mississippi Code of 1972, is amended as follows:

89-7-43. \*\*\* If a judgment of possession is not granted to the landlord, the judge shall assess costs against the landlord and issue execution therefor.

SECTION 21. Section 89-7-47, Mississippi Code of 1972, is amended as follows:

89-7-47. The \*\*\* judge before whom proceedings shall be had against a tenant holding over, shall keep a full record of \*\*\* the proceedings, and shall carefully preserve

all papers in the cause \* \* \*. Appeals from final judgements under this chapter shall be pursuant to applicable Mississippi Rules of Court.

SECTION 22. Section 89-8-3, Mississippi Code of 1972, is amended as follows:

89-8-3. (1) This chapter shall apply to, regulate and determine rights, obligations and remedies under any rental agreement entered into after July 1, 1991, wherever made, for a dwelling unit located within this state. \* \* \* Any rights, obligations, or remedies at law or in equity not prohibited by this chapter remain available to residential landlords and tenants.

(2) The following arrangements are not governed by this chapter:

(a) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious or similar service;

(b) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to \* \* \* the purchaser's interest;

(c) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(d) Transient occupancy in a hotel, motel or lodgings;

(e) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative; or

(f) Occupancy under a rental agreement covering premises used by the occupant primarily for agricultural purposes or when the occupant is performing agricultural labor for the owner and \* \* \* the premises are rented for less than fair rental value.

SECTION 23. Section 89-8-7, Mississippi Code of 1972, is amended as follows:

89-8-7. (1) \* \* \* As used in this chapter, the following terms shall have the meaning ascribed herein unless the context requires otherwise:

(a) "Building and housing codes" \* \* \* means any law, ordinance, or governmental regulation concerning fitness for habitation, construction, maintenance, operation, occupancy or use of any premises or dwelling unit \* \* \*.

(b) "Court" means a justice court, a county court or a circuit court.

( \* \* \*c) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence or sleeping place by one (1) person who maintains a household or by two (2) or more persons who maintain a common household \* \* \*.

( \* \* \*d) "Good faith" means honesty in fact in the conduct of the transaction concerned and observation of reasonable community standards of fair dealing \* \* \*.

(e) "Judge" means a justice court judge, a county court judge or a circuit court judge.

( \* \* \*f) "Landlord" means the owner, lessor or sublessor of the dwelling unit or the building of which it is a part, or the agent representing such owner, lessor or sublessor \* \* \*.

( \*\*g) "Organization" \*\*\* means a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, two (2) or more persons having a joint or common interest, and any other legal or commercial entity \*\*\*.

( \*\*h) "Owner" means one or more persons, jointly or severally, in whom is vested (i) all or part of the legal title to property or (ii) all or part of the beneficial ownership and a right to present use and enjoyment of the premises, and the term includes a mortgagee in possession \*\*\*.

( \*\*i) "Premises" means a dwelling unit and the structure of which it is a part, facilities and appurtenances therein, and grounds, areas and facilities held out for the use of tenants generally or whose use is promised to the tenant \*\*\*.

(j) "Possession judgment" means a judgment granting the landlord exclusive possession of the premises pursuant to this chapter.

( \*\*k) "Rent" means all payments to be made to the landlord under the rental agreement, including any late fees that are required to be paid under the rental agreement by a defaulting tenant \*\*\*.

( \*\*l) "Rental agreement" means all written or oral agreements \*\*\* for a dwelling unit \*\*\* located within this state that are subject to this chapter.

( \*\*m) "Tenant" means a person entitled under a rental agreement to occupy a dwelling unit to the exclusion of others \*\*\*.

( \*\*n) "Qualified tenant management organizations" means any organization incorporated under the Mississippi Nonprofit Corporation Act, a majority of the directors of which are tenants of the housing project to be managed under a contract authorized by this section and which is able to conform to standards set by the United States Department of Housing and Urban Development as capable of satisfactorily performing the operational and management functions delegated to it by the contract.

(2) For purposes of giving any notice required under this chapter, notice given to the agent of the landlord is equivalent to giving notice to the landlord. The landlord may contract with an agent to assume all the rights and duties of the landlord under this chapter; provided, however, that such a contract does not relieve the landlord of ultimate liability in regard to such rights and duties.

SECTION 24. Section 89-8-9, Mississippi Code of 1972, is amended as follows:

89-8-9. Every duty under this chapter and every act which must be performed as a condition precedent to the exercise of a right or remedy under this chapter, including the landlord's termination of a tenancy or the nonrenewal of a \*\*\* rental agreement or the removal of a tenant from the premises, imposes an obligation of good faith in its performance or enforcement.

SECTION 25. Section 89-8-15, Mississippi Code of 1972, is amended as follows:

89-8-15. (1) If, within thirty (30) days after written notice to the landlord of a specific and material defect which constitutes a breach of the terms of the rental agreement or of the obligation of the landlord under Section 89-8-23, the landlord fails to repair such defect, the tenant:

(a) May repair \*\*\* the defect \*\*\*; and

(b) Except as otherwise provided in subsection (2) of this section, shall be entitled to reimbursement of the expenses of such repairs within forty-five (45) days after submission to the landlord of receipted bills for such work, provided that:

(i) The tenant has fulfilled \* \* \* the obligations required under Section 89-8-25;

(ii) The expenses incurred in making \* \* \* the repairs do not exceed an amount equal to one (1) month's rent;

(iii) The tenant has not exercised the remedy provided by this section in the six (6) months immediately preceding; and

(iv) The tenant is current in \* \* \* rental payments.

(2) A tenant shall not be entitled to be reimbursed for repairs made pursuant to this section in an amount greater than the usual and customary charge for such repairs.

(3) Before correcting a condition affecting facilities shared by more than one (1) dwelling unit, the tenant shall notify all other tenants sharing such facilities of \* \* \* the plans for the repairs and shall so arrange the work as to create the least practicable inconvenience to the other tenants.

(4) The cost of repairs made by a tenant pursuant to this section may be offset against future rent.

(5) No provision of this section shall be construed to grant a lien against the real property.

SECTION 26. Section 89-8-17, Mississippi Code of 1972, is amended as follows:

89-8-17. (1) A rental agreement that fixes a definite term expires on the date stated in the rental agreement.

(2) Notwithstanding the provisions of Section 89-8-13, the landlord may, at any time after the expiration of a rental agreement, \* \* \* provide notice to the tenant in writing, or by email or text message, if the tenant has agreed to be notified by email or text message, specifying that the tenant is holding over after expiration of the rental agreement and that the landlord will commence eviction proceedings no earlier than three (3) days after such notice is provided. The landlord may also demand an increase in rent \* \* \* after the expiration of the rental agreement if such actions by the landlord did not have the dominant purpose of retaliation against the tenant for his actions authorized under this chapter and the landlord received written notice of each condition which was the subject of such actions of the tenant.

SECTION 27. Sections 89-7-41 and 89-7-45, Mississippi Code of 1972, which govern the disposition of tenant personal property and when a warrant of removal may issue, are hereby repealed.

SECTION 28. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE PROCEDURES AND PROTECTIONS FOR RESIDENTIAL EVICTIONS WITHIN THE RESIDENTIAL LANDLORD AND TENANT ACT; TO CREATE NEW SECTION 89-8-31, MISSISSIPPI CODE OF 1972, TO PROSCRIBE WHEN A LANDLORD MAY COMMENCE PROCEEDINGS TO EVICT A TENANT; TO CREATE

NEW SECTION 89-8-33, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION; TO CREATE NEW SECTION 89-8-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ISSUANCE OF SUMMONS; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS INCLUDING THE FACT THAT THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY; TO CREATE NEW SECTION 89-8-37, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO GRANT A JUDGMENT TO THE LANDLORD WHERE THE LANDLORD IS OTHERWISE ENTITLED TO A JUDGMENT UNDER LAW AND EITHER THE TENANT FAILED TO APPEAR OR THE JUDGE FINDS THAT THE TENANT FAILED TO PRESENT A VALID DEFENSE OR COUNTERCLAIM; TO PROVIDE THAT JUDGMENTS GRANTED IN EVICTION ACTIONS SHALL BE SIGNED AND EXECUTED ON THE SAME BUSINESS DAY THAT THE JUDGMENT IS GRANTED; TO CREATE NEW SECTION 89-8-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO REQUEST A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO PROVIDE THAT A JUDGE SHALL NOT ISSUE A WARRANT OF REMOVAL IF THE TENANT HAS PAID THE SUMS OWED TO THE LANDLORD IN CASES OF A JUDGMENT OF POSSESSION FOR FAILURE TO PAY RENT; TO CREATE NEW SECTION 89-8-41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CONTINUANCES; TO CREATE NEW SECTION 89-8-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPEALS FROM A FINAL JUDGMENT SHALL BE PURSUANT TO APPLICABLE MISSISSIPPI RULES OF COURT; TO CREATE NEW SECTION 89-8-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LANDLORD MAY CHARGE THE TENANT DOUBLE THE RENT FOR THE TIME THAT THE TENANT CONTINUES IN POSSESSION OF THE PREMISES FOLLOWING THE DATE TO VACATE; TO AMEND SECTION 89-8-11, MISSISSIPPI CODE OF 1972, TO REQUIRE RULES AND REGULATIONS TO BE WRITTEN; TO AMEND SECTION 89-8-13, MISSISSIPPI CODE OF 1972, TO PROVIDE A CERTAIN TIME PERIOD FOR A TENANT TO QUIT THE PREMISES IF THE MATERIAL NONCOMPLIANCE BY THE TENANT IS THE NONPAYMENT OF RENT PURSUANT TO THE RENTAL AGREEMENT; TO AMEND SECTION 89-8-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NOTICE TO TERMINATE THE TENANCY SHALL NOT BE REQUIRED WHEN THE LANDLORD OR TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OF THIS CHAPTER THAT MATERIALLY AFFECTS HEALTH OR SAFETY; TO AMEND SECTION 89-7-29, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION FOR PREMISES OR OTHER LANDS THAT ARE NOT DWELLING UNITS; TO REQUIRE THE LANDLORD TO IDENTIFY ANY ITEMS OF TENANT PROPERTY LOCATED AT THE PREMISES AS TO WHICH THE LANDLORD ASSERTS A VALID LIEN; TO AMEND SECTIONS 89-7-27, 89-7-31 AND 89-7-33, MISSISSIPPI CODE OF 1972, TO CONFORM; TO CREATE NEW SECTION 89-7-34, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO GRANT A JUDGMENT TO THE LANDLORD WHERE THE LANDLORD IS OTHERWISE ENTITLED TO A JUDGMENT UNDER LAW AND EITHER THE TENANT FAILED TO APPEAR OR THE JUDGE FINDS THAT THE TENANT FAILED TO PRESENT A VALID DEFENSE OR COUNTERCLAIM; TO PROVIDE THAT JUDGMENTS GRANTED IN EVICTION ACTIONS SHALL BE SIGNED AND EXECUTED ON THE SAME BUSINESS DAY THAT THE JUDGMENT IS GRANTED; TO AMEND SECTIONS 89-7-35, 89-7-37, 89-7-39, 89-7-43, 89-7-47, 89-8-3, 89-8-7, 89-8-9, 89-8-15 AND 89-8-17, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 89-7-41 AND 89-7-45, MISSISSIPPI CODE OF 1972, WHICH GOVERN THE DISPOSITION OF TENANT PERSONAL

PROPERTY AND WHEN A WARRANT OF REMOVAL MAY ISSUE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Angela Cockerham
Jason Barrett	Kevin Felsher
Tyler McCaughn	Clay Deweese

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2461** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Frazier, Simmons D. T. (12th). Total--2.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2509** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2509: Outdoor advertising signs; revise height limit provisions.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Charles Busby
Tyler McCaughn	Steve Massengill
Juan Barnett	Tom Weathersby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2509** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McMahan, Tate. Total--3.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2517** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2517: Commercial motor vehicles; authorize voluntary inspection program.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 77-7-345, Mississippi Code of 1972:

77-7-345. (1) When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to provide a voluntary program for inspection of commercial motor vehicles.

(2) For the purposes of this section, "commercial motor vehicle" has the meaning ascribed in Section 63-1-203.

(3) The regulations, if promulgated, will:

(a) Create a voluntary program for inspection of any combination of truck, truck tractor, trailer, semi-trailer or pole trailer, including each segment of a combined vehicle, that is used upon the highways or streets as a commercial motor vehicle for compliance with all applicable federal and state motor carrier safety regulations;

(b) Require that inspectors have access to the vehicle maintenance log;

(c) Prescribe a method of documentation to be displayed on the vehicle that is readily visible to an observer in the form of a decal or sticker, and require that the form of documentation prescribed must be kept on the vehicle;

(d) Require that inspection occur on an annual basis for participation in the program;

(e) Provide that inspection is not mandatory;

(f) Impose a reasonable inspection fee, which shall be deposited to the credit of the operating fund of the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety; and

(g) Specify that officers of the Commercial Transportation Enforcement Division will retain all responsibility and authority to monitor and enforce violations under Section 77-7-335.

(4) This section shall stand repealed on July 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO CREATE BY RULE A VOLUNTARY PROGRAM OF COMMERCIAL MOTOR VEHICLE INSPECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Jenifer B. Branning

Charles Busby

Daniel H. Sparks

Steve Massengill

Tyler McCaughn

Troy Smith

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2517** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator Turner-Ford offered the following report of the Conference Committee on **S. B. No. 2525** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2525: MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 393, Laws of 2014, is amended as follows:

Section 1. (1) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to donate to the U.S. Department of the Interior, National Park Service, Vicksburg National Military Park all the rights, title and interest in certain real property under the possession and control of the Department of Archives and History, located in the Second Judicial District of Hinds County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. Upon completing a field survey, the Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to develop a legal description and file necessary deeds to exclude a two-hundred-foot buffer to extend southerly from the existing south right-of-way line of the railroad property, thereby forming the north line of the National Park Service property at the Champion Hill Battlefield property described below, and to describe an access corridor to be retained by the Mississippi Department of Archives and History. The purpose of this boundary line is to identify ownership and to assist in carrying out future park operations and maintenance. The property is more particularly described as follows:

Tract 1 - Coker House - Recorded in Hinds County Deed Book 472, Page 36.

A certain tract of land situated in the Northwest Quarter of the Southeast Quarter of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi, containing 5.00 acres and being more particularly described as follows: Commencing at a 3/4" galvanized pipe, marking the Southeast corner of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi; run thence North 53° 15' West for 2717.47 feet to a point in a fence, said point hereinafter referred to as the point of beginning; Thence North 79° 31' West along said fence for 67.16 feet; Thence North 71° 13' West along said fence for 259.57 feet; Thence North 78° 39' West along said fence for 30.04 feet; Thence 47° 52' West for 27.94 feet to the East line of a paved road; Thence North 42° 08' East along the East line of said road for 618.46 feet to the South line of Mississippi State Highway 467; Thence South 70° 44' East along the South line of said highway for 379.06 feet; Thence South 42° 09' West for 612.27 feet to the point of beginning; together with historic dwelling situated thereon, known as "The Coker House."

Tract 2 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

242.6 acres situated in the W1/2 and in the NW1/4 SE1/44 of Section 30, Township 6 North, Range 3 west, in the E1/2 of Section 25, Township 6 North, Range 4 West, all in the Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, said Iron pin also marking the POINT Of BEGINNING, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin; run thence, North 00

degrees 14 minutes East for 1,663.20 feet to an iron pin; run thence South 89 degrees 30 minutes East for 660.00 feet to an iron pin; run thence North 01 degrees 15 minutes East for 239.76 feet to an iron pin on the South line of Billy Fields Road; run thence, along said South line of road, North 71 degrees 15 minutes West for 208.23 feet; run thence, North 73 degrees 55 minutes West for 297.42 feet; run thence, North 66 degrees 35 minutes West for 136.55 feet; run thence, North 63 degrees 10 minutes West for 138.69 feet; run thence, North 69 degrees 04 minutes West for 95.10 feet; run thence, North 72 degrees 35 minutes West for 481.03 feet; run thence, North 68 degrees 45 minutes West for 98.43 feet; run thence, North 60 degrees 47 minutes West for 100.12 feet; run thence, North 52 degrees 15 minutes West for 100.59 feet; run thence, North 44 degrees 21 minutes West for 201.58 feet; run thence, North 39 degrees 17 minutes West for 102.45 feet; run thence, North 27 degrees 24 minutes West for 108.12 feet; run thence, North 15 degrees 45 minutes West for 299.28 feet; run thence, North 21 degrees 02 minutes West for 188.20 feet to an iron pin on the South line of Champion Hill Road: run thence, along said South line, South 73 degrees 34 minutes West for 181.73 feet; run thence, South 74 degrees 12 minutes West for 168.85 feet; run thence, North 74 degrees 53 minutes West for 669.90 feet; run thence, South 74 degrees 00 minutes West for 162.04 feet; run thence, South 71 degrees 24 minutes West for 119.56 feet; run thence, South 65 degrees 21 minutes West for 119.02 feet; run thence, South 60 degrees 40 minutes West for 601.01 feet; run thence, South 64 degrees 32 minutes West for 110.96 feet; run thence, South 74 degrees 41 minutes West for 115.26 feet; run thence, South 85 degrees 07 minutes West for 292.00 feet to the centerline of Bakers Creek; run thence, Southerly along said centerline of creek to the intersection of the centerline of Bakers Creek with the South line of Section 25, Township 6 North, Range 4 West; run thence, leaving said centerline of creek and running along the South line of said Section line, North 89 degrees 52 minutes East for 60.00 feet to an iron pin on the top bank of creek: run thence, North 89 degrees 52 minutes East for 1,729.58 feet back to the iron pin marking the POINT OF BEGINNING.

Tract 3 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

77.1 acres situated in the W1/2 and in the NE1/4 and in the NW1/4 SE1/4, all in Section 30, Township 6 North, Range 3 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for 302.67 feet to an iron pin on the North line of Billy Fields Road, said pin marking the POINT OF BEGINNING, run thence, along North line of said road, North 71 degrees 15 minutes West for 190.71 feet; run thence, North 73 degrees 55 minutes West for 294.97 feet; run thence, North 66 degrees 35 minutes West for 130.92 feet; run thence, North 63 degrees 10 minutes West for 139.99 feet; run thence, North 69 degrees 04 minutes West for 100.03 feet; run thence, North 72 degrees 35 minutes West for 480.87 feet; run thence, North 68 degrees 45 minutes West for 92.24 feet; run thence, North 60 degrees 47 minutes West for 91.47 feet; run thence, North 52 degrees 15 minutes West for 91.53 feet; run thence, North 44 degrees 23 minutes West for 195.22 feet; run thence, North 39 degrees 17 minutes West for 93.55 feet; run thence, North 27 degrees 24 minutes West for 95.76 feet; run thence, North 15 degrees 45 minutes West for 295.92 feet; run thence, North 21 degrees 02 minutes West for 187.02 feet to an iron pin on the South line of Champion Hill Road; run thence, along South line of said road, North 72 degrees 02 minutes East for 2,742.66 feet to an iron pin; run thence, leaving said road, South for 1,500.29 feet; run thence, North 89 degrees 47 minutes West for 707.16 feet; run thence, South 01 degrees 15 minutes West for 677.19 feet back to the iron pin marking the point of beginning.

Tract 4 - Cosner - Recorded in Hinds County Deed Book 408, Page 377.

The N/2 of the NE/4 Section 29; all that part of the S/2 of the SE/4 of Section 20 that lies South of the Edwards-Bolton public road, all being in Township 6 North, Range 4 West, Hinds County, Mississippi, LESS AND EXCEPTING also an undivided one-half interest in and to all minerals heretofore reserved by the Federal Land Bank of New Orleans by deed dated 10 December, 1937, of record in Deed Book 98, Page 304, and LESS AND EXCEPTING also an undivided three-eighths interest in and to all of the oil, gas and minerals in, on and under the above described lands heretofore conveyed to C.R. Ridgway, Jr., by mineral conveyance dated 3 April, 1943, of record in Deed Book 110, Page 224, SUBJECT to right-of-way for an electric circuit over and across the NE/4 of NE/4 of Section 29, Township 6 North, Range 3 West, heretofore conveyed to Mississippi Power & Light Company by indenture dated 26 December, 1945, of record in Deed Book 124, Page 304, and SUBJECT, also, to a similar easement conveyed to Grantee over and across one acre, more or less, in the N/2 of NE/4 of said Section 29, by indenture date 21 December, 1945, of record in Deed Book 124, Page 28, the same having been conveyed unto said Grantee by the Champion Hill Baptist Church, LESS AND EXCEPTING the two acres, more or less, conveyed to Champion Hill M.B. Church by Quitclaim Deed dated July 20, 1989. This deed shall reflect the reservation of a fifteen foot nonexclusive right-of-way over the existing parcel previously granted unto the Champion Hill M.B. Church for purpose of ingress and egress only.

Tract 5 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

137.4 acres situated in the W1/2 and in the W1/2 NE1/4 of Section 30, Township 6 North, Range 3 West, in the SW1/4 SW1/4 of Section 19, Township 6 North, Range 3 West, and in the E1/2 of Section 25 Township 6 North, Range 4 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for to an iron pin, run thence, South 89 degrees 47 minutes East for 707.16 feet to an iron pin, run thence, North for 2,638.06 feet to an iron pin marking the POINT OF BEGINNING, run thence, North 89 degrees 45 minutes West for 2,748.17 feet to an iron pin; running thence, North 00 degrees 00 minutes East for 881.98 feet to an iron pin on the South line of a Railroad; run thence, along said South line of railroad, South 65 degrees 23 minutes West for 1,250.63 feet to the center line of Bakers Creek; run thence, Southerly along said centerline of Bakers Creek to the intersection of Bakers Creek with the North line of Champion Hill Road, run thence, along said North line of road, North 85 degrees 07 minutes East for 272.03 feet; run thence, North 74 degrees 41 minutes East for 100.85 feet; run thence, North 64 degrees 32 minutes East for 101.16 feet; run thence, North 60 degrees 40 minutes East for 601.58 feet; run thence, North 65 degrees 21 minutes East for 126.51 feet; run thence, North 71 degrees 24 minutes East for 125.60 feet; run thence, North 74 degrees 00 minutes East for 164.48 feet; run thence, North 74 degrees 53 minutes East for 670.32 feet; run thence, North 74 degrees 12 minutes East for 167.65 feet; run thence, North 73 degrees 34 minutes East for 207.63 feet; run thence, North 72 degrees 02 minutes East for 475.65 feet to a point that is 16.88 feet North and 1.30 feet West of an iron pin; run thence, leaving said road, North 04 degrees 27 minutes West for 1,748.36 feet to a 2" pipe; run thence, North 89 degrees 34 minutes East for 677.00 feet to an iron pin in the center line of a gravel drive; run thence,

along said centerline of gravel drive, South 11 degrees 29 minutes East for 71.56 feet; run thence, South 17 degrees 52 minutes East for 98.20 feet; run thence, South 20 degrees 24 minutes East for 96.89 feet; run thence, South 29 degrees 40 minutes East for 108.82 feet; run thence, South 46 degrees 28 minutes East for 109.61 feet; run thence, South 51 degrees 44 minutes East for 99.16 feet; run thence, South 51 degrees 27 minutes East for 101.80 feet; run thence, South 42 degrees 22 minutes East for 100.38 feet; run thence, South 27 degrees 25 minutes East for 98.45 feet; run thence, South 23 degrees 55 minutes East for 100.54 feet; run thence, South 27 degrees 21 minutes East for 95.85 feet; run thence, South 33 degrees 44 minutes East for 101.67 feet; run thence, South 32 degrees 33 minutes East for 102.76 feet; run thence, South 26 degrees 27 minutes East for 99.89 feet; run thence, South 19 degrees 03 minutes East for 101.52 feet; run thence, South 22 degrees 04 minutes East for 78.97 feet to an iron pin on the North line of Champion Hill Road, run thence, along said North line of road, North 72 degrees 02 minutes East for 929.65 feet to an iron pin, run thence, leaving said road, North 00 degrees 00 minutes East for 1,053.67 feet back to an iron pin marking the POINT OF BEGINNING.

Tract 6 - Gaddis tract - Recorded in Hinds County Deed Book 406, Page 612.

South one-half (S1/2) of Northeast one-fourth (NE1/4) of Section 29, Township 6 North, Range 3 West.

Tract 7 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The Southeast Quarter (SE1/4) of Section 29, Township 6, Range 3 West, Hinds County, Mississippi.

Tract 8 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The South 15 acres of the 17-3/10 acres lying East of the Edwards and Bolton public road and North of the Raymond and Edwards public road in the E/2 of the SW/4 of Section 29, Township 6 North, Range 3 West, Hinds County, Mississippi.

#### Buffer Description

A tract or parcel of land containing 5.56 acres (242,114 square feet), more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi. The following description is oriented to Mississippi State Plane, West Zone, NAD 83 (2011), US Survey Feet, Grid Values, having a ground to grid scale factor of 0.99995451 and a convergence angle of (-)00 degrees 06 minutes 30.90 seconds calculated at the below described Point of Commencement; said parcel being more particularly described; to wit:

Commencing at a found #5 rebar located at the southeast corner of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi thence run, North 00 degrees 00 minutes 00 seconds East for a distance of 5974.20 feet; thence run, North 90 degrees 00 minutes 00 seconds West for a distance of 4099.82 feet to a #5 rebar located on the east property line of that certain 137.4 acre tract (AKA "Parcel C") of land as described in Book 403, Page 593, records of the office of Chancery Clerk, Second Judicial District, Hinds County, Mississippi and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad, said point being hereinafter referred to as the Point of Beginning;

From the Point of Beginning thence along a line being 200 feet south and parallel to the existing south right-of-way line of the Illinois Central Railroad run, South 65 degrees 28 minutes 54 seconds West for a distance of 1170.50 feet to a point in the centerline of Baker's Creek, also being the west property line of said 137.4 acre tract (whence a #5 rebar that bears North 65 degrees 28 minutes 54 seconds East a distance of 59.70 feet on the east top bank of said Baker's Creek);

Thence along said centerline run, North 21 degrees 11 minutes 41 seconds West for 200.34 feet to a point located at the intersection of said centerline and the existing south right-of-way line of Illinois Central Railroad (whence a #5 rebar that bears North 65 degrees 28 minutes 54 seconds East a distance of 60.00 feet on the east top bank of said Baker's Creek);

Thence along said existing south right-of-way line run, North 65 degrees 28 minutes 54 seconds East for a distance of 1250.63 feet to a found #4 rebar located at the northernmost corner of said 137.4 acre tract;

Thence along the east line of said 137.4 acre tract run, South 00 degrees 07 minutes 23 seconds West for a distance of 220.04 feet back to the Point of Beginning, containing, 5.56 acres, (242,114 square feet), more or less, and being situated in the Southwest Quarter of the Southwest Quarter of Section 19, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi.

#### 20 Foot Wide Ingress and Egress Easement

A tract or parcel of land containing 1.54 acres (67,154 square feet), more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19 and the North Half of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi. The following description is oriented to Mississippi State Plane, West Zone, NAD 83 (2011), US Survey Feet, Grid Values, having a ground to grid scale factor of 0.99995451 and a convergence angle of (-)00 degrees 06 minutes 30.90 seconds calculated at the below described Point of Commencement; said parcel being more particularly described; to wit:

Commencing at a found #5 rebar located at the southeast corner of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi thence run, North 00 degrees 00 minutes 00 seconds East for a distance of 5974.20 feet; thence run, North 90 degrees 00 minutes 00 seconds West for a distance of 4099.82 feet to a #5 rebar located on the east property line of that certain 137.4 acre tract (AKA "Parcel C") of land as described in Book 403, Page 593, records of the office of Chancery Clerk, Second Judicial District, Hinds County, Mississippi and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad, said point being hereinafter referred to as the Point of Beginning;

From the Point of Beginning thence along said east line run, South 00 degrees 07 minutes 58 seconds West for a distance of 661.74 feet to a found #4 rebar;

Thence continue along said east line run, South 89 degrees 37 minutes 28 seconds East for a distance of 1090.43 feet to a #5 rebar with plastic cap located 20 feet east of the centerline of an existing graveled road;

Thence along the following 16 courses and distances being 20 feet east of and parallel to said existing centerline run, South 11 degrees 16 minutes 25 seconds East for a distance of 86.82 feet to a #5 rebar with plastic cap;

Thence run, South 17 degrees 39 minutes 25 seconds East for a distance of 96.64 feet to a #5 rebar with plastic cap;

Thence run, South 20 degrees 11 minutes 25 seconds East for a distance of 94.83 feet to a #5 rebar with plastic cap;

Thence run, South 29 degrees 27 minutes 25 seconds East for a distance of 104.25 feet to a #5 rebar with plastic cap;

Thence run, South 46 degrees 15 minutes 25 seconds East for a distance of 105.74 feet to a #5 rebar with plastic cap;

Thence run, South 51 degrees 31 minutes 25 seconds East for a distance of 98.29 feet to a #5 rebar with plastic cap;

Thence run, South 51 degrees 14 minutes 25 seconds East for a distance of 103.44 feet to a #5 rebar with plastic cap;

Thence run, South 42 degrees 09 minutes 25 seconds East for a distance of 104.59 feet to a #5 rebar with plastic cap;

Thence run, South 27 degrees 12 minutes 25 seconds East for a distance of 101.69 feet to a #5 rebar with plastic cap;

Thence run, South 23 degrees 42 minutes 25 seconds East for a distance of 100.55 feet to a #5 rebar with plastic cap;

Thence run, South 27 degrees 08 minutes 25 seconds East for a distance of 94.14 feet to a #5 rebar with plastic cap;

Thence run, South 33 degrees 31 minutes 25 seconds East for a distance of 100.76 feet to a #5 rebar with plastic cap;

Thence run, South 32 degrees 20 minutes 25 seconds East for a distance of 104.03 feet to a #5 rebar with plastic cap;

Thence run, South 26 degrees 14 minutes 25 seconds East for a distance of 102.25 feet to a #5 rebar with plastic cap;

Thence run, South 18 degrees 50 minutes 25 seconds East for a distance of 102.34 feet to a #5 rebar with plastic cap;

Thence run, South 21 degrees 34 minutes 05 seconds East for a distance of 100.27 feet to a #5 rebar with plastic cap located on the existing north right-of-way line of Champion Hill Road;

Thence along said existing north right-of-way line run, South 72 degrees 27 minutes 31 seconds West for a distance of 20.05 feet to a #5 rebar with plastic cap located at the intersection of said existing north right-of-way line and the existing centerline of said graveled road, said centerline being the southerly property line of said 137.4 acre tract;

Thence along said existing centerline and southerly property the following 16 courses and distances run, North 21 degrees 34 minutes 05 seconds West for a distance of 99.34 feet to a point;

Thence run, North 18 degrees 50 minutes 25 seconds West for a distance of 101.52 feet to a point;

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Thence run, North 26 degrees 14 minutes 25 seconds West for a distance of 99.89 feet to a point;

Thence run, North 32 degrees 20 minutes 25 seconds West for a distance of 102.76 feet to a point;

Thence run, North 33 degrees 31 minutes 25 seconds West for a distance of 101.67 feet to a point;

Thence run, North 27 degrees 08 minutes 25 seconds West for a distance of 95.85 feet to a point;

Thence run, North 23 degrees 42 minutes 25 seconds West for a distance of 100.54 feet to a point;

Thence run, North 27 degrees 12 minutes 25 seconds West for a distance of 98.45 feet to a point;

Thence run, North 42 degrees 09 minutes 25 seconds West for a distance of 100.38 feet to a point;

Thence run, North 51 degrees 14 minutes 25 seconds West for a distance of 101.80 feet to a point;

Thence run, North 51 degrees 31 minutes 25 seconds West for a distance of 99.16 feet to a point;

Thence run, North 46 degrees 15 minutes 25 seconds West for a distance of 109.61 feet to a point;

Thence run, North 29 degrees 27 minutes 25 seconds West for a distance of 108.82 feet to a point;

Thence run, North 20 degrees 11 minutes 25 seconds West for a distance of 96.89 feet to a point;

Thence run, North 17 degrees 39 minutes 25 seconds West for a distance of 98.20 feet to a point;

Thence run, North 11 degrees 16 minutes 25 seconds West for a distance of 71.56 feet to a #5 rebar with plastic cap located at the intersection of said existing centerline and a line 20 feet south and parallel with the easterly line of said 137.4 acre tract;

Thence along said parallel line run, North 89 degrees 37 minutes 28 seconds West for a distance of 1094.07 feet to a #5 rebar with plastic cap;

Thence along a line 20 feet west of and parallel to said east line run, North 00 degrees 07 minutes 49 seconds East for a distance of 672.54 feet to a #5 rebar with plastic cap located on the south line of the above described Buffer and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad;

Thence along a line 200 feet south and parallel to said existing south right-of-way line run, North 65 degrees 28 minutes 28 seconds East for a distance of 22.04 feet back to the Point of Beginning containing, 1.54 acres, 67,154 square feet, more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19 and the North Half of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi.

(2) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is further authorized to donate to the U.S. Department of the Interior, National Park Service, Vicksburg National Military, all of the rights, title and interest in certain real property under the possession and control of the Department of Archives and History, located in Claiborne County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. The property is more particularly described as follows:

Tract No. 1 - Shaifer House - Recorded in Claiborne County Deed Book 10-F, Pages 425-430.

That certain tract of land known as the Old Shaifer House tract; for survey, begin at point on the southerly side of the public road, where it is intersected by the line between Parcels 1 and 2 of the partition of the Shaifer Estate property as described in partition deed executed by us and now recorded Book 10-B, Page 177 of the land records of said county, and which partition deed together with the plat recorded therewith is here referred to for full description of the location of said starting point, and run thence in a northeasterly direction along said old Port Gibson and Rodney public road, 1,307 feet to point where said road is intersected on its North side by a fence, and which point is point of beginning for survey of this tract (and which point is further located as being North 33° 45' East 1,434.67 feet from the most eastern corner of Section 16, Township 11 North, Range 2 East). From said point of beginning run thence along fence, North 35° West 134 feet; thence continue along fence; South 35° West 15 feet, South 86° West 16 feet to fence corner; thence along another fence, North 40° West 191 feet to fence corner; thence along another fence, North 40° East 160 feet; thence continue along fence, North 64° East 217 feet to point on private farm road; thence along said road, South 31° 45' East 372 feet to point where the same forks; thence along the fork going southwesterly 100 feet to old Port Gibson and Rodney public road; thence along said old Port Gibson and Rodney public road, in a southwesterly direction, 225 feet to point of beginning. Said tract contains 3.0 acres, more or less, and lies in Section Twelve (12), Township Eleven (11) North, Range Two (2) East. Said land is the same as is fully described in Section V of said above-mentioned partition deed executed by the grantors, now recorded Book 10-B, Page 177 of the deed records of said Claiborne County, which is here referred to in aid of description and for all purposes. All of the above is in accordance with survey made by R.D. Wade, Jr., and a copy of plat of his survey is attached hereto and made a part hereof by reference.

Tract No. 2 - Shaifer House - Recorded in Claiborne County Deed Book 10-H, Page 9.

A tract of land which adjoins the tract sometimes known as the Old Shaifer House tract and which Old Shaifer House tract is Tract No. 1 in the deed from me and others to the Grantee herein which is recorded in Book 10-F, Page 425 of the deed records of said Claiborne County. For survey of this tract, begin at the most Southerly or Southwesterly corner of said Old Shaifer House tract as described in said above mentioned deed and which is on the Northerly side of the public road running through said old Shaifer property and which deed is here referred to for description of location of the starting point hereof; from said point of beginning, run thence along the Northerly wayline of said public road South 67° 45' West 70 feet to stake; thence leave road and run thence North 52° 30' West 843.05 feet to stake; thence run North 43° 31' East 631.74 feet to stake on Easterly side of private ridge road; thence along the Easterly side of said ridge road South 44° 30' East 195 feet, South 39° 28' East 290 feet, South 37° 45' East 111 feet to stake on Northerly or Northeasterly corner of said Old Shaifer House tract; thence around said Old Shaifer House tract site South 64° West 217 feet; thence South 40° West 191 feet; thence South 40° East 190 feet; thence South 86° East 16 feet; thence North 35° East 15 feet; thence

South 35° East 134 feet to point of beginning. Said tract contains 8.32 acres, more or less and lies in Section 12, Township 11 North, Range 2 East, all in accordance with survey made by R.D. Wade, Jr. dated September, 1979 which is attached hereto and made a part hereof for all purposes.

Tract 3 - Shaifer House parking lot - Recorded in Claiborne County Deed Book 19K, Page 243.

Description of a 0.52 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, being a portion of the Hollingsworth property.

Commencing at a 1" pipe on the northerly side of Shaifer Road, which pipe marks the southwesterly corner of a 8.32 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, as shown by plat of survey by R.D. Wade, Claiborne County Surveyor, dated September 4, 1979, run thence N 82° 56' 57" E for 96.80 feet to a 5/8" iron rod set on the southerly side of Shaifer Road for the point of beginning, being the northeasterly corner of within described tract. Thence from the said point of beginning run S 24° 58' 45" E for 154.06 feet to a 5/8" iron rod set; thence run N 76° 27' 05" W for 151.59 feet to a 5/8" iron rod set; thence run S 54° 55' 29" W for 119.00 feet to a 5/8" iron rod set; thence run N 40° 02' 07" W for 90.73 feet to a 5/8" iron rod set on the southerly side of Shaifer Road; thence run N 66° 35' 38" E along said southerly side of Shaifer Road for 259.42 feet to the point of beginning. Recorded in Deed Book 19K at Pages 243-247, reference to which is hereby made in aid of and as a part of this description;

Tract 4 - Old Magnolia Church lot - Recorded in Claiborne County Deed Book 10-H, Page 9.

For survey of the tract hereby conveyed, begin at the Northwest corner of the said old Magnolia Church site as described in said deed above referred to and which deed is here referred to for description of location of said starting point; from said starting point, run thence South 16° East 78 feet; thence run South 2° East 52 feet; thence run South 16° West 69 feet; thence run South 17° West 109 feet to stake at southerly corner of said old Magnolia Church site; run thence North 79° 34' West 364.04 feet to stake; thence North 53° 45' East 396 feet to stake; thence South 84° 45' East 49 feet to point of beginning. Said tract contains 1.87 acres, more or less, and lies in Section 12, Township 11 North, Range 2 East; all of the above in accordance with survey made by R.D. Wade, Jr., dated September 1979, and plat of survey showing this tract and the old Magnolia Church site referred to above is attached hereto as Exhibit "B" hereto and made a part hereof for all purposes.

(3) The State of Mississippi shall retain all mineral rights in the property donated under the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO RETAIN A 200-FOOT BUFFER ON THE NORTH SIDE OF THE CHAMPION HILL HISTORICAL PROPERTY BETWEEN THE RAILROAD RIGHT-OF-WAY AND THE NATIONAL PARK SERVICE PROPERTY AND AN ACCESS CORRIDOR, TO PROVIDE A LEGAL DESCRIPTION OF

THE BUFFER AND THE ACCESS/EGRESS PROPERTY, AND TO FILE NECESSARY DEEDS THEREFOR; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Angela Turner-Ford	Tom Weathersby
Josh Harkins	Gregory Holloway, Sr.
Jason Barrett	Johnathan Ray Lancaster

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2525** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeLano offered the following report of the Conference Committee on **S. B. No. 2530** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2530: Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-53-201, Mississippi Code of 1972, is amended as follows:

25-53-201. (1) There is hereby established the Enterprise Security Program which shall provide for the coordinated oversight of the cybersecurity efforts across all state agencies, including cybersecurity systems, services and the development of policies, standards and guidelines.

(2) The Mississippi Department of Information Technology Services (MDITS), in conjunction with all state agencies, shall provide centralized management and coordination of state policies for the security of data and information technology

resources, which such information shall be compiled by MDITS and distributed to each participating state agency. MDITS shall:

(a) Serve as sole authority, within the constraints of this statute, for defining the specific enterprise cybersecurity systems and services to which this statute is applicable;

(b) Acquire and operate enterprise technology solutions to provide services to state agencies when it is determined that such operation will improve the cybersecurity posture in the function of any agency, institution or function of state government as a whole;

(c) Provide oversight of enterprise security policies for state data and information technology (IT) resources including, the following:

(i) Establishing and maintaining the security standards and policies for all state data and IT resources state agencies shall implement to the extent that they apply; and

(ii) Including the defined enterprise security requirements as minimum requirements in the specifications for solicitation of state contracts for procuring data and information technology systems and services;

(d) Adhere to all policies, standards and guidelines in the management of technology infrastructure supporting the state data centers, telecommunications networks and backup facilities;

(e) Coordinate and promote efficiency and security with all applicable laws and regulations in the acquisition, operation and maintenance of state data, cybersecurity systems and services used by agencies of the state;

(f) Manage, plan and coordinate all enterprise cybersecurity systems under the jurisdiction of the state;

(g) Develop, in conjunction with agencies of the state, coordinated enterprise cybersecurity systems and services for all state agencies;

(h) Provide ongoing analysis of enterprise cybersecurity systems and services costs, facilities and systems within state government;

(i) Develop policies, procedures and long-range plans for the use of enterprise cybersecurity systems and services;

(j) Form an advisory council of information security officers from each state agency to plan, develop and implement cybersecurity initiatives;

(k) Coordinate the activities of the advisory council to provide education and awareness, identify cybersecurity-related issues, set future direction for cybersecurity plans and policy, and provide a forum for interagency communications regarding cybersecurity;

(l) Charge respective user agencies on a reimbursement basis for their proportionate cost of the installation, maintenance and operation of the cybersecurity systems and services; and

(m) Require cooperative utilization of cybersecurity systems and services by aggregating users.

(3) Each state agency's executive director or agency head shall:

(a) Be solely responsible for the security of all data and IT resources under its purview, irrespective of the location of the data or resources. Locations include data residing:

- (i) At agency sites;
- (ii) On agency real property and tangible and intangible assets;
- (iii) On infrastructure in the State Data Centers;
- (iv) At a third-party location;
- (v) In transit between locations;

(b) Ensure that an agency-wide security program is in place;

(c) Designate an information security officer to administer the agency's security program;

(d) Ensure the agency adheres to the requirements established by the Enterprise Security Program, to the extent that they apply;

(e) Participate in all Enterprise Security Program initiatives and services in lieu of deploying duplicate services specific to the agency;

(f) Develop, implement and maintain written agency policies and procedures to ensure the security of data and IT resources. The agency policies and procedures are confidential information and exempt from public inspection, except that the information must be available to the Office of the State Auditor in performing auditing duties;

(g) Implement policies and standards to ensure that all of the agency's data and IT resources are maintained in compliance with state and federal laws and regulations, to the extent that they apply;

(h) Implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and IT resources;

(i) Ensure that internal assessments of the security program are conducted. The results of the internal assessments are confidential and exempt from public inspection, except that the information must be available to the Office of the State Auditor in performing auditing duties;

(j) Include all appropriate cybersecurity requirements in the specifications for the agency's solicitation of state contracts for procuring data and information technology systems and services;

(k) Include a general description of the security program and future plans for ensuring security of data in the agency long-range information technology plan;

(l) Participate in annual information security training designed specifically for the executive director or agency head to ensure that such individual has an understanding of:

(i) The information and information systems that support the operations and assets of the agency;

(ii) The potential impact of common types of cyber-attacks and data breaches on the agency's operations and assets;

(iii) How cyber-attacks and data breaches on the agency's operations and assets could impact the operations and assets of other state agencies on the Enterprise State Network;

(iv) How cyber-attacks and data breaches occur;

(v) Steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems; and

(vi) The annual reporting requirements required of the executive director or agency head.

(4) The Mississippi Department of Information Technology Services shall evaluate the opportunities for expanding the Enterprise Security Program and the coordinated oversight of cybersecurity efforts to include those governing authorities as defined in Section 25-53-3(f). The Mississippi Department of Information Technology Services shall develop a report on these opportunities. The Mississippi Department of Information Technology Services shall present this report to the Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees, Attorney General and the Chairman of the Senate Technology Committee by November 1, 2022.

(5) From and after July 1, 2022, all state agencies and governing authorities as defined in Section 25-53-3 shall report to the Mississippi Department of Information Technology Services any demand for payment or any payment made as a result of ransomware. These agencies and authorities shall report this information no later than the next business day upon discovery of the ransomware. The Mississippi Department of Information Technology Services shall record all information submitted from these agencies and authorities and develop a report on this information no later than the next business day upon receiving the report from the agency or governing authority. The Mississippi Department of Information Technology Services shall present this report to the Lieutenant Governor, Speaker of the House, Attorney General, Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees and the Chairman of the Senate Technology Committee. By November 1 of each year, the Mississippi Department of Information Technology Services shall provide a yearly summary of all ransomware incidents to the Lieutenant Governor, Speaker of the House, Chairmen of the Senate and House of Representatives Accountability, Efficiency, Transparency Committees and the Chairman of the Senate Technology Committee. For the purpose of this subsection, "ransomware" shall mean a computer contaminant, or lock placed or introduced without authorization into a computer, computer system, or computer network that restricts access by an authorized person to the computer, computer system, computer network, or any data therein under circumstances in which the person responsible for the placement or introduction of the ransomware demands payment of money or other consideration to remove the computer contaminant, restore access to the computer, computer system, computer network, or data, or otherwise remediate the impact of the computer contaminant or lock.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A

REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2022; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Scott DeLano

Bart Williams

Nicole Boyd

CONFEREES FOR THE HOUSE

C. Scott Bounds

Brent Anderson

De'Keither A. Stamps

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2530** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2536** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2536: Offender registry; create registry of individuals whose crimes involve public funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For purposes of Sections 1 through 6 of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Conviction" means a judgment entered by a Mississippi court upon a plea of guilty, a plea of nolo contendere, or a finding of guilt by a jury or the court, notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. "Conviction" includes a disposition of pretrial diversion or nonadjudication under Section 99-15-26.

(b) "Department" means the Department of Public Safety.

(c) "Offender" means a person convicted of a registrable offense.

(d) "Registrable offense" means a crime chargeable under Sections 97-7-10, 97-11-25 through 97-11-31, 97-15-3, 97-15-5, 97-11-11, 97-11-13, 97-11-53, 97-13-1, 97-13-3, or any crime that involves the embezzlement or misappropriation of public funds as determined by the circuit court in its sentencing order upon conviction.

(e) "Registrant" means a person who is registered in compliance with this act.

SECTION 2. (1) The department shall post a publicly accessible registry online of all offenders by July 1, 2023.

(2) (a) The list must include the offender's full legal name, any aliases by which the offender is or has been known, including any online or internet identifiers and the offender's date of birth.

(b) The list shall not include the offender's social security number, driver's license number, any other state or federal identification number, physical address or telephone numbers.

(3) (a) If the offender is not convicted of another registrable offense while listed and if all fines, penalties and restitution have been paid, the department shall remove the offender's information from the list after either five (5) years from the date of the offender's conviction or five (5) years from the date of an offender's release from physical incarceration, whichever is later.

(b) Notwithstanding paragraph (a) of this subsection, a person who has served any sentence imposed and paid all fines, penalties and any restitution ordered may petition the department to be removed from the list after the satisfaction of the conditions of this paragraph (b). Upon receipt and confirmation of a true and correct petition, the department shall remove the offender from the registry.

SECTION 3. (1) The department shall maintain the registry on the internet, which shall contain a disclaimer informing the public that:

(a) The information contained on the website is obtained from public records and the department does not guarantee the website's accuracy or completeness;

(b) The list only includes persons convicted in Mississippi state courts of a limited list of crimes. Persons who are convicted in any federal court, or who are convicted of a crime other than a registrable offense will not appear on the registry.

(2) The department and any individual or entity acting at the request or upon the direction of the department are immune from civil liability for damages arising from reporting information under this act and will be presumed to have acted in good faith in performing its duties under this act.

SECTION 4. Upon the entry of the order sentencing the offender to probation or parole or upon the date of release of the offender from the physical custody of the responsible agency, the responsible agency shall forward the department a copy of the conviction, sentencing order, name, sex and date of birth of the offender convicted of a registrable offense under this act.

SECTION 5. An offender required to register on the basis of a conviction entered shall register with the responsible agency within thirty (30) business days of the date of judgment unless the offender is immediately confined or committed, in which case the offender shall register before release in accordance with the procedures established by the department. The responsible agency shall immediately forward the registration information to the department.

SECTION 6. The department shall promulgate rules in accordance with the Mississippi Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to effectuate the purposes of this act.

SECTION 7. Section 25-1-113, Mississippi Code of 1972, is amended as follows:

25-1-113. (1) From and after July 1, 2013, the state and any county, municipality or any other political subdivision shall not employ a person who has been convicted or pled guilty in any court of this state, another state, or in federal court of any felony in which public funds were unlawfully taken, obtained or misappropriated in the abuse or misuse of the person's office or employment or money coming into the person's hands by virtue of the person's office or employment.

(2) From and after July 1, 2014, the state and any county, municipality or any other political subdivision shall not employ or continue to employ a person who has been convicted or pled guilty in any court of this state, another state, or in federal court of any felony in which public funds were unlawfully taken, obtained or misappropriated in the abuse or misuse of the person's office or employment or money coming into the person's hands by virtue of the person's office or employment.

(3) From and after July 1, 2023, the state and any county, municipality or any other political subdivision shall not hire any person who appears on the registry created in Sections 1 through 6 of this act for any position in accounting, or in a treasury or registrar office, or in any office where monies are collected or received directly from rate or fee payers.

SECTION 8. Section 99-19-71, Mississippi Code of 1972, is amended as follows:

99-19-71. (1) Any person who has been convicted of a misdemeanor that is not a traffic violation, and who is a first offender, may petition the justice, county, circuit or municipal court in which the conviction was had for an order to expunge any such conviction from all public records.

(2) (a) Except as otherwise provided in this subsection, a person who has been convicted of a felony and who has paid all criminal fines and costs of court imposed in the sentence of conviction may petition the court in which the conviction was had for an order to expunge one (1) conviction from all public records five (5) years after the successful completion of all terms and conditions of the sentence for the conviction upon a hearing as determined in the discretion of the court; however, a person is not eligible to expunge a felony classified as:

- (i) A crime of violence as provided in Section 97-3-2;
- (ii) Arson, first degree as provided in Sections 97-17-1 and 97-17-3;
- (iii) Trafficking in controlled substances as provided in Section 41-29-139;
- (iv) A third, fourth or subsequent offense DUI as provided in Section 63-11-30(2)(c) and (2)(d);
- (v) Felon in possession of a firearm as provided in Section 97-37-5;
- (vi) Failure to register as a sex offender as provided in Section 45-33-33;
- (vii) Voyeurism as provided in Section 97-29-61;
- (viii) Witness intimidation as provided in Section 97-9-113;
- (ix) Abuse, neglect or exploitation of a vulnerable person as provided in Section 43-47-19; or
- (x) Embezzlement as provided in Sections 97-11-25 and 97-23-19.

A person is eligible for only one (1) felony expunction under this paragraph. For the purposes of this section, the terms "one (1) conviction" and "one (1) felony expunction" mean and include all convictions that arose from a common nucleus of operative facts as determined in the discretion of the court.

(b) The petitioner shall give ten (10) days' written notice to the district attorney before any hearing on the petition. In all cases, the court wherein the petition is filed may grant the petition if the court determines, on the record or in writing, that the applicant is rehabilitated from the offense which is the subject of the petition. In those cases where the court denies the petition, the findings of the court in this respect shall be identified specifically and not generally.

(3) Upon entering an order of expunction under this section, a nonpublic record thereof shall be retained by the Mississippi Criminal Information Center solely for the purpose of determining whether, in subsequent proceedings, the person is a first offender. The order of expunction shall not preclude a district attorney's office from retaining a nonpublic record thereof for law enforcement purposes only. The existence of an order of expunction shall not preclude an employer from asking a prospective employee if the employee has had an order of expunction entered on his behalf. The effect of the expunction order shall be to restore the person, in the contemplation of the law, including those law regulating qualified electors, to the status he occupied before any arrest or indictment for which convicted. No person as to whom an expunction order has been entered shall be held thereafter under any provision of law to be guilty of perjury or to have otherwise given a false statement by reason of his failure to recite or acknowledge such arrest, indictment or conviction in response to any inquiry made of him for any purpose other than the purpose of determining, in any subsequent proceedings under this section, whether the person is a first offender. A person as to whom an order has been

entered, upon request, shall be required to advise the court, in camera, of the previous conviction and expunction in any legal proceeding wherein the person has been called as a prospective juror. The court shall thereafter and before the selection of the jury advise the attorneys representing the parties of the previous conviction and expunction.

(4) If a person has a disenfranchising conviction expunged under this section and has no other conviction that would otherwise disenfranchise the person, the county registrar shall enter the person's name into the Statewide Elections Management System if the person:

- (a) Submits a voter registration application; and
- (b) Provides proof of the expungement.

( \*\* \*5) Upon petition therefor, a justice, county, circuit or municipal court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped or there was no disposition of such case, or the person was found not guilty at trial.

( \*\* \*6) No public official is eligible for expunction under this section for any conviction related to his official duties.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO QUALIFIED ELECTORS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Jeremy England	Noah Sanford
Benjamin Suber	Shane Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2536** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.  
Nays--Seymour, Tate. Total--2.  
Absent and those not voting----None.  
Voting Present--Chism, Hill. Total--2.

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Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2543** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2543: Department of Public Safety; revise provision related to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

- (a) Office of Public Safety Planning;
- (b) Office of Mississippi Highway Safety Patrol;
- (c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);
- (d) Office of \* \* \* Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;
- (e) Office of Law Enforcement Officers' Training Academy;
- (f) Office of Support Services;
- (g) Office of Narcotics, which shall be known as the Bureau of Narcotics;
- (h) Office of Homeland Security; \* \* \*
- (i) Office of Capitol Police \* \* \*;

(j) Office of Driver Service Bureau; and

(k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

(7) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 2. Section 41-29-107, Mississippi Code of 1972, is amended as follows:

41-29-107. (1) There is created within the Mississippi Department of Public Safety an office to be known as the Mississippi Bureau of Narcotics. The office shall have a director who shall be appointed by the Commissioner of Public Safety. The commissioner

may assign to the appropriate offices of the department such powers and duties deemed appropriate to carry out the lawful functions of the Mississippi Bureau of Narcotics.

(2) The Commissioner of Public Safety is empowered to employ or appoint necessary agents. The commissioner may also employ such secretarial, clerical and administrative personnel, including a duly licensed attorney, as necessary for the operation of the bureau, and shall have such quarters, equipment and facilities as needed. The salary and qualifications of the attorney authorized by this section shall be fixed by the director, but the salary shall not exceed the salary authorized for an assistant attorney general who performs similar duties.

(3) The director and agents so appointed shall be citizens of the United States and of the State of Mississippi, and of good moral character. The agents shall be not less than twenty-one (21) years of age at the time of such appointment. In addition thereto, those appointed shall have satisfactorily completed at least two (2) years of college studies. However, two (2) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at a school operated by the Bureau of Narcotics and Dangerous Drugs, United States Justice Department, shall satisfy one (1) year of such college studies, and four (4) years of satisfactory service as a law enforcement officer and the completion of the prescribed course of study at such federal bureau school as stated heretofore shall fully satisfy the two (2) years of college requirement.

During the period of the first twelve (12) months after appointment, any \* \* \* agent of the bureau shall be subject to dismissal at the will of the director. After twelve (12) months' service, no \* \* \* agent of the bureau shall be subject to dismissal \* \* \* or otherwise have their salary adversely affected except for cause, and any such action against an agent shall be subject to and proceed under the laws, rules and regulations of the State Personnel Board.

(4) The Commissioner of Public Safety may assign members of the Mississippi Highway Safety Patrol, regardless of age, to the bureau; however, when any highway patrolman or other employee, agent or official of the Mississippi Department of Public Safety is assigned to duty with, or is employed by, the bureau, he shall not be subject to assignment or transfer to any other office or department within the Mississippi Department of Public Safety except by the commissioner. Any highway patrolman assigned to duty with the bureau shall retain his status as a highway patrolman, but shall be under the supervision of the director. For purposes of seniority within the Highway Safety Patrol and for purposes of retirement under the Mississippi Highway Safety Patrol Retirement System, highway patrolmen assigned to the bureau will be credited as if performing duty with the Highway Safety Patrol. The commissioner may assign employees of the Highway Safety Patrol to the Mississippi Bureau of Narcotics and may assign agents of the bureau to the Highway Safety Patrol; however, any employees so assigned must meet all established requirements for the duties to which they are assigned.

(5) The Commissioner of Public Safety may enter into agreements with bureaus or departments of other states or of the United States for the exchange or temporary assignment of agents for special undercover assignments and for performance of specific duties.

(6) The Commissioner of Public Safety may assign agents of the bureau to such duty and to request and accept agents from such other bureaus or departments for such duty.

\* \* \*

SECTION 3. Section 41-61-75, Mississippi Code of 1972, as amended by House Bill No. 719, 2022 Regular Session, is amended as follows:

[Through December 31, 2023, this section shall read as follows:]

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) \* \* \* (a) When a medical examiner, physician or pathologist \* \* \* is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee \* \* \* and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(b) The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

[From and after January 1, 2024, this section shall read as follows:]

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive \* \* \* One Hundred Eighty-five Dollars (\$185.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) \* \* \* (a) When a medical examiner, physician or pathologist \* \* \* is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee \* \* \* and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(b) The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

[From and after January 1, 2028, this section shall read as follows:]

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive \* \* \* One Hundred Ninety-five Dollars (\$195.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) \* \* \* (a) When a medical examiner, physician or pathologist \* \* \* is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition as a result of their duties as a State Medical Examiner, physician or pathologist, the office with which subpoenaed professional is employed shall be entitled to bill an expert witness hourly fee \* \* \* and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(b) The expert witness fee shall be set by the director, and the expert fee shall be a reasonable fee considering the prevailing rates of other comparably respected available experts. The fee under this paragraph (b) shall be made payable to the Office of the State Medical Examiner.

SECTION 4. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor,

the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

(a) Violent death, including homicidal, suicidal or accidental death.

(b) Death caused by thermal, chemical, electrical or radiation injury.

(c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.

(d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.

(e) Death that has occurred unexpectedly or from an unexplained cause.

(f) Death of a person confined in a prison, jail or correctional institution.

(g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.

(h) Death of a person where the body is not claimed by a relative or a friend.

(i) Death of a person where the identity of the deceased is unknown.

(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

(k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.

(l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.

(m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death

affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audio-video communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

( \*\* \*5) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars (\$1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars (\$300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars (\$900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars (\$300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 5. Section 41-61-77, Mississippi Code of 1972, is amended as follows:

41-61-77. (1) The Department of Public Safety shall establish and maintain a central office for the Mississippi Forensics Laboratory and the State Medical Examiner with appropriate facilities and personnel for postmortem medicolegal examinations. District offices, with appropriate facilities and personnel, may also be established and maintained if considered necessary by the department for the proper management of postmortem examinations.

The facilities of the central and district offices and their staff services may be available to the medical examiners and designated pathologists in their investigations.

(2) In order to provide proper facilities for investigating deaths as authorized in Sections 41-61-51 through 41-61-79, the State Medical Examiner may arrange for the use of existing public or private laboratory facilities. The State Medical Examiner may contract with qualified persons to perform or to provide support services for autopsies, studies and investigations not inconsistent with other applicable laws. Such laboratory facilities may

be located at the University of Mississippi Medical Center or any other suitable location. The State Medical Examiner may be an affiliate or regular faculty member of the Department of Pathology at the University of Mississippi Medical Center and may serve as a member of the faculty of other institutions of higher learning. He shall be authorized to employ, with the approval of the Commissioner of Public Safety, such additional scientific, technical, administrative and clerical assistants as are necessary for performance of his duties. Such employees in the Mississippi Forensics Laboratory and the Office of the State Medical Examiner shall be subject to the rules, regulations and policies of the Mississippi State Personnel Board in their employment.

(3) The State Medical Examiner shall be authorized to employ qualified pathologists as deputy state medical examiners as are necessary to carry out the duties of his office. The deputy state medical examiners shall be licensed to practice medicine and, either board-certified in forensic pathology by the American Board of Pathology or be a physician who is board certified in anatomic pathology by the American Board of Pathology. The State Medical Examiner may delegate specific duties to competent and qualified medical examiners within the scope of the express authority granted to him by law or regulation. Employees of the Office of the State Medical Examiner shall have the authority to enter any political subdivisions of this state for the purpose of carrying out medical investigations.

SECTION 6. Section 45-1-6, Mississippi Code of 1972, is amended as follows:

45-1-6. (1) The Director of the Mississippi Bureau of Investigation is authorized to retain on a contractual basis such persons as he shall deem necessary to detect and apprehend violators of the criminal statutes of this state.

(2) Those persons contracting with the Director of the Mississippi Bureau of Investigation pursuant to subsection (1) shall be known and hereinafter referred to as "special contract agents."

(3) The investigative services provided for in this section shall be designed to support law enforcement efforts of state agencies and to support local law enforcement efforts.

(4) Special contract investigators shall have all powers necessary and incidental to the fulfillment of their contractual obligations, including the power of arrest when authorized by the Director of the Mississippi Bureau of Investigation.

(5) No person shall be a special contract investigator unless he is at least twenty-one (21) years of age.

(6) The Director of the Mississippi Bureau of Investigation shall conduct a background investigation of all potential special contract investigators. All contract agents must meet the minimum standard requirements established by the Board on Law Enforcement Officer Standards and Training.

(7) Any contract pursuant to subsection (1) shall be:

(a) Reduced to writing; and

(b) Terminable upon written notice by either party, and shall in any event terminate one (1) year from the date of signing; and

(c) Approved as to form by the Commissioner of Public Safety.

Such contracts shall not be public records and shall not be available for inspection under the provisions of a law providing for the inspection of public records as now or hereafter amended.

(8) Special contract investigators shall not be considered employees of the Mississippi Bureau of Investigation for any purpose.

(9) The Director of the Mississippi Bureau of Investigation shall have all powers necessary and incidental to the effective operation of this section.

(10) The Mississippi Bureau of Investigation shall have jurisdiction to investigate all incidents of officer-involved shootings, other than \* \* \* shootings involving one or more members of the Mississippi Bureau of Investigation, resulting in injury or death occurring in the state. However, the District Attorney in the jurisdiction where such incident occurred may designate another law enforcement agency to investigate the incident if the District Attorney determines that there is a conflict with the Mississippi Bureau of Investigation or that other extenuating circumstances exist. The Attorney General shall designate another law enforcement agency or task force to investigate any incident of a \* \* \* shooting involving one or more members of the Mississippi Bureau of Investigation resulting in injury or death occurring in the state. The Attorney General's Office shall be exclusively responsible for presenting all officer-involved shootings resulting in injury or death occurring in the state to the appropriate duly empaneled grand jury and, upon indictment by a grand jury, prosecuting such matters.

(11) Notwithstanding any other provisions contained in this section, all contracts authorized under this section and related matters shall be made available to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 7. Section 97-35-27, Mississippi Code of 1972, which is the provision that requires the registration of convicted felons with the chief of police of the city in which the felon resides or the sheriff of the county in which the felon resides, shall stand repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 719, 2022 REGULAR SESSION, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIO-VISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY SHALL BE SUBJECT TO THE RULES, REGULATIONS AND POLICIES OF THE MISSISSIPPI STATE PERSONNEL BOARD IN THEIR EMPLOYMENT; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL HAVE JURISDICTION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS, OTHER THAN SHOOTINGS

INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION, RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL DESIGNATE ANOTHER LAW ENFORCEMENT AGENCY OR TASK FORCE TO INVESTIGATE ANY INCIDENT OF A SHOOTING INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL'S OFFICE SHALL BE EXCLUSIVELY RESPONSIBLE FOR PRESENTING ALL OFFICER-INVOLVED SHOOTINGS RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE TO THE APPROPRIATE DULY EMPANELED GRAND JURY AND, UPON INDICTMENT BY THE GRAND JURY, PROSECUTING SUCH MATTERS; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE REGISTRATION OF CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Jeremy England	Noah Sanford
Daniel H. Sparks	Tom Miles

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2543** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2543**.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2545** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2545: Detached catalytic converter; prescribe criminal penalties for purchase unless certain conditions are met.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-71, Mississippi Code of 1972, is amended as follows:

97-17-71. (1) For the purposes of this section, the following terms shall have the meanings ascribed in this section:

(a) "Railroad materials" means any materials, equipment and parts used in the construction, operation, protection and maintenance of a railroad.

(b) "Copper materials" means any copper wire, bars, rods or tubing, including copper wire or cable or coaxial cable of the type used by public utilities, common carriers or communication services providers, whether wireless or wire line, copper air conditioner evaporator coil or condenser, aluminum copper radiators not attached to a motor vehicle, or any combination of these.

(c) "Aluminum materials" means any aluminum cable, bars, rods or tubing of the type used to construct utility, communication or broadcasting towers, aluminum utility wire and aluminum irrigation pipes or tubing. "Aluminum materials" does not include aluminum cans that have served their original economic purpose.

(d) "Dealer-to-dealer transaction(s)" means any transaction of regulated metals, regardless of compensation, between registered scrap metal dealers.

( \*\* \*e) "Law enforcement officer" means any person appointed or employed full time by the state or any political subdivision thereof, or by the state military department as provided in Section 33-1-33, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal traffic laws of this state or the ordinances of any political subdivision thereof.

( \*\* \*f) "Metal property" means materials as defined in this section as railroad track materials, copper materials and aluminum materials and electrical, communications or utility brass, metal covers for service access and entrances to sewers and storm drains, metal bridge pilings, irrigation wiring and other metal property attached to or part of center pivots, grain bins, stainless steel sinks, catalytic converters not attached to a motor vehicle and metal beer kegs. Metal property does not include ferrous materials not listed in this section.

( \*\* \*g) "Person" means an individual, partnership, corporation, joint venture, trust, limited liability company, association or any other legal or commercial entity.

( \*\* \*h) "Personal identification card" means any government issued photographic identification card including a valid identification card issued by a federally recognized Indian tribe that contains a color photograph of the card holder and the card holder's legal name, residence address and date of birth.

( \*\* \*i) "Photograph" or "photographically" means a still photographic image, including images captured in digital format, that are of such quality that the persons and objects depicted are clearly identifiable.

( \*\* \*j) "Purchase transaction" means a transaction in which \*\* metal property is acquired whether the person acquiring the metal property gives consideration

for the metal property or not. For purposes of this act, the words "purchase" and "purchased" mean a purchase transaction.

( \*\*k) "Purchaser" means a person who \*\* acquires metal property, whether the person gives consideration for the metal property or not.

( \*\*l) "Record" or "records" means a paper, electronic or other method of storing information.

(m) "Registered business entity" means a business entity created by statute, registered and in good standing with its state of incorporation or formation, and having a federal Employer Identification Number (EIN). This term does not include any sole proprietorship, fictitious business name, or nonstatutory general partnership.

(n) "Scrap metal" means any metal property that is acquired by a scrap metal dealer in a purchase transaction.

( \*\*o) "Scrap metal dealer" means any person who is engaged, from a fixed location or otherwise, \*\* acquiring by purchase transaction, metal property that has served its original economic purpose, whether or not the person is engaged in the business of performing the manufacturing process by which metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value. Any person who falls under this definition must register as a scrap metal dealer pursuant to this act and its rules.

(2) Every scrap metal dealer or other purchaser shall keep an accurate and legible record in which he shall enter the following information for each purchase transaction:

(a) The name, address and age of the person from whom the metal property is purchased as obtained from the seller's personal identification card;

(i) If a person other than the seller delivers the metal property to the purchaser, the purchaser shall enter the name, address, and age of the person who delivers the metal property, as obtained from the personal identification card of the person delivering the metal property. If the person delivering the metal property is the employee of the scrap metal dealer acting in his official capacity and at the direction of the scrap metal dealer, the purchaser is not required to enter the name, address, and age of the person who delivers the metal property.

(ii) If the seller is a registered business entity, and a person other than the seller delivers the metal property to the purchaser, in addition to the information required by this paragraph (a), the purchaser shall enter the name, principal business address, state of incorporation or formation of the entity, the federal Employer Identification Number (EIN) of the entity, and the name and telephone number of a contact person for the seller;

(b) The date and place of each acquisition of the metal property;

(c) The weight, quantity or volume and a general physical description of the type of metal property, such as wire, tubing, extrusions or casting, \*\* acquired in a purchase transaction;

(d) The amount of consideration given in a purchase transaction for the metal property. If no consideration is given, a record of the origin of the regulated metal;

(e) The vehicle license tag number, state of issue and the make and type of the vehicle used to deliver the metal property to the purchaser;

\*\*\*

( \*\*f) A signed statement from the person receiving consideration in the purchase transaction stating that he or she is the rightful owner of the metal property or is entitled to sell the metal property being sold. Signed statements as required by this section may be collected and recorded on paper, by photographic copy, or other alternative formats as set forth in the rules promulgated by the Secretary of State;

( \*\*g) \*\* A scanned copy or a photocopy of the personal identification card of the person receiving consideration, or delivering the metal property in the purchase transaction; \*\* and

\*\*\*

( \*\*h) A photograph, videotape or similar likeness of the person receiving consideration or any person other than the seller who delivers the metal property to the purchaser in which the person's facial features are clearly visible and in which the metal property the person is selling or delivering is clearly visible.

Such records shall be maintained by the scrap metal dealer or purchaser for not less than two (2) years from the date of the purchase transaction, and such records shall be made available to any law enforcement officer or Secretary of State examiner during usual and customary business hours.

(3) \*\* The purchaser shall \*\* photographically capture the metal property \*\* as it exists when it is acquired by the purchaser. The time and date shall be digitally recorded on the photograph, and the identity of the person taking the photograph shall be recorded. The purchaser shall permit any law enforcement officer or Secretary of State examiner to make an inspection of the metal property \*\*, if the metal property is still in the purchaser's possession, and of all photographs of the metal property. Any photograph of metal property taken and maintained pursuant to this subsection shall be admissible in any civil or criminal proceeding.

(4) During the usual and customary business hours of a scrap metal dealer \*\*, a law enforcement officer or Secretary of State examiner, after proper identification as a law enforcement officer or Secretary of State examiner, shall have the right to inspect all purchased metal property and all records pertaining to the purchase of regulated metals in the possession of the scrap metal dealer or purchaser.

(5) (a) Whenever a law enforcement officer has reasonable cause to believe that any item of metal property in the possession of a scrap metal dealer \*\* has been stolen, a law enforcement officer who has an affidavit from the alleged rightful owner of the property identifying the property with specificity, including any identifying markings, may issue and deliver a written hold notice to the scrap metal dealer \*\*. The hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the hold notice. Upon receipt of the notice, the scrap metal dealer \*\* may not process or remove the metal property identified in the notice from the place of business of the scrap metal dealer \*\* for fifteen (15) calendar days after receipt of the notice, unless sooner released by a law enforcement officer.

(b) No later than the expiration of the fifteen-day period, a law enforcement officer, after receiving additional substantive evidence beyond the initial affidavit, may issue and deliver a second written hold notice, which shall be an extended hold notice. The extended hold notice shall specifically identify those items of metal property that are believed to have been stolen and that are subject to the extended hold notice. Upon receipt of the extended hold notice, the scrap metal dealer \*\* may not process or remove the items of metal property identified in the notice from the place of business of the scrap metal dealer \*\* for fifteen (15) calendar days after receipt of the extended hold notice, unless sooner released by a law enforcement officer.

(c) At the expiration of the hold period or, if extended in accordance with this subsection, at the expiration of the extended hold period, the hold is automatically released, then the scrap metal dealer \* \* \* may dispose of the metal property unless other disposition has been ordered by a court of competent jurisdiction.

(d) If the scrap metal dealer \* \* \* contests the identification or ownership of the metal property, the party other than the scrap metal dealer \* \* \* claiming ownership of any metal property in the possession of a scrap metal dealer \* \* \*, provided that a timely report of the theft of the metal property was made to the proper authorities, may bring a civil action in the circuit court of the county in which the scrap metal dealer or purchaser is located. The petition for the action shall include the means of identification of the metal property utilized by the petitioner to determine ownership of the metal property in the possession of the scrap metal dealer \* \* \*.

(e) When a lawful owner recovers stolen metal property from a scrap metal dealer \* \* \* who has complied with this section, and the person who sold the metal property to the scrap metal dealer \* \* \* is convicted of a violation of this section, or theft by receiving stolen property under Section 97-17-70, the court shall order the convicted person to make full restitution to the scrap metal dealer \* \* \*, including, without limitation, attorney's fees, court costs and other expenses.

(6) \* \* \* For dealer-to-dealer transactions, records required to be kept include:

(a) \* \* \* Name and address of selling dealer;

(b) \* \* \* Date and place of each acquisition of the metal property;

(c) \* \* \* The weight, quantity, or volume and a general description of the type of metal property; and

(d) \* \* \* The amount or type of consideration given for the metal property by the purchasing dealer.

\* \* \*

Such records shall be maintained by the scrap metal dealer for not less than two (2) years from the date of the purchase transaction, and such records shall be made available to any law enforcement officer or Secretary of State examiner during usual and customary business hours.

(7) It shall be unlawful for any person to give a false statement of ownership or to give a false or altered identification or vehicle tag number and receive money or other consideration from a scrap metal dealer or other purchaser in return for metal property.

(8) A scrap metal dealer or other purchaser shall not enter into any cash transactions in payment for the purchase of metal property. Payment shall be made by check issued to the seller of the metal property \* \* \* or by electronic funds transfer. \* \* \*

(9) If a person acquiring metal property fails to maintain the records or to hold such materials \* \* \* as requested by a law enforcement officer under this act, such failure shall be prima facie evidence that the person receiving the metal property received it knowing it to be stolen in violation of Section 97-17-70.

(10) It shall be unlawful for any person to transport or cause to be transported for himself or another from any point within this state to any point outside this state any metal property, unless the person or entity first reports to the sheriff of the county from which he departs this state transporting such materials the same information that a purchaser in this state would be required to obtain and keep in a record as set forth in subsection (2) of this section. In such a case the sheriff receiving the report shall keep the information

in records maintained in his office as a public record available for inspection by any person at all reasonable times. This section shall not apply to a public utility, as that term is defined in Section 77-3-3, engaged in carrying on utility operations; to a railroad, as that term is defined in Section 77-9-5; to a communications service provider, whether wireless or wire line; to a scrap metal dealer; or to a person identified in subsection (6) as being exempt from the provisions of this section.

(11) It shall be unlawful for a scrap metal dealer or other purchaser to knowingly purchase or possess a metal beer keg, or a metal syrup tank generally used by the soft drink industry, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut or otherwise alter scrap metal. However, it shall not be unlawful to purchase or possess a metal syrup tank generally used by the soft drink industry if the scrap metal dealer or other purchaser obtains a bill of sale at the time of purchase from a seller if the seller is a manufacturer of such tanks, a soft drink company or a soft drink distributor.

(12) It shall be unlawful to sell to a scrap metal dealer any bronze vase and/or marker, memorial, statue, plaque, or other bronze object used at a cemetery or other location where deceased persons are interred or memorialized, or for any such dealer to purchase those objects, unless the source of the bronze is known and notice is provided to the municipal or county law enforcement agency where the dealer is located. The notice shall identify all names, letters, dates and symbols on the bronze and a photograph of the bronze shall be attached thereto. Written permission from the cemetery and the appropriate law enforcement agency must be received before any type of bronze described in this subsection may be purchased, processed, sold or melted.

(13) (a) It shall be unlawful for any scrap metal dealer to purchase any manhole cover and other similar types of utility access covers, including storm drain covers, or any metal property clearly identified as belonging to a political subdivision of the state or a municipality, unless that metal property is purchased from the political subdivision, the municipal utility or the manufacturer of the metal. Any purchaser who purchases metal property in bulk shall be allowed twenty-four (24) hours to determine if any metal property prohibited by this subsection is included in a bulk purchase. If such prohibited metal property is included in a bulk purchase, the purchaser shall notify law enforcement no later than twenty-four (24) hours after the purchase.

(b) It shall be unlawful for a person to sell, or any scrap metal dealer to purchase, any copper telecommunication wire in any form or any metal property clearly identified as belonging to a telecommunications company, unless that metal property is purchased from (i) an electrician or contractor to whom either a license has been issued by a municipality or county in this state or a current certificate of responsibility has been issued by the State Board of Public Contractors; or (ii) a person who holds a demolition permit issued by a municipality or county in this state. It shall be unlawful for a person to sell, or a scrap metal dealer to purchase, copper telecommunication wire that has been burned to remove the insulation, unless the seller provides certification, on a form as issued by the Secretary of State and signed by a firefighter who is currently in compliance with the certification requirements of the Mississippi Fire Personnel Minimum Standards and Certification Board or a certified law enforcement officer, that the source of the copper telecommunication wire was from a building destroyed by fire.

(14) It shall be unlawful for a scrap metal dealer or other purchaser to purchase metal property from a person younger than eighteen (18) years of age.

(15) Metal property may not be purchased, acquired or collected between the hours of 9:00 p.m. and 6:00 a.m.

(16) Except as provided in this subsection, any person willfully or knowingly violating the provisions of this \* \* \* act shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed One Thousand Dollars

(\$1,000.00) per offense, unless the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), in which case the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed five (5) years, fined not more than Ten Thousand Dollars (\$10,000.00), or both. Any person found guilty of stealing metal property or receiving metal property, knowing it to be stolen in violation of Section 97-17-70, shall be ordered to make full restitution to the victim, including, without limitation, restitution for property damage that resulted from the theft of the property.

(17) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds Five Thousand Dollars (\$5,000.00) but less than Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not less than one (1) year, but not to exceed ten (10) years, fined not more than \* \* \* Fifteen Thousand Dollars (\$15,000.00), or both.

(18) If the purchase transaction or transactions related to the violation, in addition to any costs which are, or would be, incurred in repairing or in the attempt to recover any property damaged in the theft of or removal of the metal property, including replacement costs of the metal property, are in aggregate an amount which exceeds Twenty-five Thousand Dollars (\$25,000.00), the person shall be guilty of a felony and shall be imprisoned in the custody of the Department of Corrections for a term not less than three (3) years, but not to exceed twenty (20) years, fined not more than \* \* \* Twenty Thousand Dollars (\$20,000.00), or both.

(19) This section shall not be construed to repeal other criminal laws. Whenever conduct proscribed by any provision of this section is also proscribed by any other provision of law, the provision which carries the more serious penalty shall be applied.

(20) This section shall apply to all businesses regulated under this section without regard to the location within the State of Mississippi.

(21) This \* \* \* act shall take precedence over any and all local ordinances governing purchase transactions of metal property. If any municipal or county ordinance, rule or regulation conflicts with the provisions of this act, the provisions of this act shall preempt the municipal or county ordinance, rule or regulation.

(22) This section shall be fully applicable to the requirements for the purchase and sale of detached catalytic converters provided in Section 97-17-71.3, Mississippi Code of 1972.

SECTION 2. Section 97-17-71.1, Mississippi Code of 1972, is amended as follows:

97-17-71.1. (1) (a) From and after August 7, 2008, it shall be unlawful for any scrap metal dealer or any person who purchases scrap metal, deals in scrap metal, or otherwise engages in the scrap metal business to fail to register with the Secretary of State. All registrations under this section shall expire two (2) years from the date of the registration or the renewal thereof.

(b) The Secretary of State may promulgate and adopt such rules and regulations as are reasonably necessary to carry out the provisions of this section and establish such registration and renewal fees as are adequate to cover the administrative costs associated with the registration program.

(c) The Secretary of State may deny, suspend, revoke or refuse to renew any registration following notice to the applicant or registrant in accordance with the promulgated rules and an opportunity for a hearing for any failure to comply with this section, or for other good cause.

(2) A violation of this section is a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) but not to exceed One Thousand Dollars (\$1,000.00) for the first offense. Any person who shall be guilty of any subsequent violations of this section requiring registration shall be guilty of a felony offense and shall be imprisoned in the custody of the Department of Corrections for a term not to exceed three (3) years, fined not more than Five Thousand Dollars (\$5,000.00), or both.

(3) (a) To register or renew registration, the registrant must declare, under penalty of perjury, whether such registrant has ever been convicted of \* \* \* any felony offense, or any misdemeanor offense involving fraud, dishonesty, or deceit within five (5) years preceding the date of application. If the registrant is a business entity, the registrant shall make the same declarations on behalf of every owner of the business who participates in the operation or management of the business.

(b) (i) An applicant who has been convicted of an \* \* \* offense as described in paragraph (a) of this subsection may be prohibited from registering under this section for five (5) years from the date of conviction.

(ii) Any false statement submitted to the Secretary of State for the purpose of unlawfully registering under this section shall be punished as perjury in the manner provided in Section 97-9-61, and a person so convicted shall be disqualified for life from registering as a scrap metal dealer under this section.

(4) The Secretary of State shall immediately report any suspected criminal violation accompanied by all relevant records to the Office of Attorney General and the appropriate district attorney for further proceedings.

(5) It is unlawful for a person to make or cause to be made, in a record or statement that is used or obtained in an examination, action, proceeding, or filed under this chapter, a statement that, at the time and in light of the circumstances under which it is made, is false or misleading in a material respect, or, in connection with the statement, to omit to state a material fact necessary to make the statement made, in light of the circumstances under which it was made, not false or misleading.

(\* \* \*6) The Secretary of State shall have the authority to:

(a) Conduct and carry out criminal background history verification of the information provided by the applicant or registrant and to require the submission of information and forms from the applicant or registrant in order to accomplish the registration duties imposed by this section;

(b) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted;

(\* \* \*c) Issue a cease and desist order, with a prior hearing, against the scrap metal dealer or other purchaser alleged to be in violation of this section, directing the person or persons to cease and desist from further illegal activity. When an immediate cease and desist order is issued, the Secretary of State shall hold an administrative hearing on the alleged violations within fifteen (15) business days;

(\* \* \*d) (i) Issue an order against any scrap metal dealer or other purchaser for any violation of this section, imposing an administrative penalty up to a maximum of

One Thousand Dollars (\$1,000.00) for each offense. Each violation shall be considered a separate offense in a single proceeding or a series of related proceedings. Any administrative penalty, plus reimbursement for all costs and expenses incurred in the investigation of the violation and any administrative proceedings, shall be paid to the Secretary of State;

(ii) For the purpose of determining the amount or extent of a sanction, if any, to be imposed under paragraph (c)(i) of this subsection, the Secretary of State shall consider, among other factors, the frequency, persistence and willfulness of the conduct constituting a violation of this section or any rule or order hereunder; the number of persons adversely affected by the conduct; and the resources of the person committing the violation;

( \*\* \*e) Bring an action in chancery court to enjoin the acts or practices complained of to enforce compliance with this section or any rule promulgated or order entered hereunder. Upon a proper showing, a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. In addition, upon a proper showing by the Secretary of State, the court may enter an order of rescission or restitution directed to any person who has engaged in any act constituting a violation of any provision of this section or any rule or order hereunder, or the court may impose a civil penalty up to a maximum of One Thousand Dollars (\$1,000.00) for each offense, provided that each violation shall be considered as a separate offense in a single proceeding or a series of related proceedings. The court may not require the Secretary of State to post a bond.

( \*\* \*7) Any person aggrieved by a final order of the Secretary of State may obtain a review of the order in the Chancery Court of the First Judicial District of Hinds County, Mississippi, by filing in the court, within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be forthwith served upon the Secretary of State and thereupon the Secretary of State shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part.

SECTION 3. Section 97-17-71.2, Mississippi Code of 1972, is amended as follows:

97-17-71.2. (1) It is an offense for a scrap metal dealer \* \* \* to pay cash to a person who presents an air conditioner evaporator coil or condenser, in whole or in part, for sale as scrap \* \* \*.

(2) Scrap metal described in subsection (1) may only be sold for scrap by an authorized agent, representative or employee of one (1) of the following:

(a) A licensed HVAC contractor who acquired the evaporator coil or condenser in the performance as a contractor as defined in Section 31-3-1;

(b) A company meeting all local or municipal requirements to obtain a permit from that jurisdiction to repair, replace and install HVAC units containing copper evaporator coils or condensers;

(c) Where the jurisdiction does not require a permit to repair, replace and install HVAC units containing copper evaporator coils or condensers, by a company holding a privilege license indicating the business as that of an HVAC installer or repairer; or

(d) A company holding a privilege license indicating the business as that of an HVAC installer or repairer.

(3) The person offering an air conditioner evaporator coil or condenser for sale as scrap on behalf of a company listed in subsection (2) shall have in the person's possession documentation that the company for whom it is being sold is a company described in subsection (2), and that the person selling the evaporator coil or condenser is an authorized agent, representative or employee of that company.

(4) Payment for scrap metal described in subsection (1) must be made by check or money order, \* \* \* and the name of the company or the individual meeting the requirements of subsection (2) of this section must be the payee on the check.

(5) (a) A violation of this section is a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) per offense.

(b) Nothing in this section shall be construed to preclude a person violating this section from also being prosecuted for any other applicable criminal offense.

(6) Any purchase of any air conditioner evaporator coil or condenser, as described in this section, in whole or in part, is subject to the record keeping requirements required by this section.

SECTION 4. The following shall be codified as Section 97-17-71.3, Mississippi Code of 1972:

97-17-71.3. (1) It is unlawful for any person to purchase or otherwise acquire, a used, detached catalytic converter, or any nonferrous part thereof, unless all of the following apply:

(a) The purchaser is registered as a scrap metal dealer under Section 97-17-71;

(b) The sale, transfer, purchase or acquisition occurs at the fixed business address of a scrap metal dealer that is a party to the transaction. For purposes of this subsection, the fixed business address of the scrap metal dealer is the address of the business that is registered pursuant to Section 97-17-71;

(c) The purchaser has maintained all of the information required under Section 97-17-71;

(d) One or more of the following apply:

(i) The used, detached catalytic converter or nonferrous part thereof was obtained by the seller thereof as part of a vehicle;

(ii) The catalytic converter or nonferrous part thereof was purchased in a dealer-to-dealer transaction or from any of the following bona fide entities: a new or used motor vehicle dealer, an automotive repair service, a motor vehicle manufacturer, a vehicle demolisher or a distributor of catalytic converters; or

(iii) The seller of the catalytic converter or nonferrous part thereof provides the purchaser with all of the following information for the motor vehicle from which the catalytic converter or part thereof was taken:

1. The name of the person who removed the catalytic converter;

2. The name of the person for whom the removal was completed;

3. The make and model of the vehicle from which the catalytic converter was removed;

4. The vehicle identification number of the vehicle from which the catalytic converter was removed; and

5. A copy of the driver's license or nondriver identification card of the seller of the catalytic converter.

(e) Before each purchase or acquisition of a used, detached catalytic converter or part thereof, the scrap metal dealer, including an agent, employee, or representative thereof, shall retain the necessary records and information to comply with this act.

(2) It is unlawful for a seller of a used, detached catalytic converter, or any nonferrous part of a catalytic converter, to provide any false, fraudulent, altered or counterfeit information or documentation as required by this section.

(3) Each catalytic converter that is purchased, possessed, obtained, transported or otherwise acquired in violation of this section is a separate violation of this section.

(4) A person who violates this section is guilty of a misdemeanor or a felony for subsequent violations as specifically prescribed under Sections 97-17-71 and 97-17-71.1, Mississippi Code of 1972.

(5) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified and labeled for reuse in accordance with applicable U.S. Environmental Protection Agency Clean Air Act regulations.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF PURCHASE TRANSACTIONS FOR SCRAP METAL; TO REVISE DEFINITIONS BY ADDING CERTAIN TERMS; TO REQUIRE RECORD KEEPING FOR DEALER TO DEALER TRANSACTIONS; TO REGULATE DELIVERY OF METAL PROPERTY BY A PERSON OTHER THAN THE SELLER WHO DELIVERS METAL PROPERTY; TO PROVIDE THAT THE SALE OF CERTAIN TELECOMMUNICATION WIRE SHALL BE UNLAWFUL; TO PROVIDE THAT THIS SECTION SHALL TAKE PRECEDENCE OVER LOCAL ORDINANCES GOVERNING PURCHASE TRANSACTIONS OF METAL PROPERTY; TO AMEND SECTION 97-17-71.1, MISSISSIPPI CODE OF 1972, TO REQUIRE A REGISTRANT TO DECLARE WHETHER THE REGISTRANT HAS EVER BEEN CONVICTED OF ANY FELONY OFFENSE OR ANY MISDEMEANOR OFFENSE INVOLVING FRAUD, DISHONESTY, OR DECEIT WITHIN FIVE YEARS PRECEDING THE DATE OF APPLICATION; TO PROVIDE THAT A REGISTRANT CONVICTED OF SUCH AN OFFENSE MAY BE PROHIBITED FROM REGISTERING FOR FIVE YEARS FROM THE DATE OF CONVICTION; TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO MAKE CERTAIN FALSE OR MISLEADING STATEMENTS; TO AUTHORIZE THE SECRETARY OF STATE TO COMPEL OR ALLOW A PERSON TO TESTIFY OR PRODUCE A RECORD UNDER CERTAIN CIRCUMSTANCES; TO REQUIRE THE SECRETARY OF STATE TO HOLD AN ADMINISTRATIVE HEARING WITHIN A CERTAIN NUMBER OF BUSINESS DAYS OF ISSUING AN IMMEDIATE CEASE AND DESIST ORDER; TO AMEND SECTION 97-17-71.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PURCHASE OF ANY AIR CONDITIONER EVAPORATOR COIL

IS SUBJECT TO CERTAIN RECORD KEEPING REQUIREMENTS; TO CREATE NEW SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO PROVIDE REQUIREMENTS FOR THE PURCHASE AND ACQUISITION OF CERTAIN CATALYTIC CONVERTERS NOT ATTACHED TO A MOTOR VEHICLE; TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO TRANSFER OR PURCHASE A USED, DETACHED CATALYTIC CONVERTER WITHOUT MEETING THE REQUIREMENTS OF THIS SECTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Mike Thompson	Noah Sanford
Neil S. Whaley	Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2545** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Seymour. Total--1.

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Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2620** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2620: Public records; award attorney's fees for duplicative requests.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Angela Cockerham
Nicole Boyd	Thomas U. Reynolds
Jeremy England	Joey Hood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2620** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--None.  
Absent and those not voting----None.  
Voting Present--Simmons D. T. (12th). Total--1.

Senator Seymour offered the following report of the Conference Committee on **S. B. No. 2649** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2649: Mississippi National Guard retired list; clarify placement of federally recognized officers or men on.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joseph M. Seymour	Lester Carpenter
Scott DeLano	Gene Newman
Angela Turner-Ford	De'Keither A. Stamps

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2649** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel offered the following report of the Conference Committee on **S. B. No. 2669** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2669: Insurance company licenses; perpetual until revoked or forfeited.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

J. Walter Michel

Joseph Thomas

Dean Kirby

CONFEREES FOR THE HOUSE

Henry Zuber III

Kevin Ford

Lee Yancey

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2669** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parks offered the following report of the Conference Committee on **S. B. No. 2700** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2700: University construction projects; extend repealer on authority of IHL Board to administer.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-101-15, Mississippi Code of 1972, as amended by House Bill No. 475, 2022 Regular Session, is amended as follows:

37-101-15. (a) The Board of Trustees of State Institutions of Higher Learning shall succeed to and continue to exercise control of all records, books, papers, equipment, and supplies, and all lands, buildings, and other real and personal property belonging to or assigned to the use and benefit of the board of trustees formerly supervising and controlling the institutions of higher learning named in Section 37-101-1. The board shall have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions, except where otherwise specifically provided by law.

(b) The board shall have general supervision of the affairs of all the institutions of higher learning, including the departments and the schools thereof. The board shall have the power in its discretion to determine who shall be privileged to enter, to remain in, or to graduate therefrom. The board shall have general supervision of the conduct of libraries and laboratories, the care of dormitories, buildings, and grounds; the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; and all other matters incident to the proper functioning of the institutions. The board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the board may establish.

(c) The board shall exercise all the powers and prerogatives conferred upon it under the laws establishing and providing for the operation of the several institutions herein specified. The board shall adopt such bylaws and regulations from time to time as it deems expedient for the proper supervision and control of the several institutions of higher learning, insofar as such bylaws and regulations are not repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established. The board shall have power and authority to prescribe rules and regulations for policing the campuses and all buildings of the respective institutions, to authorize the arrest of all persons violating on any campus any criminal law of the state, and to have such law violators turned over to the civil authorities.

(d) For all institutions specified herein, the board shall provide a uniform system of recording and of accounting approved by the State Department of Audit. The board shall annually prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding year which must be prepared and in readiness for at least thirty (30) days before the convening of the regular session of the Legislature. All relationships and negotiations between the State Legislature and its various committees and the institutions named herein shall be carried on through the board of trustees. No official, employee or agent representing any of the separate institutions shall appear before the Legislature or

any committee thereof except upon the written order of the board or upon the request of the Legislature or a committee thereof.

(e) For all institutions specified herein, the board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective institutions. Each report to the Legislature shall show how the money appropriated to the several institutions has been expended, beginning and ending with the fiscal years of the institutions, showing the name of each teacher, officer, and employee, and the salary paid each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance. If any property belonging to the state or the institution is used for profit, the reports shall show the expense incurred in managing the property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and shall show the money on hand at the beginning of the fiscal period of the institution next preceding each session of the Legislature and the necessary amount of expense to be incurred from said date to January 1 following. The board shall keep the annual expenditures of each institution herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the Governor and by written consent of a majority of the senators and of the representatives it may exceed the income. The board shall require a surety bond in a surety company authorized to do business in this state of every employee who is the custodian of funds belonging to one or more of the institutions mentioned herein, which bond shall be in a sum to be fixed by the board in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said institutions.

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four (4) years. The board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the board to permit the executive head of each institution to nominate for election by the board all subordinate employees of the institution over which he presides. It shall be the policy of the board to elect all officials for a definite tenure of service and to reelect during the period of satisfactory service. The board shall have the power to make any adjustments it thinks necessary between the various departments and schools of any institution or between the different institutions.

(g) The board shall keep complete minutes and records of all proceedings which shall be open for inspection by any citizen of the state.

(h) The board shall have the power to enter into an energy performance contract, energy services contract, on a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as prescribed in Section 31-7-14.

(i) The Board of Trustees of State Institutions of Higher Learning, for and on behalf of Jackson State University, is hereby authorized to convey by donation or otherwise easements across portions of certain real estate located in the City of Jackson, Hinds County, Mississippi, for right-of-way required for the Metro Parkway Project.

(j) In connection with any international contract between the board or one (1) of the state's institutions of higher learning and any party outside of the United States, the board or institution that is the party to the international contract is hereby authorized and empowered to include in the contract a provision for the resolution by arbitration of any controversy between the parties to the contract relating to such contract or the failure or refusal to perform any part of the contract. Such provision shall be valid, enforceable and irrevocable without regard to the justiciable character of the controversy. Provided, however, that in the event either party to such contract initiates litigation against the other

with respect to the contract, the arbitration provision shall be deemed waived unless asserted as a defense on or before the responding party is required to answer such litigation.

(k) The Board of Trustees of State Institutions of Higher Learning ("board"), on behalf of any institution under its jurisdiction, shall purchase and maintain business property insurance and business personal property insurance on all university-owned buildings and/or contents as required by federal law and regulations of the Federal Emergency Management Agency (FEMA) as is necessary for receiving public assistance or reimbursement for repair, reconstruction, replacement or other damage to those buildings and/or contents caused by the Hurricane Katrina Disaster of 2005 or subsequent disasters. The board is authorized to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. The board is authorized to enter into agreements with the Department of Finance and Administration, local school districts, community/junior college districts, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration.

(l) The Board of Trustees of State Institutions of Higher Learning, or its designee, may approve the payment or reimbursement of reasonable travel expenses incurred by candidates for open positions at the board's executive office or at any of the state institutions of higher learning, when the job candidate has incurred expenses in traveling to a job interview at the request of the board, the Commissioner of Higher Education or a state institution of higher learning administrator.

(m) (i) The Board of Trustees of State Institutions of Higher Learning is authorized to administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are paid for with self-generated funds.

(ii) Additionally, the board is authorized to oversee, administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are funded in whole or in part by general obligation bonds of the State of Mississippi at institutions designated annually by the board as being capable to procure and administer all such contracts. Prior to the disbursement of funds, an agreement for each project between the institution and the Department of Finance and Administration shall be executed. The approval and execution of the agreement shall not be withheld by either party unless the withholding party provides a written, detailed explanation of the basis for withholding to the other party. The agreement shall stipulate the responsibilities of each party, applicable procurement regulations, documentation and reporting requirements, conditions prior to, and schedule of, disbursement of general obligation bond funds to the institution and provisions concerning handling any remaining general obligation bonds at the completion of the project. Such agreement shall not include provisions that constitute additional qualifications or criteria that act to invalidate the designation of an institution as capable of procuring and administering such project. Inclusion of any such provisions may be appealed to the Public Procurement Review Board. This subparagraph (ii) shall stand repealed from and after July 1, \* \* \* 2025.

SECTION 2. (1) This act shall be known and may be cited as the "Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Finance and Administration, the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program under which independent colleges and universities may apply for reimbursable grants to make necessary investments in water, wastewater, stormwater, broadband and other eligible infrastructure projects to be funded by the

Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act (ARPA). Such grants shall be made available to the following institutions: Belhaven University, Blue Mountain College, Millsaps College, Mississippi College, Rust College, Tougaloo College and William Carey University. Grant program funds shall be distributed to each listed institution based on the pro rata share of full-time equivalent students enrolled in the respective college or university. For purposes of this distribution, a full-time equivalent student shall be calculated as follows:

(a) One (1) full-time student shall be considered one (1) full-time equivalent student;

(b) One (1) part-time student shall be considered one-half (1/2) of a full-time equivalent student; and

(c) One (1) online student shall be considered one-fourth (1/4) of a full-time equivalent student.

(3) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MAICU Grant Program" shall mean the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program.

(b) "ARPA" shall mean the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" shall mean Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Department" shall mean the Department of Finance and Administration.

(4) On or before July 1, 2022, the Mississippi Department of Finance and Administration shall promulgate rules and regulations necessary to administer the MAICU Grant Program prescribed under this act, including application procedures and deadlines.

(5) Funds under the MAICU Grant Program shall be awarded for ARPA eligible projects in the following order:

(a) Eligible water, wastewater and stormwater projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) and other eligible water projects allowable by ARPA;

(b) Broadband infrastructure projects;

(c) Capital investments for prevention, mitigation and ventilation in congregate living facilities and other key settings; and

(d) Any eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding premium pay.

(6) The boards of trustees of the respective members of the Mississippi Association of Independent Colleges and Universities (MAICU) may submit an application for grant funds under this act. Applicants shall certify to the Department of Finance and Administration that each expenditure of the funds awarded to them by the department under this act is in compliance with the ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States

Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this act shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application shall include the following at a minimum: applicant contact information; project description and type of project; project map; estimate of the population served by the projects; estimated project cost; estimated project schedule; and readiness to proceed. The Mississippi Department of Finance and Administration is authorized to accept additional rounds of grant proposals for application consideration as needed.

(8) Applications shall be reviewed, and the Mississippi Department of Finance and Administration shall certify that each project submitted is eligible under the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. For water, wastewater and stormwater projects, the department must also certify that it is a "necessary investment" in water, wastewater or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. Grant agreements shall be executed between the recipient and the Mississippi Department of Finance and Administration. All final awards will be determined at the discretion of the executive director of the department. Funds shall be made available to a grantee upon the execution of a grant agreement between the department and the approved applicant, and the department obtains the necessary support for reimbursement.

(9) Grant requirements shall be used prospectively and grants are not available to cover the costs of debt incurred prior to the enactment of this program.

(10) (a) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund," which shall consist of funds appropriated by the Legislature from federal American Rescue Plan Act (ARPA) monies or other available federal grant funds for the purposes of awarding grants under this act. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund. The expenditure of monies in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund shall be under the direction of the Mississippi Department of Finance and Administration;

(b) All monies shall be disbursed from the fund created in this subsection shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (Public Law No. 117-2). Unexpended amounts remaining in the funds at the end of a fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any investment earnings or interest earned on amounts in the program fund shall be deposited to the credit of COVID-19 Hospital Expanded Capacity Program Fund;

(c) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the fund created in this act, on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Ten Million Dollars (\$10,000,000.00) or the amount of allowable ARPA expenditures,

by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government; and

(d) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this act shall return to the state all or a portion of the funds received.

(11) The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain the applications received, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and the status of each applicant's project.

(12) Grant funds shall be available under this act through December 31, 2026. Each grant recipient shall certify for any project that a grant is awarded that in the event the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA Funds, then the grant recipient will complete the project through any other funds available.

(13) The Mississippi Department of Finance and Administration may retain an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) of the total funds allocated to the program to defray administrative costs.

(14) This section shall stand repealed on July 1, 2026.

SECTION 3. Section 27-104-3, Mississippi Code of 1972, is amended as follows:

27-104-3. In addition to other powers and duties prescribed by statute, the Department of Finance and Administration shall have the following powers and duties, with regard to fiscal management:

(a) Provide direct technical assistance and training to state agencies and departments in implementing generally accepted accounting principles, in preparing financial statements as required by law, and in management and executive development.

(b) Provide temporary administrative services in financial accounting and public administration to any state agency, department or institution upon request of the governing board of the state agency, department or institution.

(c) Prepare and issue a comprehensive reference manual or manuals of policies and procedures for each state agency and department to use, which may include chapters on purchasing, personnel, payroll, travel, chart of accounts, fund classifications, receipts, warrants, expenditures, fixed assets, property inventory, and maintaining financial records and preparing financial reports as required and prescribed by law. The manual shall be revised on a continuing basis. The manual shall be prepared and revised in consultation with the State Auditor's office.

(d) Provide assistance to any state agency, department or institution in collecting a fee or other valid obligation that another agency, department or institution has failed to pay to it. For purposes of this paragraph, the agency, department or institution seeking to collect the funds shall be referred to as the "creditor agency," and the agency, department or institution that has not paid the creditor agency shall be referred to as the "delinquent agency." A valid obligation may be evidenced by an invoice or any other

documentation as may be required by the Department of Finance and Administration, hereinafter referred to as the department. A creditor agency may request assistance from the department, and the department may require the creditor agency to furnish detailed information regarding the obligation. Upon determining that the delinquent agency owes the creditor agency a specific amount, the State Fiscal Officer shall pay to the creditor agency that amount out of any funds in the State Treasury to the credit of the delinquent agency. The State Fiscal Officer shall notify the creditor agency and the delinquent agency of the total amount of funds transferred. Either agency may appeal the transfer of funds or the failure to transfer funds, under rules and regulations promulgated by the department and approved by the Office of the State Auditor. The Department of Finance and Administration shall report any actions taken under this paragraph (d) to the Chairmen of the Appropriations Committees of the House of Representatives and the Senate on a quarterly basis.

(e) To issue a request for an ACA-compliant health insurance policy, or policies, to offer health insurance coverage to the full-time equivalent employees not otherwise eligible to participate in the State and School Employees' Health Insurance Plan; and to issue a request for administrative support in order to meet reporting requirements under Internal Revenue Code Section 6056 and to comply with the Patient Protection and Affordable Care Act of 2010.

(f) The Department of Finance and Administration shall have as additional responsibilities, the administration of the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022 and shall promulgate necessary rules and regulations relating to the application of eligible colleges and universities for grant funds and the awarding of such grants.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 475, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONSTRUCTION AND MAINTENANCE PROJECTS OF THE INSTITUTIONS UNDER ITS JURISDICTION; TO ESTABLISH THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROMULGATE GRANT APPLICATION REGULATIONS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADMINISTER THE MAICU GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND DESIGNATED AS THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTION 27-104-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Rita Potts Parks	Mac Huddleston
Josh Harkins	Donnie Scoggin
John A. Polk	Dana McLean

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2700** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker offered the following report of the Conference Committee on **S. B. No. 2723** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2723: Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 71-5-353, Mississippi Code of 1972, is amended as follows:

71-5-353. (1) (a) Each employer shall pay unemployment insurance contributions equal to five and four-tenths percent (5.4%) of taxable wages paid by him each calendar year, except as may be otherwise provided in Section 71-5-361 and except that each newly subject employer shall pay unemployment insurance contributions at the rate of one percent (1%) of taxable wages, for his first year of liability, one and one-tenth percent (1.1%) of taxable wages for his second year of liability, and one and two-tenths percent (1.2%) of taxable wages for his third and subsequent years of liability unless the employer's experience-rating record has been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time

the rate for a year is determined; thereafter the employer's contribution rate shall be determined in accordance with the provisions of Section 71-5-355.

(b) Notwithstanding the newly subject employer contribution rate provided for in paragraph (a) of this subsection, the contribution rate of all newly subject employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only. The contribution rate of all newly subject employers shall be reduced by three one-hundredths of one percent (.03%) for calendar year 2014 only. For purposes of this chapter, "newly subject employers" means employers whose unemployment insurance experience-rating record has not been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the contribution rate for a year is determined.

(2) (a) (i) There is hereby created in the Treasury of the State of Mississippi special funds to be known as the "Mississippi Workforce Enhancement Training Fund" and the "Mississippi Works Fund" which consist of funds collected pursuant to subsection (3) of this section.

(ii) Funds collected shall initially be deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently appropriate amounts shall be transferred to the Mississippi Workforce Investment and Training Fund Holding Account described in Section 71-5-453. In the event any employer pays an amount insufficient to cover the total contributions due, the amounts due shall be satisfied in the following order:

1. Unemployment contributions;
2. Mississippi Workforce Enhancement Training contributions, State Workforce Investment contributions and the Mississippi Works contributions, known collectively as the Mississippi Workforce Investment and Training contributions, on a pro rata basis;
3. Interest and damages; then
4. Legal and processing costs.

The amount of unemployment insurance contributions due for any period will be the amount due according to the actual computations unless the employer is participating in the MLPP. In that event, the amount due is the MLPP amount computed by the department.

Cost of collection and administration of the Mississippi Workforce Enhancement Training contribution, the State Workforce Investment contribution and the Mississippi Works contribution shall be allocated based on a plan approved by the United States Department of Labor (USDOL). The Mississippi Community College Board shall pay the cost of collecting the Mississippi Workforce Enhancement Training contributions, the State Workforce Investment Board shall pay the cost of collecting the State Workforce Investment contributions and the Mississippi Department of Employment Security shall pay the cost of collecting the Mississippi Works contributions. Payments shall be made semiannually with the cost allocated to each based on a USDOL approved plan on a pro rata basis, for periods ending in June and December of each year. Payment shall be made by each organization to the department no later than sixty (60) days after the billing date. Cost shall be allocated under the USDOL's approved plan and in the same ratio as each contribution type represents to the total authorized by subparagraph (ii)2 of this paragraph to be collected for the period.

(b) Mississippi Workforce Enhancement Training contributions and State Workforce Investment contributions shall be distributed as follows:

(i) For calendar year 2014, ninety-four and seventy-five one-hundredths percent (94.75%) shall be distributed to the Mississippi Workforce Enhancement Training Fund and the remainder shall be distributed to the State Workforce Investment Board bank account;

(ii) For calendar years subsequent to calendar year 2014, ninety-three and seventy-five one-hundredths percent (93.75%) shall be distributed to the Mississippi Workforce Enhancement Training Fund and the remainder shall be distributed to the State Workforce Investment Board bank account;

(iii) Workforce Enhancement Training contributions and State Workforce Investment contributions for calendar years 2014 and 2015 shall be distributed as provided in subparagraphs (i) and (ii) of this paragraph regardless of when the contributions were collected.

(c) All contributions collected for the State Workforce Enhancement Training Fund, the State Workforce Investment Fund and the Mississippi Works Fund will be initially deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently transferred to the Workforce Investment and Training Holding Account and will be held by the Mississippi Department of Employment Security in such account for a period of not less than thirty (30) days. After such period, the Mississippi Workforce Enhancement Training contributions shall be transferred to the Mississippi Community College Board Treasury Account, with oversight provided by the Mississippi Office of Workforce Development, the State Workforce Investment contributions and the Mississippi Works contributions shall be transferred to the Mississippi Department of Employment Security Mississippi Works Treasury Account in the same ratio as each contribution type represents to the total authorized by paragraph (a)(ii)2 of this subsection to be collected for the period and within the time frame determined by the department; however, except in cases of extraordinary circumstances, these funds shall be transferred within fifteen (15) days. Interest earnings or interest credits on deposit amounts in the Workforce Investment and Training Holding Account shall be retained in the account to pay the banking costs of the account. If after the period of twelve (12) months interest earnings less banking costs exceeds Ten Thousand Dollars (\$10,000.00), such excess amounts shall be transferred to the respective accounts within thirty (30) days following the end of each calendar year on the basis described in paragraph (b) of this subsection. Interest earnings and/or interest credits for the State Workforce Investments funds shall be used for the payment of banking costs and excess amounts shall be used in accordance with the rules and regulations of the State Workforce Investment Board expenditure policies.

(d) All enforcement procedures for the collection of delinquent unemployment contributions contained in Sections 71-5-363 through 71-5-383 shall be applicable in all respects for collections of delinquent unemployment insurance contributions designated for the Unemployment Compensation Fund, the Mississippi Workforce Enhancement Training Fund, the State Workforce Investment Board Fund and the Mississippi Works Fund.

(e) (i) Except as otherwise provided for in this subparagraph (i), all monies deposited into the Mississippi Workforce Enhancement Training Fund Treasury Account shall be directed by the Mississippi Office of Workforce Development, in collaboration with the Mississippi Community College Board, in accordance with the Workforce Training Act of 1994 (Section 37-153-1 et seq.) and under policies approved by the Mississippi Office of Workforce Development for the following purposes: to provide training in collaboration with the Mississippi Community College Board and individual community and junior colleges to employers and employees in order to enhance employee productivity. Such training may be subject to a minimal administrative fee to be paid from the Mississippi Workforce Enhancement Training Fund as established by the Office of Workforce Development. The initial priority of these funds shall be for the benefit of existing businesses located within the state. Employers may request training for existing

employees and/or newly hired employees from the Mississippi Office of Workforce Development. The office, in consultation with the Mississippi Community College Board, will be responsible for approving the training. A portion of the funds collected for the Mississippi Workforce Enhancement Training Fund shall be used for the development of performance measures to measure the effectiveness of the use of the Mississippi Workforce Enhancement Training Fund dollars. These performance measures shall be uniform for all training projects and shall be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. Nothing in this section or elsewhere in law shall be interpreted as giving the Office of Workforce Development or State Workforce Investment Board authority to direct the Mississippi Community College Board or individual community or junior colleges on how to expend other funds, aside from funds appropriated to the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, appropriated or received for workforce training. The Mississippi Office of Workforce Development, Mississippi Community College Board, individual community or junior colleges, State Workforce Investment Board and other agencies implementing or coordinating state-funded workforce development programs under state law shall cooperate with each other to promote effective workforce training in Mississippi, under the direction of the office. Any subsequent changes to these performance measures shall also be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. A performance report for each training project and community college, based upon these measures, shall be submitted annually to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature.

(ii) Except as otherwise provided in this paragraph (e), all funds deposited into the State Workforce Investment Board bank account shall be used for administration of State Workforce Investment Board business, the Office of Workforce Development, grants related to training, and other projects as determined appropriate by the State Workforce Investment Board and shall be nonexpiring. Policies for grants and other projects shall be approved through a majority vote of the State Workforce Investment Board.

(iii) All funds deposited into the Mississippi Department of Employment Security Mississippi Works Fund shall be disbursed exclusively by the Executive Director of the Mississippi Department of Employment Security, in accordance with the rules and regulations promulgated by the Office of Workforce Development in support of workforce training activities approved by the Mississippi Office of Workforce Development in support of economic development activities. Funds allocated by the executive director under this subparagraph (iii) shall only be utilized for the training of unemployed persons, for immediate training needs for the net new jobs created by an employer, for the retention of jobs, to create a work-ready applicant pool of Mississippians with credentials and/or postsecondary education in accordance with the state's Workforce Investment and Opportunity Act plan, or for the support of local economic and community development activities related to workforce development in the state. \* \* \* The Mississippi Office of Workforce Development, in collaboration with the Mississippi Public Community College System and its partners, shall be the primary entity to facilitate training. \* \* \* Training conducted utilizing these Mississippi Works funds may be subject to a minimal administrative fee to be paid from the Mississippi Works Fund as authorized by the Mississippi Office of Workforce Development. All costs associated with the administration of these funds shall be reimbursed to the Mississippi Department of Employment Security from the Mississippi Works Fund.

(iv) 1. The Department of Employment Security shall be the fiscal agent for the receipt and disbursement of all funds in the State Workforce Investment Board bank account, subject to the administrative oversight of the Office of Workforce Development.

2. In managing the State Workforce Investment Board bank account, the Office of Workforce Development, in coordination with the Mississippi Department of Employment Security as fiscal agent, shall ensure that any funds expended

for contractual services rendered to the Office of Workforce Development over Five Thousand Dollars (\$5,000.00) shall be paid only to service providers who have been selected on a competitive basis. Any contract for services entered into using funds from the Workforce Investment Fund bank account shall \* \* \* meet the requirements for state contracts set out in Section 31-7-1 et seq.

3. Any commodities procured for the office shall be procured in accordance with the provisions of Section 31-7-13.

(v) In addition to other expenditures, the Office of Workforce Development shall expend from the State Workforce Investment Board bank account for the use and benefit of the Office of Workforce Development, such funds as are necessary to prepare and develop a study of workforce development needs that will consist of the following:

1. An identification of the state's workforce development needs through a well-documented quantitative and qualitative analysis of:

a. The current and projected workforce training needs of existing and identified potential Mississippi industries, with priority given to assessing the needs of existing in-state industry and business. Where possible, the analysis should include a verification and expansion of existing information previously developed by workforce training and service providers, as well as analysis of existing workforce data, such as the data collected through the Statewide Longitudinal Data System \* \* \*;

b. The needs of the state's workers and residents requiring additional workforce training to improve their work skills in order to compete for better employment opportunities, including a priority-based analysis of the critical factors currently limiting the state's ability to provide a trained and ready workforce \* \* \*; and

c. The needs of workforce service and training providers in improving their ability to offer industry-relevant training, including an assessment of the practical limits of keeping training programs on the leading edge and eliminating those programs with marginal workforce relevance.

2. An assessment of Mississippi's current workforce development service delivery structure relative to the needs quantified in this subparagraph, including:

a. Development of a list of strengths/weaknesses/opportunities/threats (SWOT) of the current workforce development delivery system relative to the identified needs;

b. Identification of strategic options for workforce development services based on the results of the SWOT analysis; and

c. Development of results-oriented measures for each option that can be baselined and, if implemented, tracked over time, with quantifiable milestones and goals.

3. Preparation of a report presenting all subjects set out in this subparagraph to be delivered to the Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Senate Finance Committee and Chairman of the House Appropriations Committee no later than February 1, 2015.

4. Following the preparation of the report, the State Workforce Investment Board shall make a recommendation to the House and Senate Appropriations Committees on future uses of funds deposited to the State Workforce Investment Fund account. Such future uses may include:

- a. The development of promotion strategies for workforce development programs;
- b. Initiatives designed to reduce the state's dropout rate, including the development of a statewide career awareness program;
- c. The long-term monitoring of the state's workforce development programs to determine whether they are addressing the needs of business, industry, and the workers of the state; and
- d. The study of the potential restructuring of the state's workforce programs and delivery systems.

(3) (a) (i) Mississippi Workforce Enhancement Training contributions and State Workforce Investment contributions shall be collected at the following rates:

1. For calendar year 2014 only, the rate of nineteen one-hundredths of one percent (.19%) based upon taxable wages of which eighteen one-hundredths of one percent (.18%) shall be the Workforce Enhancement Training contribution and one-hundredths of one percent (.01%) shall be the State Workforce Investment contribution; and

2. For calendar year 2015 only, the rate of sixteen one-hundredths of one percent (.16%), based upon taxable wages of which fifteen one-hundredths of one percent (.15%) shall be the Workforce Enhancement Training contribution and one-hundredths of one percent (.01%) shall be the State Workforce Investment contribution.

(ii) Mississippi Workforce Enhancement Training contributions, State Workforce Investment contributions and Mississippi Works contributions shall be collected at the following rates:

1. For calendar year 2016 only, at a rate of twenty-four one-hundredths percent (.24%), based upon taxable wages, of which fifteen one-hundredths percent (.15%) shall be the Workforce Enhancement Training contribution, one-hundredths of one percent (.01%) shall be the State Workforce Investment contribution and eight one-hundredths percent (.08%) shall be the Mississippi Works contribution.

2. For calendar years subsequent to calendar year 2016, at a rate of twenty one-hundredths percent (.20%), based upon taxable wages, of which fifteen one-hundredths percent (.15%) shall be the Workforce Enhancement Training contribution, one-hundredths of one percent (.01%) shall be the State Workforce Investment contribution and four one-hundredths percent (.04%) shall be the Mississippi Works contribution. The Mississippi Works contribution shall be collected for calendar years in which the general experience ratio, adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%), results in a general experience rate of less than two-tenths percent (.2%). In all other years the Mississippi Works contribution shall not be in effect.

(iii) The Mississippi Workforce Enhancement Training Fund contribution, the State Workforce Investment contribution and the Mississippi Works contribution shall be in addition to the general experience rate plus the individual experience rate of all employers but shall not be charged to reimbursing or rate-paying political subdivisions or institutions of higher learning, or reimbursing nonprofit organizations, as described in Sections 71-5-357 and 71-5-359.

(b) All Mississippi Workforce Enhancement Training contributions, State Workforce Investment contributions and Mississippi Works contributions collected shall be deposited initially into the Mississippi Department of Employment Security bank account for clearing contribution collections and shall within two (2) business days be transferred to the Workforce Investment and Training Holding Account. Any Mississippi Workforce Enhancement Training Fund and/or State Workforce Investment Board bank account and/or Mississippi Works Fund transactions from the Mississippi Department of Employment Security bank account for clearing contribution collections that are deposited into the Workforce Investment and Training Fund Holding Account and are not honored by a financial institution will be transferred back to the Mississippi Department of Employment Security bank account for clearing contribution collections out of funds in the Mississippi Workforce Investment and Training Fund Holding Account.

(c) Suspension of the Workforce Enhancement Training Fund contributions required pursuant to this chapter shall occur if the insured unemployment rate exceeds an average of five and five-tenths percent (5.5%) for the three (3) consecutive months immediately preceding the effective date of the new rate year following such occurrence and shall remain suspended throughout the duration of that rate year. Such suspension shall continue until such time as the three (3) consecutive months immediately preceding the effective date of the next rate year that has an insured unemployment rate of less than an average of four and five-tenths percent (4.5%). Upon such occurrence, reactivation shall be effective upon the first day of the rate year following the event that lifts suspension and shall be in effect for that year and shall continue until such time as a subsequent suspension event as described in this chapter occurs.

(d) Notwithstanding any other provision contained herein, contribution collections for the State Workforce Investment Fund, Mississippi Works Fund and Mississippi Workforce Enhancement Training Fund shall not be suspended, under any circumstances, for tax rate year 2021, and the resulting contribution rate of twenty one-hundredths percent (.20%) shall be added to the employer's general and individual experience rate to obtain the total unemployment insurance rate for 2021.

(4) All collections due or accrued prior to any suspension of the Mississippi Workforce Enhancement Training Fund will be collected based upon the law at the time the contributions accrued, regardless of when they are actually collected.

SECTION 2. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date,

except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve

(12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to

his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as

defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criteria divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or State Workforce Investment contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and
4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him

or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 3. Section 43-17-1, Mississippi Code of 1972, is amended as follows:

43-17-1. (1) The State of Mississippi hereby accepts all of the mandatory provisions and benefits, with the exception of those provisions under which the state may exercise its options, of Title I of an act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled: "The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193)," and known as the Temporary Assistance to Needy Families (TANF) program.

(2) The Department of Human Services shall have all necessary authority to cooperate with the federal government in the administration of Public Law 104-193 and all subsequent federal amendments thereto, to administer any legislation pursuant thereto enacted by the State of Mississippi, and to administer the funds provided by the federal government and the State of Mississippi under the provisions of Section 43-17-1 et seq., for providing temporary assistance for needy families with minor children. The Department of Human Services shall have full authority to formulate state plans consistent with state law as necessary to administer and operate federal grant funds which provide temporary assistance for needy families with minor children under Title IV-A of the federal Social Security Act. The Department of Human Services shall identify in any state plan submitted to implement the TANF program those requirements or restrictions, including persons excluded from program participation which are required under federal law, and those program requirements or restrictions which the federal law authorizes but does not require.

(3) Any funds received by the State of Mississippi under the provisions of Public Law 104-193 shall be subject to appropriation by the Legislature and consistent with the terms and conditions required under such appropriation.

(4) The purpose of the Mississippi Temporary Assistance to Needy Families (TANF) program shall be to:

(a) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives when such care is beneficial and may be monitored on a random basis by the Department of Human Services or the State Department of Health;

(b) End the dependence of needy families on government benefits by promoting job preparation, work and marriage through, among other things, job placement, job training and job retention;

(c) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies;

(d) Encourage the formation and maintenance of two-parent families; and

(e) Prevent program fraud and abuse.

(5) The Department of Human Services shall develop outcome and output indicators for each program established under the authority of this section. These measures shall provide legislators and administrators with information which measures the success or failure of the department in implementing the programs implemented under the authority of this section. The department shall annually report to the Legislature the outputs and outcomes of these programs, with the first report due by December 15, 1997. Such reports shall include recommendations for making programs more effective or efficient which can be effected in accordance with federal law.

(6) Assistance may be granted under this chapter to any dependent child and a caretaker relative who are living in a suitable family home meeting the standards of care and health and work requirements fixed by the laws of this state, and the rules and regulations of the State Department of Human Services.

(7) The Department of Human Services shall collaborate with the Office of Workforce Development on TANF programs related to job placement, job training and job retention.

SECTION 4. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The board of directors of the nonprofit corporation shall be composed of the following eleven (11) members who shall be appointed by the Governor with the advice and consent of the Senate: one (1) representative of the manufacturing industry, one (1) representative of the agriculture industry, one (1) representative of the banking and finance industry, one (1) representative of the labor industry, one (1) representative from the marketing industry and six (6) members from the state at large. In addition, the State Commissioner of Corrections and the President of Mississippi Delta Community College shall be ex officio members of the board of directors with full voting privileges. In making initial appointments, three (3) members shall be appointed for a term of two (2) years; four (4) members shall be appointed for a term of three (3) years; and four (4) members shall be appointed for a term of four (4) years; to be designated by the Governor at the time of appointment; and all succeeding terms shall be for four (4) years from the expiration date of the previous term. Initial appointments shall be made within thirty (30) days after

passage of Sections 47-5-531 through 47-5-575. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections and the President of Mississippi Delta Community College shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members

of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO REVISE THE WAY IN WHICH MONIES IN THE MISSISSIPPI WORKS FUND MAY BE SPENT; TO PROVIDE A MINIMUM OF \$5,000.00 FOR APPLICABILITY OF THE REQUIREMENT THAT FUNDS EXPENDED FOR CONTRACTUAL SERVICES RENDERED TO THE OFFICE OF WORKFORCE DEVELOPMENT BE PAID ONLY TO SERVICE PROVIDERS WHO HAVE BEEN SELECTED ON A COMPETITIVE BASIS; TO REVISE REQUIREMENTS FOR CONTRACTS FOR SERVICES ENTERED INTO USING FUNDS FROM THE WORKFORCE INVESTMENT FUND BANK ACCOUNT; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "EXPOSURE CRITERION" BY DESIGNATING DECEMBER 31 AS THE DATE FOR DETERMINING THE CASH BALANCE OF THE UNEMPLOYMENT COMPENSATION FUND AVAILABLE FOR THE PAYMENT OF BENEFITS FOR CALENDAR YEARS 2020 AND 2021; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE OFFICE OF WORKFORCE DEVELOPMENT ON TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAMS RELATED TO JOB PLACEMENT, JOB TRAINING AND JOB RETENTION; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 TO ESTABLISH EDUCATION, TRAINING AND WORKFORCE DEVELOPMENT PROGRAMS IN COLLABORATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT AND OTHER RELEVANT STATE AND FEDERAL AGENCIES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
David Parker	Donnie Bell
Jeremy England	Jeff Hale
Chuck Younger	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2723** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On request of Senator Parker, unanimous consent was granted to make the following correction in **S. B. No. 2723**:

## Unanimous Consent for Conference Report on SB 2723

On line 250 after "shall", show the following language, currently in the statute, as deleted text:

\* \* \* contain the deliverables stated in terms that allow for the assessment of work performance against measurable performance standards and shall include milestones for completion of each deliverable under the contract. For each contract for services entered into by the Office of Workforce Development, the office shall develop a quality assurance surveillance plan that specifies quality control obligations of the contractor as well as measurable inspection and acceptance criteria corresponding to the performance standards contained in the contract's statement of work

Confirm the addition of "et seq." (which appears in the corrected online version, but not in the filed paper copy) at the end of line 251.

On line 271, underline the semicolon. Add a period immediately before the semicolon, and show the period as deleted text.

On line 277, underline "; and". Add a period immediately before the semicolon, and show the period as deleted text.

In order to conform Section 47-5-541 to the amendments to the same section made by House Bill No. 863, which has passed both the House and the Senate, strike lines 1011-1039, and insert in lieu thereof the following:

SECTION 4. Section 47-5-541, Mississippi Code of 1972, as amended by House Bill No. 863, 2022 Regular Session, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following \* \* \* five (5) members \* \* \*: \* \* \*

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of AccelerateMS or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

\* \* \* For the initial appointments, \* \* \* the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business

community shall serve for a term of two (2) years; the Executive Director of the AccelerateMS or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after \*\*\* July 1, 2022. \*\*\* Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections \*\*\* shall not be eligible to serve as an officer of the corporation.

Amend the title to conform by inserting the following on line 18 after "1972,":

AS AMENDED BY HOUSE BILL NO. 863, 2022 REGULAR SESSION,

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Unanimous consent was granted to add Senators Blount, Jackson (11th) and England as co-authors of **S. B. No. 2723**.

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Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2725** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2725: Medical records; require health care providers to provide within 30 days of patient's request.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 41-10-5, Mississippi Code of 1972:

41-10-5. A health care provider or its agent(s), or both, shall provide medical records and billing records that are in their possession or custody to the patient who is the subject of the records or the patient's representative within thirty (30) days from the date a valid request from the patient or the patient's representative is received by the health care provider or its agent(s). As used in this section, the term "medical records" shall have the same meaning as defined in Section 41-10-3(1).

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTH CARE PROVIDERS TO PROVIDE MEDICAL RECORDS AND BILLING RECORDS THAT ARE IN THEIR POSSESSION OR CUSTODY TO A PATIENT OR THE PATIENT'S REPRESENTATIVE WITHIN 30 DAYS FROM THE DATE THAT IT RECEIVES A VALID REQUEST; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Hob Bryan	Sam C. Mims, V
Chad McMahan	Missy McGee
Juan Barnett	Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2725** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 2725**.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2735** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2735: Freestanding emergency room; revise definition to include rural emergency hospital.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-75-1, Mississippi Code of 1972, is amended as follows:

41-75-1. For the purpose of this chapter:

(a) "Ambulatory surgical facility" means a publicly or privately owned institution that is primarily organized, constructed, renovated or otherwise established for the purpose of providing elective surgical treatment of "outpatients" whose recovery, under normal and routine circumstances, will not require "inpatient" care. The facility defined in this paragraph does not include the offices of private physicians or dentists, whether practicing individually or in groups, but does include organizations or facilities primarily engaged in that outpatient surgery, whether using the name "ambulatory surgical facility" or a similar or different name. That organization or facility, if in any manner considered to be operated or owned by a hospital or a hospital holding, leasing or management company, either for profit or not for profit, is required to comply with all licensing agency ambulatory surgical licensure standards governing a "hospital affiliated" facility as adopted under Section 41-9-1 et seq., provided that the organization or facility does not intend to seek federal certification as an ambulatory surgical facility as provided for at 42 CFR, Parts 405 and 416. If the organization or facility is to be operated or owned by a hospital or a hospital holding, leasing or management company and intends to seek federal certification as an ambulatory facility, then the facility is considered to be "freestanding" and must comply with all licensing agency ambulatory surgical licensure standards governing a "freestanding" facility.

If the organization or facility is to be owned or operated by an entity or person other than a hospital or hospital holding, leasing or management company, then the organization or facility must comply with all licensing agency ambulatory surgical facility standards governing a "freestanding" facility.

(b) "Hospital affiliated" ambulatory surgical facility means a separate and distinct organized unit of a hospital or a building owned, leased, rented or utilized by a hospital and located in the same county in which the hospital is located, for the primary purpose of performing ambulatory surgery procedures. The facility is not required to be separately licensed under this chapter and may operate under the hospital's license in compliance with all applicable requirements of Section 41-9-1 et seq.

(c) "Freestanding" ambulatory surgical facility means a separate and distinct facility or a separate and distinct organized unit of a hospital owned, leased, rented or utilized by a hospital or other persons for the primary purpose of performing ambulatory surgery procedures. The facility must be separately licensed as defined in this section and must comply with all licensing standards promulgated by the licensing agency under this chapter regarding a "freestanding" ambulatory surgical facility. Further, the facility must be a separate, identifiable entity and must be physically, administratively and financially independent and distinct from other operations of any other health facility, and shall maintain a separate organized medical and administrative staff. Furthermore, once licensed as a "freestanding" ambulatory surgical facility, the facility shall not become a component of any other health facility without securing a certificate of need to do that.

(d) "Ambulatory surgery" means surgical procedures that are more complex than office procedures performed under local anesthesia, but less complex than major procedures requiring prolonged postoperative monitoring and hospital care to ensure safe recovery and desirable results. General anesthesia is used in most cases. The patient must arrive at the facility and expect to be discharged on the same day. Ambulatory surgery shall only be performed by physicians or dentists licensed to practice in the State of Mississippi.

(e) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substances or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth or to remove a dead fetus. Abortion procedures after the first trimester shall only be performed at a Level I abortion facility or an ambulatory surgical facility or hospital licensed to perform that service.

(f) "Abortion facility" means a facility operating substantially for the purpose of performing abortions and is a separate identifiable legal entity from any other health care facility. Abortions shall only be performed by physicians licensed to practice in the State of Mississippi. All physicians associated with the abortion facility must have admitting privileges at a local hospital and staff privileges to replace local hospital on-staff physicians. All physicians associated with an abortion facility must be board certified or eligible in obstetrics and gynecology, and a staff member trained in CPR shall always be present at the abortion facility when it is open. The term "abortion facility" includes physicians' offices that are used substantially for the purpose of performing abortions. An abortion facility operates substantially for the purpose of performing abortions if any of the following conditions are met:

(i) The abortion facility is a provider for performing ten (10) or more abortion procedures per calendar month during any month of a calendar year, or one hundred (100) or more in a calendar year.

(ii) The abortion facility, if operating less than twenty (20) days per calendar month, is a provider for performing ten (10) or more abortion procedures, or performing a number of abortion procedures that would be equivalent to ten (10) procedures per month, if the facility were operating twenty (20) or more days per calendar month, in any month of a calendar year.

(iii) The abortion facility holds itself out to the public as an abortion provider by advertising by any public means, such as newspaper, telephone directory, magazine or electronic media, that it performs abortions.

(iv) The facility applies to the licensing agency for licensure as an abortion facility.

(g) "Licensing agency" means the State Department of Health.

(h) "Operating" an abortion facility means that the facility is open for any period of time during a day and has on site at the facility or on call a physician licensed to practice in the State of Mississippi available to provide abortions.

An abortion facility may apply to be licensed as a Level I facility or a Level II facility by the licensing agency. Level II abortion facilities shall be required to meet minimum standards for abortion facilities as established by the licensing agency. Level I abortion facilities shall be required to meet minimum standards for abortion facilities and minimum standards for ambulatory surgical facilities as established by the licensing agency.

Any abortion facility that begins operation after June 30, 1996, shall not be located within one thousand five hundred (1,500) feet from the property on which any church, school or kindergarten is located. An abortion facility shall not be in violation of this paragraph if it is in compliance with this paragraph on the date it begins operation and the property on which a church, school or kindergarten is located within one thousand five hundred (1,500) feet from the facility.

(i) "Freestanding emergency room" is a facility open twenty-four (24) hours a day for the treatment of urgent and emergent medical conditions which is not located on a hospital campus. In order to be eligible for licensure under this chapter, the freestanding emergency room shall be located at least fifteen (15) miles from the nearest

hospital-based emergency room in any rural community where the federal CMMS had previously designated a rural hospital as a critical access hospital and that designation has been revoked.

(j) "Post-acute residential brain injury rehabilitation facility" is a facility containing no more than twelve (12) beds providing medically directed long-term but nonacute rehabilitation to patients who have acquired brain injury. In order to be eligible for licensure under this chapter, the post-acute residential brain injury rehabilitation facility shall be located at least twenty-five (25) miles from the nearest acute care rehabilitation hospital and at least five (5) miles from the boundaries of any municipality having a population of ten thousand (10,000) or more, according to the most recent federal decennial census, at the time that facility is established.

(k) "Pilot freestanding emergency room" is a facility open twenty-four (24) hours a day for the treatment of urgent and emergent medical conditions that is not located on a hospital campus. In order to be eligible for licensure under this chapter, the pilot freestanding emergency room shall be located at least fifteen (15) miles from the nearest hospital-based emergency room in a county without emergency hospital care that is open twenty-four (24) hours a day.

SECTION 2. Section 41-75-13, Mississippi Code of 1972, is amended as follows:

41-75-13. (1) The licensing agency shall adopt, amend, promulgate and enforce rules, regulations and standards, including classifications, with respect to ambulatory surgical facilities and abortion facilities, freestanding emergency rooms and post-acute residential brain injury rehabilitation facilities licensed, or which may be licensed, to further the accomplishment of the purpose of this chapter in protecting and promoting the health, safety and welfare of the public by ensuring adequate care of individuals receiving services from such facilities. The licensing agency also shall adopt, amend, promulgate and enforce rules, regulations and standards with respect to the enforcement of the informed consent requirements of Sections 41-41-31 through 41-41-39 at abortion facilities. Such rules, regulations and standards for freestanding emergency rooms shall include a patient transfer policy under which the freestanding emergency room enters into an agreement with a general hospital for a protocol for patient transfers. Such rules, regulations and standards shall be adopted and promulgated by the licensing agency in accordance with the provisions of Section 25-43-1 et seq., and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules and Regulations for Operation of Ambulatory Surgical Facilities and Abortion Facilities, Freestanding Emergency Room Facilities and Post-Acute Residential Brain Injury Rehabilitation Facilities." The book shall be open and available to all ambulatory surgical facilities and abortion facilities, freestanding emergency rooms and post-acute residential brain injury rehabilitation facilities and the public during regular business hours.

(2) The licensing agency shall not issue licenses for more than five (5) pilot freestanding emergency rooms. The licensing agency shall adopt criteria for determining which applicants will have priority for receiving a license if there are more than five (5) applications for pilot freestanding emergency room licenses.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-75-1, MISSISSIPPI CODE OF 1972, TO CREATE A DEFINITION FOR PILOT FREESTANDING EMERGENCY ROOMS FOR THE PURPOSE OF LICENSURE; TO AMEND SECTION 41-75-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL NOT

ISSUE LICENSES FOR MORE THAN FIVE PILOT FREESTANDING EMERGENCY ROOMS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
	Sam C. Mims, V
Benjamin Suber	Missy McGee
David Blount	Johnathan Ray Lancaster

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2735** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add SenatorS Simmons D. T. (12th), Sparks and Thomas as co-authors of **S. B. No. 2735**.

Senator Blackwell offered the following report of the Conference Committee on **S. B. No. 2739** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2739: Nonemergency medical transportation providers; require permit and set certain standards related to such service.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following terms shall be defined as provided in this subsection:

- (a) "Department" means the State Department of Health.

(b) "Nonemergency medical transportation provider" or "NEMT provider" means any company in the business of providing NEMT transportation services for compensation and any person, group of persons or entity that provides NEMT transportation services for compensation. Any company with a current accreditation from the Nonemergency Medical Transportation Accreditation Commission (NEMTAC) is deemed to be a NEMT provider.

(c) "NEMT transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service. This term also means those nonemergency medical transportation services that are provided under the Medicaid nonemergency transportation program or by managed care providers that have contracted with the Division of Medicaid.

(2) The department shall adopt rules providing for applications for permits, issuance of permits, renewal of permits and revocation of permits, and the department may provide for the payment of fees for the issuance and renewal of permits.

(3) The department shall adopt by rule standards for the operation of vehicles used to provide NEMT transportation service that are reasonably necessary to protect the health and safety of individuals using that service.

(4) Standards adopted under this section must include, but are not limited to:

(a) Qualifications of drivers and attendants, including driver training requirements that must be met before a driver provides special transportation, including, but not limited to:

(i) Fingerprint background check;

(ii) Annual criminal background checks, including sex offender registry;

(iii) Annual motor vehicle records (MVR) checks from the Department of Public Safety;

(iv) Drug screens;

(v) Regular confirmation that the driver does not appear on the Office of Inspector General (OIG) exclusion lists;

(vi) For drivers, appropriate training for the mode of transportation being provided;

(b) Safety of vehicles and necessary safety equipment;

(c) General requirements concerning inspection and maintenance of vehicles, replacement vehicles, standard vehicle equipment, and specialized equipment necessary to ensure vehicle usability and safety for disabled persons; and

(d) Minimum insurance requirements.

(5) A NEMT provider must meet all the requirements and standards set by the department for providing NEMT transportation services. NEMT providers are required to have on hand at a location in the state and be able to produce upon request the necessary documentation to prove compliance with the requirements and standards set by the department as provided in this section.

(6) The department is authorized to revoke the permit of, or impose fines on, any NEMT provider that is found to be not in compliance with the requirements and standards set by the department for providing NEMT transportation services.

(7) The department is authorized to bring actions for injunctions in the name of the department to enjoin and prohibit any person or entity from providing NEMT transportation service in the state without having a current, valid permit from the department except as otherwise provided in this act.

(8) Any public entity or private entity in the business of providing nonemergency medical transportation services may continue to provide such services without first receiving a permit until July 1, 2023, provided that it complies with the other provisions of this act and the rules set by the department.

After July 1, 2023, each nonemergency medical transportation provider must have a NEMT permit from the department before it may provide NEMT transportation services in Mississippi.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE NONEMERGENCY MEDICAL TRANSPORTATION (NEMT) PROVIDERS TO HAVE A PERMIT FROM THE STATE DEPARTMENT OF HEALTH BEFORE THEY MAY PROVIDE NEMT TRANSPORTATION SERVICES IN MISSISSIPPI; TO REQUIRE THE DEPARTMENT TO ADOPT RULES PROVIDING FOR APPLICATIONS FOR PERMITS, ISSUANCE OF PERMITS, RENEWAL OF PERMITS AND REVOCATION OF PERMITS, AND AUTHORIZE THE DEPARTMENT TO PROVIDE FOR THE PAYMENT OF FEES FOR THE ISSUANCE AND RENEWAL OF PERMITS; TO REQUIRE THE DEPARTMENT TO ADOPT STANDARDS FOR THE OPERATION OF VEHICLES USED TO PROVIDE NEMT TRANSPORTATION SERVICE, AND SPECIFY THE MINIMUM STANDARDS THAT MUST BE ADOPTED; TO PROVIDE THAT NEMT PROVIDERS MUST MEET ALL THE REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT FOR PROVIDING NEMT TRANSPORTATION SERVICES; TO AUTHORIZE THE DEPARTMENT TO REVOKE THE PERMIT OF, OR IMPOSE FINES ON, ANY NEMT PROVIDER THAT IS FOUND TO BE NOT IN COMPLIANCE WITH THE REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT; TO AUTHORIZE THE DEPARTMENT TO BRING ACTIONS FOR INJUNCTIONS TO ENJOIN AND PROHIBIT ANY PERSON OR ENTITY FROM PROVIDING NEMT TRANSPORTATION SERVICES IN THE STATE WITHOUT HAVING A PERMIT FROM THE DEPARTMENT; TO PROVIDE THAT ANY PUBLIC ENTITY OR PRIVATE ENTITY IN THE BUSINESS OF PROVIDING NONEMERGENCY MEDICAL TRANSPORTATION SERVICES MAY CONTINUE TO PROVIDE SUCH SERVICES WITHOUT FIRST RECEIVING A PERMIT UNTIL JULY 1, 2023, PROVIDED THAT IT COMPLIES WITH THE OTHER PROVISIONS OF THIS ACT AND THE RULES SET BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Kevin Blackwell

David Parker

CONFEREES FOR THE HOUSE

Joey Hood

Clay Deweese

Missy McGee

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2739** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2810** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2810: State employees; provide the terms and conditions for state employees to engage in telework.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-1-98, Mississippi Code of 1972, is amended as follows:

25-1-98. (1) (a) In addition to any other times required by statute, all state offices shall be open and staffed for the normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday through Friday, except on legal holidays as set forth in Section 3-3-7. The Governor may designate certain state offices and institutions as providers of essential services and require that they be open and staffed on legal holidays. The Board of Directors of the Mississippi Industries for the Blind may, in its discretion, require that its offices and operations be open and staffed on legal holidays. Employees required to work on legal holidays shall earn compensatory leave under the provisions of Section 25-3-92. No employee shall receive additional vacation or sick leave benefits for working on a legal holiday, nor shall this section be construed to authorize any additional compensation as an alternative to the accrual of compensatory leave except as specifically provided for in a legislative appropriation. The provisions of this section shall not be construed to limit the hours of operation of any agency or to abrogate any action taken during hours other than those stated, nor shall these provisions apply to any offices that do not customarily stay open five (5) days a week. The provisions of this section shall not apply to the military department of the State of Mississippi or to the armories, field training sites, air bases or other installations of the Mississippi National Guard.

(b) A workday for a state employee in a full-time employment position shall be eight (8) hours in duration at a minimum exclusive of time off for meals. The appointing

authority shall develop work schedules which ensure that each full-time employee works a full workday and shall provide the State Auditor with a copy of the regular work schedule of the appointing authority.

(2) An appointing authority of any state service agency within the meaning of Section 25-9-107 may authorize telework for one or more of its employees in accordance with a telework policy, approved by the State Personnel Board, as provided in subsection (3) of this section.

(3) In order to implement a telework policy for one or more of its employees, an appointing authority shall:

(a) Determine whether or not telework is in the best interest of the agency. In doing so, the appointing authority shall seek guidance from the State Personnel Board in determining what forms of work activities can be effectively and efficiently managed through a telework arrangement;

(b) Establish procedures to protect any information that is privileged or confidential under state or federal law;

(c) Require all teleworking employees to sign a telework agreement that includes their work schedule, provides for supervisory oversight through the review of work product and deliverables on a regular basis, requires the protection of privileged or confidential information that is managed remotely on an agency computer or other devices, establishes protocols for accessibility to coworkers and clients, workplace safety, and any other matters deemed appropriate by the appointing authority; and

(d) Establish work schedules that ensure that some personnel are at the appointing authority's offices to provide direct contact with the public.

(4) For purposes of subsections (2) and (3) of this section, the term "telework" shall mean a work flexibility arrangement under which an employee performs duties, responsibilities, or other authorized activities from an approved worksite other than the location from which the employee would otherwise work.

(5) All agencies that allow employees to telework shall report to the State Personnel Board the names of the employees, their job titles, office schedule and telework schedule, who are performing telework for their agencies. On or before December 31 of each year, the State Personnel Board shall make a report related to the utilization of telework policies to the Chairmen of the House and Senate Appropriations Committees, the Accountability, Efficiency and Transparency Committees, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

(6) The State Personnel Board may promulgate rules for the Administration of this section which shall be binding upon state service agencies within the meaning of Section 25-9-107.

(7) Subsections (2) through (6) of this section shall stand repealed on July 1, 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TERMS AND CONDITIONS FOR ALLOWING STATE EMPLOYEES TO ENGAGE IN TELEWORK; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
John A. Polk	John Read
Kevin Blackwell	Karl Oliver
David Blount	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2810** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate offered the following report of the Conference Committee on **S. B. No. 2879** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2879: Mississippi Voting Modernization Act; enact.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Voting Modernization Act."

SECTION 2. As used in this act:

(a) "Department" means the Mississippi Secretary of State.

(b) "Grant program" means the "Mississippi Voting Modernization Grant Program" established in Section 3 of this act.

(c) "Voting system" means any voting machine, voting device, precinct ballot scanner, central scanner, ballot-marking device, ballot-on-demand printing system,

tabulation server or vote tabulating device, along with any operating software for such machines and devices, that:

- (i) Does not utilize pre-scored punch card ballots; and
- (ii) Produces voter-verifiable paper ballots.

SECTION 3. (1) (a) There is established within the department the Mississippi Voting Modernization Grant Program which shall be administered by the department for the purpose of reimbursing counties or disbursing funds to counties for the purchase of modern voting systems.

(b) The grant program shall receive funds appropriated to the Mississippi Secretary of State therefor from the Capital Expense Fund or other available source of money.

(2) By August 31, 2022, the department shall develop and promulgate rules to provide for:

(a) The procedures of the grant program not specifically enumerated in this act; and

(b) Other eligible expenses related to the costs of conducting elections where a county has previously purchased voting systems that qualifies under the requirements of this act. Other eligible expenses include, but are not limited to: (i) encumbered debt of previously purchased voting machines; (ii) additional voting machines; (iii) machine maintenance; (iv) software upgrades; (v) ballot-marking devices; (vi) central scanners, (vii) ballot-on-demand printing systems, (viii) electronic poll books; (ix) paper ballots or ballot-printing supplies; and (x) costs associated with voter roll maintenance, such as printing confirmation cards and postage.

(3) To be eligible for purchase under this grant program, any voting machine, voting device, precinct ballot scanner, ballot marking device or vote tabulating device shall not have the capability of wireless remote connections.

(4) The department shall review the application for funding submitted by each county and grant or deny the application within thirty (30) days of the receipt of the application.

(5) Before awarding a grant to a county for the future purchase of a voting system, the department shall require the county to provide a verified contract and purchase order.

SECTION 4. (1) For any election held in this state after January 1, 2024, the officials in charge of the election shall only use voting systems as defined by Section 2 of this act.

(2) The board of supervisors of any county may authorize the circuit clerk or election commission to make application for grants under the procedures and within the certification requirements established by the department.

(3) Each county shall be eligible to receive a pro rata share of the funds appropriated or otherwise made available to the grant program based on the number of voting polling places in that county.

(4) Counties may apply for grants for:

(a) Purchasing of voting system hardware, including the software necessary to operate that hardware; and

(b) Incurring of other eligible expenses related to the costs of conducting elections only if:

(i) The county is already in compliance with subsection (1) of this section through previously acquired voting hardware or software or both prior to the effective date of this act that would have been eligible for purchase under this grant program; or

(ii) The county will have funds remaining from its pro rata share provided for in subsection (3) of this section after purchasing the necessary voting systems to bring the county in compliance with subsection (1) of this section.

(5) Any county receiving a grant for the future purchase of a voting system shall submit proof of payment to the department immediately upon completing the purchase.

(6) Any county receiving funds for the incurring of other eligible expenses shall first apply the received funds under this grant program toward any existing indebtedness for the purchase of voting hardware or software.

SECTION 5. (1) The department shall provide a comprehensive report on:

- (a) The total number of counties that applied for grants under this act;
- (b) The total number of grants issued under the grant program;
- (c) The number of grants issued under Section 4(4)(a) of this act;
- (d) The number of grants issued under Section 4(4)(b) of this act;
- (e) The number of grants issued under Section 4(4)(c) of this act; and
- (f) Any recommendations for legislative amendment to the grant program.

(2) By December 31, 2022, the department shall deliver the report to the Lieutenant Governor, the Speaker of the House of Representatives, the Chair of the Senate Elections Committee, and the Chair of the House Apportionment and Elections Committee.

SECTION 6. Sections 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 and 23-15-531.12, Mississippi Code of 1972, which provide the authority for the use of direct recording electronic voting equipment at polling places, shall stand repealed on December 1, 2023.

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE MISSISSIPPI VOTING MODERNIZATION ACT FOR THE PURPOSE OF MODERNIZING VOTING SYSTEMS IN THE STATE; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI VOTING MODERNIZATION GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI SECRETARY OF STATE FOR THE PURPOSE OF REIMBURSING COUNTIES OR DISBURSING FUNDS TO COUNTIES FOR THE PURCHASE OF MODERN VOTING SYSTEMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL RECEIVE ANY FUNDS APPROPRIATED THEREFOR; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO PROMULGATE PROCEDURES; TO PRESCRIBE A TIMEFRAME FOR THE GRANT OR DENIAL OF AN APPLICATION; TO PROVIDE THAT EACH COUNTY IS ELIGIBLE FOR A PRO RATA SHARE OF THE FUNDS APPROPRIATED OR MADE AVAILABLE TO

THE PROGRAM; TO PRESCRIBE CERTAIN ELIGIBILITY REQUIREMENTS; TO AUTHORIZE COUNTIES TO APPLY FOR THE GRANT PROGRAM; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO REPORT ON THE GRANT PROGRAM; TO PROVIDE FOR THE REPEAL OF SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeff Tate	Charles Jim Beckett
David Blount	Dan Eubanks
Joey Fillingane	Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2879** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator DeBar moved that the rules be suspended to move to calendar item 184, **H. B. No. 881**, and the motion prevailed.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 881** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 881: University-based programs of education for children with developmental disabilities; revise certain provisions.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-23-31, Mississippi Code of 1972, is amended as follows:

37-23-31. (1) (a) When five (5) or more children under twenty-one (21) years of age who, because of \*\*\* significant developmental disabilities, complex communication needs, significant language or learning deficits or any combination of either, are unable to have their educational needs met appropriately in a regular or special education public school program \*\*\* within their local public school districts, a state-supported university or college shall be authorized and empowered, in its discretion, to provide a program of education, instruction and training to such children, provided that such program shall operate under rules, regulations, policies and standards adopted by the State Department of Education, as provided for in Section 37-23-33. The opinion of a parent or guardian in regard to the provision of an appropriate special education program in or by their respective local public school district shall be considered before a placement decision is finalized. Parents of students enrolled in a local education agency (LEA) shall have any and all rights as provided in the Individuals with Disabilities Education Act, including, but not limited to, the right to equal participation in their child's Individualized Education Program (IEP), the right to require review of their child's IEP, and the right to appeal an IEP Committee decision immediately. The parent or guardian or local educational agency shall have the right to audio record the proceedings of individualized education program team meetings. The parent or guardian or local educational agency shall notify the members of the individualized education program team of his, her, or its intent to audio record a meeting at least twenty-four (24) hours prior to the meeting.

(b) Instructors, including speech-language pathologists, educational audiologists and special and early childhood educators are qualified and empowered to serve as the lead teacher for children enrolled within the state-supported university's or college's university-based program (UBP) through the IDEA-Part C and IDEA-Part B eligibility and placement process upon completing instructional licensure requirements for the purposes of funding MAEP special education teacher units.

(c) Due to the significance of the needs of the children served through the UBP, general education setting requirements may not be applicable as the least restrictive environment. Students enrolled in a UBP by a LEA shall meet all state educational requirements, including participation in statewide assessments. Justification for placement decisions is determined in conjunction with the LEA through each child's IEP for ages three (3) to twenty-one (21). The UBP shall submit to the local education agency and the parents of the student in the program a progress report each semester on all IEP goals and objectives. The UBP and local education agency shall confer annually to develop the IEP for each student enrolled in the UBP.

(2) Any state-supported university or college conducting a full-time medical teaching program acceptable to the State Board of Education may, at its discretion, enter into such contracts or agreements with any private school or nonprofit corporation-supported institution, the Mississippi School for the Deaf, or any state-supported institution, providing the special education contemplated by this section for such services, provided the private school or institution offering such services shall have conducted a program of such services at standards acceptable to the State Department of Education for a period of at least one (1) year prior to the date at which the university or college proposes to enter into an agreement or contract for special educational services as described above.

SECTION 2. Section 37-23-33, Mississippi Code of 1972, is amended as follows:

37-23-33. (1) Such program of education, instruction and training as is provided for in Section 37-23-31 shall be furnished in such manner as shall be provided by rules and regulations adopted by the State Board of Education, which for such purposes shall have the full power to adopt such rules, regulations, policies and standards as it may deem necessary to carry out the purpose of Sections 37-23-31 through 37-23-35, including the establishment of qualifications \*\*\* consistent with the requirements of subsection (2) of this section for any teachers employed under the provisions thereof. It

is expressly provided, however, that no program of education, instruction and training shall be furnished except in a university or college supported by the State of Mississippi and only in cases where such university or college shall consent thereto and shall provide any classroom space, furniture and facilities which may be deemed necessary in carrying out the provisions of those sections.

(2) Speech-language pathologists, educational audiologists, and special and early childhood educators are qualified and authorized to serve as the lead teacher for children enrolled in a university or college-based program through the IDEA-Part C and IDEA-Part B eligibility and placement process. Whenever communication is a primary area of concern on a child's Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP), a speech-language pathologist or educational audiologist may serve as the lead instructor with an educator serving as a related service provider as necessary to meet the educational needs of the child. Speech-language pathologists and educational audiologists must undergo extensive college coursework in communication-based disorders impacting multiple areas of development, including cognition. The content of the college coursework must include typical and atypical development for ages birth through death. In addition to completing the college coursework, these instructional providers must meet all instructional licensure requirements as set forth by the State Department of Education for the purpose of funding MAEP special education teacher units.

(3) The State Department of Education through its general supervision responsibilities set forth by the Office of Special Education Programs at the United States Department of Education, shall require that the program of education, instruction and training be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success.

(4) A university- or college-based program must submit all reports and data required by the State Department of Education on the same or similar time schedule and in the same or similar manner that same or similar reports and data must be submitted to the department by local educational agencies.

SECTION 3. Section 37-23-35, Mississippi Code of 1972, is amended as follows:

37-23-35. (1) When any children who are residents of the State of Mississippi and qualify under the provisions of Section 37-23-31, \* \* \* are provided a program of education, instruction and training within a school under the provisions of \* \* \* Section 37-23-31, the State Department of Education shall allocate one (1) teacher unit for each approved class. The allocation of funds for each teacher unit shall be based on the teacher's certification and shall be in accordance with \* \* \* Section 37-19-7. The department shall complete provisional teacher unit approval for university or college-based programs at the same time teacher units are approved for local educational agencies. The university or college shall be eligible for state and federal funds for such programs \* \* \* in accordance with IDEA. The university or college shall be responsible for providing for the additional costs of the program.

(2) IDEA-Part B and preschool allocations for each LEA shall be determined and calculated by the State Department of Education with notification provided to the UBP of the total amount of funds being distributed to the LEA. The LEA and UBP shall enter into a collaborative agreement that describes the services provided and the funds required for such services.

(3) State funds for transportation, extended school year and teacher unit allocations, including National Board Certification/Speech-Language Pathology Supplements, shall be distributed by the State Department of Education directly to the state-supported university or college for students placed either through the Individualized

Education Program (IEP) process or who are parentally placed. The university based program (UBP) shall submit this information directly to the State Department of Education.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS WITH SIGNIFICANT DEVELOPMENTAL DISABILITIES, COMPLEX COMMUNICATION NEEDS, SIGNIFICANT LANGUAGE OR LEARNING DEFICITS, WHO ARE UNABLE TO SUFFICIENTLY HAVE THEIR EDUCATIONAL NEEDS MET WITHIN THEIR PUBLIC SCHOOL'S REGULAR OR SPECIAL EDUCATION PROGRAM, TO RECEIVE EDUCATIONAL INSTRUCTION, TRAINING AND SPECIAL EDUCATION SERVICES FROM A STATE-SUPPORTED UNIVERSITY OR COLLEGE AUTHORIZED BY THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SUCH INSTRUCTION AND TRAINING; TO AUTHORIZE QUALIFIED INSTRUCTORS WHO HOLD THE APPROPRIATE LICENSURE ENDORSEMENTS TO SERVE AS THE LEAD TEACHER FOR CHILDREN ENROLLED WITHIN THE UNIVERSITY BASED PROGRAM (UBP) THROUGH THE IDEA-PART C AND IDEA-PART B ELIGIBILITY AND PLACEMENT PROCESS; TO PROVIDE THAT THE JUSTIFICATION FOR THE PLACEMENT OF EXCEPTIONAL STUDENTS AGES 3 TO 21 IS DETERMINED IN CONJUNCTION WITH THE LOCAL EDUCATION AGENCY THROUGH THE STUDENT'S IEP; TO AMEND SECTION 37-23-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SPEECH-LANGUAGE PATHOLOGISTS, EDUCATIONAL AUDIOLOGISTS AND SPECIAL AND EARLY CHILDHOOD EDUCATORS WHO MEET CERTAIN QUALIFICATIONS TO SERVE AS A LEAD TEACHER IN A UNIVERSITY-BASED PROGRAM; TO REQUIRE UNIVERSITY-BASED PROGRAMS TO SUBMIT REPORTS TO THE STATE DEPARTMENT OF EDUCATION AT THE SAME TIME THAT SUCH REPORTS ARE SUBMITTED BY LOCAL EDUCATION AGENCIES; TO AMEND SECTION 37-23-35, MISSISSIPPI CODE OF 1972, TO REQUIRE IDEA-PART B AND PRESCHOOL ALLOCATIONS FOR EACH LOCAL EDUCATION AGENCY TO BE CALCULATED BY THE STATE DEPARTMENT OF EDUCATION; TO REQUIRE A COLLABORATIVE AGREEMENT BETWEEN THE LOCAL EDUCATION AGENCY AND THE UBP; TO REQUIRE THE DEPARTMENT TO DISTRIBUTE ALL NECESSARY STATE FUNDS DIRECTLY TO THE STATE-SUPPORTED UNIVERSITY OR COLLEGE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Richard Bennett

Kent McCarty

Missy McGee

CONFEREES FOR THE SENATE

Dennis DeBar, Jr.

David Blount

Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 881** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2887** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2887: School Boards; allow to purchase electric vehicles for student transportation.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-41-81, Mississippi Code of 1972, is amended as follows:

37-41-81. The local school boards of this state are hereby authorized and empowered to purchase, own and operate, under such rules and regulations as may be prescribed by the State Board of Education, motor vehicles, electric vehicles and other equipment for the transportation of children to and from the public schools of the respective counties and school districts, and to provide for the servicing, repair, care and maintenance of such county or district-owned motor vehicles and to employ drivers for the operation thereof, and to establish, erect and equip school bus shops or garages, and purchase land therefor, all under such rules and regulations as may be prescribed by the State Board of Education.

SECTION 2. Section 37-41-83, Mississippi Code of 1972, is brought forward as follows:

37-41-83. The school boards are authorized and empowered to expend the necessary amounts from the available transportation funds of the school district for the purchase of such transportation equipment, the servicing, repair and maintenance thereof and for the payment of the salaries of persons employed to drive or operate such transportation equipment, and to establish, erect and equip school bus shops or garages, and purchase land therefor.

SECTION 3. Section 37-41-85, Mississippi Code of 1972, is brought forward as follows:

37-41-85. No school board shall purchase any school bus or pupil transportation service vehicle as authorized by Section 37-41-81 except in the manner prescribed in Section 37-41-101. No school bus shall be purchased or otherwise acquired which does not conform to the specifications provided by the State Board of Education.

SECTION 4. Section 37-41-101, Mississippi Code of 1972, is brought forward as follows:

37-41-101. (1) The State Board of Education is hereby authorized, empowered and directed to advertise for and receive sealed bids and proposals for sale of school bus bodies and school buses sold as complete units to the school boards of school districts in this state. The State Board of Education shall approve persons, firms, corporations or associations authorized to sell school bus bodies and school buses sold as complete units, and shall establish prices relative thereto based upon the lowest and best bids, which school districts may not exceed in purchasing such equipment. In determining the lowest and best bids received for such equipment, there shall be included as part of the total cost thereof any transportation or freight charges which will be incurred. The State Board of Education may permit all such bidders to sell said equipment provided that the bidders agree to sell the equipment at prices established based upon the lowest and best bid and in compliance with rules and regulations relative thereto promulgated by the state board. Persons, firms, corporations or associations permitted to sell school bus bodies and school buses sold as complete units shall be limited to those actually submitting bids for consideration by the State Board of Education. The State Board of Education shall reserve the right to reject any and all bids submitted.

(2) School boards may purchase school bus bodies and school buses sold as complete units without additional advertisement for bids, provided that the prices for such equipment do not exceed the maximum allowable prices established under the provisions of subsection (1) of this section, and that said purchases are in compliance with the conditions specified therein. All such purchases shall be subject to the approval of the State Department of Education, which shall verify compliance with the applicable specifications, rules and regulations promulgated by the State Board of Education.

(3) In addition to the method of purchasing authorized under this section, school boards are hereby authorized to advertise for and accept the lowest and best bid received for the purchase of school bus chassis and/or pupil transportation service vehicles. Provided, however, that local school governing boards may purchase school bus chassis and/or pupil transportation service vehicles from any motor vehicle dealer domiciled within the county of such governing board, whose bid does not exceed a sum equal to three percent (3%) greater than the price or cost which the dealer pays the manufacturer, as evidenced by the factory invoice for such vehicles. In the event said county does not have an authorized motor vehicle dealer, said board may, in like manner, receive and accept bids from motor vehicle dealers in any adjoining county. No purchase of school bus chassis or service vehicles under the provisions of this subsection shall be valid unless the purchase is made according to statutory bidding and licensing requirements. All purchases under provisions of this subsection shall be subject to the approval of the State Department of Education, which shall verify compliance with the applicable specifications, rules and regulations promulgated by the State Board of Education.

(4) Upon application to and approval by the State Department of Education, school governing boards are hereby authorized to purchase used school buses and used pupil transportation service vehicles, provided that said vehicles meet applicable specifications and the purchase price does not exceed their fair market value. Said fair market value shall be determined by an appraisal by three (3) experienced and impartial citizens, the selection of whom shall be mutually agreed upon by the parties thereto. Said appraisers may be subject to approval by the State Department of Education. Maximum regard for pupil safety and adequate protection of health shall be primary requirements which shall be observed by local school governing boards in purchasing used school buses. The State Department of Education may inspect or have inspected any used school bus prior to purchase to determine whether said bus meets requirements of law and regulations of the state board.

(5) In the event the school board shall have determined that school buses or pupil transportation service vehicles are no longer needed for the transportation of pupils in such school district, such equipment may be sold to another school district without the necessity of advertising for bids. The school district proposing to sell the buses or service

vehicles and the school district proposing to purchase such equipment shall agree upon a fair and reasonable price therefor. The agreement shall be spread upon the minutes of the boards of the respective school districts and shall be subject to the prior approval of the State Department of Education, which shall verify compliance with applicable specifications, rules and regulations of the State Board of Education.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-41-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL BOARDS MAY PURCHASE, OWN AND OPERATE ELECTRIC VEHICLES FOR THE TRANSPORTATION OF CHILDREN TO AND FROM PUBLIC SCHOOLS; TO BRING FORWARD SECTIONS 37-41-83, 37-41-85 AND 37-41-101, MISSISSIPPI CODE OF 1972, WHICH ALLOW FOR THE PURCHASE OF SCHOOL TRANSPORTATION VEHICLES AND EQUIPMENT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Dennis DeBar, Jr.

David Blount

Scott DeLano

Kent McCarty

Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2887** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Seymour. Total--1.

Absent and those not voting----None.

Senator Parks offered the following report of the Conference Committee on **S. B. No. 2893** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2893: Jackson State University; authorize public/private partnership to develop property owned by foundation.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Jackson State University, with the approval of the Board of Trustees of State Institutions of Higher Learning, is authorized to enter into a ground lease, management and maintenance agreement, or an agreement to lease or sell part of its real property, or property which will have been acquired by Jackson State University from the Jackson State University Development Foundation, to a private entity, its successors and assigns, related to the ownership, leasing, renovating development, construction, furnishing, maintenance and equipping of facilities by the private entity for the housing of Jackson State University students, faculty, staff and visitors within such facilities and/or other commercial development on property located within and outside the current campus of Jackson State University in the City of Jackson, Hinds County, Mississippi. Any ground lease, management and maintenance agreement authorized under this act shall not exceed a term of forty (40) years. The properties that shall be subject to an agreement authorized under this act are, more particularly described as follows:

Parcel No.	Current Owner	Location	Legal Description
143-43	Jackson State Univ Dev Foundation	West Pascagoula Street	BEG IN E 1/2 LOT 9 CLIFTON EST SY BEG INT S/L PASCAGOULA ST & W/L CLIFTON ST W 665.8 FT TO POB W 34 FT S 131.5 FT SW/LY 4.4 FT S 38.9 FT E 32 FT NE/LY 35 FT N 38.5 FT E
143-43-1	Jackson State Univ Dev Foundation	West Pascagoula Street	4 FT N 93 FT TO POB PT LOT 9 CLIFTON EST SY 60.33 FT S/S PEARL ST X 210 FT N & S BEG 202.17 FT W OF NE COR LOT 19 IN LOG 19
144-112	Jackson State Univ Dev Foundation	824 Canal Street	ALL LOT 33 & PT LOT 34 BLK C BEARDS RE SY BEG SW COR LOT 35 BLK

C BEARDS RESY N 84 FT  
E 71.2 FT S 81.9 FT W  
69.3 FT TO POB BEING

144-112-1	Jackson State	834 Canal	ALL LOT 35 & PT LOT
	Univ Dev	Street	34 BLK C BEARDS
	Foundation		RE SY
144-120	Jackson State		LOT 9 BLK D
	University		BEARDS RE SY
	Development		
	Holdings LLC		
144-20	Jackson State	803 West	LOT 1 BLK 17 OLIN
	Univ Dev	Pearl	SURVEY LESS 5 FT OFF
	Foundation	Street	W/SIDE 44 FT E/S LOT
			2 & 5 FT OFF W/SIDE
			LOT 1 BLK
144-21	Jackson State	West Pearl	17 OLIN SURVEY
	Univ Dev	Street	BEG NW COR LOT 2 BLK
	Foundation		17 OLIN SY E 56 FT S
			104.5 FT W 56 FT N
			104.5 FT TO POB PT
			LOT 2 BLK
144-22-1	Jackson State	815 West	17 OLIN SY
	Univ Dev	Pearl	BEG NW COR BLK 17
	Foundation	Street	OLIN SY E 135.6 FT S
			104.6 FT E 67.9 FT S
			104.5 FT W 124 FT N
			139.4 FT W 13.8 FT N
			10 FT W 71.3 FT N 60
			FT TO POB PT LOT 4 &

			PT LOT 3 BLK 17
			OLIN SY
144-23-1	Jackson State	821 West	LOT 3 BLK 17 OLIN SY
	Univ Dev	Pearl	BEG 119.6 FT S INT
	Foundation	Street	E/L POINDEXTER ST &
			S/L PEARL ST E 85 FT
			S 41.6 FT W 85 FT N
			41.6 FT
144-23-2	Jackson State	514 Poindexter	TO POB PT LOT 4 BLK
	Univ Dev	Street	17 OLIN SY BEG 60 FT
	Foundation		S NW COR BLK 17 OLIN
			SY E 71.3 FT S 10 FT
			E 13.8 FT S 50 FT W
			85 FT N 59.6 FT
144-23-3	Jackson State	508 Poindexter	TO POB PT LOT 4 BLK
	Univ Dev	Street	17 OLIN SY BEG SW COR
	Foundation		LOT 4 OLIN SY N 47.8
			FT E 85 FT S
144-25	Jackson State	827 Deterly	100 FT S END W 1/2
	Univ Dev	Alley	LOT 6 BLK 17 OLIN
	Foundation		SURVEY
144-27	Jackson State	826 West	BLK 17 OLIN SY 40
	Univ Dev	Pascagoula	FT E & W X 90 FT N &
	Foundation	Street	S BEG 15 FT W OF NE
144-28-1	Jackson State	821 Dudleys	COR LOT 7 BLK 17 OLIN
	Univ Dev	Alley	SURVEY 48 FT E & W X
	Foundation		94 FT N & S MID PT S
			1/2 LOT 7
144-30	Jackson State	Dudleys	SURVEY 50 FT E & W X
	Univ Dev	Alley	100 FT N & S IN SE

	Foundation		COR LOT 8
144-36	Jackson State	719 West	62.2 FT E/S LOT 3
	Univ Dev	Pearl	BLK 18 OLIN
	Foundation	Street	SURVEY
144-38	Jackson State	West Pearl	LOT 4 BLK 18
	Univ Dev	Street	OLIN
	Foundation		SURVEY
144-39	Jackson State	West	E 1/2 LOT 6 BLK 18
	Univ Dev	Pascagoula	OLIN SURVEY W 1/2
	Foundation	Street	LOT 6 LESS 60 FT S
			END BLK 18 OLIN SY
144-42-10	Jackson State	West	40.5 FT W/S LOT 9
	Univ Dev	Pascagoula	BLK B CHAPMAN SMYLIE
	Foundation	Street	SUBN LOT 10 BLK B
			CHAPMAN SMYLIE SUBN
			LESS TO ST
144-42-2	Jackson State	Minerva	20.4 FT S/S PEARL ST
	Univ Dev	Street	X 53 ST N & S IN
	Foundation		NW COR
144-42-5	Jackson State	Minerva	LOT 5 BLK B CHAPMAN
	Univ Dev	Street	SMYLIE SUB LESS
	Foundation		TO ST
144-42-8	Jackson State	426 Olin	48 FT S/S LOT 8 BLK B
	Univ Dev	Street	CHAPMAN SMYLIE SUBN
	Foundation		28 FT N/S LOT 8 BLK
			B CHAPMAN SMYLIE
SUBN			
144-42-9	Jackson State	Olin	LOT 2 & 10 FT E & W
	Univ Dev	Street	X 43.25 FT N & S E
	Foundation		OF & ADJ THIS LOT IN

LOT 5 BLK A BEARDS

RE SY

(2) The ownership of all property and any improvements and/or facilities thereon which are the subject of any management and maintenance agreement, lease agreement or other type of contract authorized in this act, if not already owned by Jackson State University, shall be transferred without cost to Jackson State University from the private entity at the conclusion of such agreement or other contract. The State of Mississippi shall retain all mineral rights to the real property leased and/or sold under this section. The Department of Finance and Administration is authorized to correct any discrepancies in the property descriptions provided in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE JACKSON STATE UNIVERSITY TO ENTER INTO A GROUND LEASE, SALE, MANAGEMENT OR MAINTENANCE AGREEMENTS WITH A PRIVATE ENTITY RELATED TO THE DEVELOPMENT OF LAND OWNED OR TO BE OWNED BY THE UNIVERSITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Rita Potts Parks	Angela Cockerham
Nicole Boyd	John Read
Mike Thompson	Christopher M. Bell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2893** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2899** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2899: Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-9-39, Mississippi Code of 1972, is amended as follows:

83-9-39. (1) (a) Except as otherwise provided herein, all alternative delivery systems and all group health insurance policies, plans or programs regulated by the State of Mississippi shall provide covered benefits for the treatment of mental illness, except for policies which only provide coverage for specified diseases and other limited benefit health insurance policies and negotiated labor contracts.

(b) Health insurance policies, plans or programs of any employer of one hundred (100) or fewer eligible employees and all individual health insurance policies which are regulated by the State of Mississippi which do not currently offer benefits for treatment of mental illness shall offer covered benefits for the treatment of mental illness, which must include the treatment of mental illness by community mental health centers operated by a regional commission established under Section 41-19-33 or by a public or private entity under contract with a regional commission to operate the center, except for policies which only provide coverage for specified diseases and other limited benefit health insurance policies and negotiated labor contracts.

(c) Alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi shall not deny any community mental health center or contract entity described in paragraph (b) of this section the right to participate as a contract provider if the community mental health center or contract entity agrees to provide the mental health services that meet the terms of requirements set forth by the insurer under the policy or plan and agrees to the terms of reimbursement set forth by the insurer. Certification/licensure of all mental health providers by the Board of Mental Health in accordance with Section 41-4-7(r) shall be recognized by the insurer and shall not be used as a reason to deny any mental health provider the right to participate as a contract provider.

(2) Covered benefits for inpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to inpatient services certified as necessary by a health service provider.

(3) Covered benefits for outpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to outpatient services certified as necessary by a health service provider.

(4) Before an insured party may qualify to receive benefits under Sections 83-9-37 through 83-9-43, a health service provider shall certify that the individual is suffering from mental illness and refer the individual for the appropriate treatment.

(5) All mental illness, treatment or services with respect to such treatment eligible for health insurance coverage shall be subject to professional utilization and peer review procedures.

(6) The provisions of this section shall apply only to alternative delivery systems and individual and group health insurance policies, plans or programs issued or renewed after July 1, 1991.

(7) The exclusion period for coverage of a preexisting mental condition shall be the same period of time as that for other medical illnesses covered under the same plan, program or contract.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI SHALL NOT DENY ANY COMMUNITY MENTAL HEALTH CENTER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE COMMUNITY MENTAL HEALTH CENTER AGREES TO PROVIDE THE MENTAL HEALTH SERVICES THAT MEET THE TERMS OF REQUIREMENTS SET FORTH BY THE INSURER UNDER THE POLICY OR PLAN AND AGREES TO THE TERMS OF REIMBURSEMENT SET FORTH BY THE INSURER; TO PROVIDE THAT CERTIFICATION/LICENSURE OF ALL MENTAL HEALTH PROVIDERS BY THE BOARD OF MENTAL HEALTH SHALL BE RECOGNIZED BY THE INSURER AND SHALL NOT BE USED AS A REASON TO DENY ANY MENTAL HEALTH PROVIDER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Hob Bryan	Sam C. Mims, V
David Parker	Missy McGee
Chris Johnson	Becky Currie

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2899** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 2899**.

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Senator Hill offered the following report of the Conference Committee on **S. B. No. 2913** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2913: Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on line 17 by deleting the phrase ", and shall stand repealed from and after June 30, 2022"

2. That the House concur in the above exception(s).

## CONFEREES FOR THE SENATE

Angela Burks Hill

Neil S. Whaley

Bart Williams

## CONFEREES FOR THE HOUSE

Nick Bain

Noah Sanford

Sonya Williams-Barnes

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2913** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter moved that the rules be suspended to move to calendar item 187, **H. B. No. 1029**, and the motion prevailed.

Senator Carter offered the following report of the Conference Committee on **H. B. No. 1029** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1029: Mississippi Broadband Accessibility Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Broadband Expansion and Accessibility of Mississippi (BEAM) Act."

SECTION 2. As used in this act:

(a) "Applicant" means an eligible broadband service provider that has authorization to do business in this state and has demonstrated that it has the technical, financial and managerial resources and experience to provide broadband services in the state to retail end users.

(b) "Broadband service" means a mass-market retail service by wire, cable, fiber, or radio provided to customers in the State of Mississippi that provides the capability to transmit data to, and receive data from, all or substantially all Internet endpoints, at speeds of at least one hundred (100) megabits per second downstream and twenty (20) megabits per second upstream, and including, but not limited to, any capabilities that are incidental to and enable the operation of communications service, but excluding dial-up Internet access service.

(c) "Office" means the Office of Broadband Expansion and Accessibility of Mississippi (BEAM) within the Department of Finance and Administration created in Section 3 of this act.

(d) "Deployed" means, with respect to availability of broadband service at a location, when the person or entity has access regardless of whether a person or entity subscribes to the broadband service at the location.

(e) "Eligible broadband service provider" means any company, firm, corporation, limited liability company, partnership or association (i) that has been providing broadband service to at least one hundred (100) residences and businesses in Mississippi for at least three (3) consecutive years; (ii) is an electric power association's broadband affiliate operating pursuant to Section 77-17-1 et seq.; or (iii) that has demonstrated financial, technical, and operational capability in building and operating a broadband network.

(f) "Eligible project" means a discrete and specific project located in an unserved or underserved area of the state seeking to provide broadband services to residences, businesses, and community institutions not currently available for service in accordance with the applicable federal guidelines.

(g) "Shapefile" means a digital storage format containing geospatial or location-based data and attribute information regarding the availability of broadband Internet access service, and that can be viewed, edited, and mapped in geographic information system software.

SECTION 3. There is created an Office of Broadband Expansion and Accessibility of Mississippi (BEAM) within the Department of Finance and Administration for the purpose of making determinations and awards from applications for projects to provide broadband service in unserved or underserved areas using the Broadband Expansion

and Accessibility of Mississippi (BEAM) Fund created pursuant to this act. The Executive Director of the Department of Finance and Administration shall hire a Director of BEAM to administer the office.

SECTION 4. (1) The Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall serve as the state broadband office to review applications and make determinations and awards for projects to provide broadband access in unserved or underserved areas using the BEAM Fund created pursuant to this act.

(2) It shall be the duty and responsibility of BEAM to:

(a) Coordinate all broadband expansion and accessibility efforts on behalf of the state to ensure an effective and efficient use of broadband grant funds;

(b) Develop the plan and application for federal grant programs and for sub-grantees to receive funds from said federal grants;

(c) Develop rules and procedures, if necessary and in accordance with the Administrative Procedures Act, to implement a competitive statewide broadband grant program;

(d) Coordinate all information provided by broadband service providers, including all broadband mapping efforts for the state. All information provided by a broadband service provider pursuant to this act shall be presumed to be confidential, proprietary, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service providers is not disclosed. Such provider-specific information shall not be released to any person without written permission of the submitting broadband service provider. In no instance shall a broadband service provider be required to provide any data beyond that which it is required to provide to the Federal Communications Commission pursuant to 47 USC Section 641 et seq.; and

(e) Apply for and receive federal grants or funds, including, but not limited to, Coronavirus Capital Projects Fund established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and the Broadband Equity, Access and Deployment Program established by the Infrastructure Investment and Jobs Act of 2021, and all other federal broadband grant programs and any state support grant programs.

(3) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the Director of BEAM, provide the assistance, information and data needed to enable BEAM to carry out its duties.

(4) There is created within the State Treasury the "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund" for the purposes of the expansion and accessibility of broadband in unserved and underserved areas. The fund shall consist of all monies designated, accepted or appropriated by the State of Mississippi for broadband deployment; all monies received from the federal government awarded to or allocated by the state for broadband deployment; and donations, gifts and monies received from any other source, including transfers from other funds or accounts. Disbursements from the fund shall be made by the Department of Finance and Administration upon appropriation by the Legislature in accordance with the provisions of this act. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the State Treasurer in the same manner as monies in the State General Fund and interest earned on the investment of these monies shall be credited to the fund.

SECTION 5. In making determinations and awards, the Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall consider the following:

(a) Funds for the grant programs shall only be used by applicants for projects that exclusively extend broadband service into unserved or underserved areas in this state; and

(b) Funds from federal broadband grant programs shall be spent in accordance with federal laws, rules, regulations and guidance, and federal laws, rules, regulations and guidance shall supersede in any instance where this act conflicts.

SECTION 6. The criteria for determining the awarding of funds shall include the following:

(a) The applicant's experience and financial wherewithal to deploy, operate and manage the proposed project and broadband service offerings, including evidence of the applicant's successful operations of broadband services to retail end users;

(b) The readiness to build, operate and maintain the project;

(c) Projects that will deploy broadband service to the most unserved or underserved areas;

(d) The scalability of the proposed project network to support the deployment of higher broadband speeds over time;

(e) The likelihood that the unserved or underserved area will not be served with broadband service without such state or federal grant funding;

(f) The applicant's ability to demonstrate the community's support for the project and a collaborated plan to leverage broadband services for community needs and economic development, such as rural development, education, tourism, new investment, or business attraction or retention;

(g) A preference for those applications seeking to deploy and provide broadband services to areas in which there is currently no fixed terrestrial Internet access service available;

(h) No discrimination or preference to applications on the basis of the type of technology proposed by any applicant to be used to provide broadband services so long as the technology proposed meets the federal guidelines;

(i) The size and scope of the unserved or underserved area to be deployed;  
and

(j) The broadband service speed thresholds proposed in the application and the scalability of the broadband service network infrastructure proposed to be deployed to provide broadband service to households and businesses.

SECTION 7. In accordance with federal laws, rules, regulations and guidance, the Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall establish and publish on its website its criteria for competitively scoring applications.

SECTION 8. (1) An applicant for funding under this act shall provide the following information at a minimum on the application:

(a) The location of the project by use of a shapefile;

(b) The type and amount of broadband infrastructure to be deployed for the project, including the amount the applicant intends to invest in the project from private funds;

(c) Evidence regarding the unserved or underserved nature of the community in which the project is to be located;

(d) The number of households that will have access to broadband service as a result of the project, or whose Internet access service will be upgraded to broadband service as a result of the project;

(e) The significant community institutions that will benefit from the proposed project;

(f) Evidence of community support for the project with a narrative on the impact that the investment will have on community and economic development efforts in the area;

(g) The total cost of the project and a detailed budget and schedule for the project, including the submission of a business plan that provides for the use of funds provided under this act. Funds shall not be used to support the operational expenses of the network or to subsidize any other service provided by the applicant; and

(h) The broadband service provider's experience and financial capabilities.

(2) After scoring and considering all applications, the Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall make its preliminary determinations. Within thirty (30) days after the preliminary determinations have been made, BEAM shall publish on its website the applications, the proposed geographic broadband service area illustrated by a shapefile, and the proposed broadband service speeds for each application that receives a preliminary determination.

(3) Within thirty (30) days from the date the preliminary determinations are published on BEAM's website, BEAM shall accept comments or objections concerning each application and investigate each of them as appropriate. BEAM shall consider all comments and objections received and the investigative findings in determining whether an applicant is eligible for a final determination and award.

(4) BEAM shall not make a final determination and award to an applicant if verifiable information is made available that shows the proposed project includes an area where broadband services currently are deployed, or where construction of a network to deploy broadband service is underway by a provider other than the applicant, and the construction is scheduled to be completed within one (1) year after the date of the application.

(5) An applicant's or challenging party's trade secrets, financial information and proprietary information submitted under this act as part of an application or challenge are exempt from disclosure under the Mississippi Public Records Act, Section 25-61-1 et seq.

(6) Any contractor deploying broadband infrastructure for a project that has been awarded grant monies by BEAM is encouraged to use Mississippi employment to the fullest extent possible.

SECTION 9. (1) Before the distribution of any grant monies from the BEAM Fund, BEAM shall notify the Lieutenant Governor, the Speaker of the House of Representatives and the Legislative Budget Office of the planned distribution.

(2) BEAM may employ the services of such persons as the Director of BEAM considers necessary for the purposes of consultation or investigation and fix the salaries

of or contract for the services of such legal, professional, technical and operational personnel and consultants, subject to applicable provisions of the State Personnel Board. Additional legal assistance may be retained in accordance with this subsection (2) only with the approval of the Attorney General.

(3) BEAM shall provide to the Legislature an annual detailed report on the status and details of all projects considered and approved under this act no later than December 15 of each year.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI (BEAM) ACT; TO DEFINE TERMS USED IN THE ACT; TO CREATE THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO DESIGNATE THE OFFICE AS THE STATE BROADBAND OFFICE TO REVIEW APPLICATIONS FOR FUNDING BROADBAND INFRASTRUCTURE PROJECTS USING FEDERAL AND STATE FUNDS; TO PROVIDE THAT THE OFFICE SHALL CONSIDER CERTAIN FACTORS IN MAKING ITS DETERMINATIONS AND AWARDS; TO REQUIRE THE OFFICE TO ESTABLISH AND PUBLISH ON ITS WEBSITE ITS CRITERIA FOR COMPETITIVELY SCORING APPLICATIONS; TO REQUIRE AN APPLICANT TO PROVIDE CERTAIN INFORMATION AT A MINIMUM ON THE APPLICATION; TO REQUIRE THE OFFICE TO MAKE PRELIMINARY DETERMINATIONS, FINAL DETERMINATIONS AND AWARDS AFTER CERTAIN INVESTIGATIONS; TO REQUIRE THE OFFICE TO ACCEPT COMMENTS AND OBJECTIONS CONCERNING EACH PRELIMINARY DETERMINATION AND INVESTIGATE THEM AS APPROPRIATE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Joel R.Carter, Jr.
De'Keither A. Stamps	Rita Potts Parks
John Read	Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1029** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended to move to calendar item 159, **H. B. No. 1509**, and the motion prevailed.

Senator Kirby offered the following report of the Conference Committee on **H. B. No. 1509** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1509: COVID-19 vaccine mandate; prohibit state and local government from imposing.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this act, the following words and phrases have the following meanings, unless the context clearly indicates otherwise:

(a) "Immunity passport" means a document, digital record, or software application indicating that a person has immunity to COVID-19, either through vaccination or infection and recovery.

(b) "COVID-19 vaccination status" means an indication of whether a person has received one or more doses of a vaccine for COVID-19.

(2) Except as provided in subsection (3) of this section, it is an unlawful discriminatory practice for:

(a) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to refuse, withhold from, or deny to a person any local or state services, goods, facilities, advantages, privileges, licensing, educational opportunities, health care access, or employment opportunities based on the person's COVID-19 vaccination status or whether the person has an immunity passport;

(b) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to refuse employment to a person, to bar a person from employment, or to discriminate against a person in compensation or in a term, condition, or privilege of employment based on the person's COVID-19 vaccination status or whether the person has an immunity passport; or

(c) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state to exclude, limit, segregate, refuse to serve, or otherwise discriminate against a person based on the person's COVID-19 vaccination status or whether the person has an immunity passport.

(3) Children attending any school, kindergarten or similar type of facility intended for the instruction of children, either public or private, shall not be required to receive a vaccine for COVID-19 as a condition of attendance.

(4) (a) A state agency, public official, state institution of higher learning, public community or junior college, county, municipality or other political subdivision of the state does not unlawfully discriminate under this section if they recommend that an employee receive a vaccine for COVID-19.

(b) A health care facility does not unlawfully discriminate under this act if it:

(i) Asks an employee to volunteer the employee's COVID-19 vaccination status for the purpose of determining whether the health care facility should implement reasonable accommodation measures to protect the safety and health of employees, patients, visitors, and other persons from COVID-19. A health care facility may consider an employee to be unvaccinated if the employee declines to provide the employee's COVID-19 vaccination status to the health care facility for purposes of determining whether reasonable accommodation measures should be implemented; or

(ii) Implements reasonable accommodation measures for employees, patients, visitors, and other persons who are not vaccinated for COVID-19 to protect the safety and health of employees, patients, visitors, and other persons from COVID-19.

(5) An employee of any public or private employer who has a sincerely held religious objection to receiving a vaccine for COVID-19 shall not be required to receive a vaccine for COVID-19.

SECTION 2. A health care facility is exempt from compliance with this act during any period of time that compliance with this act would result in a violation of regulations or guidance issued by the Centers for Medicare and Medicaid Services or the Centers for Disease Control and Prevention.

SECTION 3. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROHIBIT A STATE AGENCY, PUBLIC OFFICIAL, STATE INSTITUTION OF HIGHER LEARNING, PUBLIC COMMUNITY OR JUNIOR COLLEGE, COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE FROM REFUSING SERVICES, HEALTH CARE ACCESS OR EMPLOYMENT OPPORTUNITIES TO A PERSON, OR OTHERWISE DISCRIMINATE AGAINST A PERSON, BASED UPON HIS OR HER COVID-19 VACCINATION STATUS OR POSSESSION OF A COVID-19 IMMUNITY PASSPORT; TO DEFINE THE TERMS "IMMUNITY PASSPORT" AND "COVID-19 VACCINATION STATUS"; TO PROVIDE A CERTAIN EXEMPTION FOR HEALTH CARE FACILITIES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Dean Kirby
Fred Shanks	Nicole Boyd
Jason White	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1509** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Barnett, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--12.

Absent and those not voting----None.

Senator Younger moved that the rules be suspended for the consideration en bloc of S. N. No. 4, S. N. No. 6, S. N. No. 7, S. N. No. 133 and S. N. No. 134 and the motion prevailed.

Senator Younger called up the following entitled nominations:

**S. N. No. 4:** Michael Wayne (Michael) Lasseter, Jr., Brandon, Mississippi, Director of the State Fairgrounds Complex, term effective November 1, 2021 and appointee shall serve at the will and pleasure of the Commissioner of Agriculture and Commerce.

**S. N. No. 6:** Ralph Kipp (Kipp) Brown, Winona, Mississippi, Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, four year term beginning July 29, 2021 and ending July 28, 2025.

**S. N. No. 7:** James Shelton (James) Rasberry, Kosciusko, Mississippi, Mississippi Board of Animal Health as the Horse Breeder and Producer representative, four year term beginning August 1, 2021 and ending July 31, 2025.

**S. N. No. 133:** Samuel Kevin (Sam) Blakeney, Sr., Bay Springs, Mississippi, Mississippi Board of Animal Health, four year term beginning August 1, 2021 and ending July 31, 2025, representing the Mississippi Livestock Auction Association.

**S. N. No. 134:** Jeremy Dwayne Graham, Thaxton, Mississippi, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, four year term beginning September 1, 2021 and ending August 31, 2025.

YEAS AND NAYS on consideration en bloc of S. N. No. 4, S. N. No. 6, S. N. No. 7, S. N. No. 133 and S. N. No. 134. On motion of Senator Younger, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Carter called up the following entitled nomination:

**S. N. No. 17:** Thomas Ford Gandy, Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective September 20, 2021 and ending June 30, 2024, representing Wireless Providers.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 17 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 881** was adopted by the Senate.

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

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Senator Seymour entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1065** was adopted by the Senate.

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.

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Senator Hickman entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1685** was adopted by the Senate.

**H. B. No. 1685:** Pregnancy Resource Act; create.

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Senators Frazier and Norwood moved that when the Senate adjourns, it adjourn in memory of Rev. James A. Washington, Sr. of Jackson, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Cooper Windham and Hale Fariss Bomar of Florence, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Amanda Kathleen Rhodes, Florence Ann Sinclair, Jerry Boutwell, Mary Kathleen Anderson Coates, Sybil Lois Robinson and Thomas Stephens MacDonald of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mae Aline Lucky of Center Hill, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Deborah R. Briggs of Whynot, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of William Raymond Walsten "96" of Leakesville, MS.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2600:** AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE CHALLENGES OF MONITORING FORMERLY INCARCERATED INDIVIDUALS TO REDUCE RECIDIVISM THROUGH TARGETED SUPPORT, SUPERVISION AND SKILLS ATTAINMENT, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 31, 2022.

The motion prevailed, and at 6:58 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 7:50 PM in memory of Rev. James A. Washington, Sr., Cooper Windham, Deborah R. Briggs, William Raymond Walsten "96", Hale Fariss Bomar, Amanda Kathleen Rhodes, Florence Ann Sinclair, Jerry Boutwell, Mary Kathleen Anderson Coates, Sybil Lois Robinson, Thomas Stephens MacDonald and Mae Aline Lucky.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR WEDNESDAY, MARCH 30, 2022

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EIGHTY-SEVENTH DAY, THURSDAY, MARCH 31, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Jennifer Biard, Jackson Revival Center, Jackson, MS.

Senator Norwood led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Harkins called up the following entitled nomination:

**S. N. No. 92:** David John Machado, Biloxi, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027.

**YEAS AND NAYS.** The yeas and nays being taken, the Senate did advise and consent to S. N. No. 92 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Harkins called up the following entitled nomination:

**S. N. No. 136:** Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, remainder of a four year term effective February 4, 2022 and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 136 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 604, S. R. No. 56, S. R. No. 57, S. R. No. 58, S. R. No. 59, S. R. No. 60, S. R. No. 61 and H. C. R. No. 77 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 604:** Paying tribute to United States Army Korean War casualty PFC Jimmy Rowland of Baldwin, Mississippi, finally laid to rest.

**S. R. No. 56:** Commend the life of Ruth Antoninette Batton Campbell.

**S. R. No. 57:** Recognize athletic and professional educator legacy of Coach Leon Campbell.

**S. R. No. 58:** Commend Pascagoula High School Navy JROTC Air Rifle Team for winning State and Regional Titles and for All-Service competition.

**S. R. No. 59:** Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi.

**S. R. No. 60:** Recognize career and public health leadership of State Health Officer Thomas Dobbs, MD, MPH.

**S. R. No. 61:** Commend service of Michele Blocker ITS on her retirement.

**H. C. R. No. 77:** Russian invasion of Ukraine; condemn.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 604, S. R. No. 56, S. R. No. 57, S. R. No. 58, S. R. No. 59, S. R. No. 60, S. R. No. 61 and H. C. R. No. 77. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th),

Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, Jackson (11th), Michel and Thompson as co-authors of **S. C. R. No. 604**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, Jackson (11th), Norwood and Simmons D. T. (12th) as co-authors of **S. R. No. 56**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, Jackson (11th), Norwood and Simmons D. T. (12th) as co-authors of **S. R. No. 57**.

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Unanimous consent was granted to add Senators Butler K. (38th) and England as co-authors of **S. R. No. 58**.

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Unanimous consent was granted to add Senators Butler K. (38th), Caughman, Frazier, Hill, Jackson (11th), McMahan, Michel and Thompson as co-authors of **S. R. No. 59**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, Jackson (11th), Michel, Norwood and Simmons D. T. (12th) as co-authors of **S. R. No. 60**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, Jackson (11th) and Michel as co-authors of **S. R. No. 61**.

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Senator Fillingane called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2245** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2245:** Voyeurism; revise sentencing.

The foregoing motion prevailed.

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Senator Whaley called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1065** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to..

The foregoing motion prevailed.

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Senator Hopson moved that the Conference Committee Report on **H. B. No. 1421** be recommitted for further conference and the motion prevailed.

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

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Senator Whaley offered the following report of the Conference Committee on **H. B. No. 606** (version 2) and moved that the Report do be adopted:  
REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 606: Mississippi Outdoor Stewardship Trust Fund; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Outdoor Stewardship Act."

SECTION 2. For the purposes of this act, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

(b) "Conservation land" means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one (1) of the following environmental values or conservation benefits:

- (i) Water quality protection for wetlands, rivers, streams or lakes;
- (ii) Protection of wildlife habitat;
- (iii) Protection of cultural sites and archeological and historic resources;
- (iv) Protection of land around Mississippi's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;
- (v) Support of economic development through conservation projects;
- (vi) Provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities; or

(vii) Recruiting or retention of recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities.

(c) "Nongovernmental entity" means a nonprofit organization with a 501(c)(3) status that is primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(d) "Permanently protected conservation areas" means those resources:

(i) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(ii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and dedicated for recreation or conservation or as a natural resource;

(iii) Owned by the State of Mississippi, or a county or municipality in Mississippi, and subject to:

1. A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land;

2. Contractual arrangements ensuring that, if the protected status is discontinued on a parcel, such property will be replaced by other conservation land which at the time of such replacement is of equal or greater monetary and resource protection value; or

3. A permanent restrictive covenant as provided in state law;

or

(iv) Owned by any person or entity and subject to a conservation easement ensuring that the property will be maintained in a manner consistent with conservation land.

(e) "Project proposal" means any application seeking monies from the Mississippi Outdoor Stewardship Trust Fund.

(f) "Special fund" means the Mississippi Outdoor Stewardship Trust Fund created in Section 4 of this act.

(g) "State agency" means any agency, department, commission or institution of the State of Mississippi.

(h) "Working agricultural land" means land area that is either arable, under permanent crops or under permanent pastures. Arable land includes land under temporary crops such as cereals, temporary meadows for mowing or for pasture, land under market or kitchen gardens, and land temporarily fallow.

SECTION 3. (1) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of the following members:

(a) Four (4) members appointed by the Governor, one (1) from each of the congressional districts existing on July 1, 2022;

(b) Three (3) members appointed by the Lieutenant Governor, one (1) from each of the State Supreme Court districts existing on July 1, 2022;

(c) The Executive Director of the Mississippi Soil and Water Conservation Commission, as an ex officio, nonvoting member;

(d) The Executive Director of the Mississippi Department of Marine Resources, as an ex officio, nonvoting member;

(e) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, as an ex officio, nonvoting member;

(f) The Secretary of State, as an ex officio, nonvoting member;

(g) The Commissioner of Agriculture and Commerce, as an ex officio, nonvoting member;

(h) The Chairs of the Senate and House Appropriations Committees, as ex officio, nonvoting members;

(i) The Chairs of the Senate Finance Committee and House Ways and Means Committee, as ex officio, nonvoting members; and

(j) The Chairs of the Senate and House Wildlife, Fisheries and Parks Committees, as ex officio, nonvoting members.

One (1) of the members to be appointed by the Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Governor. One (1) of the members to be appointed by the Lieutenant Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Lieutenant Governor.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, business, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to public lands, land conservation and outdoor recreation. These seven (7) appointments shall be subject to the advice and consent of the Mississippi State Senate.

(3) (a) Two (2) persons initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2025. The other two (2) persons initially appointed by the Governor and the remaining person initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2026.

After the expiration of the initial terms, each such appointment shall be for a term of four (4) years from the expiration of the previous term.

(b) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings, and all actions of the board shall require a majority vote of the voting members of the board.

(c) The board shall annually elect one (1) voting member to serve as chairman and one (1) voting member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman, or if there is a vacancy in the office of chairman.

(4) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each board meeting, including mileage, as provided in Section 25-3-41.

(5) No board member shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(6) The board shall not approve any funding to any entity of which a voting member of the board is an executive, member or employee.

(7) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

SECTION 4. (1) (a) There is created in the State Treasury a special fund to be designated the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of monies appropriated by the Legislature. Monies shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund; however, any unobligated monies in excess of Twenty Million Dollars (\$20,000,000.00), excluding federal funds, remaining in the special fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the special fund may be used upon selection by the board. The board and the Department of Finance and Administration may use not more than two percent (2%) of monies in the special fund to defray the board's expenses in carrying out its duties under this act.

(b) Subject to the provisions of this act, monies in the special fund may be used and expended by the board to provide funds for grants to counties, municipalities, state agencies and nongovernmental entities for:

(i) Improvement of state park outdoor recreation features and trails;

(ii) Acquisition and improvement of parks and trails by counties and municipalities, if such parks and trails lie within the jurisdiction of such counties and municipalities;

(iii) Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, or the safe use and enjoyment of permanently protected conservation land;

(iv) Restoration or enhancement on privately owned working agricultural lands and forests that support conservation of soil, water, habitat of fish and wildlife resources;

(v) Restoration or enhancement of wetlands, native forests, native grasslands and other unique habitats important for Mississippi's fish and wildlife; and

(vi) Acquisition of critical areas for the provision or protection of clean water, wildlife, hunting, fishing, military installation buffering or natural resource-based outdoor recreation. Real property may only be acquired under this subparagraph (vi) when the property:

1. Is, at the time of acquisition, being leased by the state as a wildlife management area;

2. Adjoins or is in close proximity to state or federal wildlife management areas or state parks, or would provide better public access to such areas;

3. Is identified in a wildlife action plan developed by a state agency;
4. Constitutes riparian lands, and its acquisition is for the purpose of protecting any drinking water supply; or
5. Surrounds a military base or military installation.

Acquisition of land under this subparagraph (vi) may not be made through the exercise of any power of eminent domain or any condemnation proceeding.

(c) Unless otherwise authorized by the board, a county, municipality, state agency or nongovernmental entity receiving funds for a project under this section must expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality, state agency or nongovernmental entity receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county, municipality, state agency or nongovernmental entity must provide an accounting of such unused funds and the reason for failure to expend the funds. If the board determines that the project will not be completed in a timely manner, the county, municipality, state agency or nongovernmental entity must then return any unexpended funds.

(d) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized in this act.

(2) (a) The board shall accept applications from counties, municipalities, state agencies and nongovernmental entities for project proposals eligible for funding under this section. The board shall evaluate the proposals received in accordance with this act.

(b) A county, municipality, state agency or nongovernmental entity desiring assistance under this section must submit a complete application to the board. The application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board.

(c) The board shall require annual independent audits of all expenditures from the special fund and present those findings to the Governor, Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees.

(d) To be eligible for funding, any nongovernmental entity applicant must submit its most recent audit, disclose any audit deficiencies in the previous five (5) years, submit its certificate of good standing from the Mississippi Secretary of State, and submit a current list of its board members for purposes of conflicts of interest.

(e) For funds to be spent on private land, the applicant must show demonstrably that the project will benefit the public.

(f) Projects that acquire property shall not be considered for approval until after July 1, 2024.

(3) The board, at its first meeting of each calendar year, shall prepare a list of priorities and criteria to guide the selection of projects. The board shall give increased priority to projects:

(a) Supporting the public recreation and conservation efforts of state agencies, counties and municipalities;

(b) Leveraging or matching other nonfederal or federal funds available for similar purposes;

(c) Supporting and promoting recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities;

(d) Contributing to the improvement of the quality and quantity of surface water and groundwater; or

(e) Contributing to the conservation of soil, water, and fish and wildlife resources on privately owned working agricultural lands or forests.

(4) Upon approval of the total list of projects by the board, the list of projects shall be submitted to the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees. If federal funds or guidelines become available and are certified by the Executive Director of the Department of Finance and Administration or the Executive Director of the Mississippi Outdoor Stewardship Fund, the board shall be authorized to expend funds from the Mississippi Outdoor Stewardship Trust Fund and shall notify the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees, Chairs of the Senate and House Wildlife, Fisheries and Parks Committees, and Legislative Budget Office of such expenditures prior to their distribution to certain projects approved by the board.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE MISSISSIPPI OUTDOOR STEWARDSHIP ACT; TO ESTABLISH THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO SPECIFY THE MEMBERSHIP OF THE BOARD; TO CREATE THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED AND EXPENDED BY THE BOARD TO PROVIDE FUNDS FOR GRANTS TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR VARIOUS OUTDOOR STEWARDSHIP PURPOSES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS FROM COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR PROJECT PROPOSALS ELIGIBLE FOR FUNDING; TO DIRECT THE BOARD TO REQUIRE ANNUAL INDEPENDENT AUDITS OF ALL EXPENDITURES FROM THE SPECIAL FUND AND TO PRESENT THOSE FINDINGS TO THE GOVERNOR AND THE LEGISLATURE; TO DIRECT THE BOARD TO ESTABLISH CRITERIA FOR GUIDING ITS SELECTION OF PROJECTS FOR FUNDING; TO REQUIRE THAT THE LIST OF PROJECTS APPROVED BY THE BOARD BE SUBMITTED TO THE LEGISLATURE; TO REQUIRE THE BOARD, BEFORE DISTRIBUTING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO APPROVED PROJECTS, TO NOTIFY THE LEGISLATURE OF SUCH EXPENDITURES; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Shane Barnett

Bill Kinkade

## CONFEREES FOR THE SENATE

Neil S. Whaley

W. Briggs Hopson III

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 606** (version 2) was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--38.

Nays--Butler A. (36th). Total--1.

Absent and those not voting--Tate. Total--1.

Voting Present--Barrett, Butler K. (38th), Chism, England, Hill, McCaughn, McDaniel, McMahan, Seymour, Sojourner, Thompson, Wiggins. Total--12.

Senator Wiggins requested that the following explanation be placed in the journal.

## EXPLANATION

H.B. 606-Statement of vote by Senator Wiggins

I voted "present" on the conference report vote along with a number of other Senators. My concerns have always been about the accountability of state funds, issues raised by the Senate debate before and after re-commitment. This is one of the highest responsibilities I have as a long serving Appropriations member. Changes made upon recommitting did make things better. But, I also understand other states have benefitted from the drawdown of funds for conservation which is a worthy state interest. The bill did pass and by voting present I helped in assuring that.

Senator Blackwell offered the following report of the Conference Committee on **H. B. No. 657** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 657: Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2022, this section shall read as follows:]

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of

Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall

develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide

Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ASCs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental

health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities, physicians employed or contracted by hospitals, and emergency ambulance transportation providers.

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs

for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible

providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(B) [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) \* \* \* As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that render any services authorized to be provided to Medicaid recipients under this article.

(2) \* \* \* Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request. The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairman jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the

computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated

basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render

a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) This section shall stand repealed on July 1, 2024.

[From and after July 1, 2022, this section shall read as follows:]

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator

multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. The division shall increase the amount of the reimbursement rate for restorative dental services for each of the fiscal years 2023, 2024 and 2025 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ASCs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities \* \* \* and physicians employed or contracted by hospitals \* \* \*.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy

of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this paragraph (18)(b), all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this paragraph (18)(b).

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to Medicaid beneficiaries, each eligible ambulance transportation service provider shall receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this paragraph (18)(b)(v), the term "upper payment limit gap" means the difference between the total amount that the ambulance transportation service provider received from Medicaid and the average amount that the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred

percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for

developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under

Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that

require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Payments may only be made to a border city university-affiliated pediatric teaching hospital if the Centers for Medicare and Medicaid Services (CMS) approve an increase in the annual request for the provider payment initiative authorized under 42 CFR Section 438.6(c) in an amount equal to or greater than the estimated annual payment to be made to the border city university-affiliated pediatric teaching hospital. The estimate shall be based on the hospital's prior year Mississippi managed care utilization.

(b) As used in this paragraph (60), the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21) years.

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) years who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) It is the intent of the Legislature that payments shall not result in any in-state hospital receiving payments lower than they would otherwise receive if not for the payments made to any border city university-affiliated pediatric teaching hospital.

(e) This paragraph (60) shall stand repealed on July 1, 2024.

(B) \* \* \* Planning and development districts participating in the home- and community-based services program for the elderly and disabled as case management providers shall be reimbursed for case management services at the maximum rate approved by the Centers for Medicare and Medicaid Services (CMS).

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as

determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) \* \* \* As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that render any services authorized to be provided to Medicaid recipients under this article.

(2) \* \* \* Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request. The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairman jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change

shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1),

the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program

(CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and

the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) \* \* \* The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(l) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or

APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

(M) This section shall stand repealed on July 1, 2024.

SECTION 2. Section 43-13-121, Mississippi Code of 1972, is amended as follows:

43-13-121. (1) The division shall administer the Medicaid program under the provisions of this article, and may do the following:

(a) Adopt and promulgate reasonable rules, regulations and standards, with approval of the Governor, and in accordance with the Administrative Procedures Law, Section 25-43-1.101 et seq.:

(i) Establishing methods and procedures as may be necessary for the proper and efficient administration of this article;

(ii) Providing Medicaid to all qualified recipients under the provisions of this article as the division may determine and within the limits of appropriated funds;

(iii) Establishing reasonable fees, charges and rates for medical services and drugs; in doing so, the division shall fix all of those fees, charges and rates at the minimum levels absolutely necessary to provide the medical assistance authorized by this article, and shall not change any of those fees, charges or rates except as may be authorized in Section 43-13-117;

(iv) Providing for fair and impartial hearings;

(v) Providing safeguards for preserving the confidentiality of records;

and

(vi) For detecting and processing fraudulent practices and abuses of the program;

(b) Receive and expend state, federal and other funds in accordance with court judgments or settlements and agreements between the State of Mississippi and the federal government, the rules and regulations promulgated by the division, with the approval of the Governor, and within the limitations and restrictions of this article and within the limits of funds available for that purpose;

(c) Subject to the limits imposed by this article and subject to the provisions of subsection (8) of this section, to submit a Medicaid plan to the United States

Department of Health and Human Services for approval under the provisions of the federal Social Security Act, to act for the state in making negotiations relative to the submission and approval of that plan, to make such arrangements, not inconsistent with the law, as may be required by or under federal law to obtain and retain that approval and to secure for the state the benefits of the provisions of that law.

No agreements, specifically including the general plan for the operation of the Medicaid program in this state, shall be made by and between the division and the United States Department of Health and Human Services unless the Attorney General of the State of Mississippi has reviewed the agreements, specifically including the operational plan, and has certified in writing to the Governor and to the executive director of the division that the agreements, including the plan of operation, have been drawn strictly in accordance with the terms and requirements of this article;

(d) In accordance with the purposes and intent of this article and in compliance with its provisions, provide for aged persons otherwise eligible for the benefits provided under Title XVIII of the federal Social Security Act by expenditure of funds available for those purposes;

(e) To make reports to the United States Department of Health and Human Services as from time to time may be required by that federal department and to the Mississippi Legislature as provided in this section;

(f) Define and determine the scope, duration and amount of Medicaid that may be provided in accordance with this article and establish priorities therefor in conformity with this article;

(g) Cooperate and contract with other state agencies for the purpose of coordinating Medicaid provided under this article and eliminating duplication and inefficiency in the Medicaid program;

(h) Adopt and use an official seal of the division;

(i) Sue in its own name on behalf of the State of Mississippi and employ legal counsel on a contingency basis with the approval of the Attorney General;

(j) To recover any and all payments incorrectly made by the division to a recipient or provider from the recipient or provider receiving the payments. The division shall be authorized to collect any overpayments to providers sixty (60) days after the conclusion of any administrative appeal unless the matter is appealed to a court of proper jurisdiction and bond is posted. Any appeal filed after July 1, 2015, shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi, within sixty (60) days after the date that the division has notified the provider by certified mail sent to the proper address of the provider on file with the division and the provider has signed for the certified mail notice, or sixty (60) days after the date of the final decision if the provider does not sign for the certified mail notice. To recover those payments, the division may use the following methods, in addition to any other methods available to the division:

(i) The division shall report to the Department of Revenue the name of any current or former Medicaid recipient who has received medical services rendered during a period of established Medicaid ineligibility and who has not reimbursed the division for the related medical service payment(s). The Department of Revenue shall withhold from the state tax refund of the individual, and pay to the division, the amount of the payment(s) for medical services rendered to the ineligible individual that have not been reimbursed to the division for the related medical service payment(s).

(ii) The division shall report to the Department of Revenue the name of any Medicaid provider to whom payments were incorrectly made that the division has not been able to recover by other methods available to the division. The Department of

Revenue shall withhold from the state tax refund of the provider, and pay to the division, the amount of the payments that were incorrectly made to the provider that have not been recovered by other available methods;

(k) To recover any and all payments by the division fraudulently obtained by a recipient or provider. Additionally, if recovery of any payments fraudulently obtained by a recipient or provider is made in any court, then, upon motion of the Governor, the judge of the court may award twice the payments recovered as damages;

(l) Have full, complete and plenary power and authority to conduct such investigations as it may deem necessary and requisite of alleged or suspected violations or abuses of the provisions of this article or of the regulations adopted under this article, including, but not limited to, fraudulent or unlawful act or deed by applicants for Medicaid or other benefits, or payments made to any person, firm or corporation under the terms, conditions and authority of this article, to suspend or disqualify any provider of services, applicant or recipient for gross abuse, fraudulent or unlawful acts for such periods, including permanently, and under such conditions as the division deems proper and just, including the imposition of a legal rate of interest on the amount improperly or incorrectly paid. Recipients who are found to have misused or abused Medicaid benefits may be locked into one (1) physician and/or one (1) pharmacy of the recipient's choice for a reasonable amount of time in order to educate and promote appropriate use of medical services, in accordance with federal regulations. If an administrative hearing becomes necessary, the division may, if the provider does not succeed in his or her defense, tax the costs of the administrative hearing, including the costs of the court reporter or stenographer and transcript, to the provider. The convictions of a recipient or a provider in a state or federal court for abuse, fraudulent or unlawful acts under this chapter shall constitute an automatic disqualification of the recipient or automatic disqualification of the provider from participation under the Medicaid program.

A conviction, for the purposes of this chapter, shall include a judgment entered on a plea of nolo contendere or a nonadjudicated guilty plea and shall have the same force as a judgment entered pursuant to a guilty plea or a conviction following trial. A certified copy of the judgment of the court of competent jurisdiction of the conviction shall constitute prima facie evidence of the conviction for disqualification purposes;

(m) Establish and provide such methods of administration as may be necessary for the proper and efficient operation of the Medicaid program, fully utilizing computer equipment as may be necessary to oversee and control all current expenditures for purposes of this article, and to closely monitor and supervise all recipient payments and vendors rendering services under this article. Notwithstanding any other provision of state law, the division is authorized to enter into a ten-year contract(s) with a vendor(s) to provide services described in this paragraph (m). Notwithstanding any provision of law to the contrary, the division is authorized to extend its Medicaid Management Information System, including all related components and services, and Decision Support System, including all related components and services, contracts in effect on June 30, 2020, for a period not to exceed two (2) years without complying with state procurement regulations;

(n) To cooperate and contract with the federal government for the purpose of providing Medicaid to Vietnamese and Cambodian refugees, under the provisions of Public Law 94-23 and Public Law 94-24, including any amendments to those laws, only to the extent that the Medicaid assistance and the administrative cost related thereto are one hundred percent (100%) reimbursable by the federal government. For the purposes of Section 43-13-117, persons receiving Medicaid under Public Law 94-23 and Public Law 94-24, including any amendments to those laws, shall not be considered a new group or category of recipient; and

(o) The division shall impose penalties upon Medicaid only, Title XIX participating long-term care facilities found to be in noncompliance with division and certification standards in accordance with federal and state regulations, including interest

at the same rate calculated by the United States Department of Health and Human Services and/or the Centers for Medicare and Medicaid Services (CMS) under federal regulations.

(2) The division also shall exercise such additional powers and perform such other duties as may be conferred upon the division by act of the Legislature.

(3) The division, and the State Department of Health as the agency for licensure of health care facilities and certification and inspection for the Medicaid and/or Medicare programs, shall contract for or otherwise provide for the consolidation of on-site inspections of health care facilities that are necessitated by the respective programs and functions of the division and the department.

(4) The division and its hearing officers shall have power to preserve and enforce order during hearings; to issue subpoenas for, to administer oaths to and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths; to examine witnesses; and to do all things conformable to law that may be necessary to enable them effectively to discharge the duties of their office. In compelling the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions, as authorized by this section, the division or its hearing officers may designate an individual employed by the division or some other suitable person to execute and return that process, whose action in executing and returning that process shall be as lawful as if done by the sheriff or some other proper officer authorized to execute and return process in the county where the witness may reside. In carrying out the investigatory powers under the provisions of this article, the executive director or other designated person or persons may examine, obtain, copy or reproduce the books, papers, documents, medical charts, prescriptions and other records relating to medical care and services furnished by the provider to a recipient or designated recipients of Medicaid services under investigation. In the absence of the voluntary submission of the books, papers, documents, medical charts, prescriptions and other records, the Governor, the executive director, or other designated person may issue and serve subpoenas instantly upon the provider, his or her agent, servant or employee for the production of the books, papers, documents, medical charts, prescriptions or other records during an audit or investigation of the provider. If any provider or his or her agent, servant or employee refuses to produce the records after being duly subpoenaed, the executive director may certify those facts and institute contempt proceedings in the manner, time and place as authorized by law for administrative proceedings. As an additional remedy, the division may recover all amounts paid to the provider covering the period of the audit or investigation, inclusive of a legal rate of interest and a reasonable attorney's fee and costs of court if suit becomes necessary. Division staff shall have immediate access to the provider's physical location, facilities, records, documents, books, and any other records relating to medical care and services rendered to recipients during regular business hours.

(5) If any person in proceedings before the division disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the hearing, or neglects to produce, after having been ordered to do so, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take the oath as a witness, or after having taken the oath refuses to be examined according to law, the executive director shall certify the facts to any court having jurisdiction in the place in which it is sitting, and the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and if the evidence so warrants, punish that person in the same manner and to the same extent as for a contempt committed before the court, or commit that person upon the same condition as if the doing of the forbidden act had occurred with reference to the process of, or in the presence of, the court.

(6) In suspending or terminating any provider from participation in the Medicaid program, the division shall preclude the provider from submitting claims for payment, either personally or through any clinic, group, corporation or other association to the division or its fiscal agents for any services or supplies provided under the Medicaid program except for those services or supplies provided before the suspension or termination. No clinic, group, corporation or other association that is a provider of services shall submit claims for payment to the division or its fiscal agents for any services or supplies provided by a person within that organization who has been suspended or terminated from participation in the Medicaid program except for those services or supplies provided before the suspension or termination. When this provision is violated by a provider of services that is a clinic, group, corporation or other association, the division may suspend or terminate that organization from participation. Suspension may be applied by the division to all known affiliates of a provider, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The violation, failure or inadequacy of performance may be imputed to a person with whom the provider is affiliated where that conduct was accomplished within the course of his or her official duty or was effectuated by him or her with the knowledge or approval of that person.

(7) The division may deny or revoke enrollment in the Medicaid program to a provider if any of the following are found to be applicable to the provider, his or her agent, a managing employee or any person having an ownership interest equal to five percent (5%) or greater in the provider:

(a) Failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required, on a claim, a provider application or a provider agreement, or the making of a false or misleading statement to the division relative to the Medicaid program.

(b) Previous or current exclusion, suspension, termination from or the involuntary withdrawing from participation in the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program. If the division ascertains that a provider has been convicted of a felony under federal or state law for an offense that the division determines is detrimental to the best interest of the program or of Medicaid beneficiaries, the division may refuse to enter into an agreement with that provider, or may terminate or refuse to renew an existing agreement.

(c) Conviction under federal or state law of a criminal offense relating to the delivery of any goods, services or supplies, including the performance of management or administrative services relating to the delivery of the goods, services or supplies, under the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program.

(d) Conviction under federal or state law of a criminal offense relating to the neglect or abuse of a patient in connection with the delivery of any goods, services or supplies.

(e) Conviction under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance.

(f) Conviction under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility or other financial misconduct.

(g) Conviction under federal or state law of a criminal offense punishable by imprisonment of a year or more that involves moral turpitude, or acts against the elderly, children or infirm.

(h) Conviction under federal or state law of a criminal offense in connection with the interference or obstruction of any investigation into any criminal offense listed in paragraphs (c) through (i) of this subsection.

(i) Sanction for a violation of federal or state laws or rules relative to the Medicaid program, any other state's Medicaid program, Medicare or any other public health care or health insurance program.

(j) Revocation of license or certification.

(k) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the Medicaid program.

(l) Failure to meet any condition of enrollment.

(8) (a) As used in this subsection (8), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(ii) "State Plan" means the agreement between the State of Mississippi and the federal government regarding the nature and scope of Mississippi's Medicaid Program.

(iii) "State Plan Amendment" means a change to the State Plan, which must be approved by the Centers for Medicare and Medicaid Services (CMS) before its implementation.

(b) Whenever the Division of Medicaid proposes a State Plan Amendment, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed State Plan Amendment is filed with CMS. The division shall furnish the chairmen with a concise summary of each proposed State Plan Amendment along with the notice, and shall furnish the chairmen with a copy of any proposed State Plan Amendment upon request. The division also shall provide a summary and copy of any proposed State Plan Amendment to any other member of the Legislature upon request.

(c) If the chairman of either committee or both chairmen jointly object to the proposed State Plan Amendment or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed State Plan Amendment.

(d) (i) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed State Plan Amendment. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(ii) After the committee meeting, the committee or committees may object to the proposed State Plan Amendment or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed State Plan Amendment.

(e) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed State Plan Amendment and will not be holding a meeting to review the proposed State Plan Amendment, the division may proceed to file the proposed State Plan Amendment with CMS.

(f) (i) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed State Plan Amendment, make any of the recommended changes to the proposed State Plan Amendment, or not make any changes to the proposed State Plan Amendment.

(ii) If the division does not make any changes to the proposed State Plan Amendment, it shall notify the chairmen of that fact in writing, and may proceed to file the State Plan Amendment with CMS.

(iii) If the division makes any changes to the proposed State Plan Amendment, the division shall notify the chairmen of its actions in writing, and may proceed to file the State Plan Amendment with CMS.

(g) Nothing in this subsection (8) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any State Plan Amendment proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to State Plan Amendments proposed by the division.

(ii) If the division does not make any changes to the proposed State Plan Amendment, it shall notify the chairmen of that fact in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(iii) If the division makes any changes to the proposed State Plan Amendment, the division shall notify the chairmen of the changes in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(d) Nothing in this subsection (8) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any State Plan Amendment proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to State Plan Amendments proposed by the division.

SECTION 3. Section 43-13-139, Mississippi Code of 1972, is amended as follows:

43-13-139. Nothing contained in this article shall be construed to prevent the Governor, in his discretion, from discontinuing or limiting medical assistance to any individuals who are classified or deemed to be within any optional group or optional category of recipients as prescribed under Title XIX of the federal Social Security Act or the implementing federal regulations. If the Congress or the United States Department of Health and Human Services ceases to provide federal matching funds for any group or category of recipients or any type of care and services, the division shall cease state funding for such group or category or such type of care and services, notwithstanding any provision of this article. If any state plan amendment submitted to comply with the provisions of Section 43-13-117 is disapproved by the United States Department of Health and Human Services, the division may operate under the state plan as previously approved by the United States Department of Health and Human Services in order to preserve federal matching funds. The division shall provide notice of the disapproval to the Chairmen of the House and Senate Medicaid Committees.

SECTION 4. Section 41-71-1, Mississippi Code of 1972, is amended as follows:

41-71-1. As used in this chapter, unless the context otherwise requires:

(a) "Home health agency" means a public or privately owned agency or organization, or a subdivision of such an agency or organization, properly authorized to conduct business in Mississippi, which is primarily engaged in providing to individuals, at the written direction of a licensed physician, nurse practitioner, physician assistant or clinical nurse specialist, in the individual's place of residence, skilled nursing services provided by or under the supervision of a registered nurse licensed to practice in Mississippi, and one or more of the following services or items:

(i) Physical, occupational or speech therapy;

(ii) Medical social services;

(iii) Part-time or intermittent services of a home health aide;

(iv) Other services as approved by the licensing agency;

(v) Medical supplies, other than drugs and biologicals, and the use of medical appliances; or

(vi) Medical services provided by an intern or resident in training at a hospital under a teaching program of such hospital.

(b) "Licensing agency" means the State Department of Health.

SECTION 5. Section 41-71-13, Mississippi Code of 1972, is amended as follows:

41-71-13. The licensing agency shall adopt, amend, promulgate and enforce rules, regulations and standards, including classifications, with respect to home health agencies licensed, or which may be licensed, to further the accomplishment of the purpose of this chapter in protecting and promoting the health, safety and welfare of the public by insuring adequate care of individuals receiving such services. Such rules, regulations and standards shall be adopted and promulgated by the licensing agency in accordance with the provisions of Section 25-43-1 et seq., and shall be recorded and indexed in a book to be maintained by the licensing agency in its office in the City of Jackson, Mississippi, entitled "Records of Rules, Regulations and Standards." The book shall be open and available to all home health agencies and the public generally at all reasonable times.

Such rules, regulations and standards shall authorize licensed physicians, nurse practitioners, physician assistants and clinical nurse specialists to prescribe or order home health services and plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with recipient of the services.

SECTION 6. The amendments to Sections 41-71-1 and 41-71-13 in this act are retroactive to May 8, 2020, and any action taken on or after May 8, 2020, by a home health agency, physician, nurse practitioner, physician assistant or clinical nurse specialist, or by any other person or entity with regard to a home health agency, physician, nurse practitioner, physician assistant or clinical nurse specialist, that would have been valid and lawful if those amendments had been in effect at the time that the action was ratified, approved and confirmed.

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROHIBITS THE DIVISION OF MEDICAID'S RATES OF REIMBURSEMENT, SERVICES, CHARGES AND FEES FROM BEING INCREASED, DECREASED OR OTHERWISE CHANGED UNLESS THEY ARE AUTHORIZED BY AN AMENDMENT TO THIS SECTION BY THE LEGISLATURE; TO ESTABLISH A PROCEDURE FOR THE MEDICAID COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED CHANGES IN PROVIDER RATES OF REIMBURSEMENT OR PAYMENT METHODOLOGIES BY THE DIVISION OF MEDICAID BEFORE THE CHANGES WILL TAKE EFFECT; TO REQUIRE THE DIVISION TO INCREASE THE AMOUNT OF THE REIMBURSEMENT RATE FOR RESTORATIVE DENTAL SERVICES FOR FISCAL YEARS 2023, 2024 AND 2025 BY 5% ABOVE THE AMOUNT OF THE REIMBURSEMENT RATE FOR THE PREVIOUS FISCAL YEAR; TO SET REQUIREMENTS FOR THE REIMBURSEMENT OF DURABLE MEDICAL EQUIPMENT, INCLUDING NONINVASIVE VENTILATORS OR VENTILATION TREATMENTS PROPERLY ORDERED AND BEING USED IN AN APPROPRIATE CARE SETTING; TO REQUIRE REIMBURSEMENT TO DURABLE MEDICAL EQUIPMENT SUPPLIERS FOR HOME USE OF NONINVASIVE AND INVASIVE VENTILATORS TO BE ON A CONTINUOUS MONTHLY PAYMENT BASIS FOR THE DURATION OF MEDICAL NEED THROUGHOUT A PATIENT'S VALID PRESCRIPTION PERIOD; TO REQUIRE THE DIVISION TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM OR ANOTHER ALLOWABLE DELIVERY SYSTEM AUTHORIZED BY FEDERAL LAW FOR EMERGENCY AMBULANCE TRANSPORTATION PROVIDERS; TO PROVIDE FOR THE FORMULA THAT THE DIVISION SHALL USE FOR CALCULATING AMBULANCE SERVICE ACCESS PAYMENT AMOUNTS; TO PROVIDE THAT THE DIVISION SHALL REIMBURSE FOR OUTPATIENT HOSPITAL SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES UNDER THE AGE OF 21 BY BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITALS; TO REQUIRE THE DIVISION TO EVALUATE THE FEASIBILITY OF USING A SINGLE VENDOR TO ADMINISTER DENTAL BENEFITS PROVIDED UNDER A MANAGED CARE DELIVERY SYSTEM; TO PROVIDE THAT PLANNING AND DEVELOPMENT DISTRICTS PARTICIPATING IN THE HOME- AND COMMUNITY-BASED SERVICES PROGRAM FOR THE ELDERLY AND DISABLED AS CASE MANAGEMENT PROVIDERS SHALL BE REIMBURSED FOR CASE MANAGEMENT SERVICES AT THE MAXIMUM RATE APPROVED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO REQUIRE THE DIVISION TO REIMBURSE FOR SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES BY A LICENSED BIRTHING CENTER IN A METHOD AND MANNER TO BE DETERMINED BY THE DIVISION IN ACCORDANCE WITH FEDERAL LAWS AND FEDERAL REGULATIONS; TO REQUIRE THE DIVISION TO SEEK ANY NECESSARY WAIVERS, MAKE ANY REQUIRED AMENDMENTS TO ITS STATE PLAN OR REVISE ANY MANAGED CARE CONTRACTS AUTHORIZED UNDER THIS SECTION AS NECESSARY TO PROVIDE SUCH BIRTHING CENTER SERVICES; TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR THE MEDICAID COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED STATE PLAN AMENDMENTS OF THE DIVISION OF MEDICAID BEFORE THE PROPOSED STATE PLAN AMENDMENTS ARE FILED WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO PROVIDE THAT THE MEDICAID COMMITTEES HAVE NO AUTHORITY UNDER THE PRECEDING PROVISIONS TO VETO OR REVISE ANY PROPOSED ACTIONS BY THE DIVISION OF MEDICAID, BUT ARE LIMITED TO REVIEWING, MAKING OBJECTIONS TO AND MAKING RECOMMENDATIONS FOR SUGGESTED CHANGES TO PROPOSED ACTIONS BY THE DIVISION; TO AMEND SECTION 43-13-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY STATE PLAN AMENDMENT SUBMITTED TO COMPLY WITH THE PROVISIONS OF SECTION 43-13-117 IS DISAPPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DIVISION MAY OPERATE UNDER THE STATE PLAN AS PREVIOUSLY APPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ORDER TO PRESERVE FEDERAL MATCHING FUNDS; TO REQUIRE THE DIVISION TO PROVIDE NOTICE OF THE DISAPPROVAL TO THE CHAIRMEN OF THE HOUSE

AND SENATE MEDICAID COMMITTEES; TO AMEND SECTIONS 41-71-1 AND 41-71-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS AND CLINICAL NURSE SPECIALISTS TO PRESCRIBE OR ORDER HOME HEALTH SERVICES AND PLANS OF CARE, CERTIFY AND RECERTIFY ELIGIBILITY FOR HOME HEALTH SERVICES AND CONDUCT THE REQUIRED INITIAL FACE-TO-FACE VISIT WITH THE RECIPIENT OF THE SERVICES; TO PROVIDE THAT THE AMENDMENTS IN THE ACT ARE RETROACTIVE TO MAY 8, 2020; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Joey Hood	Kevin Blackwell
Jason White	Joey Fillingane
Clay Deweese	Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 657** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, Hill. Total--2.

Absent and those not voting--Tate. Total--1.

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On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 657.

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Senator Kirby moved that the rules be suspended to move to calendar item 14, **J. R. No. 1**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**J. R. No. 1:** Mississippi House of Representatives; reapportion.

YEAS AND NAYS On J. R. No. 1. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Butler A. (36th), Butler K. (38th), Frazier, Jackson (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--8.

Absent and those not voting--Tate. Total--1.

Senator England, who would have voted yea on J. R. No. 1, announced a pair with Senator Hickman, who would have voted nay.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House J. R. No. 1.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2507** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2507: MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 65-1-8, Mississippi Code of 1972, as amended by House Bill No. 1185, 2022 Regular Session, is amended as follows:

65-1-8. (1) The Mississippi Transportation Commission shall have the following general powers, duties and responsibilities:

- (a) To coordinate and develop a comprehensive, balanced transportation policy for the State of Mississippi;
- (b) To promote the coordinated and efficient use of all available and future modes of transportation;
- (c) To make recommendations to the Legislature regarding alterations or modifications in any existing transportation policies;
- (d) To study means of encouraging travel and transportation of goods by the combination of motor vehicle and other modes of transportation;
- (e) To take such actions as are necessary and proper to discharge its duties pursuant to the provisions of Chapter 496, Laws of 1992, and any other provision of law;
- (f) To receive and provide for the expenditure of any funds made available to it by the Legislature, the federal government or any other source.

(2) In addition to the general powers, duties and responsibilities listed in subsection (1) of this section, the Mississippi Transportation Commission shall have the following specific powers:

(a) To make rules and regulations whereby the Transportation Department shall change or relocate any and all highways herein or hereafter fixed as constituting a part of the state highway system, as may be deemed necessary or economical in the construction or maintenance thereof; to acquire by gift, purchase, condemnation or otherwise, land or other property whatsoever that may be necessary for a state highway system as herein provided, with full consideration to be given to the stimulation of local public and private investment when acquiring such property in the vicinity of Mississippi towns, cities and population centers;

(b) To enforce by mandamus, or other proper legal remedies, all legal rights or rights of action of the Mississippi Transportation Commission with other public bodies, corporations or persons;

(c) To make and publish rules, regulations and ordinances for the control of and the policing of the traffic on the state highways, and to prevent their abuse by any or all persons, natural or artificial, by trucks, tractors, trailers or any other heavy or destructive vehicles or machines, or by any other means whatsoever, by establishing weights of loads or of vehicles, types of tires, width of tire surfaces, length and width of vehicles, with reasonable variations to meet approximate weather conditions, and all other proper police and protective regulations, and to provide ample means for the enforcement of same. The violation of any of the rules, regulations or ordinances so prescribed by the commission shall constitute a misdemeanor. No rule, regulation or ordinance shall be made that conflicts with any statute now in force or which may hereafter be enacted, or with any ordinance of municipalities. A monthly publication giving general information to the boards of supervisors, employees and the public may be issued under such rules and regulations as the commission may determine;

(d) To give suitable numbers to highways and to change the number of any highway that shall become a part of the state highway system. However, nothing herein shall authorize the number of any highway to be changed so as to conflict with any designation thereof as a U.S. numbered highway. Where, by a specific act of the Legislature, the commission has been directed to give a certain number to a highway, the commission shall not have the authority to change such number;

(e) (i) To make proper and reasonable rules, regulations, and ordinances for the placing, erection, removal or relocation of telephone, telegraph or other poles, signboards, fences, gas, water, sewerage, oil or other pipelines, and other obstructions that may, in the opinion of the commission, contribute to the hazards upon any of the state highways, or in any way interfere with the ordinary travel upon such highways, or the construction, reconstruction or maintenance thereof, and to make reasonable rules and regulations for the proper control thereof. Any violation of such rules or regulations or noncompliance with such ordinances shall constitute a misdemeanor;

(ii) Except as otherwise provided for in this paragraph, whenever the order of the commission shall require the removal of, or other changes in the location of telephone, telegraph or other poles, signboards, gas, water, sewerage, oil or other pipelines; or other similar obstructions on the right-of-way or such other places where removal is required by law, the owners thereof shall at their own expense move or change the same to conform to the order of the commission. Any violation of such rules or regulations or noncompliance with such orders shall constitute a misdemeanor;

(iii) Rural water districts, rural water systems, nonprofit water associations and municipal public water systems in municipalities with a population of ten thousand (10,000) or less, according to the latest federal decennial census, shall not be required to bear the cost and expense of removal and relocation of water and sewer lines and facilities constructed or in place in the rights-of-way of state highways. The cost and expense of such removal and relocation, including any unpaid prior to July 1, 2002, shall be paid by the Department of Transportation;

(iv) Municipal public sewer systems and municipal gas systems owned by municipalities with a population of ten thousand (10,000) or less, according to the latest federal decennial census, shall not be required to bear the cost and expense of removal and relocation of lines and facilities constructed or in place in the rights-of-way of state highways. The cost and expense of such removal and relocation, including any unpaid prior to July 1, 2003, shall be paid by the Department of Transportation;

(f) To regulate and abandon grade crossings on any road fixed as a part of the state highway system, and whenever the commission, in order to avoid a grade crossing with the railroad, locates or constructs said road on one side of the railroad, the commission shall have the power to abandon and close such grade crossing, and whenever an underpass or overhead bridge is substituted for a grade crossing, the commission shall have power to abandon such grade crossing and any other crossing adjacent thereto. Included in the powers herein granted shall be the power to require the railroad at grade crossings, where any road of the state highway system crosses the same, to place signal posts with lights or other warning devices at such crossings at the expense of the railroad, and to regulate and abandon underpass or overhead bridges and, where abandoned because of the construction of a new underpass or overhead bridge, to close such old underpass or overhead bridge, or, in its discretion, to return the same to the jurisdiction of the county board of supervisors;

(g) To make proper and reasonable rules and regulations to control the cutting or opening of the road surfaces for subsurface installations;

(h) To make proper and reasonable rules and regulations for the removal from the public rights-of-way of any form of obstruction, to cooperate in improving their appearance, and to prescribe minimum clearance heights for seed conveyors, pipes, passageways or other structure of private or other ownership above the highways;

(i) To establish, and have the Transportation Department maintain and operate, and to cooperate with the state educational institutions in establishing, enlarging, maintaining and operating a laboratory or laboratories for testing materials and for other proper highway purposes;

(j) To provide, under the direction and with the approval of the Department of Finance and Administration, suitable offices, shops and barns in the City of Jackson;

(k) To establish and have enforced set-back regulations;

(l) To cooperate with proper state authorities in producing limerock for highway purposes and to purchase same at cost;

(m) To provide for the purchase of necessary equipment and vehicles and to provide for the repair and housing of same, to acquire by gift, purchase, condemnation or otherwise, land or lands and buildings in fee simple, and to authorize the Transportation Department to construct, lease or otherwise provide necessary and proper permanent district offices for the construction and maintenance divisions of the department, and for the repair and housing of the equipment and vehicles of the department; however, in each Supreme Court district only two (2) permanent district offices shall be set up, but a permanent status shall not be given to any such offices until so provided by act of the Legislature and in the meantime, all shops of the department shall be retained at their present location. As many local or subdistrict offices, shops or barns may be provided as is essential and proper to economical maintenance of the state highway system;

(n) To cooperate with the Department of Archives and History in having placed and maintained suitable historical markers, including those which have been approved and purchased by the State Historical Commission, along state highways, and to have constructed and maintained roadside driveways for convenience and safety in viewing them when necessary;

(o) To cooperate, in its discretion, with the Mississippi Department of Wildlife, Fisheries and Parks in planning and constructing roadside parks upon the right-of-way of state highways, whether constructed, under construction, or planned; said parks to utilize where practical barrow pits used in construction of state highways for use as fishing ponds. Said parks shall be named for abundant flora and fauna existing in the area or for the first flora or fauna found on the site;

(p) Unless otherwise prohibited by law, to make such contracts and execute such instruments containing such reasonable and necessary appropriate terms, provisions and conditions as in its absolute discretion it may deem necessary, proper or advisable, for the purpose of obtaining or securing financial assistance, grants or loans from the United States of America or any department or agency thereof, including contracts with several counties of the state pertaining to the expenditure of such funds;

(q) To cooperate with the Federal Highway Administration in the matter of location, construction and maintenance of the Great River Road, to expend such funds paid to the commission by the Federal Highway Administration or other federal agency, and to authorize the Transportation Department to erect suitable signs marking this highway, the cost of such signs to be paid from state highway funds other than earmarked construction funds;

(r) To cooperate, in its discretion, with the Mississippi Forestry Commission and the School of Forestry, Mississippi State University, in a forestry management program, including planting, thinning, cutting and selling, upon the right-of-way of any highway, constructed, acquired or maintained by the Transportation Department, and to sell and dispose of any and all growing timber standing, lying or being on any right-of-way acquired by the commission for highway purposes in the future; such sale or sales to be made in accordance with the sale of personal property which has become unnecessary for public use as provided for in Section 65-1-123, Mississippi Code of 1972;

(s) To expend funds in cooperation with the Division of Plant Industry, Mississippi Department of Agriculture and Commerce, the United States government or any department or agency thereof, or with any department or agency of this state, to control, suppress or eradicate serious insect pests, rodents, plant parasites and plant diseases on the state highway rights-of-way;

(t) To provide for the placement, erection and maintenance of motorist services business signs and supports within state highway rights-of-way in accordance with current state and federal laws and regulations governing the placement of traffic control devices on state highways, and to establish and collect reasonable fees from the businesses having information on such signs;

(u) To request and to accept the use of persons convicted of an offense, whether a felony or a misdemeanor, for work on any road construction, repair or other project of the Transportation Department. The commission is also authorized to request and to accept the use of persons who have not been convicted of an offense but who are required to fulfill certain court-imposed conditions pursuant to Section 41-29-150(d)(1) or 99-15-26, Mississippi Code of 1972, or the Pretrial Intervention Act, being Sections 99-15-101 through 99-15-127, Mississippi Code of 1972. The commission is authorized to enter into any agreements with the Department of Corrections, the State Parole Board, any criminal court of this state, and any other proper official regarding the working, guarding, safekeeping, clothing and subsistence of such persons performing work for the Transportation Department. Such persons shall not be deemed agents, employees or involuntary servants of the Transportation Department while performing such work or while going to and from work or other specified areas;

(v) To provide for the administration of the railroad revitalization program pursuant to Section 57-43-1 et seq.;

(w) The Mississippi Transportation Commission is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Mississippi Transportation Department;

(x) To cooperate with the State Tax Commission by providing for weight enforcement field personnel to collect and assess taxes, fees and penalties and to perform all duties as required pursuant to Section 27-55-501 et seq., Sections 27-19-1 et seq., 27-55-1 et seq., 27-59-1 et seq. and 27-61-1 et seq., Mississippi Code of 1972, with regard to vehicles subject to the jurisdiction of the Office of Weight Enforcement. All collections and assessments shall be transferred daily to the State Tax Commission;

(y) The Mississippi Transportation Commission may delegate the authority to enter into a supplemental agreement to a contract previously approved by the commission if the supplemental agreement involves an additional expenditure not to exceed One Hundred Thousand Dollars (\$100,000.00);

(z) (i) The Mississippi Transportation Commission, in its discretion, may enter into agreements with any county, municipality, county transportation commission, business, corporation, partnership, association, individual or other legal entity, for the purpose of accelerating the completion date of scheduled highway construction projects.

(ii) Such an agreement may permit the cost of a highway construction project to be advanced to the commission by a county, municipality, county transportation commission, business, corporation, partnership, association, individual or other legal entity, and repaid to such entity by the commission when highway construction funds become available; provided, however, that repayment of funds advanced to the Mississippi Transportation Commission shall be made no sooner than the commission's identified projected revenue schedule for funding of that particular construction project, and no other scheduled highway construction project established by statute or by the commission may be delayed by an advanced funding project authorized under this paragraph (z). Repayments to a public or private entity that advances funds to the Mississippi Transportation Commission under this paragraph (z) may not include interest or other fees or charges, and the total amount repaid shall not exceed the total amount of funds advanced to the commission by the entity; however, the inclusion of public entities in this provision does not invalidate any existing agreements authorized under this paragraph (z) before the effective date of this act. The commission shall retain the ability to service, refinance or restructure any indebtedness incurred through any such existing agreements.

(iii) In considering whether to enter into such an agreement, the commission shall consider the availability of financial resources, the effect of such agreement on other ongoing highway construction, the urgency of the public's need for swift completion of the project and any other relevant factors.

(iv) Such an agreement shall be executed only upon a finding by the commission, spread upon its minutes, that the acceleration of the scheduled project is both feasible and beneficial. The commission shall also spread upon its minutes its findings with regard to the factors required to be considered pursuant to subparagraph (iii) of this paragraph (z);

(aa) The Mississippi Transportation Commission, in its discretion, may purchase employment practices liability insurance, and may purchase an excess policy to cover catastrophic losses incurred under the commission's self-insured workers' compensation program authorized under Section 71-3-5. Such policies shall be written by the agent or agents of a company or companies authorized to do business in the State of Mississippi. The deductibles shall be in an amount deemed reasonable and prudent by the commission, and the premiums thereon shall be paid from the State Highway Fund. Purchase of insurance under this paragraph shall not serve as an actual or implied waiver

of sovereign immunity or of any protection afforded the commission under the Mississippi Tort Claims Act;

(bb) The Mississippi Transportation Commission is further authorized, in its discretion, to expend funds for the purchase of promotional materials for safety purposes, highway beautification purposes and recruitment purposes;

(cc) To lease antenna space on communication towers which it owns;

(dd) To receive funds from the Southeastern Association of Transportation Officials and from other nonstate sources and expend those funds for educational scholarships in transportation related fields of study. The commission may adopt rules or regulations as necessary for the implementation of the program. A strict accounting shall be made of all funds deposited with the commission and all funds dispersed.

(ee) To contract with any county, if the county chooses to enter such contract, to perform any maintenance on the state highways and Interstate highways in that county and any rights-of-way to such highways.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1185, 2022 REGULAR SESSION, TO PROVIDE THAT REPAYMENTS TO A PUBLIC ENTITY THAT ADVANCES FUNDS TO THE MISSISSIPPI TRANSPORTATION COMMISSION MAY NOT INCLUDE INTEREST OR OTHER FEES, AND THE TOTAL AMOUNT REPAID SHALL NOT EXCEED THE TOTAL AMOUNT OF FUNDS ADVANCED TO THE COMMISSION; TO SPECIFY THAT THIS PROVISION DOES NOT INVALIDATE ANY EXISTING AGREEMENTS AUTHORIZED BEFORE THE EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT THE COMMISSION SHALL RETAIN THE ABILITY TO SERVICE, REFINANCE OR RESTRUCTURE ANY INDEBTEDNESS INCURRED THROUGH ANY SUCH EXISTING AGREEMENTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jenifer B. Branning	Charles Busby
Josh Harkins	Steve Massengill
Rita Potts Parks	Missy McGee

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2507** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2507**.

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Senator Branning moved that the rules be suspended for the consideration en bloc of S. N. No. 118, S. N. No. 119, S. N. No. 146 and S. N. No. 147 and the motion prevailed.

Senator Branning called up the following entitled nominations:

**S. N. No. 118:** James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, remainder of term beginning February 4, 2022 and ending June 30, 2022, vice Dolph Bryan.

**S. N. No. 119:** James Morris (Jim) Richards, Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board, four year term beginning July 1, 2022 and ending June 30, 2026.

**S. N. No. 146:** Curtis Leon (Curt) Hebert, Jr., Madison, Mississippi, Mississippi Motor Vehicle Commission, remainder of term beginning March 10, 2022 and expiring June 30, 2022, vice Michael W. Williams.

**S. N. No. 147:** Curtis Leon (Curt) Hebert, Madison, Mississippi, Mississippi Motor Vehicle Commission, four year term beginning July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 118, S. N. No. 119, S. N. No. 146 and S. N. No. 147. On motion of Senator Branning, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator DeBar moved that the rules be suspended for the consideration en bloc of S. N. No. 156, S. N. No. 153, S. N. No. 154 and S. N. No. 155 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

**S. N. No. 156:** Mary C. Werner, Slatillo, Mississippi, State Board of Education, unexpired term beginning June 14, 2021 and ending June 30, 2026, vice Sean Suggs.

**S. N. No. 153:** Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective July 1, 2022 and ending August 30, 2022.

**S. N. No. 154:** Jennifer Jackson Whittier, Brookhaven, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025.

**S. N. No. 155:** Kimberly Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025.

YEAS AND NAYS on consideration en bloc of S. N. No. 156, S. N. No. 153, S. N. No. 154 and S. N. No. 155. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Simmons D. T. (12th). Total--1.

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Senator Seymour called up the following entitled nomination:

**S. N. No. 68:** BG (Ret.) Norman Gene (Gene) Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, unexpired four year term effective August 2, 2021 and ending June 30, 2022, vice Mr. Joe Bryan.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 68 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Barnett moved that the rules be suspended for the consideration en bloc of S. N. No. 103 and S. N. No. 104 and the motion prevailed.

Senator Barnett called up the following entitled nominations:

**S. N. No. 103:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022.

**S. N. No. 104:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 103 and S. N. No. 104. On motion of Senator Barnett, the rules were suspended, foregoing numbered

nominations were considered and the Senate did NOT advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**J. R. No. 202:** Mississippi Senate; reapportion.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:40 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1757:** AN ACT TO AMEND SECTIONS 1 THROUGH 12 OF CHAPTER 1012, LOCAL AND PRIVATE LAWS OF 2004, TO CLARIFY THAT THE 2% TAX LEVIED ON ROOM RENTALS OF HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, WHICH SUPPORTS THE IMPROVEMENT AND EXPANSION OF THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF THE HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; AND FOR RELATED PURPOSES.

**H. B. No. 1767:** AN ACT TO AMEND CHAPTER 58, LAWS OF THE EXTRAORDINARY SESSION OF 1954, AS LAST AMENDED BY CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2013, TO CLARIFY THAT THE 3% TAX LEVIED ON HOTELS AND MOTELS IN HARRISON COUNTY, MISSISSIPPI, FOR THE PURPOSES OF PROVIDING FUNDING TO PROMOTE TOURISM AND CONVENTIONS IN THE COUNTY, SHALL SOLELY APPLY TO OVERNIGHT ROOM RENTALS OF SUCH HOTELS AND MOTELS AND SHALL NOT APPLY TO ANY ANCILLARY REVENUES DERIVED FROM HOTEL OR MOTEL PATRONS; TO PROVIDE THAT THE PROCEEDS OF THE TAX MAY BE USED BY THE HARRISON COUNTY BOARD OF SUPERVISORS FOR THE PROMOTION OF TOURISM WITHIN THE COUNTY OR PAID TO THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU TO BE USED FOR THE PROMOTION OF TOURISM ON THE MISSISSIPPI GULF COAST IN THE DISCRETION OF THE BOARD OF SUPERVISORS; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF HARRISON COUNTY SHALL HAVE THE SOLE RIGHT TO DESIGNATE THAT THE PROCEEDS FROM THE TAX ARE EXPENDED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY OR THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU FOR THE PROMOTION OF TOURISM; TO REQUIRE THE BOARD OF SUPERVISORS OF HARRISON COUNTY TO PROVIDE CERTAIN NOTICE IF IT DETERMINES THAT SUCH PROCEEDS SHALL NOT BE DESIGNATED FOR USE BY THE MISSISSIPPI GULF COAST REGIONAL CONVENTION AND VISITORS BUREAU; TO PROVIDE FOR A REFERENDUM ON THE LEVYING OF SUCH TAX UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 657:** Medicaid; delete freeze on provider reimbursement rates and provide for prior review of certain actions by the division.

Adopted: 03/31/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1065:** Nuisance animals; bring forward certain sections of law relating to.

Adopted: 03/29/22

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 113:** Kent Gerard Nicaud, Pass Christian, Mississippi, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, remainder of a four year term effective January 31, 2022 and ending June 30, 2025, vice Darrell Wildman. Do Advise and Consent.

HARKINS, Chairman

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Senator Barnett moved that the rules be suspended for the immediate consideration of calendar items 189 and 190, **S. N. No. 103** and **S. N. No. 104**, and the motion prevailed.

Senator Barnett moved to reconsider the vote whereby **S. N. No. 103** and **S. N. No. 104** failed to be confirmed by the Senate.

The foregoing motion prevailed.

**S. N. No. 103:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022.

**S. N. No. 104:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026.

Senator Barnett moved that **S. N. No. 103** and **S. N. No. 104** be recommitted to Corrections, and the motion prevailed.

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Senator Polk moved that the Senate stand in recess until 2:30 PM.

The motion prevailed, and at 2:02 PM, the Senate stood in recess.

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The Senate resumed business at 2:30 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 103:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022. Do Advise and Consent.

**S. N. No. 104:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026. Do Advise and Consent.

BARNETT, Chairman

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Senator Harkins moved that the rules be suspended to move to calendar item 125, **H. B. No. 1108**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1108** (version 3) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Eligible taxpayer" means any railroad that is classified by the United States Surface Transportation Board as a Class II or Class III railroad.

(b) "Eligible transferee" means any taxpayer having a liability for taxes under this chapter.

(c) "Qualified railroad reconstruction or replacement expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad infrastructure, including track, roadbed, bridges, industrial leads and sidings, and track-related structures owned or leased by a Class II or Class III railroad in Mississippi as of January 1, 2022.

(d) "Qualified new rail infrastructure expenditures" means gross expenditures for new construction of industrial leads, switches, spurs and sidings and extensions of existing sidings, for serving new customer locations or expansions in Mississippi, by a Class II or Class III railroad located in Mississippi.

(2) Subject to the provisions of this section, an eligible taxpayer making qualified railroad reconstruction or replacement expenditures shall be allowed a credit against the taxes imposed under this chapter. The credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified railroad reconstruction or replacement expenditures for the taxable year or the product of Five Thousand Dollars (\$5,000.00) multiplied by the number of miles of railroad track owned or leased within the State of Mississippi by the eligible taxpayer as of the close of the taxable year. For qualified new rail infrastructure expenditures, the credit shall be for an amount equal to the lesser of fifty percent (50%) of an eligible taxpayer's qualified new rail infrastructure expenditures for the taxable year, capped at One Million Dollars (\$1,000,000.00) per new rail-served customer project. However, the tax credit shall not exceed the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the taxable year in which the credit was earned. The aggregate amount of credits that may be claimed by all taxpayers claiming a credit under this section during a calendar year shall not exceed Eight Million Dollars (\$8,000,000.00). In addition, an eligible taxpayer may transfer by written agreement any unused tax credit to an eligible transferee at any time during the year in which the credit is earned and the five (5) years following the taxable year in which the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures are made. The eligible taxpayer and the eligible transferee must jointly file a copy of the written transfer agreement with the Department of Revenue within thirty (30) days of the transfer. The written agreement must contain the: (a) name, address, and taxpayer identification number of the parties to the transfer; (b) taxable year the eligible taxpayer incurred the qualified railroad reconstruction or replacement expenditures or the qualified new rail infrastructure expenditures; (c) amount of credit being transferred; and (d) taxable year or years for which the credit may be claimed by the eligible transferee.

This section shall stand repealed on January 1, 2024.

SECTION 2. Section 27-31-104, Mississippi Code of 1972, as amended by Senate Bill No. 2095, 2022 Regular Session, is amended as follows:

[Through June 30, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this

section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, \* \* \* 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the

county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, 2023, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 3. A project that is eligible for an ad valorem tax exemption under Section 27-31-46, and for which initial construction begins on or after July 1, 2022, but not later than December 31, 2024, may be allowed an exemption from ad valorem taxation as provided in this section. For such a project, one-half (1/2) of the true value of property of the project that is subject to a fee-in-lieu of ad valorem taxes pursuant to an agreement under Section 27-31-104 may be exempted by a county board of supervisors and/or municipal governing authorities from ad valorem taxation for a period of ten (10) years from and after the date of the expiration of such fee-in-lieu of ad valorem taxes. Any exemption from ad valorem taxation allowed under this section must be authorized by a county board of supervisors and/or municipal governing authorities before July 1, 2023.

SECTION 4. (1) The board of supervisors of a county and/or the governing authorities of a municipality may provide partial ad valorem tax exemptions on land used for nonresidential purposes that is converted to a residential use as provided in this section.

(2) For nonresidential use property that is converted to residential use, the board of supervisors of a county and/or the governing authorities of a municipality may exempt the assessed value of the property in an amount equal to the difference between the assessed value of the property for residential use and the assessed value of the property for nonresidential use. The exemption authorized to be granted under this section shall end at such time as the property is occupied by a homeowner; however, if the property consists of a number of parcels upon which residences are being constructed, the exemption shall continue for each parcel until the residence constructed upon the parcel is occupied by a homeowner.

(3) Any request for an exemption under this section shall be in writing and contain such information about the property for which the exemption is being requested as the board of supervisors of the county or the governing authorities of the municipality may require. The granting of the exemption shall be recorded in the minutes of the board of supervisors of the county and the governing authorities of the municipality.

SECTION 5. Section 1 of this act shall be codified as a new section in Chapter 7, Title 27, Mississippi Code of 1972. Sections 3 and 4 of this act shall be codified as new sections in Chapter 31, Title 27, Mississippi Code of 1972.

SECTION 6. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 7. Section 1 of this act shall take effect and be in force from and after January 1, 2022, and the remaining sections of this act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND FOR CERTAIN NEW RAIL INFRASTRUCTURE EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO

PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH AGREEMENTS FOR PROJECTS TOTALING OVER \$100,000,000.00 BY QUALIFIED BUSINESSES, AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT, MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REVISE THE MINIMUM AMOUNT ALLOWABLE AS A FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND/OR THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO GRANT A PARTIAL AD VALOREM TAX EXEMPTION FOR NONRESIDENTIAL USE PROPERTY THAT IS BEING CONVERTED TO A RESIDENTIAL USE IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE ASSESSED VALUE OF THE PROPERTY FOR RESIDENTIAL USE AND THE ASSESSED VALUE OF THE PROPERTY FOR NONRESIDENTIAL USE; TO PROVIDE THAT THE EXEMPTION SHALL END WHEN THE PROPERTY IS OCCUPIED BY A HOMEOWNER; TO PROVIDE THE MANNER IN WHICH A REQUEST FOR SUCH EXEMPTION MUST BE MADE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	Neil S. Whaley
Steve Massengill	Chris Johnson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1108** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Harkins moved that the rules be suspended to move to calendar item 128, **S. B. No. 2063**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2063** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2063: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its

organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; \* \* \*

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen \*\*\*-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen \*\*\*-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and

having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; \* \* \*

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; \* \* \*

25. A municipality through which run Mississippi Highway 35 and Interstate 20; \* \* \*

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; \* \* \*

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; \* \* \*

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; \* \* \*

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; \* \* \*

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; \* \* \*

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; \* \* \*

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; \* \* \*

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; \* \* \*

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

- a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;
- b. Includes a caterer's kitchen and green room for entertainment preparation;
- c. For a fee is used to host events; and
- d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and Mississippi Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306; and

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in \*\*\* this paragraph (o)(iii) \*\*\* as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46 or 48 of this paragraph (o)(iii) may by ordinance: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

SECTION 2. Section 67-1-16, Mississippi Code of 1972, is amended as follows:

67-1-16. (1) (a) Before an area may be designated by the governing authorities of a municipality as an area in which facilities which are defined as qualified resort areas in Section 67-1-5(o)(iii)5 may be located, an election shall be held, under the election laws applicable to the municipality, on the question of whether qualified resort areas shall be allowed in the municipality. An election to determine whether qualified resort areas shall be allowed in the municipality shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) Qualified resort areas may be established if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(2) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)6, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(3) (a) Before an area may be designated a qualified resort area as defined in Section 67-1-5(o)(iii)7, an election shall be held in the municipality in which the area is located under the election laws applicable to the municipality, on the question of whether the area shall be a qualified resort area. An election to determine whether the area shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The area may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(4) (a) Before a municipality may be designated as a qualified resort area as defined in item 21, 35 or 36 of Section 67-1-5(o)(iii), an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Tyler McCaughn	Jody Steverson
Mike Thompson	Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2063** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Chism, Frazier, Hill, Norwood, Seymour. Total--5.

Absent and those not voting--Tate. Total--1.

Voting Present--Sparks. Total--1.

Senator Blount, who would have voted yea on S. B. No. 2063, announced a pair with Senator Branning, who would have voted nay.

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Senator Bryan moved that the rules be suspended to move to calendar item 157, **S. B. No. 2820**, and the motion prevailed.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2820** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2820: Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Department of Health shall establish and administer the Covid-19 Hospital Expanded Capacity Program for the purpose of providing funds to hospitals that increased treatment capacity related to the COVID-19 pandemic. The program shall make grants to hospitals as a reimbursement for expenses incurred during the period beginning on March 3, 2021, through December 31, 2023, in the following manner:

(a) Funds shall first be expended for the reimbursement to hospitals for the creation of ICU beds at a maximum amount of Two Hundred Thousand Dollars (\$200,000.00) per bed. If the reimbursement for allowable expenditures submitted by all hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per ICU bed created.

(b) After such reimbursement is made in paragraph (a) of this subsection, any remaining funds shall be used to reimburse hospitals for the creation of negative pressure beds at a maximum amount of Fifty Thousand dollars (\$50,000.00) per bed. If the reimbursement for allowable expenditures submitted by all hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per negative pressure bed created.

(2) The Department of Health shall:

(a) Promulgate rules and regulations necessary to implement the purposes of this act.

(b) Require all applications for grants to be filed no later than December 31, 2023.

(c) Require recipients of funds under this program to certify that the reimbursement for the creation of the intensive care units or negative pressure room is for allowable expenditures under the American Rescue Plan Act (ARPA) of 2021, Public Law 117-2, which amends Title VI of the Social Security Act; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury.

(d) Certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund in Section 9901 of ARPA.

(3) The department shall not:

(a) Reimburse hospitals for funds expended by the "Mississippi ICU Infrastructure Act," Sections 41-14-1 through 41-14-11.

(b) Reimburse hospitals for professional fees expended in the creation of the beds.

(4) The Department of Health may retain up to One Hundred Fifty Thousand Dollars (\$150,000.00) of the funds appropriated to the program established in this act to pay reasonable expenses incurred in the administration of the program.

(5) The department shall operate and administer the grant program from funds appropriated by the Legislature from the Coronavirus State Fiscal Recovery Funds.

(6) The Department of Health shall submit to the Joint Legislative Budget Committee before October 1 of each year an annual report containing, at a minimum, the number of submitted applications, the amount of grant funds awarded to each hospital for both ICU beds and negative pressure beds, and the number of ICU beds and negative pressure beds that were provided a reimbursement.

(7) This act shall stand repealed on July 1, 2026.

SECTION 2. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

(i) Open-heart surgery services;

(ii) Cardiac catheterization services;

(iii) Comprehensive inpatient rehabilitation services;

(iv) Licensed psychiatric services;

(v) Licensed chemical dependency services;

(vi) Radiation therapy services;

(vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;

(viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);

(ix) Home health services;

(x) Swing-bed services;

(xi) Ambulatory surgical services;

- (xii) Magnetic resonance imaging services;
- (xiii) [Deleted]
- (xiv) Long-term care hospital services;
- (xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program

(Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the

Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the

certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12)

months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at

large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the

ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under

this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after March 25, 2021, the department may issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need. In issuing any new certificate of need for any child/adolescent psychiatric or child/adolescent chemical dependency beds, either by new construction or conversion of beds of another category, the department shall give preference to beds which will be located in an area of the state which does not have such beds located in it, and to a location more than sixty-five (65) miles from existing beds. Upon receiving 2020 census data, the department may amend the State Health Plan regarding child/adolescent psychiatric and child/adolescent chemical dependency beds to reflect the need based on new census data.

(i) [Deleted]

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation

in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or

child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to ensure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating

location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available

to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11, or Section 1 of this act. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 3. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Local health care provider" or "provider" means a facility that is licensed, certified or otherwise authorized or permitted by law to provide health care in the ordinary course of business in the State of Mississippi, including, but not limited to, skilled nursing facilities, direct primary care clinics, provider owned clinics, rural health clinics, academic medical centers, community health centers and/or independent physician practices.

(b) "Transitional assistance" means any assistance related to changing a provider's current health care delivery model to a model more appropriate for the community that the provider serves, including, but not limited to:

(i) Conducting a market study of health care services needed and provided in the community;

(ii) Acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods, development of health information exchange platforms to electronically share medical records, electronic health record optimization, purchasing connected devices, upgrading digital devices, improving broadband connectivity, public health reporting, and implementing online or mobile patient appointment management applications; and

(iii) Supporting the implementation of population health management.

(2) There is established the COVID-19 Mississippi Local Provider Innovation Grant Program to be administered by the State Department of Health. The program and any grant awarded under the program shall be for the purpose of strengthening and improving the health care system and increasing access to health care services providers to help communities achieve and maintain optimal health by providing transitional assistance to providers. The department may award an innovation grant to a local health care provider that applies in accordance with this section.

(3) Eligible local health care providers shall provide the following information to the department in their application for a grant:

(a) A description of the location or locations for which the grant monies will be expended, including the name and locations of where the provider administers health care services;

(b) A statement of the amount of grant monies requested;

(c) A description of the needs of the provider, the transitional assistance for which the grant monies will be expended and how such transitional assistance will meet the stated needs;

(d) Evidence that the provider has played an active role in the community to combat the spread of COVID-19, including, but not limited to, testing, vaccination and antibody treatment; and

(e) Any other information that the department deems necessary to administer this section.

(4) Applicants are limited to one (1) application per business entity as determined by the applicant's business filing status with the Secretary of State. Subsidiaries of the entity are not eligible to submit separate applications. Health systems that affiliate, own or control multiple clinics are only eligible to submit to one (1) application under the parent entity.

The department shall determine the amount of the grant to be awarded to each applicant based on the factors detailed in the application, with the maximum amount of a grant that may be awarded to an applicant being Two Hundred Fifty Thousand Dollars (\$250,000.00).

(5) The COVID-19 Mississippi Local Provider Innovation Grant Program created under this section shall be funded by appropriation of the Legislature from the Coronavirus State Fiscal Recovery Fund.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROVIDE FUNDS TO HOSPITALS TO INCREASE TREATMENT CAPACITY RELATED TO THE COVID-19 PANDEMIC; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROMULGATE RULES AND REGULATIONS TO GOVERN THE ADMINISTRATION OF THE PROGRAM; TO ESTABLISH CERTAIN CONDITIONS ON THE USE OF FUNDS UNDER THE PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO REPORT ON THE STATUS OF THE PROGRAM; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO EXEMPT THE CONSTRUCTION OR ADDITION OF INTENSIVE CARE UNITS OR NEGATIVE PRESSURE ROOMS FUNDED BY THIS PROGRAM FROM THE PROVISIONS OF THE HEALTHCARE CERTIFICATE OF NEED LAW; TO ESTABLISH THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM TO BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE PROGRAM AND ANY GRANT AWARDED UNDER THE PROGRAM SHALL BE FOR THE PURPOSE OF STRENGTHENING AND IMPROVING THE HEALTH CARE SYSTEM AND INCREASING ACCESS TO HEALTH CARE SERVICES PROVIDERS TO HELP COMMUNITIES ACHIEVE AND MAINTAIN OPTIMAL HEALTH BY PROVIDING TRANSITIONAL ASSISTANCE TO PROVIDERS; TO SPECIFY THE INFORMATION THAT APPLICANTS FOR GRANTS MUST SUBMIT TO THE DEPARTMENT; TO PROVIDE THAT APPLICANTS ARE LIMITED TO ONE APPLICATION PER BUSINESS ENTITY AND SUBSIDIARIES OF THE ENTITY ARE NOT ELIGIBLE TO SUBMIT SEPARATE APPLICATIONS; TO PROVIDE THE MAXIMUM AMOUNT OF A GRANT THAT MAY BE AWARDED TO AN APPLICANT; TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED BY APPROPRIATION OF THE LEGISLATURE FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Hob Bryan

John A. Polk

Joey Fillingane

CONFEREES FOR THE HOUSE

Sam C. Mims, V

Missy McGee

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2820** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2820**.

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Senator McMahan moved that the rules be suspended to move to calendar item 130, **H. B. No. 1747**, and the motion prevailed.

Senator McMahan moved that the Conference Committee Report on **H. B. No. 1747** be recommitted for further conference and the motion prevailed.

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

Senator Parks moved that the rules be suspended to move to calendar item 150, **H. B. No. 1313**, and the motion prevailed.

Senator Parks offered the following report of the Conference Committee on **H. B. No. 1313** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1313: "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "State Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program."

(2) As used in this section, the following terms shall have the meaning ascribed in this subsection, unless context of use clearly requires otherwise:

(a) "Approved postsecondary educational institution" means any public state-supported institution of higher learning, community or junior college, or any not-for-profit private institution of higher learning in the state. The term does not include proprietary colleges or universities.

(b) "Board" means the Mississippi Postsecondary Education Financial Assistance Board established in Section 37-106-9, which is authorized and empowered to administer the provisions of Title 37, Chapter 106, Mississippi Code of 1972.

(c) "Director" means the individual designated by the Board of Trustees of State Institutions of Higher Learning to administer the provisions of the various financial assistance programs by promulgating the necessary rules and regulations for their effective administration.

(d) "Department" means the Mississippi Department of Child Protection Services.

(e) "Eligible student" means:

(i) Any individual who is younger than twenty-five (25) years of age who was placed in the legal custody of the Mississippi Department of Child Protection Services by a youth court or through other legal means and who was in the legal custody of the department at any time on or after attaining thirteen (13) years of age;

(ii) Any individual who is younger than twenty-five (25) years of age who was placed in a qualified residential child care agency by a parent, legal guardian, court of competent jurisdiction, or other person or entity acting in the best interest of the individual and who did reside in a qualified residential child care agency at any time on or after attaining thirteen (13) years of age; or

(iii) Any individual who is younger than twenty-five (25) years of age who was adopted from the department's legal custody or adopted while residing at a qualified residential child care agency as described in paragraph (f) of this subsection at any time on or after attaining thirteen (13) years of age.

(f) "Qualified residential child care agency" means an entity that provides a home for children and was licensed by the Mississippi Department of Child Protection Services at the time that the scholarship applicant was housed by the agency.

(g) "Scholarship" means the State Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship.

(3) The Mississippi Postsecondary Education Financial Assistance Board, with the assistance of the Mississippi Department Child Protection Services shall develop and administer the Kinkade FAITH Scholarship Program for eligible students. Commencing with the 2023-2024 academic year, the board shall approve scholarships to eligible students who meet the general requirements set forth in subsection (8) of this section. Scholarships shall be used to pay up to the cost of attendance at any approved postsecondary educational institution, provided that payments to any not-for-profit private institution of higher learning shall not exceed the average cost of attendance required by all of the public state-supported institutions of higher learning.

(4) Payments up to the cost of attendance are considered program scholarships.

(5) The Kinkade FAITH Scholarship Program shall include a mentor service administered by the department as a support system for scholarship recipients. This service shall include mentors who shall be compensated by the department, as employees or contractors, to help participants adapt to independent living, academics and other college or university activities.

(6) (a) Initial recipients shall be selected from all eligible students based on rules promulgated by the board. In the second and subsequent years of the program, priority consideration shall first be given to renewal applicants.

(b) The board shall develop rules for ensuring that expenses of the scholarship program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the board may limit the acceptance of scholarship applications and may limit the award of scholarships.

(7) The program shall pay up to the student's cost of attendance for up to five (5) years, except as otherwise provided in subsection (10) of this section. In no event shall the cost of attendance be paid pursuant to this section for more than seventy-two (72) credit hours at a community college or one hundred forty-four (144) credit hours at a four-year college. The program shall only pay up to cost of attendance for courses leading

to an undergraduate credential or degree. Scholarship funds may be disbursed only if sufficient funding for the scholarship program is available.

(8) To participate in the program, a scholarship applicant shall satisfy the following general eligibility requirements:

(a) Be an eligible student as defined in subsection (2)(e) of this section;

(b) Be accepted for enrollment in a degree or certificate program at an approved postsecondary educational institution; and

(c) Have completed and submitted to the United States Department of Education a Free Application for Federal Student Aid (FAFSA) before each year in which he or she receives a scholarship. He or she shall have applied for all federal student financial assistance, including Educational and Training Vouchers.

(9) To receive a renewal scholarship, a student shall satisfy the following continuing eligibility requirements:

(a) Make satisfactory academic progress toward the completion of a degree or certificate as determined by rules promulgated by the board and maintain a 2.0 cumulative GPA for consecutive or nonconsecutive semesters of enrollment; and

(b) Remain in good standing with the policies established by the approved postsecondary educational institution.

(10) The age limitation under subsection (2)(e) of this section shall be extended by the total number of years during which the student was on active duty status in the United States Armed Forces. The number of months served on active duty status in the United States Armed Forces shall be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

(11) The scholarship will include any costs associated with room and board during institutional holidays at approved postsecondary educational institutions where such accommodations are available.

(12) Funds can be combined with any other federal, institutional, or private scholarships to meet the student's full cost of attendance. No other gift aid should be reduced or supplanted by the Kinkade FAITH scholarship. However, in no case shall the FAITH scholarship be combined with other gift aid to exceed cost of attendance.

(13) The board shall promulgate rules as necessary to implement and administer this section.

(14) Nothing in this section shall be construed to:

(a) Guarantee acceptance of or entrance into any approved postsecondary educational institution for an eligible student;

(b) Limit the participation of an eligible student in any other program of financial assistance for postsecondary education;

(c) Require any approved postsecondary educational institution to waive costs or fees relating to room and board; or

(d) Restrict any approved postsecondary educational institution, the Mississippi Postsecondary Education Financial Assistance Board, or the Department of Child Protection Services from accessing other sources of financial assistance, except loans, that may be available to an eligible student.

SECTION 2. (1) There is established in the State Treasury a special fund to be designated as the "Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Fund." The special fund shall consist of funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature to the Mississippi Postsecondary Education Financial Assistance Board and shall only be used by the Board for the purpose of implementing the scholarship program established in Section 1 of this act.

(2) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Kinkade FAITH Scholarship Program Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 3. Section 93-19-13, Mississippi Code of 1972, is amended as follows:

93-19-13. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting personal property. In addition, all persons eighteen (18) years of age or older shall have the capacity to enter into binding contractual relationships for the purpose of investing in mutual funds, stocks, bonds and any other publicly traded equities. Nothing in this section shall be construed to affect any contracts entered into prior to July 1, 1976.

(2) Any person who, upon attaining eighteen (18) years of age, but not having reached the age of majority, was in or remains in the legal custody of the Department of Human Services or Child Protection Services and residing within a qualified residential child care agency, as defined in Section 1 of this act, at any time on or after attaining thirteen (13) years of age, if not otherwise disqualified or prohibited by law, shall have the capacity to enter into binding agreements to lease real property to be occupied by the person as the actual place of residence, and to secure the necessary utility services necessary to make such place of residence habitable, including, but not limited to, electricity, natural gas, propane, water, sewage, garbage disposal and Internet services.

(3) In any legal action founded on a contract entered into by a person eighteen (18) years of age or older, the said person may sue in his own name as an adult and be sued in his own name as an adult and be served with process as an adult.

SECTION 4. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in an abuse and neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

- (a) The judge of another youth court or member of another youth court staff;
- (b) The court of the parties in a child custody or adoption cause in another court;

(c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;

(d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

(e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;

(f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is

adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or

due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child; \* \* \* and

(e) Any state agency or board that administers student financial assistance programs. However, any records request under this paragraph shall be initiated by the agency or board for the purpose determining the child's eligibility for student financial assistance, and any disclosure shall be limited to the verification of the child's age during the period of time in which the child was in the department's legal custody; and

(\* \* \*ef) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM," FOR THE PURPOSE OF PROVIDING FUNDS FOR CERTAIN YOUTH TO ATTEND APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS PLACED EITHER IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES (MDCPS) OR AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS ADOPTED FROM MDCPS'S CUSTODY OR WHILE RESIDING AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER PROVIDE THAT KINKADE FAITH SCHOLARSHIP APPLICANTS MUST BE YOUNGER THAN THE AGE OF 25; TO PROVIDE THAT THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD SHALL ADMINISTER THE PROGRAM; TO PRESCRIBE INITIAL AND CONTINUING ELIGIBILITY REQUIREMENTS FOR RECEIVING A KINKADE FAITH SCHOLARSHIP; TO ADDRESS SUMMER AND HOLIDAY ROOM AND BOARD ACCOMMODATIONS FOR KINKADE FAITH SCHOLARS AT APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO ESTABLISH THE STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM SPECIAL FUND; TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS 18 YEARS OF AGE OR

OLDER TO ENTER LEGALLY BINDING CONTRACTS FOR THE LEASE OF REAL PROPERTY AND ASSOCIATED UTILITIES; TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LIMITED DISCLOSURE OF RECORDS INVOLVING CHILDREN BY MDCPS TO STUDENT FINANCIAL ASSISTANCE BOARDS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Richard Bennett	Rita Potts Parks
John Read	John A. Polk
Ronnie C. Crudup	W. Briggs Hopson III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1313** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Simmons D. T. (12th). Total--1.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:05 PM, the Senate stood in recess.

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The Senate resumed business at 3:33 PM, pursuant to recess, with President Hosemann presiding.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 400:** AN ACT TO AMEND SECTION 19-25-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE INCREASE OF THE SALARY OF RIDING BAILIFFS; AND FOR RELATED PURPOSES.

**H. B. No. 586:** AN ACT TO AMEND SECTION 1, CHAPTER 429, LAWS OF 2021, TO AUTHORIZE HARRISON COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM; TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES THE PILOT WORK RELEASE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 607:** AN ACT TO CREATE "PARKER'S LAW"; TO CREATE THE CRIME OF "FENTANYL DELIVERY RESULTING IN DEATH"; TO PROVIDE THE PENALTY FOR SUCH CRIME; TO PROVIDE AN EXCEPTION FOR THOSE WHO SEEK

MEDICAL ATTENTION; TO DEFINE CERTAIN TERMS; AND FOR RELATED PURPOSES.

**H. B. No. 677:** AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL VETERANS RESOURCE ADVISORS TO BE CERTIFIED BY THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD AND BE ENTITLED TO COMPENSATION; AND FOR RELATED PURPOSES.

**H. B. No. 679:** AN ACT TO ENACT THE VICTORIA HUGGINS' MISSISSIPPI PILL PRESS LAW OF 2022; TO CRIMINALIZE THE UNAUTHORIZED POSSESSION AND TRANSFER OF A PILL PRESS; TO INCLUDE SIMILAR DEVICES WITHIN THE OFFENSE; TO PROVIDE A PENALTY FOR VIOLATION; TO REQUIRE REGISTRATION WITH THE MISSISSIPPI BUREAU OF NARCOTICS, UNLESS THE PILL PRESS IS AUTHORIZED BY THE BOARD OF PHARMACY OR OTHER LAWFUL ENTITY; AND FOR RELATED PURPOSES.

**H. B. No. 811:** AN ACT TO DESIGNATE A CERTAIN SEGMENT OF U.S. HIGHWAY 80 IN RANKIN COUNTY, MISSISSIPPI, WITHIN THE CORPORATE LIMITS OF THE CITY OF BRANDON, AS THE "DEPUTY TRAVIS O. BIDDLE MEMORIAL HIGHWAY"; TO DESIGNATE A CERTAIN SEGMENT OF UNITED STATES HIGHWAY 80 IN RANKIN COUNTY WITHIN THE CORPORATE LIMITS OF THE CITY OF PEARL, AS THE "RAY ROGERS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 863:** AN ACT TO AMEND SECTION 47-5-535, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE TO PROHIBIT THE CORPORATION FROM HAVING ANY RIGHTS TO OPERATE A PROGRAM UNDER THE PRISON AGRICULTURAL ENTERPRISES AND CREATING A PRISON INDUSTRY PROGRAM THAT DUPLICATES A PRISON AGRICULTURAL ENTERPRISES PROGRAM OR PRODUCT; TO DELETE THE PROVISION THAT PROVIDES THAT IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF CORRECTIONS RETAINS EXCLUSIVE RIGHTS TO CONDUCT ALL PRISON AGRICULTURAL AND RELATED ENTERPRISES; TO AMEND SECTION 47-5-539, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2437, 2022 REGULAR SESSION, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD OF DIRECTORS OF THE CORPORATION; TO AMEND SECTION 47-5-547, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION MAY ESTABLISH ANY TRAINING OR AUXILIARY PROGRAMS WITH ANY COMMUNITY OR JUNIOR COLLEGE OR STATE INSTITUTION OF HIGHER LEARNING RATHER THAN SOLELY WITH MISSISSIPPI DELTA COMMUNITY COLLEGE; TO CREATE A NEW CODE SECTION TO ADD A DATE OF REPEAL OF JULY 1, 2024, TO THE "MISSISSIPPI PRISON INDUSTRIES ACT OF 1990"; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2437, 2022 REGULAR SESSION, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 971:** AN ACT TO AMEND SECTION 63-1-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE TIME PERIOD DURING WHICH AN EXPIRED DRIVER'S LICENSE MAY BE RENEWED WITHOUT EXAMINATION; TO CREATE A NEW SECTION OF LAW TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL BE THE STATE AGENCY WITH RESPONSIBILITY FOR REGULATING CERTAIN DIGITAL WALLETS; TO AMEND SECTION 63-1-216, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE IF CONVICTED OF ANY CRIME UNDER THE MISSISSIPPI HUMAN TRAFFICKING ACT OR ANY FELONY INVOLVING A SEVERE FORM OF TRAFFICKING IN PERSONS AS DEFINED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 1052:** AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE DEPUTY COMMISSIONER FOR PROGRAMS, EDUCATION AND REENTRY TO ADEQUATELY PREPARE ATTENDEES FOR EMPLOYMENT UPON THEIR RELEASE; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT SHALL SERVE AS THE CHIEF

EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO PROVIDE ELIGIBILITY QUALIFICATIONS FOR THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO REQUIRE THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT TO PERFORM CERTAIN DUTIES; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO CREATE A DIVISION OF WORKFORCE DEVELOPMENT WITHIN THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS IS ESTABLISHED AS A LOCAL EDUCATIONAL AGENCY AND AN EDUCATIONAL SERVICE AGENCY FOR CERTAIN PURPOSES; AND FOR RELATED PURPOSES.

**H. B. No. 1177:** AN ACT TO AMEND SECTION 33-11-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ADJUTANT GENERAL TO MAKE CONVEYANCES OF REAL PROPERTY ON BEHALF OF THE STATE THAT ARE IN THE BEST INTEREST OF THE MISSISSIPPI MILITARY DEPARTMENT AND CONVEY TO ANY PUBLIC ENTITY UPON SUCH TERMS AND CONDITIONS AS THE ADJUTANT GENERAL MAY DEEM ADVISABLE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1323:** AN ACT TO CREATE THE TALLAHATCHIE RIVER AUTHORITY TO BE COMPOSED OF THE GEOGRAPHIC REGION OF THE COUNTIES THAT THE TALLAHATCHIE RIVER OR LITTLE TALLAHATCHIE RIVER TRAVERSE OR BORDER IN THE STATE OF MISSISSIPPI, SUBJECT TO THE BOARD OF SUPERVISORS OF A COUNTY VOTING AND SPREADING ON ITS MINUTES THE DECISION TO PARTICIPATE IN THE AUTHORITY; TO PROVIDE THAT EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS MAY SELECT ONE MEMBER OF THE BOARD OF DIRECTORS; TO PROVIDE CERTAIN AUTHORITY TO THE TALLAHATCHIE RIVER AUTHORITY; TO AUTHORIZE EACH PARTICIPATING COUNTY BOARD OF SUPERVISORS TO CONTRIBUTE FUNDS TO THE AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 1343:** AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, AS LAST AMENDED BY SECTIONS 1 AND 2, CHAPTER 363, LAWS OF 2019, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT; TO AMEND SECTION 43-27-39, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 1430:** AN ACT TO AUTHORIZE A BENEFICIARY DESIGNATION THAT TRANSFERS A MOTOR VEHICLE AT THE OWNER'S DEATH; TO PROVIDE DEFINITIONS; TO PROVIDE FOR REQUIREMENT OF THE BENEFICIARY DESIGNATION; TO PROVIDE THE PROCEDURE FOR JOINT OWNERS; TO MAKE CERTAIN REQUIREMENTS OF THE DEPARTMENT OF REVENUE AND AUTHORIZE RULEMAKING AUTHORITY TO THE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1479:** AN ACT TO AMEND SECTIONS 99-19-51, 99-19-53 AND 99-19-55, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO INFLICT THE DEATH PENALTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Chassaniol moved that the rules be suspended for the immediate consideration of **H. B. No. 453**, and the motion prevailed.

Senator Chassaniol offered the following report of the Conference Committee on **H. B. No. 453** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 453: Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry and its nonprofit museums. American Rescue Plan Act funds are specifically targeted toward assisting in the recovery of the tourism and hospitality sectors. The funds provided in this act are necessary expenditures related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to support the travel and hospitality economy of Mississippi.

SECTION 2. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of this act.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the

Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars (\$250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after the effective date of this act, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

(iii) The destination marketing organization will obligate all funds by December 31, 2024 and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 3. (1) The Department of Finance and Administration shall establish a program for the purpose of providing assistance to Mississippi nonprofit museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund

for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to nonprofit museums located in municipalities with a population of not more than Fifty Thousand (50,000) according to the latest federal decennial census to assist in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such museums for health and safety purposes related to the Coronavirus Disease 19. Of the monies disbursed by the Department of Finance and Administration under this section, twenty-five percent (25%) of such monies shall be used to provide assistance for requests for assistance of less than Three Hundred Thousand Dollars (\$300,000.00); thirty-five percent (35%) of such monies shall be used to provide assistance for requests for assistance of Three Hundred Thousand Dollars (\$300,000.00) or more but less than Seven Hundred Thousand Dollars (\$700,000.00) and forty percent (40%) of such monies shall be used to provide assistance for requests for assistance of Seven Hundred Thousand Dollars (\$700,000.00) or more. A museum desiring assistance under this section must submit an application to the Department of Finance and Administration. The application must include a description of the purposes for which the assistance is requested, the amount of the assistance requested and any other information required by the department.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 4. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to Mississippi Main Street Association as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

2020 population	Number of communities	Grant amount	Total grants
More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
Total			\$ 5,000,000.00

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 5. (1) The Legislature finds that:

(a) The State of Mississippi is known as the "Birthplace of America's Music," and is credited for producing Elvis Presley, the "King of Rock and Roll," Jimmie Rodgers, the "Father of Country Music," and B.B. King, the "King of the Blues," and these Mississippi trailblazers, alongside hundreds of others, have impacted and influenced the music industry like no others in modern history; and

(b) That many states of the United States have two (2) or more official state songs, including: Tennessee; West Virginia; Arkansas; Florida; Louisiana and South Carolina; and

(c) Mississippi's musical heritage has positioned the Magnolia State as a true renaissance of musical genres, scaling past, present and even future trends, and from rock and roll, country and the blues, to gospel, opera and everything in between, Mississippi has not only transformed the course of America's music, it has revolutionized it, and because of this, it is important that the official songs of the State of Mississippi truly reflect the state's phenomenal musical heritage, while enthusiastically looking forward to its future; and

(d) The Legislature desires to provide the state with numerous state songs so that Mississippians may enjoy state songs that are appropriate for all occasions, events and daily activities.

(2) The lyrics and music to the song "One Mississippi," written by Steve Azar, are designated as the contemporary music genre official song of the State of Mississippi.

SECTION 6. (1) There is established the Mississippi State Songs Study Committee for the purpose of developing and reporting to the Legislature its recommendation for various genres of official songs of the State of Mississippi, including, but not limited to, country, rhythm and blues, rock and roll and gospel. The official songs of the State of Mississippi shall honor the past while embracing the promise of the future.

(2) The committee shall consist of the following members:

- Authority;
- (a) The Director of the Division of Tourism of the Mississippi Development Authority;
  - (b) The Executive Director of the Mississippi Tourism Association;
  - (c) The Chair of the House of Representatives Tourism Committee;
  - (d) The Chair of the Senate Tourism Committee;
  - (e) The Executive Director of the Mississippi Arts Commission; and
  - (f) The Director of the Two Mississippi Museums.

The chair of the committee shall be chosen by majority vote of the members of the committee. The committee shall meet as soon as practicable after the effective date of this act upon the joint call of the Speaker of the House of Representatives and the Lieutenant Governor, and shall organize for business. A majority vote of the members of the committee shall be required for the adoption of any reports and recommendations.

(3) The committee shall have the following functions and duties:

- (a) To hold regular public meetings when and where it sees fit;
- (b) To receive written public comments in a manner and under the terms and conditions as it sees fit;
- (c) To collect, examine and consider all information that it determines may be helpful in making a recommendation for the various genres of official songs for the State of Mississippi;
- (d) To consult with experts, representatives of organizations and associations, and others, as it sees fit, whose knowledge or expertise may assist the committee in making its recommendation;
- (e) To make any inquiries and conduct any business that may assist the committee in developing the various genres of official songs for the State of Mississippi;

(f) Keep minutes of its meetings, and make those minutes available to the public; and

(g) To make a written recommendation for the various genres of official songs for the State of Mississippi, which shall be presented to the Legislature not later than December 31, 2022.

(4) Members of the committee shall receive no compensation for their service on the committee, but may receive reimbursement for mileage and actual expenses as provided in Section 25-3-41, Mississippi Code of 1972, to the extent that funds are available for that purpose.

SECTION 7. Chapter 654, Laws of 1962, which designated "Go Mississippi" as the official song of the State of Mississippi, is repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO CERTAIN NONPROFIT MUSEUMS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ADVERTISING AND OTHER FORMS OF PROMOTING AND PUBLICIZING NONPROFIT MUSEUMS AND MUSEUM RELATED ACTIVITIES, AND REPAIRS AND RENOVATIONS OF AND UPGRADES AND IMPROVEMENTS TO SUCH MUSEUMS FOR HEALTH AND SAFETY PURPOSES RELATED TO THE CORONAVIRUS DISEASE 19; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION TO BE USED FOR THE PURPOSE OF MAKING REVITALIZATION GRANTS TO MISSISSIPPI COMMUNITIES; TO DESIGNATE "ONE MISSISSIPPI," WRITTEN BY STEVE AZAR, AS THE CONTEMPORARY MUSIC GENRE OFFICIAL STATE SONG; TO ESTABLISH THE MISSISSIPPI STATE SONGS STUDY COMMITTEE TO DEVELOP VARIOUS GENRES OF OFFICIAL SONGS FOR THE STATE OF MISSISSIPPI; TO PRESCRIBE THE MEMBERSHIP OF THE COMMITTEE AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO REQUIRE THE COMMITTEE TO SUBMIT A REPORT OF ITS FINDINGS TO THE LEGISLATURE NO LATER THAN DECEMBER 31, 2022; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED "GO MISSISSIPPI" AS THE OFFICIAL STATE SONG; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Becky Currie

Lydia Graves Chassaniol

Karl Oliver

John A. Polk

John Thomas "Trey" Lamar, III

Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 453** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Frazier, Horhn, Jackson (11th), Jordan, McDaniel, Norwood, Sojourner, Thomas. Total--8.

Absent and those not voting--Blackmon, Branning, Bryan, Hopson, Tate. Total--5.

Voting Present--Butler A. (36th), Turner-Ford. Total--2.

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Senator Horhn entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 453** ( version 2) was adopted by the Senate.

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On request of Senator Harkins, unanimous consent was granted to make the following correction in **S. B. No. 2063**:

Unanimous Consent for SB 2063 Conference Report

AMEND on line 537 by striking the "Mississippi Highway 278" and inserting in lieu thereof "U.S. Highway 278".

FURTHER, AMEND by inserting the following below line 554:

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect.

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Senator Hill moved that the rules be suspended to move to calendar items 174 - 179, and the motion prevailed.

Senator Hill moved that the rules be suspended for the consideration en bloc of S. N. No. 38, S. N. No. 60, S. N. No. 106, S. N. No. 142, S. N. No. 143 and S. N. No. 144 and the motion prevailed.

Senator Hill called up the following entitled nominations:

**S. N. No. 38:** Christa L. Alexander, Laurel, Mississippi, Information Technology Services Authority, unexpired balance of a five year term effective July 23, 2021 and ending June 30, 2026.

**S. N. No. 60:** Rita Theresa Wray, Brandon, Mississippi, Public Procurement Review Board, four year term effective November 29, 2021 and ending June 30, 2025.

**S. N. No. 106:** Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, unexpired four year term beginning immediately and ending June 30, 2023, vice Mrs. Leila Malatesta.

**S. N. No. 142:** Kimberly L. Campbell, Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

**S. N. No. 143:** Elizabeth (Betsey) Hamilton, New Albany, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

**S. N. No. 144:** Julius Carter (Carter) Burns, Natchez, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 38, S. N. No. 60, S. N. No. 106, S. N. No. 142, S. N. No. 143 and S. N. No. 144. On motion of Senator Hill, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Carol Ann Oakman of Madison, MS.

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Senators Horhn, Norwood, Frazier, Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Danella Catchings of Jackson, MS.

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Senator Bryan moved that when the Senate adjourns, it adjourn in memory of John Harrison Wilson of Amory, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Howell Tate McGehee of Liberty, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Polly Asher Rosenblatt of Fort Adams, MS.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Annie Harris of McComb, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Sung Moo Jew of Greenwood, MS.

## REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**S. R. No. 62:** Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2512:** City of Southaven; extend repeal date on restaurant tax.

**S. B. No. 2513:** City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation.

**S. B. No. 2998:** Town of Sardis; authorize the levy of a tax on hotel, motel and restaurant sales.

**S. B. No. 2999:** City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals.

**S. B. No. 3209:** City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation.

Andrew Ketchings, Clerk of the House of Representatives

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**J. R. No. 202:** A JOINT RESOLUTION TO REAPPORTION THE SENATE OF THE STATE OF MISSISSIPPI IN ACCORDANCE WITH SECTION 254, MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

**S. B. No. 2007:** AN ACT TO AMEND SECTIONS 75-29-601 AND 75-29-603, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF COMMERCIAL HONEY FOR PURPOSES OF LABELING REQUIREMENTS ENFORCED BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE LABEL OF ANY PRODUCT CONSISTING OF HONEY AND SWEETENER SHALL INCLUDE ALL INGREDIENTS BY WEIGHT, TO PROVIDE THAT ALL SUBSTANCES ADDED TO HONEY TO ALTER THE FLAVOR SHALL BE INCLUDED ON THE LABEL AND TO PROVIDE THAT ANY LAB-GROWN HONEY SHALL NOT BE LABELED AS HONEY; AND FOR RELATED PURPOSES.

**S. B. No. 2076:** AN ACT TO AMEND SECTION 49-27-71, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATING TO DERELICT VESSELS; TO PROVIDE FOR JURISDICTION IN ACTIONS TO REMOVE DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE REMOVAL OF DERELICT VESSELS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE NOTICE PROCESS FOR THE

REMOVAL OF DERELICT VESSELS; TO PROVIDE FOR THE PROCESS FOR DETERMINING OWNERSHIP OF DERELICT VESSELS; TO PROVIDE FOR RECOVERY OF COSTS ASSOCIATED WITH REMOVING DERELICT VESSELS; TO AUTHORIZE CERTAIN POWERS AND DUTIES OF THE DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

**S. B. No. 2077:** AN ACT TO CREATE THE "MISSISSIPPI HEALTHY FOOD AND FAMILIES PROGRAM" WHICH REQUIRES THE DEPARTMENT OF AGRICULTURE AND COMMERCE, SUBJECT TO APPROPRIATION, TO FUND QUALIFIED MISSISSIPPI NONPROFITS TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

**S. B. No. 2158:** AN ACT TO AMEND SECTIONS 49-17-405, 49-17-407 AND 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UNDERGROUND STORAGE TANK FEES ARE INSUFFICIENT TO COVER ADMINISTRATIVE COSTS, THE COSTS ASSOCIATED WITH ADMINISTRATION OF THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND AND RELATED PURPOSES SHALL BE PAID FROM THE FUND; AND FOR RELATED PURPOSES.

**S. B. No. 2357:** AN ACT TO ALLOW COUNTIES TO PAY THE REASONABLE HOSPITAL AND MEDICAL EXPENSES FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS SUFFERING INJURY OR ILLNESS INCURRED IN THE LINE OF DUTY; TO ALLOW COUNTIES TO PROVIDE ACCIDENT, DEATH OR DISABILITY POLICIES TO PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO ALLOW COUNTIES TO PURCHASE INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY OF PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; TO AMEND SECTION 21-25-9, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO PAY THE PREMIUMS FOR ACCIDENT, DEATH AND DISABILITY POLICIES AND INSURANCE COVERAGE FOR THE MEDICAL COSTS AND EXPENSES INCURRED IN THE LINE OF DUTY FOR PAID OR VOLUNTEER FIRE DEPARTMENT MEMBERS; AND FOR RELATED PURPOSES.

**S. C. R. No. 551:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER STATE REPRESENTATIVE AND STATE SENATOR VERNON DELMA FURNISS OF RENA LARA, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Friday, April 1, 2022.

The motion prevailed, and at 4:20 PM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2245:** Voyeurism; revise sentencing.

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year.

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement and clarify use of reverse auction.

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments.

**S. B. No. 2543:** Department of Public Safety; revise provision related to.

**S. B. No. 2723:** Office of Workforce Development; revise provisions regarding appointments to SWIB, funds and collaboration.

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service.

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriation bills.

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework.

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact.

**S. B. No. 2887:** School Boards; allow to purchase electric vehicles for student transportation.

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by foundation.

Adopted: 03/30/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 770:** Mississippi Equal Pay for Equal Work Act; create.

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

**H. B. No. 1108:** Income tax; authorize credit for certain railroad reconstruction/replacement expenditures.

**H. B. No. 1313:** "Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create to provide postsecondary financial assistance to foster children.

**H. B. No. 1408:** Sheriffs' salaries; increase.

**H. B. No. 1685:** Pregnancy Resource Act; create.

Adopted: 03/30/22

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2029:** AN ACT TO REPEAL SECTIONS 37-113-29 AND 37-133-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CAMPS FOR 4-H CLUB MEMBERS IN PANOLA AND MADISON COUNTIES; TO REPEAL SECTIONS 37-133-33 AND 37-133-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PURCHASE AND MAINTENANCE OF FOUNDATION HERDS OF BEEF CATTLE, SHEEP AND HOGS AT THE MISSISSIPPI STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE AND FOR THE INVENTORY OF LIVESTOCK OWNED BY STATE INSTITUTIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2511:** AN ACT TO AMEND SECTION 49-15-64.5, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR A SALTWATER SHRIMP CAPTAIN'S LICENSE ISSUED BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

**S. B. No. 2738:** AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO REQUIRE HEALTH INSURANCE AND EMPLOYEE BENEFIT PLANS TO REIMBURSE PROVIDERS FOR TELEMEDICINE SERVICES USING THE PROPER MEDICAL CODES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license.

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider.

Adopted: 03/29/22

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:21 PM in memory of Carol Ann Oakman, Danella Catchings, John Harrison Wilson, Howell Tate McGehee, Polly Asher Rosenblatt, Annie Harris and Sung Moo Jew.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 31, 2022

**S. R. No. 62:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE HANCOCK HIGH SCHOOL "LADY HAWKS" GIRLS BOWLING TEAM AND COACH TREVIN BURGE FOR WINNING THREE CONSECUTIVE STATE CHAMPIONSHIPS.

By Senator(s) Moran

**S. R. No. 63:** Rules

A RESOLUTION RECOGNIZING JEFF ROSAMOND FOR HIS DISTINGUISHED AND OUTSTANDING LEGAL SERVICE TO THE MISSISSIPPI SENATE ON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE SENATE LEGISLATIVE SERVICES OFFICE FOLLOWING 32 YEARS WITH THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Michel, DeBar, Parker, Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler (36th), Butler (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parks, Polk, Seymour, Simmons (12th), Simmons (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger

EIGHTY-EIGHTH DAY, FRIDAY, APRIL 1, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Chad Bowen, Pastor, Moore Memorial United Methodist Church, Winona, MS.

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Senator Chassaniol led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Harkins moved that the rules be suspended for the consideration en bloc of S. N. No. 114 and S. N. No. 115 and the motion prevailed.

Senator Harkins called up the following entitled nominations:

**S. N. No. 114:** Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, remainder of a four year term effective January 31, 2022 and ending June 30, 2022.

**S. N. No. 115:** Patti S. (Pat) Robertson, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, four year term effective July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 114 and S. N. No. 115. On motion of Senator Harkins, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins moved that the rules be suspended for the consideration en bloc of S. N. No. 125 and S. N. No. 126 and the motion prevailed.

Senator Harkins called up the following entitled nominations:

**S. N. No. 125:** Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court

District, remainder of four year term effective January 31, 2022 and ending June 30, 2022, vice Bryan Stevens.

**S. N. No. 126:** Gregory K. (Greg) Havard, Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, four year term beginning July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 125 and S. N. No. 126. On motion of Senator Harkins, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--DeBar. Total--1.

Senator Harkins called up the following entitled nomination:

**S. N. No. 139:** Merle Glenn Flowers, Southaven, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 139 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting----None.

Voting Present--Frazier. Total--1.

Senator Harkins called up the following entitled nomination:

**S. N. No. 140:** Jennie Simmons, Lake, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 140 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 141:** David Tipton, Grenada, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 141 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 157:** Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, remainder of a vacant term effective immediately and ending June 30, 2021.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 157 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 158:** Joe E. Cloyd, Ocean Springs, Mississippi, Mississippi Business Finance Corporation, six year term effective July 1, 2021 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 158 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 113:** Kent Gerard Nicaud, Pass Christian, Mississippi, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, remainder of a four year term effective January 31, 2022 and ending June 30, 2025, vice Darrell Wildman.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 113 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby called up the following entitled resolution:

**S. R. No. 62:** Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships.

YEAS AND NAYS On S. R. No. 62. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 881** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 881:** University-based programs of education for children with developmental disabilities; revise certain provisions.

The foregoing motion prevailed.

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Senator Harkins called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1685** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1685:** Pregnancy Resource Act; create.

The foregoing motion prevailed.

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Senator Chassaniol called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 453** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create..

The foregoing motion prevailed.

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 446** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 446: Distinctive motor vehicle license tag; authorize for various purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Mississippi Main Street Association. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Mississippi Main Street Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Main Street Association to be used for the promotion of tourism throughout Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Gautier athletics. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Pascagoula - Gautier School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Pascagoula - Gautier School District to be expended for the support of athletic programs of district schools located in the City of Gautier, Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 3. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the South Jones Touchdown Club. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the South Jones Touchdown Club, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the South Jones Touchdown Club for the support of the high school athletic programs.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 4. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his or her name identifying such person as a supporter of Starkville Academy athletics. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the principal of Starkville Academy, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Starkville Academy.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 5. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Girl Scouts of Greater Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Girl Scouts of Greater Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Girl Scouts of Greater Mississippi to be used for programming for Mississippi Girl Scouts.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 6. (1) Any owner of a motor vehicle, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag which identifies such person as a supporter of the Pro-Life Billboard Initiative. The distinctive tags shall be of such color and design as the Department of Revenue, with the advice of the Diocese of Biloxi Pro-Life, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each tag.

(2) Application for a distinctive tag authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive tag. If the owner does not wish to retain the distinctive tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the tags under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on tags issued under this section shall be distributed to the Diocese of Biloxi Pro-Life.

(b) One Dollar (\$1.00) of each additional fee collected on tags issued under this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on tags issued under this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on tags issued under this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a tag issued under this section. The regular tag must be surrendered to the tax collector upon issuance of the distinctive tag. The tax collector shall issue up to two (2) license decals for each tag issued, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of original tags issued under this section.

SECTION 7. (1) Any owner of a motor vehicle, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag which identifies such person as a supporter of lung cancer awareness. The distinctive tags shall be of such color and design as the Department of Revenue, with the advice of the American Lung Association in Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each tag.

(2) Application for a distinctive tag authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive tag. If the owner does not wish to retain the distinctive tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to

the State Treasurer the total fees collected under this section from the issuance of the tags under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on tags issued under this section shall be distributed to the American Lung Association in Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on tags issued under this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on tags issued under this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on tags issued under this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a tag issued under this section. The regular tag must be surrendered to the tax collector upon issuance of the distinctive tag. The tax collector shall issue up to two (2) license decals for each tag issued, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of original tags issued under this section.

SECTION 8. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (4) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of any one (1) of the following:

- (a) Mississippi Association of Nurse Practitioners;
- (b) Seabee Historical Foundation;
- (c) Saint Stanislaus College in Bay Saint Louis, Mississippi;
- (d) Vancleave Live Oak Choctaw;
- (e) Morton High School;
- (f) Forest Municipal School District;
- (g) Lake High School;
- (h) Scott Central Attendance Center;
- (i) Sebastopol Attendance Center;

- (j) East Rankin Academy;
- (k) Houston High School;
- (l) Magnolia Heights School;
- (m) Regents School of Oxford;
- (n) The Garden Clubs of Mississippi, Inc.;
- (o) Baptist Health Foundation, Inc.;
- (p) Greene County Wildcats;
- (q) Mississippi Disc Golf.

(2) The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the respective beneficiary organization listed in subsection (1) of this section, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(3) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (4) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(5) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the appropriate beneficiary organization listed in subsection (1) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 9. Section 27-19-56.15, Mississippi Code of 1972, is amended as follows:

27-19-56.15. (1) (a) Beginning with any registration year commencing on or after July 1, 2012, any owner of a motor vehicle who is a resident of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount of Fifty Dollars (\$50.00), shall be issued a distinctive license tag that displays the emblem of any public or private university of his choice located in another state.

(b) The design of the emblems for the distinctive license tags authorized under this subsection shall be determined by agreement between the Department of Revenue and the governing authorities of public or private universities in the states where the universities are located. Such other design characteristics and information to be contained on such distinctive license tags shall be determined by the Department of Revenue.

(c) Application for the distinctive license tag authorized under this subsection shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(d) (i) The Department of Revenue shall deposit all fees that it receives under this subsection into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who, except as otherwise provided in this paragraph (d), shall distribute such collections as follows:

1. Forty-four Dollars (\$44.00) of the additional fees collected from each distinctive license tag issued under this subsection shall be deposited into the State General Fund.

2. One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(ii) The Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of Auburn University as follows:

1. Except as otherwise provided in this item 1, Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Adult Education Department of the Rankin County School District for the purpose of providing funds for the Rankin County School District GED Scholarship Endowment. However, from and after January 1, 2013, Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to Habitat for Humanity/Metro Jackson, Inc.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(iii) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of the University of Alabama as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Friends of Children's Hospital.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(iv) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of the University of South Alabama as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be deposited into the Mississippi Trauma Care Systems Fund established in Section 41-59-75.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(v) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of the University of Oklahoma as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to Mississippi Gulf Coast Y.M.C.A., Inc.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(vi) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of the Louisiana State University as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Bayou Bengal Booster Club of Mississippi to be utilized by the club to make contributions to charitable organizations that are approved by the Chancellor of Louisiana State University.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(vii) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of the University of Memphis as follows:

1. Twenty-two Dollars (\$22.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to Baptist Memorial Hospital DeSoto.

2. Twenty-two Dollars (\$22.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Methodist Healthcare Foundation for the Methodist Olive Branch Hospital.

3. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

4. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

5. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(viii) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of Clemson University as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Magnolia Clemson Club.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(ix) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of Texas A&M University as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Aggie Scholarship Committee, Inc.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(x) The State Treasurer shall distribute fees collected under this section from the issuance of distinctive license tags displaying the emblem of Florida State University as follows:

1. Forty-four Dollars (\$44.00) of each additional fee collected on such distinctive license tags pursuant to this section shall be distributed to the Florida State University Veterans Alliance Fund.

2. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

3. Two Dollars (\$2.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

4. One Dollar (\$1.00) of each additional fee collected on such distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(2) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(3) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(4) In order for a distinctive license tag for a university to be issued pursuant to this section, the provisions of Section 27-19-44(3) must be satisfied for such university license tag prior to July 1, \* \* \* 2025.

SECTION 10. Section 27-19-53, Mississippi Code of 1972, as amended by House Bill No. 192, 2022 Regular Session, is amended as follows:

27-19-53. (1) (a) (i) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having seventy-five percent (75%) permanent service-connected disability by the Veterans'

Administration is privileged to purchase annually under this subsection two (2) motor vehicle license plates or tags in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag, regardless of make or model of motor vehicle. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(ii) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having seventy-five percent (75%) permanent service-connected disability by the Veterans' Administration is privileged to purchase annually under this subsection one (1) motorcycle license plate or tag in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag. The registration year of such motorcycle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(b) Not more than two (2) such motor vehicle license plates or tags shall be issued under this subsection to each such qualified veteran. Not more than one (1) such motorcycle license plate or tag shall be issued under this subsection to each such qualified veteran.

(c) This section pertains only to taxes or plates for private passenger motor vehicles or pickup trucks or motorcycles.

(d) Proof of ownership of a particular motor vehicle or motorcycle for which a license plate or tag is requested must be shown at time of application for such plate or tag.

(e) Vehicles and motorcycles owned by such veterans are exempt under this subsection from all ad valorem and privilege taxes; however, the surviving spouse of a deceased person who was issued a license plate or tag under this subsection shall be entitled to apply for or retain a license tag issued under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license plate or tag under this subsection for as long as the spouse remains unmarried. In addition, if a deceased person who was eligible to be issued a license plate or tag under this subsection did not apply for or was not issued a license plate or tag, the surviving spouse of such deceased person shall be entitled to apply for and be issued a license plate or tag under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license tag or plate under this subsection for as long as the spouse remains unmarried. At the time of application or renewal registration, a surviving spouse who desires to retain a distinctive plate or tag issued under this subsection shall file with the county tax collector a sworn statement that the spouse is unmarried. Any such vehicle or motorcycle when so registered shall be exempt from all ad valorem and privilege taxes.

(2) Any person who is entitled to obtain license tags under subsection (1) of this section may be issued one (1) additional such license tag for any other vehicle registered in his or her name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as otherwise prescribed by law for the particular vehicle.

(3) The Department of Revenue is directed to furnish each veteran obtaining a license tag under this section an emblem, which the veteran shall attach securely to the tag, showing that the tag was issued to a disabled American veteran.

(4) A license issued under this section shall not be transferable to any other person.

(5) Any person evading or violating any of the provisions of this section, or attempting to secure benefits under this section to which he is not entitled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand

Dollars (\$1,000.00) or imprisoned in the county jail for not less than ninety (90) days, or both.

(6) From and after July 1, 2022, the special tag authorized under this section shall bear the name and emblem of each branch of the United States Armed Forces.

SECTION 11. Section 27-19-56.93, Mississippi Code of 1972, is amended as follows:

27-19-56.93. (1) Any owner of a motor vehicle, who is a resident of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in subsection (3) of this section, shall be issued a special breast cancer awareness license tag for each motor vehicle registered in his name. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the \* \* \* Susan G. Komen Breast Cancer Foundation, may prescribe, and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2004, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to the \* \* \* Mississippi Breast and Cervical Cancer Early Detection Program.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed proportionately in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 12. Section 27-19-56.292, Mississippi Code of 1972, is amended as follows:

27-19-56.292. (1) Any owner of a motor vehicle or motorcycle, or both, who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle or motorcycle, or both, registered in his name identifying such person as a supporter of the Mississippi Law Enforcement Officers' Association. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Law Enforcement Officers' Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2012, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's or motorcycle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Law Enforcement Officers' Association.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 13. Section 27-19-56.314, Mississippi Code of 1972, is amended as follows:

27-19-56.314. (1) Beginning with any registration year commencing on or after July 1, \* \* \* 2022, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the MIND Center at the University of Mississippi Medical Center. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the MIND Center at the University of Mississippi Medical Center, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag

applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to a special fund hereby created in the State Treasury to the credit of the MIND Center at the University of Mississippi Medical Center. The fund shall be available for expenditure at the discretion of the University of Mississippi Medical Center for the benefit of the MIND Center.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2025.

SECTION 14. Section 27-19-56.342, Mississippi Code of 1972, is amended as follows:

27-19-56.342. (1) Beginning with any registration year commencing on or after July 1, 2022, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other

noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Callaway High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Principal of Callaway High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Callaway High School for support of the school's athletics program.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be

Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2025.

SECTION 15. Section 27-19-56.365, Mississippi Code of 1972, is amended as follows:

27-19-56.365. (1) Beginning with any registration year commencing on or after July 1, 2022, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Jim Hill High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Principal of Jim Hill High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Jim Hill High School.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway

Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2025.

SECTION 16. Section 27-19-56.373, Mississippi Code of 1972, is amended as follows:

27-19-56.373. (1) Beginning with any registration year commencing on or after July 1, 2022, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Meridian High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Principal of Meridian High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Meridian High School.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2025.

SECTION 17. Section 27-19-56.402, Mississippi Code of 1972, is amended as follows:

27-19-56.402. (1) Beginning with any registration year commencing on or after July 1, 2022, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Children's Advocacy Centers of Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Children's Advocacy Centers of Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The

application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Children's Advocacy Centers of Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2025.

SECTION 18. Section 27-19-56.442, Mississippi Code of 1972, is reenacted and amended as follows:

27-19-56.442. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Memphis Grizzlies professional basketball team. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the National Basketball Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2017, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of \* \* \* Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) \* \* \* Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to \* \* \* St. Jude Children's Research Hospital in Memphis, Tennessee.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this

section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \*\*\* 2025.

SECTION 19. Section 27-19-56.486, Mississippi Code of 1972, is amended as follows:

27-19-56.486. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Book Festival. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Book Festival, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2019, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Book Festival.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2025.

SECTION 20. Section 27-19-56.524, Mississippi Code of 1972, is amended as follows:

27-19-56.524. (1) (a) In recognition of the patriotic service rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces, any such person is privileged to obtain distinctive motor vehicle license plates or tags for each motor vehicle registered in his name identifying his status as a veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (1) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.12 before July 8, 2020, may renew the plate under this subsection (1) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (1). However, the person shall not be required to provide the written evidence

required in paragraph (c) of this subsection (1). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in this subsection (1).

(c) An applicant for such distinctive plates shall present to the issuing official written evidence of the veteran's service. Such evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, \* \* \* a written certification of military service from the Mississippi Veterans Affairs, or a valid license or permit issued under Section 63-1-35 and which identifies the person as a veteran. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private passenger vehicle (to include station wagons, recreational motor vehicles and pickup trucks) registered in the name, or jointly in the name, of the person making application therefor, and when issued to such person shall be used upon the vehicle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle.

(d) The distinctive license plates shall not be transferable between motor vehicle owners; and in the event the owner of a vehicle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the vehicle, such plate shall be retained by such owner and returned to the tax collector.

(2) (a) (i) In recognition of the patriotic services rendered by Mississippians who are recipients of the Bronze Star, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (2), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his name identifying him as a recipient of the Bronze Star.

(ii) A person who is privileged to obtain a distinctive motor vehicle license plate or tag identifying such person as a recipient of the Bronze Star and who is eligible to obtain a special license plate under Section 27-19-56 is privileged to obtain one (1) distinctive motor vehicle license plate or tag bearing the International Symbol of Access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the disabled and identifying such person as a recipient of the Bronze Star.

(iii) Except as otherwise provided in subparagraph (ii) of this paragraph (a), the tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Bronze Star; however, if the person is applying for a distinctive tag pursuant to paragraph (a)(ii) of this subsection (2), the applicant shall also meet the requirements of Section 27-19-56. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (2) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (2), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's

established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (2) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.62 before July 8, 2020, may renew the plate or tag under this subsection (2) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (2). The person shall not be required to provide the written proof required in paragraph (b) of this subsection (2); however, if the person is applying for renewal of a distinctive tag described in paragraph (a)(ii) of this subsection (2), the applicant shall also meet the requirements of Section 27-19-56. The additional fee collected from the renewal of such a distinctive plate or tag shall be distributed in the manner provided in paragraph (d) of this subsection (1).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (2) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (2) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (2). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (2). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (2), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (2), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (2).

(3) (a) In recognition of the patriotic service rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces during the

Vietnam Conflict and were awarded a Vietnam Service Ribbon, any such person is privileged to obtain distinctive motor vehicle license plates or tags for each motor vehicle registered in his name identifying his status as a Vietnam veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (3) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.85 before July 8, 2020, may renew the plate or tag under this subsection (3) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (3). However, the person shall not be required to provide the written evidence required in paragraph (c) of this subsection (3). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in subparagraph (i) of this paragraph (b).

(c) An applicant for such distinctive plates shall present to the issuing official written evidence of the veteran's service. Such evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, or a written certification of military service from the Mississippi Veterans Affairs. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private passenger vehicle (to include station wagons, recreational motor vehicles and pickup trucks) registered in the name, or jointly in the name, of the person making application therefor, and when issued to such person shall be used upon the vehicle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle.

(d) The distinctive license plates shall not be transferable between motor vehicle owners; and in the event the owner of a vehicle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the vehicle, such plate shall be retained by such owner and returned to the tax collector.

(4) (a) In recognition of the patriotic service rendered by Mississippians who are veterans of the United States Armed Forces, beginning with any registration year commencing on or after July 1, 2020, any such person is privileged to obtain distinctive motorcycle license plates or tags for each motorcycle registered in his name identifying his status as a veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (4) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The

Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veteran homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.125 before July 8, 2020, may renew the plate or tag under this subsection (4) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (4). However, the person shall not be required to provide the written proof required in paragraph (c) of this subsection (4). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in subparagraph (i) of this paragraph (b).

(c) An applicant for the distinctive plates shall present to the issuing official written evidence of the veteran's service. The evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, a written certification of military service from the Mississippi Veterans Affairs \* \* \* a valid military identification card, or a valid license or permit issued under Section 63-1-35 and which identifies the person as a veteran; however, a distinctive license plate or tag shall not be issued under this subsection (4) to any person who was dishonorably discharged from the United States Armed Forces. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private motorcycle registered in the name, or jointly in the name, of the person making the application, and when issued to the person shall be used upon the motorcycle for which issued in lieu of the standard license plate or license tag normally issued for the motorcycle.

(d) The distinctive license plates shall not be transferable between motorcycle owners; and in the event the owner of a motorcycle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the motorcycle, the plate shall be retained by the owner and returned to the tax collector.

(5) (a) There shall be issued beginning July 1, 2020, special motor vehicle license tags honoring the family members of service members who have died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war. The license tag shall be officially designated as the Gold Star license plate.

(b) Except as otherwise provided in this subsection (5), any owner of a motor vehicle who is a resident of this state and a family member of a service member who has died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in paragraph (e) of this subsection (5), shall be issued a Gold Star license tag for any motor vehicle registered in his name. The distinctive license tag shall be of such color and design as the Department of Revenue, with the advice of supporters of this license tag, may prescribe; however, the license tag shall bear in a conspicuous place a gold star with blue fringe on a white background with a red border that is the symbol for a fallen service member and shall have the words "Gold Star Family" and the branch of the United States Armed Forces in which the family member served displayed on it.

(c) One (1) Gold Star license tag issued to the mother of the service member who died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war after September 11, 2001, and one (1) Gold Star license tag issued to the unremarried spouse of the service member who died while serving on active duty in the Armed Forces of the United States while the

United States was engaged in hostile activities or a time of war after September 11, 2001, shall be exempt from ad valorem taxes, privilege taxes and all other taxes and fees.

(d) Application for the distinctive license tags authorized by this subsection (5) shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (5) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(e) (i) Except as otherwise provided in this subsection (5), beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (5) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (5), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (5) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.162 before July 8, 2020, may renew the tag under this subsection (5) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (5). However, the person shall not be required to provide the documentation and proof required in paragraph (i) of this subsection (5). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (f) of this subsection (1).

(f) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this subsection (5) from the issuance or renewal of the distinctive license tags issued or renewed under this subsection (5). The State Treasurer shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(g) A Gold Star license tag issued pursuant to this subsection (5) may be personalized in the manner provided for in Section 27-19-48 upon payment of the additional fee prescribed in that section.

(h) In order to qualify as a family member, the person must be directly related to the fallen service member as their unremarried spouse, child, stepchild, legal mother or father, sibling related by blood or legal adoption, step-sibling, grandparent, grandchild, aunt, uncle or stepparent who is currently married to the mother or father of the fallen service member.

(i) Whether a service member is deemed to have died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war shall be determined by the classification of death as listed by the United States Department of Defense and may be verified from documentation directly from the Department of Defense or from its subordinate agencies such as the Coast Guard, Reserve or National Guard. A classification of having died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war by the Department of Defense shall be prima facie evidence that the service member died in such manner. Documentation of the fact that the service member died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war and proof of relationship to the service member shall be required by the county tax collector before issuing a Gold Star license plate. The county tax collector may waive the documentation if he or she has actual knowledge of the family relationship and that the service member died while serving on active duty in the Armed Forces of the United States while the United States was involved in hostile activities or a time of war.

(j) The Gold Star license plate shall be issued only to family members of service members that resided in Mississippi at the time of the death of the service member.

(k) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (5). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (5). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (5), which will expire the same month and year as the regular license tag.

(l) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (5), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (5).

(6) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Southwest Asia Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Armed Forces Expeditionary Medal or the Inherent Resolve Campaign Medal for service in, or in support of operations in, Iraq, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (6), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as an Iraq veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the

Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Southwest Asia Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Armed Forces Expeditionary Medal or the Inherent Resolve Campaign Medal for service in, or in support of operations in, Iraq. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (6) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (6), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (6) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.186 before July 8, 2020, may renew the plate or tag under this subsection (6) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (6). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (6). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (6).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (6) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (6) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (6). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (6). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (6), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (6), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (6).

(7) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Southwest Asia Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal or the Armed Forces Expeditionary Medal for service in, or in support of operations in, Afghanistan, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (7), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as an Afghanistan veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Southwest Asia Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal or the Armed Forces Expeditionary Medal for service in, or in support of operations in, Afghanistan. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (7) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (7), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (7) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.187 before July 8, 2020, may renew the tag under this subsection (7) in the manner provided for the issuance and renewal of a distinctive tag under this subsection (2). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (7). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (7).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (7) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (7) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (7). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (7). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (7), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (7), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (7).

(8) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Navy and Marine Corps Medal, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (8), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his name identifying him as a recipient of the Navy and Marine Corps Medal. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Navy and Marine Corps Medal. The application and the additional

fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (8), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (8) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.199 before July 8, 2020, may renew the tag under this subsection (8) in the manner provided for the issuance and renewal of a distinctive tag under this subsection (8). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (8). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (8).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (8) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (8) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (8). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (8). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (8), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (8), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such

application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (8).

(9) (a) In recognition of the patriotic services rendered by Mississippians who served in combat in the United States Armed Forces, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (9), any such person shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as a combat veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall develop decals to be affixed to the license tag indicating the type of military service.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant served in combat in the United States Armed Forces. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (9) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (9), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (9) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.450 before July 8, 2020, may renew the plate or tag under this subsection (9) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (9). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (9). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (9).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (9) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (9) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (9). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (9). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (9), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (9), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (9).

(10) (a) In recognition of the patriotic services rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces in Operation Desert Storm or Operation Desert Shield, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (10), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as a veteran of Operation Desert Storm or Operation Desert Shield. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is an honorably discharged veteran who served in the United States Armed Forces in Operation Desert Storm or Operation Desert Shield. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this subsection (10) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (10), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the

vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (10) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (10) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (10) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (10). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (10). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (10), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (10), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (10).

(11) (a) In recognition of the patriotic services rendered by Mississippians who are honorably discharged female veterans who served in the United States Armed Forces, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (11), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in her name identifying her as a female veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. An applicant for such distinctive license tag shall present to the issuing official written evidence of the veteran's service. Such evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, or a written certification of military service from the Mississippi Veterans Affairs. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this subsection (11) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (11), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (11) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, she must surrender it to the local county tax collector.

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (11) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (11) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (11) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (11) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (11) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (11). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (11). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (11), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (11), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector

receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (11).

SECTION 21. Section 27-19-56.3, Mississippi Code of 1972, is amended as follows:

27-19-56.3. (1) (a) Any owner of a motor vehicle who is an elected member of the Mississippi House of Representatives or Mississippi Senate, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name. Each distinctive license tag issued under this section shall have displayed thereon the Great Seal of the State of Mississippi and the word "HOUSE" or "SENATE," as appropriate, and, in addition thereto, such numbers or letters, or both, as may be necessary to distinguish each license tag. The State Tax Commission shall determine the color and design of each distinctive license tag issued under this section and whether or not a county name shall be required to be displayed on the tag.

(b) Any owner of a motor vehicle who served at least two (2) complete four (4) year terms as an elected member of the Mississippi House of Representatives or Mississippi Senate, and who is receiving retirement compensation under the Public Employees' Retirement System created under Section 25-11-101, and/or the Supplemental Legislative Retirement Plan created under Section 25-11-301, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name. Each distinctive license tag issued under this section shall have displayed thereon the Great Seal of the State of Mississippi and the word "RETIRED HOUSE" or "RETIRED SENATE," as appropriate, and, in addition thereto, such numbers or letters, or both, as may be necessary to distinguish each license tag. The State Tax Commission shall determine the color and design of each distinctive license tag issued under this section and whether or not a county name shall be required to be displayed on the tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the State Tax Commission. The application and the additional fee imposed under subsection (3) of this section, less three percent (3%) thereof to be retained by the tax collector, shall be remitted to the State Tax Commission on a monthly basis as prescribed by the commission. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrent with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, or if the owner retires or resigns from or otherwise vacates his membership in the Legislature, he must surrender the tag to the local county tax collector.

(4) The State Tax Commission shall deposit all fees collected under this section into the State Treasury on the day collected. At the end of each month, the State Tax Commission shall certify to the State Treasurer the total fees collected under this section from the issuance of distinctive license tags. The State Treasurer shall distribute an amount equal to Seven Dollars (\$7.00) of the additional fees collected for each such distinctive license tag issued under this section to the State General Fund, and the remainder of such additional fees collected shall be distributed by the State Treasurer to the credit of the special fund created in Section 7-9-70.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In addition to any other provisions of this section, any person eligible for a distinctive license tag under this section may, regardless of whether the person obtains such a license tag, obtain a replica tag of the distinctive license tag authorized in this section. A replica tag may not be displayed on any motor vehicle and may not be used for any motor vehicle license tag purpose. A person may obtain a replica tag from the Department of Revenue and the additional fee for the tag shall be the cost of the replica tag and any applicable shipping or delivery charge or other related charge incurred by the department.

SECTION 22. Section 27-19-48, Mississippi Code of 1972, is amended as follows:

27-19-48. (1) (a) Owners of motor vehicles and noncommercial trailers who are residents of this state, upon complying with the laws relating to registration and licensing of motor vehicles and trailers, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks, other noncommercial motor vehicles and trailers, and upon payment of an additional fee in the amount provided in subsection (4)(a) of this section, shall be issued a personalized license tag of the same color as regular license tags to consist of the name of the county and not more than seven (7) letters of the alphabet or seven (7) numbers in lieu of the license tag numbering system prescribed by law. The purchaser of the personalized license tag may choose the combination of such letters or numbers, but no two (2) motor vehicles or trailers shall have the same combination of letters or numbers. In the event that the same combination of letters has been chosen by two (2) or more purchasers, the Department of Revenue shall assign a different number to each such purchaser which shall appear on the license tag following the combination of letters; however, this combination shall not exceed seven (7) letters and/or numbers. The combination of letters and/or numbers written across the license tag shall be sufficiently large to be easily read but shall not be less than three (3) inches in height. No combination of letters or numbers which comprise words or expressions that are considered obscene, slandering, insulting or vulgar in ordinary usage shall be permitted, with the Commissioner of Revenue having the responsibility of making this determination. If, however, such license plate is issued in error or otherwise and is determined by the commissioner to be obscene, slanderous, insulting, vulgar or offensive, the commissioner shall notify the owner that the license plate must be surrendered and that another personalized license plate may be selected by him and issued at no cost.

(b) As an alternative to the personalized license tag being of the same color as regular license tags, an owner of a motor vehicle or noncommercial trailer may choose a personalized tag with a black background and a white pinstripe border. "Mississippi" shall be printed at the top, and the name of the county shall be printed at the bottom. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue within seven (7) days of the date the application is made. In all other respects, and except for the amount and distribution of the additional fee in subsection (4) of this section, tags issued under this paragraph (b) shall follow the guidelines for tags issued under paragraph (a) of this subsection.

(c) Should the vehicle or trailer owner not desire another personalized license plate, the fee for such plate shall be refunded. In the event the owner fails to surrender the license plate after receiving proper notification, the commissioner shall issue an order directing that the license plate be seized by agents of the Department of Revenue or any other duly authorized law enforcement personnel.

(2) For the purposes of this section the terms "motor vehicle" and "vehicle" include motorcycles.

(3) Application for the personalized license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application form shall contain space for the applicant to make five (5) different choices for the combination of the letters and numbers in the order in which the combination is desired by the applicant. The application and the additional fee, less five percent (5%) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue within seven (7) days of the date the application is made. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) (a) Beginning with any registration year commencing on or after November 1, 1986, any person applying for a personalized license tag shall pay an additional fee which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's or trailer's established license tag year. The additional fee of Thirty Dollars (\$30.00) or, for alternative tags issued under subsection (1)(b) of this section, Fifty Dollars (\$50.00) is due and payable at the time the original application is made for a personalized tag and thereafter annually at the time of renewal registration as long as the owner retains the personalized tag. If the owner does not wish to retain the personalized tag, he must surrender it to the local county tax collector. The additional fee due at the time of renewal registration shall be collected by the county tax collector and remitted to the Department of Revenue on a monthly basis as prescribed by the department.

(b) The Department of Revenue shall deposit all taxes and fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute the fees as follows:

(i) For tags issued under subsection (1)(a) of this section, Sixteen Dollars and Twenty-five Cents (\$16.25) of each additional fee shall be deposited to the credit of the State General Fund, and the remainder of each such additional fee shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(ii) For alternative tags issued under subsection (1)(b) of this section, Thirty-six Dollars and Twenty-five Cents (\$36.25) of each additional fee shall be deposited to the credit of the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund established in Section 45-2-1 and the remainder of each such additional fee shall be

deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(5) A regular license tag must be properly displayed as required by law until replaced by a personalized license tag; and the regular license tag must be surrendered to the tax collector upon issuance of the personalized license tag. The tax collector shall issue up to two (2) license decals for the personalized license tag, which will expire the same month and year as the original license tag.

(6) The applicant shall receive a refund of the fee paid for a personalized license tag if the personalized license tag is not issued to him because the combination of letters and numbers requested to be placed thereon is not available for any reason.

(7) In the case of loss or theft of a personalized license tag, the owner may make application and affidavit for a replacement license tag as provided by Section 27-19-37. The fee for a replacement personalized license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular license tags.

(8) The owner of a personalized license tag may make application for a duplicate of such tag. The fee for such duplicate personalized license tag shall be Ten Dollars (\$10.00). The tax collector receiving the application shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such duplicate personalized license tag and the remainder shall be distributed in the same manner as funds from the sale of regular license tags. A duplicate personalized license tag may not be fastened to the rear of a vehicle or trailer and may not be utilized as a replacement for any personalized license tag issued pursuant to this section. Month decals and year decals shall not be issued for duplicate personalized license tags and month decals and year decals shall not be attached to duplicate personalized license tags.

SECTION 23. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI MAIN STREET ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GAUTIER ATHLETICS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE SOUTH JONES TOUCHDOWN CLUB; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF STARKVILLE ACADEMY ATHLETICS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE PRO-LIFE BILLBOARD INITIATIVE; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF LUNG CANCER AWARENESS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ASSOCIATION OF NURSE PRACTITIONERS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE SEABEE HISTORICAL FOUNDATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SAINT STANISLAUS COLLEGE IN BAY SAINT LOUIS, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF VANCLEAVE LIVE OAK CHOCTAW; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MORTON HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE

LICENSE TAGS TO SUPPORTERS OF THE FOREST MUNICIPAL SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF LAKE HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SCOTT CENTRAL ATTENDANCE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SEBASTOPOL ATTENDANCE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF EAST RANKIN ACADEMY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF HOUSTON HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MAGNOLIA HEIGHTS SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF REGENTS SCHOOL OF OXFORD; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GARDEN CLUBS OF MISSISSIPPI, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GIRL SCOUTS OF GREATER MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF BAPTIST HEALTH FOUNDATION, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GREENE COUNTY WILDCATS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI DISC GOLF; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS THAT DISPLAY THE EMBLEMS OF UNIVERSITIES LOCATED IN OTHER STATES; TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 192, 2022 REGULAR SESSION, TO ADD THE NAME AND EMBLEM OF EACH BRANCH OF THE UNITED STATES ARMED FORCES TO THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.93, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF FEES COLLECTED FROM THE ISSUANCE OF BREAST CANCER AWARENESS DISTINCTIVE MOTOR VEHICLE LICENSE TAGS; TO AMEND SECTION 27-19-56.292, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' ASSOCIATION, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO SUCH PERSONS; TO AMEND SECTION 27-19-56.314, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MIND CENTER AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO AMEND SECTION 27-19-56.342, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CALLAWAY HIGH SCHOOL; TO AMEND SECTION 27-19-56.365, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JIM HILL HIGH SCHOOL; TO AMEND SECTION 27-19-56.373, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MERIDIAN HIGH SCHOOL; TO AMEND SECTION 27-19-56.402, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CHILDREN'S ADVOCACY CENTERS OF MISSISSIPPI; TO AMEND SECTION 27-19-56.442, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MEMPHIS GRIZZLIES, TO LOWER THE ADDITIONAL FEE FOR THE TAGS FROM \$50.00 TO \$30.00, AND TO DESIGNATE THE PROCEEDS FOR ST. JUDE CHILDREN'S RESEARCH HOSPITAL IN MEMPHIS, TENNESSEE; TO AMEND SECTION 27-19-56.486, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS

TO SUPPORTERS OF THE MISSISSIPPI BOOK FESTIVAL; TO AMEND SECTION 27-19-56.524, MISSISSIPPI CODE OF 1972, TO REVISE THE TYPE OF EVIDENCE THAT A PERSON MAY PRESENT WHEN APPLYING FOR A DISTINCTIVE MOTOR VEHICLE OR MOTORCYCLE LICENSE PLATE OR TAG IDENTIFYING THE PERSON AS A VETERAN; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED FEMALE VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES IDENTIFYING THEM AS FEMALE VETERANS; TO AMEND SECTION 27-19-56.3, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS AND CERTAIN FORMER MEMBERS OF THE LEGISLATURE, TO AUTHORIZE THE ISSUANCE OF A REPLICIA OF SUCH DISTINCTIVE MOTOR VEHICLE LICENSE TAG TO SUCH PERSONS; TO AMEND SECTION 27-19-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, AS AN ALTERNATIVE TO A PERSONALIZED LICENSE TAG BEING OF THE SAME COLOR AS REGULAR LICENSE TAGS, AN OWNER OF A MOTOR VEHICLE OR NONCOMMERCIAL TRAILER MAY CHOOSE A PERSONALIZED TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Steve Massengill

Mike Thompson

Henry Zuber III

Joseph Thomas

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 446** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1163** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1163: Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1 with the following exception(s):

AMEND on line 429 by deleting the following:

, and shall stand repealed on June 30, 2022

2. That the Senate concur in the above exception(s).

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Mike Thompson

Joel R.Carter, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1163** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Jordan, Kirby, McLendon, McMahan, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--35.

Nays--Branning, Chism, DeBar, Hill, McCaughn, McDaniel, Seymour, Sojourner, Suber, Tate. Total--10.

Absent and those not voting---None.

Voting Present--Blackwell, Boyd, Fillingane, Johnson, Michel, Moran, Whaley. Total--7.

Senator McMahan offered the following report of the Conference Committee on **H. B. No. 1747** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1747: City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following terms have the meanings ascribed to them in this section unless the context clearly indicates otherwise:

(a) "City" means the City of Clinton, Mississippi.

(b) "Governing authorities" means the governing authorities of the City of Clinton, Mississippi.

(c) "Prepared food" means food prepared on the premises of a restaurant.

(d) "Restaurant" means all places within the corporate limits of the city where prepared food and beverages are sold for consumption, whether such food is consumed on the premises or not. The term "restaurant" does not include any school; hospital; convalescent or nursing home; and restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients, visitors or their families.

SECTION 2. (1) For the purpose of providing funds to promote tourism and parks and recreation within the city, the governing authorities of the City of Clinton, Mississippi, in their discretion, may levy, assess and collect a tax from persons, firms or corporations specified in this subsection, a tax, which shall be in addition to all other taxes or assessments imposed. The tax shall be imposed upon every person, firm or corporation operating a restaurant in the City of Clinton, Mississippi, where prepared food and drink is sold to the public, at a rate not to exceed two percent (2%) of the gross proceeds of the sales of such restaurant or business.

(2) Persons, firms, corporations or other entities liable for the tax imposed under subsection (1) of this section shall add the amount of the tax to the sales price of the food and beverages and shall collect, insofar as practicable, the amount of the tax due from the person purchasing the food or beverages at the time of payment therefor.

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of the intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX" and the voters shall vote by placing a cross (X) or check () opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. (1) On or before the fifteenth day of the month preceding the date on which the city will begin to levy the tax authorized under Section 2 of this act, the governing authorities shall give written notification to the Commissioner of Revenue of the date on which the tax will become effective.

(2) The tax must be collected by and paid to the Department of Revenue in the same manner that state sales taxes are computed, collected and paid, and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, will apply as necessary for the implementation of this act.

(3) Except for any amount retained by the Department of Revenue under Section 27-3-58, Mississippi Code of 1972, the revenue from the special tax collected under this act must be paid to the city on or before the fifteenth day of the month following the month in which collected.

(4) Accounting for receipts and expenditures of the revenue from the tax shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the city. The records reflecting the receipts and expenditures of the revenue from the tax shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his or her audit to the governing authorities. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the funds derived pursuant to this act.

(5) The proceeds of the tax may not be considered by the city as general fund revenues but must be placed into a special fund apart from the city general fund and any other funds and expended by the city strictly for the purposes prescribed under Section 2 of this act.

SECTION 5. This act shall be repealed from and after July 1, 2026.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Manly Barton	Chad McMahan
Karl Gibbs	Neil S. Whaley
Jody Steverson	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1747** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2120** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2120: Department of Public Safety; revise salaries of officers.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

[Until July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in \* \* \* any other division of the Department of Public Safety, and the sworn law enforcement officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

\* \* \*

Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
Trooper	* * *40,314	
Trooper FC		* * *43,497
Corporal	* * *46,680	
Sergeant		* * *49,862
Rank	Years of Experience	

	Over 16 Over 24	Over 20 Over 29
Staff Sgt.	** *53,045	
Sr. Staff Sgt.		** *56,228
Sgt. 1st Class	** *59,410 ***	
	62,593	
Rank	Years of Experience	
	Over 5 Over 20	Over 10 Over 25
	Over 15 Over 29	
Master Sgt.	*** ** * * * * * * * * * * * * * * *	
	56,228 65,776	59,410 68,959
		62,593 72,141
Lieutenant	*** ** * * * * * * * * * * * * * * *	
	65,776 75,324	68,959 78,507
		72,141 81,689
Captain	*** ** * * * * * * * * * * * * * * *	
	84,872	78,507 88,055
		81,689 91,237
Major	*** ** * * * * * * * * * * * * * * *	
	94,420	97,603
		91,237 100,786
Lt. Colonel	*** ** * * * * * * * * * * * * * * *	
	103,968	107,151
		100,786 110,334
Colonel	*** ** * * * * * * * * * * * * * * *	
	118,821	118,821 118,821 118,821

Department of Public Safety/MS Bureau of Narcotics

Sworn Officers Salary Schedule

\*\*\*

Rank	Years of Experience	
	Less than 4 Over 8	Over 4 Over 12
LE-Agent I	** *40,314	

LE-Agent II \* \* \*43,497

LE-Agent III \* \* \*46,680

LE-Agent IV \* \* \*49,862

Rank	Years of Experience			
	Over 16		Over 20	
	Over 24		Over 29	

LE-Agent V \* \* \*53,045

LE-Agent VI \* \* \*56,228

Rank	Years of Experience					
	Over 7	Over 12	Over 17	Over 22	Over 27	Over 32

Lieutenant	* * *	* * *	* * *	* * *	* * *	* * *
	65,776		68,959		72,141	
	75,324		78,507		81,689	

Captain		* * *	* * *	* * *	* * *	* * *
	84,872		78,507		81,689	
			88,055		91,237	

Major			* * *	* * *	* * *	* * *
	94,420				91,237	
			97,603		100,786	

Lt. Colonel			* * *	* * *	* * *	* * *
	103,968				100,786	
			107,151		110,334	

Colonel			* * *	* * *	* * *	* * *
	118,821				118,821	
			118,821		118,821	

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of \* \* \* fiscal year 2022. All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid for any months beginning on or after January 1, 2022, for which they did not receive a salary as prescribed in this section.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector DPS-Highway Patrol Officer VII DPS-Investigator I DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer DPS-Dir. Corr. Intelligence DPS-Dist. Executive Officer DPS-Regional Supv. Driver. Serv. DPS-Branch Director LE-Dir/Training LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)
(j) Major	DPS-Bureau Director II
(k) Lt. Colonel	DPS-Deputy Administrator; DPS-Chief of Staff
(l) Colonel/Chief of Patrol	Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I LE-Agent II LE-Agent III LE-Agent IV LE-Agent V LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II Office Director I
(e) Lt. Colonel	BN-Deputy Administrator
(f) Colonel	Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

[From and after July 1, 2022, this section shall read as follows:]

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in \* \* \* any other division of the Department of Public Safety, and the sworn law enforcement officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

\* \* \*

Rank		Years of Experience	
	Less than 4 Over 8	Over Over 12	4

Trooper	***46,950		
Trooper FC		***49,700	
Corporal	***52,450		
Sergeant		***55,200	

Rank		Years of Experience	
	Over 16 Over 24	Over Over 29	20

Staff Sgt.	***57,950		
Sr. Staff Sgt.		***60,700	
Sgt. 1st Class	***63,700 ***		
	66,800		

Rank		Years of Experience		
	Over 5 Over 20	Over 10 Over 25	Over 29	15

Master Sgt.	*** *** ***	*** *** ***		
	60,700 68,950	63,450 71,700	66,200 74,450	
Lieutenant	*** *** ***	*** *** ***		
	69,750 78,000	72,500 80,750	75,250 83,750	
Captain	*** ***	*** ***	***	
	88,000	82,000 91,000	85,000 94,000	
Major	*** *** ***	***		
	97,000	100,000	94,000 103,000	
Lt. Colonel	*** *** ***	***		
	106,000	109,000	103,000 112,000	



Colonel

\*\*\* \*\*

		119,500
119,500	119,500	119,800

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. Notwithstanding any other provision of law to the contrary, any rank of any sworn officer not based upon a merit based promotion or years of experience shall be at the will and pleasure of the appointing authority as approved by the State Personnel Board. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I
	LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II
	LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III
	LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV
	LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI
	Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector
	DPS-Highway Patrol Officer VII
	DPS-Investigator I
	DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer
	DPS-Dir. Corr. Intelligence
	DPS-Dist. Executive Officer
	DPS-Regional Supv. Driver. Serv.
	DPS-Branch Director

LE-Dir/Training

LE-Dist. Investigator

- (i) Captain                   DPS-Staff Officer (MHP)
- (j) Major                    DPS-Bureau Director II
- (k) Lt. Colonel            DPS-Deputy Administrator;  
                                  DPS-Chief of Staff
- (l) Colonel/Chief of Patrol Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

- | Rank            | Job Classes   |
|-----------------|---|
| (a) Agents      | LE-Agent I<br>LE-Agent II<br>LE-Agent III<br>LE-Agent IV<br>LE-Agent V<br>LE-Agent VI |
| (b) Lieutenant  | BN-District Investigator (LT)   |
| (c) Captain     | BN-District Commander   |
| (d) Major       | BN-Bureau Director II<br>Office Director I  |
| (e) Lt. Colonel | BN-Deputy Administrator   |
| (f) Colonel     | Director, Bureau of Narcotics   |

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

(7) The Commissioner of Public Safety, with approval by the State Personnel Board, is authorized to set the salaries equitably of sworn law enforcement officers assigned to the Commercial Transportation Enforcement Division and Capitol Police based upon the pay scale contained in this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Kevin Blackwell	Karl Oliver
Mike Thompson	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2120** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 2120**:

Unanimous Consent of the Senate is requested to make the following change to the Conference Report for Senate Bill No. 2120:

Amend on line 212 by changing the figure "119,800" to "119,500"

This is simply a typographical error in the Conference Report for Senate Bill No. 2120.

Briggs Hopson, Chairman  
Senate Appropriations Committee

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Butler A. (36th), Caughman, Chism, Horhn, Jackson (11th), Jordan, McCaughn, Moran, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas and Younger as co-authors of **S. B. No. 2120**.

Senator Parker offered the following report of the Conference Committee on **H. B. No. 1006** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1006: Community and Junior College Nursing Supplemental Funding Program; establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The provisions of this act shall be known and may be cited as the "American Rescue Plan Act (ARPA) Workforce Development and Retention Act." Under this act, the Legislature creates the Accelerate Mississippi Workforce Development Program and the Mississippi Health Sciences Training Infrastructure Grant Program.

SECTION 2. (1) The Mississippi Legislature finds the following:

(a) The public health crisis related to COVID-19 resulted in a general disruption in the Mississippi economy and workforce, particularly in the healthcare industry;

(b) Workforce shortages exist in a number of high-wage, high-demand Mississippi industries, including, but not limited to, the field of nursing; and

(c) The availability of unprecedented federal funding to mitigate the impact of COVID-19 on the workforce and economy has created a unique opportunity for the Office of Workforce Development, working with community colleges, institutions of higher learning, employers, and others, to provide education and training for Mississippians seeking employment in healthcare and other fields.

(2) Therefore, the intent of the Mississippi Legislature is:

(a) To provide funding for outreach and other efforts to connect citizens seeking employment in nursing and other high-wage, high-demand fields with the education and training required to obtain necessary skills for relevant employment in the state;

(b) To provide funding for new and increased capacity in new and existing relevant workforce development and training programs, particularly programs related to nursing and healthcare, to include any required equipment or supplies, at community and junior colleges and institutions of higher learning across the state; and

(c) To gauge the effectiveness of these programs by gathering data related to participation and wage and employment outcomes in order to replicate successful efforts in future workforce development programs.

SECTION 3. As used in this act, the following words have the meanings ascribed unless the context requires otherwise:

(a) "ARPA" means the federal American Rescue Plan Act of 2021 (Public Law No. 117-2).

(b) "COVID-19" means the Coronavirus Disease 2019.

(c) "Federal COVID-19 Relief Funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of ARPA.

(d) "Grant program" means the workforce development and training programs administered under this act using federal COVID-19 relief funds.

(e) "Office" means the Office of Workforce Development established in Section 37-153-7.

SECTION 4. (1) There is established the Accelerate Mississippi Workforce Development Program, which shall be directed by the office for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries in the state, including, but not limited to, the nursing and healthcare fields, which were impacted by the disruption to the economy and workforce caused by COVID-19. This program shall be subject to the availability of funds appropriated by the Legislature using Coronavirus State Fiscal Recovery Funds made available under ARPA or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the meanings ascribed unless the context requires otherwise:

(a) "Recipient" means a community college, institution of higher learning, or trainee recipient of grant funding under this section.

(b) "Trainee" means an individual receiving training or other services through programs under this act with the goal of becoming employed in a high-wage, high-demand industry.

(c) "High-wage, high-demand industry" means those industries paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(d) "Eligible expenses" means a cost incurred by a recipient, pursuant to this act, to include:

(i) Necessary equipment or other supplies;

(ii) Curricula or other academic or training materials;

(iii) Remote learning or other classroom technology;

(iv) Stipends for teaching staff or faculty for workforce development programs;

(v) Trainee support, including tuition expenses and childcare or transportation assistance;

- (vi) Coaching or mentoring services;
- (vii) Job placement services;
- (viii) Apprenticeship programs; and
- (ix) Recruitment programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, including:

(i) A description of the high-wage, high-demand field or workforce shortage area the program is intended to address;

(ii) The number of trainees who will be served by the program; and

(iii) The average wage rate for trainees receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize high-wage, high-skill industries, including, but not limited to, nursing jobs or other jobs within the healthcare field; and

(d) Coordinate with the Department of Employment Security to share information to identify individuals who were furloughed, unemployed, underemployed or otherwise displaced due to COVID-19.

(7) The office may use a maximum of two percent (2%) of funds allocated for this act for the administration of the grant program, to the extent permissible under federal law.

SECTION 5. (1) There is established the Mississippi Health Sciences Training Infrastructure Grant Program, the purpose of which is to provide a reimbursable grant for primary care health sciences training infrastructure at any osteopathic medical school in Mississippi that is accredited by the Commission on Osteopathic College Accreditation (COCA) of the American Osteopathic Association (AOA). This program shall be subject to the availability of funds appropriated by the Legislature using Coronavirus State Fiscal Recovery Funds made available under ARPA or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the meanings ascribed unless the context requires otherwise:

(a) "Applicant" means any osteopathic medical school in Mississippi that is accredited by the Commission on Osteopathic College Accreditation (COCA) of the American Osteopathic Association (AOA).

(b) "Health sciences training infrastructure" means any infrastructure that is eligible under ARPA that assists with the training of health sciences students to increase their interest and encourage their pursuit of careers in primary care.

(3) On or before July 1, 2022, the office shall promulgate rules and regulations necessary to administer the Mississippi Health Sciences Training Infrastructure Grant Program prescribed under this section, including application procedures and deadlines. The Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, is authorized and directed to advise the office regarding all such rules and regulations.

(4) The office shall receive applications submitted by the applicants, which shall include, but not be limited to, the following:

(a) A detailed description and the cost of the health sciences training infrastructure requested;

(b) The number of students currently trained at the applicant's school that pursue graduate medical education in primary care;

(c) A certification that the health sciences training infrastructure meets the guidelines of ARPA and its implementing guidelines, guidance, rules, regulations and other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the department; and

(d) Any additional requirements set by the office.

(5) Applications shall be reviewed and scored by the office. The office shall certify that each application submitted is an allowable expense as defined in ARPA and all applicable guidance issued by the department. The Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, is authorized and directed to advise the office as to the estimated cost and eligibility of the projects. The office shall award the grants to the applicants based on what projects the office determines has the most significant impact on increasing student access to primary care training opportunities. A grant agreement shall be executed between the applicant and the office. All final awards will be determined at the discretion of the executive director of the office. Funds shall be made available to an applicant upon the execution of a grant agreement between the office and the approved applicants. The office shall provide these funds to the applicants on a reimbursable basis after receiving support for expenses and determining that they meet the grant award criteria.

(6) The applicant may be required to repay the State of Mississippi for any grant funds awarded not consistent with the guidelines of ARPA and its implementing

guidelines, guidance, rules, regulations and other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury, and all applicable guidance issued by the office.

SECTION 6. The office shall provide a comprehensive report on the use and effectiveness of funds distributed under the grant programs created in this act, to include, if applicable, wage data and employment outcomes for trainees, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairs of the Senate and House Appropriations Committees, Chair of the Senate Economic and Workforce Development Committee, and Chair of the House Workforce Development Committee by October 1 each year of the existence of the program. The report shall also contain, if applicable, the submitted applications, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, the status of the training infrastructure, the number of students currently trained at the applicant's school, and the estimated increase in the number of students to be trained at the applicant's school.

SECTION 7. This act shall stand repealed on July 1, 2026.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATION AND FOR THE GRANT AWARDS; TO ESTABLISH THE MISSISSIPPI HEALTH SCIENCES TRAINING INFRASTRUCTURE GRANT PROGRAM; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE STATE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	David Parker
Karl Oliver	Jeremy England
Jason White	Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1006** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2246** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2246: Search warrants; authorize issuance for sex offenses against children upon oral testimony.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 2.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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SECTION 1. (1) The provisions of this section shall only apply to search warrants issued in relation to computer crime investigations for sex offenses against children who are less than eighteen (18) years old involving a computer defined in Section 7-5-59(1)(a).

(2) If circumstances make it reasonable to dispense, in whole or in part, with a written affidavit, a judge who is authorized to issue search warrants may issue a warrant based upon sworn testimony communicated by telephone or other appropriate means, including facsimile transmission.

(3) The person who is requesting the warrant shall prepare a document to be known as a "duplicate original warrant" and shall read such duplicate original warrant verbatim to the issuing judge. The judge shall enter what is so read on a document to be known as the "original warrant." The issuing judge may direct that the warrant be modified.

(4) If the judge is satisfied that the circumstances are such as to make it reasonable to dispense with a written affidavit and the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony may be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

(5) When a telephone caller informs the judge that the purpose of the telephone call is to request a warrant, the judge shall immediately place under oath each person whose testimony forms a basis of the application and each person applying for the warrant. The judge shall record by electronic means or a voice recording device the call after the caller informs the judge that the purpose of the call is to request a warrant.

Following the call, the judge shall have the recording transcribed, shall certify the accuracy of the transcript and shall file a copy of the recording and transcript with the court.

(6) The contents of a warrant upon oral testimony shall be the same as the contents of a warrant upon affidavit.

(7) The person who executes the warrant shall enter the exact time of execution on the face of the duplicate original warrant.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Nick Bain
Tyler McCaughn	Noah Sanford
Mike Thompson	Shanda Yates

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2246** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2422** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2422: Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-9, Mississippi Code of 1972, is amended as follows:

31-7-9. (1) (a) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations governing the purchase by any agency of any commodity or commodities and establishing standards and specifications for a commodity or commodities and the maximum fair prices of a commodity or commodities, subject to the approval of the Public Procurement Review Board. It shall have the power to amend, add to or eliminate purchasing regulations. The adoption of, amendment, addition to or elimination of purchasing regulations shall be based upon a determination by the Office of Purchasing, Travel and Fleet Management with the approval of the Public Procurement Review Board, that such action is reasonable and practicable and advantageous to promote efficiency and economy in the purchase of commodities by the agencies of the state. Upon the adoption of any purchasing regulation, or an amendment, addition or elimination therein, copies of same shall be furnished to the State Auditor and to all agencies affected thereby. Thereafter, and except as otherwise may be provided in subsection (2) of this section, no agency of the state shall purchase any commodities covered by existing purchasing regulations unless such commodities be in conformity with the standards and specifications set forth in the purchasing regulations and unless the price thereof does not exceed the maximum fair price established by such purchasing regulations. The Office of Purchasing, Travel and Fleet Management shall furnish to any county or municipality or other local public agency of the state requesting same, copies of purchasing regulations adopted by the Office of Purchasing, Travel and Fleet Management and any amendments, changes or eliminations of same that may be made from time to time.

(b) The Office of Purchasing, Travel and Fleet Management may adopt purchasing regulations governing the use of credit cards, procurement cards and purchasing club membership cards to be used by state agencies, governing authorities of counties and municipalities, school districts and the Chickasawhay Natural Gas District. Use of the cards shall be in strict compliance with the regulations promulgated by the office. Any amounts due on the cards shall incur interest charges as set forth in Section 31-7-305 and shall not be considered debt.

(c) Pursuant to the provision of Section 37-61-33(3), the Office of Purchasing, Travel and Fleet Management of the Department of Finance and Administration is authorized to issue procurement cards or credentials for a digital solution to all public school district classroom teachers, full- or part-time gifted or special education teachers and other necessary direct support personnel at the beginning of the school year, but no later than August 1 of each year, for the purchase of instructional supplies using Educational Enhancement Funds. The cards will be issued in equal amounts per teacher determined by the total number of qualifying personnel and the then current state appropriation for classroom instructional supplies under the Education Enhancement Fund. All purchases shall be in accordance with state law and teachers are responsible for verification of capital asset requirements when pooling monies to purchase equipment. The cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year. All unexpended amounts will be carried forward, to be combined with the following year's instructional supply fund allocation, and reallocated for the following year. The Department of Finance and Administration is authorized to loan any start-up funds at the beginning of the school year to fund this procurement system for instructional supplies with loan repayment being made from sales tax receipts earmarked for the Education Enhancement Fund.

(d) In a sale of goods or services, the seller shall not impose a surcharge on a buyer who uses a state-issued credit card, procurement card, travel card, or fuel card. The Department of Finance and Administration shall have exclusive jurisdiction to enforce and adopt rules relating to this paragraph. Any rules adopted under this paragraph shall be consistent with federal laws and regulations governing credit card transactions described by this paragraph. This paragraph does not create a cause of action against an individual for a violation of this paragraph.

(2) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, purchasing regulations governing the purchase of unmarked vehicles to be used by the Bureau of Narcotics and Department of Public Safety in official investigations pursuant to Section 25-1-87. Such regulations shall ensure that purchases of such vehicles shall be at a fair price and shall take into consideration the peculiar needs of the Bureau of Narcotics and Department of Public Safety in undercover operations.

(3) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, regulations governing the certification process for certified purchasing offices, including the Mississippi Purchasing Certification Program, which shall be required of all purchasing agents at state agencies. Such regulations shall require entities desiring to be classified as certified purchasing offices to submit applications and applicable documents on an annual basis, and in the case of a state agency purchasing office, to have one hundred percent (100%) participation and completion by purchasing agents in the Mississippi Purchasing Certification Program, at which time the Office of Purchasing, Travel and Fleet Management may provide the governing entity with a certification valid for one (1) year from the date of issuance. The Office of Purchasing, Travel and Fleet Management shall set a fee in an amount that recovers its costs to administer the Mississippi Purchasing Certification Program, which shall be assessed to the participating state agencies.

(4) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations authorizing rural water associations to purchase at the state contract price afforded to agencies and governing authorities under this chapter.

SECTION 2. Section 37-61-33, Mississippi Code of 1972, is amended as follows:

37-61-33. (1) There is created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

(2) Of the amount deposited into the Education Enhancement Fund, Sixteen Million Dollars (\$16,000,000.00) shall be appropriated each fiscal year to the State Department of Education to be distributed to all school districts. Such money shall be distributed to all school districts in the proportion that the average daily attendance of each school district bears to the average daily attendance of all school districts within the state for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor.

(b) Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor.

(c) Providing necessary water, light, heating, air-conditioning and sewerage facilities for school buildings, and purchasing land therefor.

(d) As a pledge to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. The annual grant to such district in any subsequent year during the term of the resolution or contract shall not be reduced below an amount equal to the district's grant amount for the year in which the contract or resolution was adopted. The intent of this provision is to allow school districts to irrevocably pledge a certain, constant stream of revenue as security for long-term obligations issued under the code sections enumerated in this paragraph or as otherwise allowed by law. It is the intent of the Legislature that the provisions of this paragraph shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards. Debt of a district secured by a pledge of sales tax revenue pursuant to this paragraph shall not be subject to any debt limitation contained in the foregoing enumerated code sections.

(3) The remainder of the money deposited into the Education Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) Sixteen and sixty-one one-hundredths percent (16.61%) to the cost of the adequate education program determined under Section 37-151-7; of the funds generated by the percentage set forth in this section for the support of the adequate education program, one and one hundred seventy-eight one-thousandths percent (1.178%) of the funds shall be appropriated to be used by the State Department of Education for the purchase of textbooks to be loaned under Sections 37-43-1 through 37-43-59 to approved nonpublic schools, as described in Section 37-43-1. The funds to be distributed to each nonpublic school shall be in the proportion that the average daily attendance of each nonpublic school bears to the total average daily attendance of all nonpublic schools;

(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) Nine and sixty-one one-hundredths percent (9.61%) for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On \* \* \* a date to be determined by the State Department of Education, but not later than July 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. For purposes of this subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind or the Mississippi School for the Deaf, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department \* \* \*, and shall include any full- or part-time gifted or special education teacher. It is the intent of the Legislature that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and

promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. \* \* \* The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. Such credentials or procurement cards shall be \* \* \* provided by the State Department of Education to local school districts on a date determined by the State Department of Education, but not later than August 1 of each year. Local school districts shall issue such credentials or procurement cards to classroom teachers at the beginning of the school year, but no later than August 1 of each year, and shall be issued in equal amounts per teacher determined by the total number of qualifying personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund. After initial cards are issued under the timeline prescribed by this section, the State Department of Education may issue cards to districts for any classroom teacher hired after July 1 under a timeline prescribed by the State Department of Education. Such credentials or cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year. All unexpended amounts will be carried forward, combined with the following year's allocation of Education Enhancement Fund instructional supplies funds and reallocated for the following year;

(b) Twenty-two and nine one-hundredths percent (22.09%) to the Board of Trustees of State Institutions of Higher Learning for the purpose of supporting institutions of higher learning; and

(c) Fourteen and forty-one one-hundredths percent (14.41%) to the Mississippi Community College Board for the purpose of providing support to community and junior colleges.

(4) The amount remaining in the Education Enhancement Fund after funds are distributed as provided in subsections (2) and (3) of this section shall be appropriated for other educational needs.

(5) None of the funds appropriated pursuant to subsection (3)(a) of this section shall be used to reduce the state's General Fund appropriation for the categories listed in an amount below the following amounts:

(a) For subsection (3)(a)(ii) of this section, Thirty-six Million Seven Hundred Thousand Dollars (\$36,700,000.00);

(b) For the aggregate of minimum program allotments in the 1997 fiscal year, formerly provided for in Chapter 19, Title 37, Mississippi Code of 1972, as amended, excluding those funds for transportation as provided for in paragraph (a) of this subsection.

(6) Any funds appropriated from the Education Enhancement Fund that are unexpended at the end of a fiscal year shall lapse into the Education Enhancement Fund, except as otherwise provided in subsection (3)(a)(iii) of this section.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROCUREMENT CARD FOR CLASSROOM SUPPLIES USING

EDUCATIONAL ENHANCEMENT FUNDS SHALL BE ISSUED TO TEACHERS ON AUGUST 1 OF EACH YEAR; TO PROVIDE THAT LOCAL SCHOOL BOARDS SHALL REQUIRE EACH SCHOOL TO ISSUE CREDENTIALS FOR A DIGITAL SOLUTION SELECTED OR PROCUREMENT CARDS FOR THE USE OF TEACHERS IN MAKING INSTRUCTIONAL SUPPLY FUND EXPENDITURES UNDER THE EDUCATIONAL ENHANCEMENT FUND; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DISTRIBUTE EDUCATION ENHANCEMENT FUNDS FOR CLASSROOM SUPPLIES TO ELIGIBLE TEACHERS THROUGH THE USE OF DIGITAL SOLUTIONS AND THEIR APPLICABLE CREDENTIALS; TO SET TIMELINES FOR THE ISSUANCE OF THESE SOLUTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Richard Bennett
David Blount	Kent McCarty
Nicole Boyd	Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2422** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson (11th), Jordan, Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. B. No. 2422**.

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Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2430** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2430: State aid for construction of school facilities; bring forward sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the Educational Facilities Revolving Loan Fund Program to be administered by the State Department of Education for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

(2) There is created a special fund in the State Treasury designated as the "Educational Facilities Revolving Loan Fund," which shall consist of monies transferred from the State Public School Building Fund and other monies that the Legislature may make available. The revolving loan fund must be maintained in perpetuity for the purposes established in this section. Unexpended amounts remaining in the fund at the end of a fiscal year may not lapse into the State General Fund. Payments on the principal of and, when applicable, interest on loans procured from the fund and any interest earned on amounts in the fund must be deposited to the credit of the fund. Monies in the Educational Facilities Revolving Loan Fund may not be used or expended for any purpose except as authorized under this section.

(3) Of the funds deposited into the Educational Facilities Revolving Loan Fund, up to ninety-five percent (95%) must be made available for the purpose of making interest-free loans to qualified public school districts. The State Department of Education shall accept requests for loans under this subsection for the following purposes:

(a) Repairs and renovations to existing school buildings and related facilities used in the operation of the schools of a public school district;

(b) Construction of new facilities or repairs and renovations to existing school facilities for the purpose of establishing, improving or expanding prekindergarten programs in a public school district; and

(c) Construction of new career and technical education facilities or repairs and renovations to existing school facilities for the purpose of upgrading or expanding a school district's career and technical education program.

(4) An educational entity that receives a loan from the Educational Facilities Revolving Loan Fund shall not use the funds for athletic facilities.

(5) Each fiscal year, the State Department of Education may set aside an amount not to exceed three percent (3%) of the balance of the Educational Facilities Revolving Loan Fund to cover the administrative and fiscal management costs associated with the fund.

(6) The State Department of Education shall accept and make determinations on applications for loans and shall disburse funds and receive repayments on approved loans. Before October 1, 2022, the department shall establish rules and regulations for the implementation and administration of the revolving loan program. The rules and regulations must include, at a minimum, provisions addressing the following:

(a) An application process by which public school districts may request a loan from the Educational Facilities Revolving Loan Fund, including the deadline by which the department must receive applications;

(b) The factors to be considered by the State Department of Education in determining whether an educational entity will be awarded the full or a partial amount of

a loan requested. The maximum total amount of outstanding loans an applicant may receive in a fiscal year shall be limited to One Million Dollars (\$1,000,000.00). The maximum total amount of a loan an applicant may receive for a single project shall not exceed One Million Dollars (\$1,000,000.00) per fiscal year. A loan may not exceed one hundred percent (100%) of the cost of the project for which the loan is requested;

(c) The rates of interest on loans and terms of repayment. Approved loans under this program must be interest free and payable over a term of no more than ten (10) years commencing on the date the loan is received;

(d) A process by which the department determines if an entity receiving a loan is required to pledge monies for the repayment of the loan and sources of revenue that are acceptable whenever the department requires a pledge, which, for a school district receiving a loan, may not include Adequate Education Program funds;

(e) The actions that may be taken if an entity is in arrears on loan repayments, which may include, in the case of a school district, the withholding of future payments of Adequate Education Program funds to the district, the withholding of state funds due to the school or district;

(f) Applicants demonstrating emergency or other critical infrastructure needs, as defined by the State Department of Education, shall receive first priority in receiving loans from the fund; and

(g) All other matters that the State Department of Education determines are necessary to establish and maintain the Educational Facilities Revolving Loan Fund Program as an accessible and perpetual source of funding for making facility improvements at all levels of education in the state.

(7) School districts may use funds from the Educational Facilities Revolving Loan Fund Program to pay the principal and interest of school district indebtedness represented by bonds or notes issued after July 1, 2017, but before July 1, 2022, for capital improvements. School districts shall be limited to a maximum loan amount of Five-hundred Thousand Dollars (\$500,000.00) per year from the Educational Facilities Revolving Loan Fund Program for this purpose.

(8) The State Department of Education shall promulgate such rules and regulations as may be necessary for participation in the Educational Facilities Revolving Loan Program by a public educational entity.

SECTION 2. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the

municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the " \* \* \* Educational Facilities Revolving Loan Fund" created and existing under the provisions of \* \* \* this act. Those payments into that fund are to be made on the last day of each succeeding month hereafter. This subsection (5) shall stand repealed on July 1, 2023.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this

chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales

by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through

57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of

the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 3. Section 37-47-7, Mississippi Code of 1972, is amended as follows:

37-47-7. There shall be, and there is hereby, created in the state treasury a special fund to be known as the "State Public School Building Fund." The said fund shall consist of such amounts as may be paid into said fund by appropriation or other legislative authorization. Upon the effective date of this act, the State Fiscal Officer shall transfer to the Educational Facilities Revolving Loan Fund all remaining funds of the State Public School Building Fund. This section shall stand repealed the day after the balance of the fund is transferred to the Educational Facilities Revolving Loan Fund pursuant to this act.

SECTION 4. Section 37-47-11, Mississippi Code of 1972, is amended as follows:

37-47-11. (1) The sums becoming due to any school district shall be disposed of in the following order of priority and for the following purposes and for no others:

(a) To discharge the principal and interest due the commission by reason of any advance or loan made to any such school district by the commission;

(b) To be applied by the school district, subject to the approval of the commission, to defray the cost of any capital improvement;

(c) To pay the principal and interest of school district indebtedness represented by bonds or notes issued before July 1, 1954, for capital improvements, provided that the capital improvements for which such bonds or notes were issued fulfill the rules and requirement for new capital improvements and district organization as provided by the commission, or for bonds or notes issued on or after July 1, 1954, for capital improvements which have been approved by the commission as provided in this chapter.

(2) This section shall stand repealed on July 1, 2023.

SECTION 5. Section 37-47-13, Mississippi Code of 1972, is amended as follows:

37-47-13. (1) When the amounts of the annual grants to school districts have been computed as provided in Section 37-47-9, the commission shall credit each such school district with the amount of the annual grant to which it is entitled and shall issue to each such school district a certificate of credit for the amount of such annual grant. All such certificates of credit shall be signed by the chairman of the commission and countersigned by the executive secretary thereof. Such certificates shall constitute an indebtedness of the State of Mississippi but shall be non-transferable and non-negotiable and shall bear no interest. All such certificates so issued shall be held and retained by the school district to which same are issued until the expenditure of the funds to the credit of such school district shall be approved by the commission as is otherwise provided in this chapter. Such certificates shall be surrendered to the commission at the time the funds to which the school district is entitled are withdrawn from the public school building fund and deposited to the credit of the school district entitled thereto.

(2) This section shall stand repealed on July 1, 2023.

SECTION 6. Section 37-47-15, Mississippi Code of 1972, is amended as follows:

37-47-15. (1) No grants accruing to any school district shall be expended for any purpose unless such expenditure has been approved by the commission. In order to guide the commission in passing upon requests for the use of grants, the school boards of the respective school districts are directed to prepare a survey of necessary capital improvements and/or a plan for tax relief on school indebtedness within each school district. Such surveys shall show existing facilities, desirable consolidations, the new construction and new facilities necessary and desirable for the efficient operation of the public schools of the school districts, proper compliance with state energy conservation standards, and the plan of tax reduction in the school districts by use of such funds in retiring any outstanding indebtedness for school facilities. The commission shall not approve any application for the use of funds of the said public school building fund from the school board of any school district until such time as an acceptable and reasonably satisfactory plan, looking particularly to efficiency through consolidations of school attendance centers, has been submitted by the school board.

Furthermore, the commission shall not approve any application for the use of funds of the public school building fund until such time as an acceptable plan has been submitted by the appropriate board which complies with improved design, heating, cooling, ventilation, lighting, insulation and architectural standards provided by the State of Mississippi to promote maximum energy conservation in new and existing public buildings.

All applications from school districts shall conform to the plan of the school board.

(2) This section shall stand repealed on July 1, 2023.

SECTION 7. Section 37-47-17, Mississippi Code of 1972, is amended as follows:

37-47-17. (1) Applications for the expenditure of funds to the credit of any school district in the state public school building fund shall originate with the school board of the school district entitled to such funds. Before any funds to the credit of a school district shall be expended for capital improvements or the retirement of outstanding bonded indebtedness, the school board of such school district shall prepare and submit an application in such form as may be prescribed by the commission. There shall be included with such application a statement in which there is set forth the enrollment and average daily attendance in the schools of the district divided as to schools and grades, the number of teachers employed, the facilities in use, the facilities to be provided with the funds to be expended, the outstanding school indebtedness, and such other information as the commission may require. Such application and statement shall be submitted directly to the commission and approved or disapproved by it. The decision of the commission shall be final, unless an appeal to the chancery court shall be taken in the manner provided by law. In the event any application shall be disapproved by the commission, the school board submitting same shall be notified of such disapproval, which notice of disapproval shall be accompanied by a statement of the reason or reasons for such disapproval.

The commission shall approve only those applications which are found to be proper under the provisions of this chapter and the applicable rules and regulations of the commission. When an application is approved for the expenditure of funds for capital improvements, the contract for the construction of such capital improvements shall be entered into and awarded by the school board of the school district in the manner provided in this chapter; however, the contract for construction of a secondary vocational and technical training center for exclusive use and operation by a school district may be entered into and awarded by the board of trustees of a junior college district where a grant of federal funds by the Appalachian Commission has been made to the board of trustees of such junior college district to assist in financing construction of such secondary vocational and technical training facility for such school district.

(2) This section shall stand repealed on July 1, 2023.

SECTION 8. Section 37-47-19, Mississippi Code of 1972, is amended as follows:

37-47-19. (1) Where the expenditure of any funds to which any school district may be entitled has been authorized, as provided in Section 37-47-17, such funds shall be withdrawn from the public school building fund by the commission and deposited in the school depository to the credit of the school district entitled thereto as a special fund to be known as the "Public School Building Fund" of the school district entitled thereto. Such money so deposited shall be paid out and expended in the same manner as may be now or hereafter provided by law for the expenditure of other school funds belonging to such district; however, where the contract for construction of a secondary vocational and technical training center shall have been entered into and awarded by the board of trustees of a junior college district as authorized by Section 37-47-29, the money so deposited in the public school building fund of the school district for which said facility is being constructed may be paid out and expended to pay a part of the cost of construction of such facility.

(2) This section shall stand repealed on July 1, 2023.

SECTION 9. Section 37-47-21, Mississippi Code of 1972, is amended as follows:

37-47-21. (1) All funds, if any, which may accumulate in the state public school building fund under the provisions of this chapter because school districts entitled thereto do not make application for the expenditure of same for the purposes authorized by this chapter at the time same are credited to such school district may be used as a revolving fund for the purpose of making loans or advances to other school districts as is provided in Section 37-47-25.

(2) This section shall stand repealed on July 1, 2023.

SECTION 10. Section 37-47-23, Mississippi Code of 1972, is amended as follows:

37-47-23. (1) When any school district holding certificates of credit shall desire to expend funds which have accumulated to its credit under the provisions of this chapter and the expenditure thereof has been approved by the commission but insufficient funds are available in the state public school building fund because of loans or advances having been made to other school districts, the commission shall forthwith transmit to the state bond commission its request for the issuance of state school bonds, as is otherwise provided in this chapter, in an amount sufficient to provide the funds to which the school district holding the certificate of credit is entitled, or such portion of such funds as such school district then desires to expend.

(2) This section shall stand repealed on July 1, 2023.

SECTION 11. Section 37-47-29, Mississippi Code of 1972, is amended as follows:

37-47-29. (1) All contracts for capital improvements by any school district which are financed in whole or in part with funds received from the state public school building fund pursuant to an application approved by the commission shall be awarded and entered into upon receipt of sealed bids or proposals after the time and place of letting such contracts and the manner of bidding has been duly advertised. The contract shall be let and awarded to the lowest and best bidder but the board of trustees or other governing body of the school district shall have the power to reject any and all bids. No such contract shall be finally awarded or entered into without the prior written approval of the commission. It is hereby expressly provided that in order to bid upon and be awarded contracts for the construction of school facilities under the provisions of this chapter, if such contract, subcontract or undertaking is less than Fifty Thousand Dollars (\$50,000.00), it shall not be necessary that the bidder obtain a certificate of responsibility from the Board of Public Contractors under the provisions of Chapter 3, Title 31, of the Mississippi Code of 1972, or otherwise be qualified under said chapter, and none of the provisions of said chapter shall be applicable to such contracts for the construction of school facilities under the provisions hereof. Notwithstanding the foregoing provisions of this section or any other provisions of law, the contract for construction of a secondary vocational and technical training center for exclusive use and operation by a county school district may be entered into and awarded by the board of trustees of a junior college district where a grant of federal funds by the Appalachian Commission has been made to the board of trustees of such junior college district to assist in financing construction of such secondary vocational and technical training facility for such county school district.

(2) This section shall stand repealed on July 1, 2023.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND PROGRAM FOR THE PURPOSE OF IMPROVING EDUCATIONAL FACILITIES IN THE STATE; TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND IN THE STATE TREASURY; TO AUTHORIZE PUBLIC SCHOOL DISTRICTS TO SUBMIT APPLICATIONS TO THE DEPARTMENT OF EDUCATION FOR LOANS FROM THE FUND; TO DESIGNATE THE PURPOSES FOR WHICH LOANS MAY BE USED AND THE PERCENTAGE OF THE REVOLVING LOAN FUND TO BE MADE AVAILABLE FOR LOANS TO DIFFERENT EDUCATIONAL INSTITUTIONS; TO PROVIDE THAT ALL AMOUNTS REMAINING IN THE STATE PUBLIC SCHOOL BUILDING FUND AS OF JULY 1, 2022, SHALL BE TRANSFERRED TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO SET CERTAIN MAXIMUM LOAN AMOUNTS PER

DISTRICT AND PER PROJECT; TO REQUIRE LOANS MADE TO PUBLIC ENTITIES TO BE INTEREST FREE; TO REQUIRE LOANS TO BE REPAYED IN NO MORE THAN TEN YEARS; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROMULGATE RULES FOR PUBLIC EDUCATIONAL ENTITIES PARTICIPATING IN THE PROGRAM; TO ALLOW SCHOOLS TO USE FUNDS FROM THE PROGRAM TO PAY INDEBTEDNESS FROM BONDS OR OTHER NOTES USED FOR CAPITAL IMPROVEMENT IF CERTAIN REQUIREMENTS ARE MET; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO CHANGE THE ALLOCATION THAT WAS DIVERTED TO THE STATE PUBLIC SCHOOL BUILDING FUND TO BE ALLOCATED TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTION 37-47-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER ALL AMOUNTS REMAINING IN THE STATE PUBLIC SCHOOL BUILDING FUND AS OF JULY 1, 2022, TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 37-47-11, 37-47-13, 37-47-15, 37-47-17, 37-47-19, 37-47-21, 37-47-23 AND 37-47-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE STATE PUBLIC SCHOOL BUILDING FUND AND ITS ADMINISTRATION, TO STAND REPEALED ON JULY 1, 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Richard Bennett
David Blount	John Read
Chris Johnson	Kent McCarty

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2430** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Blackwell, Butler A. (36th), Horhn, Jackson (11th), Jordan, McLendon, McMahan, Moran, Seymour, Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. B. No. 2430**.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 112:** James Patrick (Pat) Chaney, MD, Amory, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 112 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 75:** Lee Ann Harper Griffin, Pharm.D., Jackson, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective August 1, 2021 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 75 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, Michel, Norwood, Polk, Seymour, Simmons S. (13th), Thomas, Turner-Ford, Wiggins, Williams, Younger. Total--33.

Nays--Barrett, Chism, DeBar, McDaniel, McLendon, Moran, Sojourner, Tate, Whaley. Total--9.

Absent and those not voting----None.

Voting Present--Branning, Hill, McMahan, Parker, Sparks, Suber. Total--6.

Senator Jackson (11th), who would have voted yea on S. N. No. 75, announced a pair with Senator Parks, who would have voted nay.

Senator Simmons D. T. (12th), who would have voted yea on S. N. No. 75, announced a pair with Senator Thompson, who would have voted nay.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 43:** Dr. Sara Jane H. Gleason, Jackson, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, representing the Licensed Medical Doctor Psychiatrist.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 43 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 45:** Teresa Ann Mosley, Clinton, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2027, representing the Fourth Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 45 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 2, S. N. No. 47, S. N. No. 55, S. N. No. 56, S. N. No. 63, S. N. No. 64 and S. N. No. 65 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

**S. N. No. 2:** Dr. Jamie Leigh Williams, LMFT, Ocean Springs, Mississippi, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2023.

**S. N. No. 47:** James Taylor Williams, Jr., Poplarville, Mississippi, Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, unexpired four year term effective July 19, 2021 and ending June 30, 2024.

**S. N. No. 55:** Leonard Cooper Lewis, PT, DPT, Sardis, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, four year term effective September 23, 2021 and ending June 30, 2025.

**S. N. No. 56:** Billy Crisler (Cris) Bourn, PT, DPT, MHS, Flora, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, four year term effective immediately and ending June 30, 2024.

**S. N. No. 63:** Valerie Cascile Joiner, DSW, LCSW, D'Iberville, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

**S. N. No. 64:** Erin Poole Pittman, LSW, Brandon, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

**S. N. No. 65:** Pamela Gail (Pam) Rollins, Ph.D., Hattiesburg, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four year term effective May 3, 2021 and ending June 30, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 2, S. N. No. 47, S. N. No. 55, S. N. No. 56, S. N. No. 63, S. N. No. 64 and S. N. No. 65. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were

considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 116:** Alicia Ann Drury Tice, Wiggins, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four year term beginning June 6, 2021 and ending June 5, 2025, representing the Second Supreme Court District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 116 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 35:** Elizabeth Ewaldsen (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective July 2, 2021 and ending June 30, 2023, vice Mr. Edward (Ed) Langton.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 35 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 37:** Thad Fulton Waites, MD, MACC, Hattiesburg, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 37 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 44:** Robert Sylvester Landrum, Ellisville, Mississippi, Board of Mental Health, seven year term effective November 29, 2021 and ending June 30, 2028, representing the Fifth Congressional District (1992).

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 44 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 52:** Nancy Carol Norris-Johnson, LPN, Hattiesburg, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 52 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 48:** Jane M. (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, unexpired four year term effective May 19, 2021 and ending June 30, 2022, vice Blake Ward.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 48 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Fillingane moved that the rules be suspended for the consideration en bloc of H. B. No. 1730, H. B. No. 1731 and H. B. No. 1732 and the motion prevailed.

Senator Fillingane called up the following measures:

**H. B. No. 1730:** Suffrage; restore to Ray Ferrell of Harrison County.

**H. B. No. 1731:** Suffrage; restore to Deborah Ledbetter of Hinds County.

**H. B. No. 1732:** Suffrage; restore to Annie Mae Grant of Hinds County.

YEAS AND NAYS on consideration en bloc of H. B. No. 1730, H. B. No. 1731 and H. B. No. 1732. On motion of Senator Fillingane, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--44.

Nays--Chism, Hill, Whaley. Total--3.

Absent and those not voting---None.

Voting Present--McDaniel, McLendon, McMahan, Seymour, Sojourner. Total--5.

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Senator Barnett moved that the rules be suspended for the consideration en bloc of S. N. No. 103 and S. N. No. 104 and the motion prevailed.

Senator Barnett called up the following entitled nominations:

**S. N. No. 103:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending May 5, 2022.

**S. N. No. 104:** Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 103 and S. N. No. 104. On motion of Senator Barnett, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately all Public Health and Welfare Nominations.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 470:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE SALES TAX EXEMPTION FOR SALES OF TANGIBLE PERSONAL PROPERTY AND SERVICES TO THE MISSISSIPPI'S TOUGHEST KIDS FOUNDATION FOR USE IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED FACILITIES AND INFRASTRUCTURE AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 906:** AN ACT TO AMEND SECTION 47-5-903, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO IS COMMITTED, SENTENCED OR PLACED UNDER THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS MAY SERVE HIS OR HER SENTENCE IN ANY COUNTY JAIL IF CERTAIN CONDITIONS ARE MET; TO AUTHORIZE THE DEPARTMENT TO REIMBURSE ANY COUNTY FOR THE EXPENSE OF HOUSING STATE OFFENDERS IN ANY COUNTY JAIL; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**J. R. No. 1:** A JOINT RESOLUTION TO REAPPORTION THE HOUSE OF REPRESENTATIVES OF THE STATE OF MISSISSIPPI IN ACCORDANCE WITH SECTION 254, MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 918:** AN ACT TO CREATE A FOOD TRUCK PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE THE HOLDER OF AN ON-PREMISES RETAILER'S PERMIT TO USE A FOOD TRUCK TO SELL ALCOHOLIC BEVERAGES OFF ITS PREMISES TO GUESTS WHO MUST CONSUME THE BEVERAGES IN OPEN CONTAINERS; TO DEFINE THE TERM "FOOD TRUCK"; TO PROVIDE THAT FOOD TRUCKS MUST MAINTAIN SUCH DISTANCE REQUIREMENTS FROM SCHOOLS, CHURCHES, KINDERGARTENS AND FUNERAL HOMES AS ARE REQUIRED FOR ON-PREMISES RETAILER'S PERMITTEES AND THAT SALES MUST BE MADE WITHIN A VALID LEISURE AND RECREATION DISTRICT; TO PROVIDE THAT FOOD TRUCKS CANNOT SELL OR SERVE ALCOHOLIC BEVERAGES UNLESS ALSO OFFERING FOOD PREPARED AND COOKED WITHIN THE FOOD TRUCK AND PERMITTEES MUST MAINTAIN A 25% FOOD SALE REVENUE REQUIREMENT BASED ON THE FOOD SOLD FROM A FOOD TRUCK ALONE; TO PROVIDE THAT A FOOD TRUCK PERMIT HOLDER MUST PROVIDE NOTICE OF NOT LESS THAN 48 HOURS TO THE DEPARTMENT OF REVENUE OF EACH LOCATION AT WHICH ALCOHOLIC BEVERAGES WILL BE SOLD; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A FOOD TRUCK PERMIT; AND FOR RELATED PURPOSES.

**H. B. No. 936:** AN ACT TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVISION OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITIES FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITIES FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITIES FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

**H. B. No. 1162:** AN ACT TO REENACT SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AN INCOME TAX CREDIT FOR INCOME TAXPAYERS THAT USE PORT FACILITIES AT STATE, COUNTY AND MUNICIPAL PORTS FOR THE EXPORT OF CARGO AND REQUIRE THE MISSISSIPPI

DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH TAX CREDIT; TO AMEND SECTION 4, CHAPTER 492, LAWS OF 1994, AS LAST AMENDED BY SECTION 3, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.7 AND 27-7-22.9, MISSISSIPPI CODE OF 1972; TO REENACT SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS THAT USE THE AIRPORT FACILITIES AT PUBLIC AIRPORTS FOR CERTAIN CHARGES PAID BY THE TAXPAYER ON THE EXPORT OR IMPORT OF CARGO; TO AMEND REENACTED SECTION 27-7-22.25, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 27-7-22.26, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REPORT ANNUALLY TO THE LEGISLATURE REGARDING THE IMPACT OF SUCH INCOME TAX CREDIT; TO AMEND SECTION 3, CHAPTER 442, LAWS OF 2005, AS LAST AMENDED BY SECTION 6, CHAPTER 321, LAWS OF 2019, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 27-7-22.25 AND 27-7-22.26, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

**H. B. No. 1247:** AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF HIGHER LEARNING, ACTING BY AND THROUGH THE UNIVERSITY OF SOUTHERN MISSISSIPPI, TO LEASE AND SUBLEASE PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT; TO AUTHORIZE THE UNIVERSITY TO NEGOTIATE ALL ASPECTS OF ANY LEASE AND SUBLEASE PERTAINING TO SUCH PROPERTY; TO PROVIDE THE MAXIMUM TERM OF THESE LEASES AND SUBLEASES; TO PROVIDE THAT THESE LEASES AND SUBLEASES SHALL NOT BE CANCELLED BASED ON THE BINDING SUCCESSOR DOCTRINE; TO AUTHORIZE THE MISSISSIPPI BOARD OF MENTAL HEALTH, ACTING THROUGH THE DEPARTMENT OF MENTAL HEALTH AND ON BEHALF OF THE EAST MISSISSIPPI STATE HOSPITAL TO SELL CERTAIN STATE-OWNED REAL PROPERTY IN LAUDERDALE AND NEWTON COUNTIES, WHICH, RESPECTIVELY, WERE FORMERLY USED BY THE HOSPITAL AS OFFICES FOR THE COMMUNITY RESIDENTIAL SERVICES DIVISION AND AN ALZHEIMER'S UNIT BY THE CENTRAL MISSISSIPPI RESIDENTIAL CENTER; TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY TO CONVEY, LEASE OR TRANSFER ANY COUNTY-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON TO THE UNITED STATES GOVERNMENT OR ANY ENTITY THEREOF, OR A NONPROFIT ORGANIZATION DEDICATED TO HISTORICAL PRESERVATION, UNDER SUCH TERMS AND CONDITIONS THE BOARD DEEMS APPROPRIATE TO PROMOTE THE HISTORICAL, EDUCATIONAL AND ECONOMIC WELFARE OF THE COUNTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1065:** AN ACT TO AMEND SECTIONS 49-7-31.5 AND 49-7-140, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE TRANSPORTATION, IMPORTATION AND RELEASE OF WILD HOGS, AND IMPOSE PENALTIES FOR SUCH VIOLATIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1185:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO CONTRACT WITH THE MISSISSIPPI TRANSPORTATION COMMISSION TO PERFORM MAINTENANCE ON THE STATE HIGHWAYS AND INTERSTATE HIGHWAYS IN THAT COUNTY AND ANY RIGHTS-OF-WAY TO SUCH HIGHWAYS; TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ENTER INTO

SUCH A CONTRACT; TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING THROUGH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO SELL CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON, WHICH ARE LOCATED IN WINSTON COUNTY, MISSISSIPPI, TO THE COUNTY BOARD OF SUPERVISORS; TO AUTHORIZE THE SOUTHERN RAIL COMMISSION TO EXECUTE AND ENTER INTO CONTRACTS WITH PARTIES FOR THE PURPOSE OF CONSTRUCTION OF ANY RELATED INFRASTRUCTURE AND/OR OPERATIONS OF INTERCITY PASSENGER RAIL SERVICE SUBJECT TO THE APPROVAL OF ANY AFFECTED RAILROAD AND OTHER INTERESTED PARTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 11:59 AM, the Senate stood in recess.

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The Senate resumed business at 12:08 PM, pursuant to recess, with President Hosemann presiding.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 90:** A CONCURRENT RESOLUTION CHANGING THE DATE OF SINE DIE ADJOURNMENT OF THE 2022 REGULAR SESSION OF THE LEGISLATURE FROM APRIL 6, 2022, TO APRIL 10, 2022.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 589:** Commend Summer Field Program at USM Gulf Coast Research Laboratory on its 75th Anniversary.

**S. C. R. No. 590:** Commemorate the 150th Anniversary of the City of McComb.

**S. C. R. No. 591:** Designate April 2, 2022, as "World Autism Awareness Day in Mississippi."

**S. C. R. No. 592:** Commend State Parole Board member Betty Lou Jones on the occasion of her retirement.

**S. C. R. No. 593:** Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi.

**S. C. R. No. 594:** Commend Booneville High School "Lady Blue Devils" for winning 2022 MHSAA Class 3A Girls Basketball Championship.

**S. C. R. No. 595:** Commend Booneville High School "Blue Devils" Baseball Team for winning the 2021 Class 3A State Championship.

**S. C. R. No. 596:** Commend Belmont High School "Cardinals" Boys Golf Team for winning 2021 MHSAA 3A State Championship.

**S. C. R. No. 597:** Commend Booneville High School "Blue Devils" Boys Basketball Team for winning 2022 Class 3A State Championship.

**S. C. R. No. 598:** Commend Booneville "Lady Blue Devils" Girls Fast Pitch Softball Team for winning 2021 3A State Championship.

**S. C. R. No. 599:** Commend Belmont High School "Lady Cardinals" Volleyball Team for winning first State Championship in program history.

**S. C. R. No. 600:** Commend Booneville High School "Blue Devil" Marching Band for winning 3A State Championship.

**S. C. R. No. 601:** Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships.

**S. C. R. No. 602:** Commend Pearl River Community College "Wildcats" Women's Basketball Team for MACCC Championship.

**S. C. R. No. 603:** Commend Pearl River Community College "Wildcats" Men's Basketball Team for third consecutive MACCC title.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 12:08 PM, the Senate stood in recess.

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The Senate resumed business at 12:18 PM, pursuant to recess, with President Hosemann presiding.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 90:** Legislature; change date of sine die adjournment of the 2022 Regular Session. Rules.

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. C. R. No. 90:** Legislature; change date of sine die adjournment of the 2022 Regular Session. Title Sufficient. Do Be Adopted.

**S. C. R. No. 605:** Suspend rules for further consideration of HB 451; delete repealer on the nonadmitted policy fee. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 90**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**H. C. R. No. 90:** Legislature; change date of sine die adjournment of the 2022 Regular Session.

YEAS AND NAYS On H. C. R. No. 90. On motion of Senator Hopson, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 605**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 605:** Suspend rules for further consideration of HB 451; delete repealer on the nonadmitted policy fee.

YEAS AND NAYS On S. C. R. No. 605. On motion of Senator Michel, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 90 and S. C. R. No. 605.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Birdie Lois Peel of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Juanelle Katherine Goff of Pascagoula, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Mollie Frances Devening of Woodville, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Benjamin Douglas Kirk of Noxapater, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Lori Ellingburg of Philadelphia, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Debbie Belk of Vancleave, MS.

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Senator Polk moved that the Senate stand in recess until the last Committee Report and last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Monday, April 4, 2022.

The motion prevailed, and at 12:22 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees.

**S. B. No. 2820:** Covid-19 Hospital Expanded Capacity Program; require Department of Health to establish and administer.

Adopted: 03/31/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 453:** Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

**H. B. No. 606:** Mississippi Outdoor Stewardship Trust Fund; create.

**H. B. No. 1163:** Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing.

Adopted: 03/31/22

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 51:** Melissa Henry (Melissa) King, RN, NP, DNP, Raymond, Mississippi, Mississippi Board of Nursing as the Registered Nurse Practitioner, unexpired four year term effective May 21, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 50:** Lacey Melissa T. Gentry, MSN, APRN, Courtland, Mississippi, Mississippi Board of Nursing as an Educator, unexpired balance of the four year term ending June 30, 2024. Do Advise and Consent.

**S. N. No. 49:** Jeremy Lester Cummins, LPN, Louisville, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 53:** William Alton Shaw, RN, NP, Wesson, Mississippi, Mississippi Board of Nursing as the Registered Nurse at large, unexpired four year term effective May 21, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 9:** Michael Jackson (Mike) Cothran, Carthage, Mississippi, State Board of Barber Examiners, term effective July 23, 2021 for the unexpired balance of the four year term ending June 30, 2024, representing the Second Congressional District. Do Advise and Consent.

**S. N. No. 10:** Michael Lee (Mike) McBunch, Tupelo, Mississippi, State Board of Barber Examiners, four year term effective September 13, 2021 and ending June 30, 2025, representing the First Congressional District. Do Advise and Consent.

**S. N. No. 11:** Lisa Carol Watkins, Union, Mississippi, State Board of Barber Examiners, four year term effective September 1, 2021 and ending June 30, 2025, representing the Third Congressional District. Do Advise and Consent.

**S. N. No. 22:** Haley Harrison Birmingham, RDH, Brandon, Mississippi, Mississippi State Board of Dental Examiners as the Dental Hygienist member, six year term beginning July 1, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 23:** Marion Lewis (Lewis) Grubbs, DMD, Madison, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Four, six year term beginning July 1, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 24:** Jeff Michael Zimmerman, DDS, Gulfport, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Five, six year term beginning July 1, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 36:** John Edward (Ed) Hill, MD, Oxford, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 46:** George Anthony (Tony) Hamrick, RN, LNH, Laurel, Mississippi, Mississippi State Board of Nursing Home Administrators as the Registered Nurse, unexpired four year term effective July 19, 2021 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 57:** Virginia Jones (Jenny) Bryan, Oxford, Mississippi, Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, four year term effective immediately and ending June 30, 2023. Do Advise and Consent.

**S. N. No. 101:** Terrance D. Bonner, Columbus, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, vice Jeff Miller. Do Advise and Consent.

**S. N. No. 132:** Dr. Robert Carrington Dews, Jr., Hattiesburg, Mississippi, Mississippi State Board of Physical Therapy as the representative of physicians, four year term effective January 13, 2022 and ending June 30, 2024, vice Dr. Gene Barrett. Do Advise and Consent.

BRYAN, Chairman

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MESSAGE FROM THE GOVERNOR  
April 1, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2155:** City of Laurel; authorize tax on hotels and motels to promote tourism. (April 1, 2022, 1:55 PM)

**S. B. No. 3181:** City of Grenada; extend repealer on tourism tax. (April 1, 2022, 1:56 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 4:20 PM in memory of Birdie Lois Peel, Juanelle Katherine Goff, Mollie Frances Devening, Benjamin Douglas Kirk, Lori Ellingburg and Debbie Belk.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR FRIDAY, APRIL 1, 2022

**S. C. R. No. 605:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS, AND PASSAGE OF HOUSE BILL NO. 451, 2022 REGULAR SESSION, ENTITLED "AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE NONADMITTED POLICY FEE; AND FOR RELATED PURPOSES."  
By Senator(s) Michel

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NINETY-FIRST DAY, MONDAY, APRIL 4, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Barnett.

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Senator DeBar led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

## MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1602:** Appropriation; Library Commission.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1663** (version 2) was adopted by the Senate and moved that it be reconsidered:

**H. B. No. 1663:** Bonds; authorize issuance for various purposes.

The foregoing motion prevailed.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1663** (version 2) be recommitted for further conference and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1517** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1594** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1594: Appropriation; Fire Academy.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,519,019.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Fire Academy which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 1,462,500.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	60
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target

## Training

Number of Students Trained	14,000
Average Cost per Student Trained	479.74

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. Of the funds appropriated in Section 2, One Million One Hundred Thousand Dollars (\$1,100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to purchase an aerial apparatus ladder truck.

SECTION 6. Of the funds appropriated in Section 2, Seventy-Five Thousand Dollars (\$75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the state match to purchase a specialty rescue truck.

SECTION 7. Of the funds appropriated in Section 2, One Hundred Eighty-seven Thousand Five Hundred Dollars (\$187,500.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for purchasing specialty training fuel.

SECTION 8. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	J. Walter Michel
Jeff Hale	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1594** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1595** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1595: Appropriation; Public Employees' Retirement System.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the

purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 19,603,302.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	167
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading and operating the computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Read

W. Briggs Hopson III

Karl Oliver

John A. Polk

Mac Huddleston

Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1595** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran,

Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1598** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1598: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 1,423,208.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 5,587,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	10
Time-Limited:	2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Million Four Hundred Ninety Thousand Dollars (\$1,490,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in public schools.....	\$100,000.00
Miscellaneous grants and programs.....	\$350,000.00
Whole Schools Initiative .....	\$1,040,000.00

SECTION 6. Of the funds appropriated under the provisions of Section 2, Three Million Dollars (\$3,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the funding of the Building Fund for the Arts Initiative.

SECTION 7. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	Philip Moran
Timmy Ladner	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1598** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the Conference Committee Report on **H. B. No. 1602** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1602:** Appropriation; Library Commission.

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Senator Hopson moved that the Conference Committee Report on **H. B. No. 1604** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1606** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1608** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1608: Appropriation; Oil and Gas Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

\$ 2,438,826.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:  
 AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	32
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Angela Turner-Ford
Sam C. Mims, V	Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1608** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1609** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1609: Appropriation; Public Service Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 5,005,703.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 52  
Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Utility Regulatory Services	
Number of Utility Docket Cases	240
Number of Utility Complaints	4,560
Electric Complaints as a Percent of Total	48.00
Telecommunication Complaints as a	
Percent of Total	32.00
Water Complaints as a Percent of Total	10.00

Gas Complaints as a Percent of Total	8.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities	86.89
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percent of the 2015 National Average, 909 kWh	135.00
Number of Pipeline Inspections	630
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service

Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 66,372.00.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Telephone "no-call"	
Number of No-Call Complaints	15,425
Average Cost per No-Call Complaint	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2022. On or before August 1, 2022, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Scott DeLano
Charles Jim Beckett	Philip Moran

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1609** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1612** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1612: Appropriation; Rehabilitation Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 30,532,240.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 215,854,381.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal  
funds ..... \$ 2,782,590.00.  
Independent Living Program which  
includes the State Attendant  
Care Program..... \$ 854,903.00.  
Deaf and hard of hearing ..... \$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	964
Time-Limited:	207

The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Disability Determination Services	
Number of Dispositions	90,000
Processing Time (Days)	115
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	2,000
Number of Persons Rehabilitated	275
Independent Living (Number Served)	735
Percent Change in Persons Employed	
Compared to Total Persons Served	13.00
Vocational Rehabilitation	
Number of Clients Served	15,000
Number of Clients Rehabilitated	2,525
Percent Change of Persons Employed	
Compared to Total Persons Served	16.00

Persons Employed with Pay Rate Greater	
Than Federal or State Minimum Wage	2,415
Persons with Significant Disabilities	
Leaving VR with Competitive, Self, or	
BEP Employment, Wage = or > Than Minimum	1,125
Spinal Cord & Head Injury Program	
Number of Clients Served	1,000
Percent Change in Number of Spinal Cord	
& Brain Injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,000
Percent Change in Persons Receiving HCBW	
Services Compared to Waiting List	56.00
Ratio of Cost to HCBW Services per	
Person Compared to an Institutional	
Setting	38.00
Support Services	
Percent of Total Budget	1.96

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 10. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Sam C. Mims, V	Kevin Blackwell
C. Scott Bounds	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1612** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1616** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1616: Appropriation; Forestry Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for

the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 15,383,889.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 11,855,334.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:           343  
Time-Limited:        7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	1.00
Number of Acres Burned Under a Prescribed Burn Program	17,750.00
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	
Forest Resource Development Program Acres Regenerated or Improved	35,000.00
Acres Monitored for Insect, Storm or Disease	19,800,000.00
Re-Inventory 20% of State's Forest Lands (% of Regions)	20.00
Percent Increase of Re-Inventory of State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work

necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2023.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Any person who was an employee of the Forestry Commission who was laid off during Fiscal Year 2006 shall be given first priority in any new employment by the commission.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Bill Pigott	Angela Turner-Ford
Vince Mangold	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1616** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1617** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1617: Appropriation; Soil and Water Conservation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 584,679.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 25,061,219.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 9  
Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Bill Pigott	Philip Moran
Vince Mangold	Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1617** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1624** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1624: Appropriation; Marine Resources, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 2,715,364.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 118,827,144.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCONT:

Permanent:	103
Time-Limited:	74

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$12,455,247.00.

PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
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Harrison County:

FY23-P603-11	Richards Bayou Dredging Project	
	- City of Gulfport.....	\$ 500,000.00
FY23-P999-10	Broadwater Marina Public Access and Marina Basin Restoration	
	- Secretary of State .....	\$ 150,000.00
FY23-P601-13	Kuhn St. Boat Ramp Parking Project Phase II	
	- City of Biloxi.....	\$ 500,000.00
FY23-P511-08	D'Iberville Working Waterfront Harbor and Marina Public Access	
	-City of D'Iberville .....	\$ 400,000.00
FY23-P613-08	Long Beach Harbor Improvements	
	-City of Long Beach .....	\$ 500,000.00
FY23-P600-05	Secure Concrete Fillers at East Small Craft Harbor	
	-City of Pass Christian.....	\$ 175,000.00
FY23-P626-30	20th Avenue and Hwy. 90 Beach Side Parking Improvements- Phase I	
	-Harrison County Board of Supervisors.....	\$ 300,000.00
FY23-P626-36	West Biloxi Boat Launch	
	-Harrison County.....	\$ 100,000.00
	Removable Restroom Units for the West Side of the Gulfport Small Craft Harbor	
	-City of Gulfport.....	\$ 100,000.00
	Seafood Museum Repairs Caused by Hurricane Ida	
	-City of Biloxi.....	\$ 200,000.00
	Dredging Project at Parker's Creek	
	-City of Biloxi.....	\$ 375,000.00
	Long Beach Park Volley-Ball Court Improvements	
	-Harrison Cnty Brd of Supervisors.....	\$ 100,000.00

Hiller Park Boat Launch

-City of Biloxi..... \$ 200,000.00

Jackson County:

FY23-P412-06 Washington Avenue at Front Beach Access

-City of Ocean Springs..... \$ 362,500.00

FY23-P618-05 Shepard State Park Upgrades

-City of Gautier..... \$ 250,000.00

FY23-P618-06 Mary Walker Bayou Parks Project

-City of Gautier..... \$ 250,000.00

FY23-P604-10 Public Safety Improvements to River

Parks Piers

- City of Pascagoula..... \$ 350,000.00

FY23-P501-05 Rhodes Bayou Watershed Improvements

Phase I

-City of Moss Point..... \$ 300,000.00

FY23-P602-13 Lake Mars Pier Expansion Project

-Jackson County Board

of Supervisors..... \$ 296,930.00

FY23-P602-14 Race-Track Road Boat Launch Phase II

-Jackson County Board

of Supervisors..... \$ 198,000.00

Study to Analyze a Jetty System to Prevent Erosion

Of the Ocean Springs Front Beach

-Jackson County Board

of Supervisors..... \$ 100,000.00

Hancock County:

FY23-P510-10 Noma Drive Public Access Projects

-City of Diamondhead ..... \$ 400,000.00

FY23-P401-15 Downtown Boardwalk Assistance

-City of Bay St. Louis..... \$ 350,000.00

FY23-P626-05 Marina Planning and Design Assistance

-City of Waveland..... \$ 350,000.00

FY23-P610-05	McLeod Park Bulkhead Improvements	
	-Hancock County Board of Supervisors .....	\$ 400,000.00
	Total Public Access Projects .....	\$ 7,207,430.00
	Total Management Projects .....	\$ 3,047,817.00
	Bond Repayment .....	\$ 1,200,000.00
	Prior Year Projects .....	\$ 1,000,000.00
	Total Tidelands Funds: .....	\$12,455,247.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2022. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the Tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 8. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 2, Sixty-two Million Eight Hundred Ninety Thousand Forty-eight Dollars (\$62,890,048.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2023:

(a) To assist the University of Southern Mississippi with the Ocean Enterprise Project .....	\$ 4,390,075.00
(b) To assist the City of Biloxi with the East Biloxi Boardwalk .....	\$ 1,192,850.00
(c) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment.....	\$ 978,300.00
(d) To assist the Department of Marine Resources with the Coffee Creek Outfall .....	\$ 1,979,408.00
(e) To assist the Department of Marine Resources with the Coffee Creek water quality.....	\$ 102,241.00
(f) To assist the Department of Wildlife, Fisheries and Parks with the Buccaneer State Park .....	\$ 1,919,748.00
(g) To assist the City of Biloxi with the Bayview Avenue Boardwalk .....	\$ 1,016,944.00
(h) To assist the City of Bay St. Louis with the Ward 6 Boat Launch, Public Water Access and Restroom Facility.....	\$ 271,951.00
(i) To assist the Department of Marine Resources with the Infinity Science Center .....	\$ 465,651.00
(j) To assist Mississippi State University with the IMMS Evaluation Study .....	\$ 422,238.00
(k) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control .....	\$ 1,114,506.00
(l) To assist the University of Southern Mississippi with the Aquaculture Depth Control Unit .....	\$ 2,744.00
(m) To assist the Department of Marine Resources with GOMESA project management, development and mitigation.....	\$ 1,484,152.00
(n) To assist the Department of Marine	

Resources with an oyster plant.....	\$ 2,000,000.00
(o) To assist the Department of Marine	
Resources with the Shellfish Water Quality	
Testing .....	\$ 3,637.00
(p) To assist the Department of Marine	
Resources with artificial reef construction.....	\$ 752,794.00
(q) To assist the Department of Marine	
Resources with the oyster clutch .....	\$ 3,475.00
(r) To assist the Department of Environmental	
Quality with water quality.....	\$ 990,185.00
(s) To assist Hancock County with Water	
Sewer Force Crossing.....	\$ 206,940.00
(t) To assist the Department of Marine	
Resources with Bonnet Carre Response .....	\$ 200,666.00
(u) To assist Jackson County with a Watershed	
Development Plan .....	\$ 450,000.00
(v) To assist the City of Diamondhead with	
Marsh Erosion Prevention .....	\$ 495,000.00
(w) To assist the City of Diamondhead with	
Sewer Improvements.....	\$ 831,600.00
(x) To assist the City of Pass Christian with	
Sanitary Sewer Pump Station Repairs.....	\$ 967,575.00
(y) To assist Hancock County with Atlantic	
Street Sewer Improvements .....	\$ 2,721,150.00
(z) To assist the City of Long Beach with	
Small Craft Harbor SE Bulkhead Improvements .....	\$ 2,188,000.00
(aa) To assist the Kiln Utility District with	
the Jordan River Shores Sewer Force Main	
Relocation .....	\$ 410,000.00
(bb) To assist the City of Biloxi with	
the Point Cadet Living Shoreline.....	\$ 800,000.00
(cc) To assist the Department of Marine	

Resources for Oyster Restoration and Enhancement .....	\$ 675.00	
(dd) To assist the Department of Marine		
Resources with MS Reef Fish Monitoring and Assessment.....	\$ 112,031.00	
(ee) To assist Hancock County Utility		
Authority with Oak Harbor Sewer Improvements .....	\$ 2,811,548.00	
(ff) To assist Hancock County Port and Harbor		
Commission with Port Bienville Conservation Management .....	\$ 510,200.00	
(gg) To assist the City of Gautier with Water		
Quality and Infrastructure Sanitary Sewer .....	\$ 2,573,466.00	
(hh) To assist the City of Pascagoula with Buena Vista Area Drainage .....		\$ 915,000.00
(ii) To assist the City of Pass Christian with		
Gravity Sewer System Improvements Phase I.....	\$ 1,744,319.00	
(jj) To assist the City of Pascagoula with		
Point Park Pier Repair/Improvements.....	\$ 510,000.00	
(kk) To assist the Department of Marine		
Resources with the Railroad Corner Beneficial Use Site .....	\$ 236,860.00	
(ll) To assist the University of Southern Mississippi with collection of Fishery-Dependent information on Blue Crabs .....		\$ 244,223.00
(mm) To assist the National Oceans and Applications Research Center with the Cat Island Baseline Inventory of Seagrass Habitat .....		\$ 554,681.00
(nn) To assist the National Oceans and Applications Research Center with the Inventory Of Wetlands Habitats.....		\$ 957,318.00
(oo) To assist the National Oceans and Applications Research Center with the Pelican Key Baseline Hydrographic Survey .....		\$ 291,600.00

(pp) To assist Mississippi State University with the Evaluation and Monitoring of Marine Mammal and Sea Turtles after Bonnet Carre Spillway	
Opening .....	\$ 2,474,573.00
(qq) To assist the American Shrimp Processors Association with the Shrimp Processors Feasibility Study.....	
	\$ 1,000,000.00
(rr) To assist the Jackson County Utility Authority with Septic System Abatements .....	
	\$ 1,800,000.00
(ss) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment.....	
	\$ 381,000.00
(tt) To assist the Department of Marine Resources with the Katrina Key Expansion .....	
	\$ 430,000.00
(uu) To assist the Secretary of State with the Broadwater Marina Restoration .....	
	\$ 3,678,850.00
(vv) To assist the City of Pass Christian with Sewer Pump Station Repairs .....	
	\$ 366,335.00
(ww) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements .....	
	\$ 1,193,447.00
(xx) To assist the Department of Marine Resources with the Bonnet Carre and Mid Breton Response.....	
	\$ 874,240.00
(yy) To assist the City of Ocean Springs with the Front Beach Pub Access and Storm Water Mitigation Improvements .....	
	\$ 2,728,250.00
(zz) To assist the City of Pass Christian with Phase II of the Gravity Sewer System Improvements.....	
	\$ 4,594,986.00
(aaa) To assist the Department of Marine Resources with the Off Bottom Oyster	

Aquaculture ..... \$ 1,457,396.00

(bbb) To assist the Department of Marine

Resources with the Pelican Key Beneficial Use

Site..... \$ 348,220.00

(ccc) To assist the Department of Marine

Resources with Phase II of the Katrina Key

Expansion ..... \$ 400,000.00

(ddd) To assist the Jackson County Board

of Supervisors with the Pascagoula Beach Open

Channel Outfalls..... \$ 1,339,000.00

SECTION 11. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2023 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. With the funds appropriated herein, the Department of Marine Resources is authorized to make payment for expenses incurred during Fiscal Year 2020 and Fiscal Year 2021 as follows:

Vendor Year	Fiscal Amount
University of Southern Mississippi	
2020	
\$ 795.66	
University of Southern Mississippi	
2020	
\$ 12,658.83	

University of Southern Mississippi

2020

\$ 14,507.00

City of Bay St. Louis

2021

\$ 1,041.25

City of Bay St. Louis

2020

\$ 1,492.50

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Casey Eure	Philip Moran
Richard Bennett	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1624** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3004** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3004: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,739,585.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 170,000.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Seventy Thousand Dollars (\$170,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds appropriated in Section 1, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Albert Butler	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3004** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3005** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3005: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2022, and ending June 30, 2023  
 \$ 22,881,531.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
 \$ 10,419,372.00.

SECTION 3. Of the funds appropriated in Section 2, One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	41.76
Number of Research Publications	233
Appropriated Funds & Extramural Funds	
(Ratio)	1.19
Animal Systems	

Number of Scientist FTE (Scientist Years)	30.14
Number of Research Publications	174
Appropriated Funds & Extramural Funds (Ratio)	0.33

## Health &amp; Sustainable Communities

Number of Scientist FTE (Scientist Years)	43.41
Number of Research Publications	152
Appropriated Funds & Extramural Funds (Ratio)	0.27

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Bart Williams	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3005** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3006** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3006: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 31,411,834.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,302,211.00.

SECTION 3. Of the funds appropriated in Section 2, One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00) shall be derived from the Education

Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Agriculture	
Published Information (Items)	300
Mass Media (Items)	4,500
Number of Direct Educational Contacts	
(Persons)	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Published Information (Items)	150
Number of Direct Educational Contacts	
(Persons)	205,000

Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	
(Persons)	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	
(Persons)	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Published Information (Items)	150
Mass Media (Items)	6,000
Number of Total Contacts (Persons Across	
all Delivery Methods/Events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Josh Harkins	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3006** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3007** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3007: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,794,130.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest

and Wildlife Research Center, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,361,059.00.

SECTION 3. Of the funds appropriated in Section 2, Four Hundred Fifty Thousand Dollars (\$450,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2023 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Tyler McCaughn	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3007** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3008** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3008: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 18,457,311.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 32,764,049.00.

SECTION 3. Of the funds appropriated in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the Education Enhancement

Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2023 Target
Instruction	
..... Percent of Year 4 DVM Students Passing	
NAVLE at Graduation.....	95.00
..... Percent of DVM Graduates Reporting	
Employment in the Field within 12 Months	
.....	
of Graduation.....	95.00
Research	
Number of Grants/Contracts Awarded	
50	
..... Percent of Graduate Students Reporting	
Employment in the Field within 12 Months	
.....	
of Graduation.....	95.00
Pub-service - Animal Health Ctr	
..... Number of Patient Visits to AHC (AHC	
Caseload Managed).....	30,000
..... Percent of Client Satisfaction Based on	
Surveys.....	98.00
..... Percent of Referring Veterinarian	
Satisfaction Based on Surveys.....	95.00
Pub-service - Diagnostic Lab	
Number of Lab Accessions (Test Requests)	
27,249	
Vet Research & Diagnostic Lab	
Number of Diagnostic Tests Performed	
376,000	
Academic Support	
..... Percent of Vet Campers & Parents	
.....	
Indicating "Willing to Recommend" on	

Satisfaction Surveys .....	100.00
..... Percent of Alumni who Report a	
Satisfactory Level of Engagement with	
.....	
the College on Surveys .....	98.00
Operation & Maintenance	
Number of Square Feet O&M/Custodial Services	
483,589	
..... Cost per Square Foot Maintenance &	
Custodial Services .....	6.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Bart Williams	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3008** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3016** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3016: Appropriation; Fair and Coliseum Commission - Livestock shows.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account, to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,200,000.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council

from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 11,884.00.

(g) For promotion and expenses of the winners of the Mississippi Junior High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$10,000.00

(h) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 42,730.00.

SECTION 3. Of the funds in Section 2, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Bill Pigott
Kelvin Butler	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3016** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3017** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3017: Appropriation; Animal Health, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 1,497,090.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 758,857.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 22  
Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Bill Pigott
Kelvin Butler	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3017** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3020** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3020: Appropriation; Veterans Affairs Board and Homes.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,740,920.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 22,894,199.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	45
Time-Limited:	29

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 55,312,875.00.

SECTION 5. Of the funds authorized for expenditure under the provision of Section 4 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	206
Time Limited:	549

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Executive Director of the State Veteran Affairs Board has the authority to transfer spending authority between and within budgets, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veteran Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 7. Of the funds appropriated under the provisions of Sections 1 and 2, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 8. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 9. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board is hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars (\$5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. The State Veterans Affairs Board shall have the authority to escalate and expend increased federal funds obtained by virtue of Public Law 109-461 (38 CFR Part 51).

SECTION 13. Of the funds appropriated in Section 2, Nineteen Million Six Hundred Eighty Thousand Eight Hundred Eighty-three Dollars (\$19,680,883.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Mississippi State Veterans Affairs Board as a state match to relocate the Veterans Home in Jackson to state-owned property.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Mac Huddleston
Joseph M. Seymour	Randy P. Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3020** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3021** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3021: Appropriation; Ethics Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 675,680.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Ethics Commission, for the purpose of defraying the expenses of the Ethics Commission of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 10,000.00

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	6
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature, that of the funds provided in Section 1, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 7. Of the funds appropriated under the provisions of Section 2, Ten Thousand Dollars (\$10,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to upgrade and expand the Online Statement of Economic Interest System at the Ethics Commission.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sollie B. Norwood	Angela Cockerham
Jenifer B. Branning	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3021** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3022** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3022: Appropriation; Judicial Performance Commission.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 680,165.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 40,029.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEACOUNT:

Permanent:	5
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sollie B. Norwood	Angela Cockerham
Jenifer B. Branning	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3022** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3024** (version 2) be recommitted for further conference and the motion prevailed.

**S. B. No. 3024:** Appropriation; Revenue, Department of.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3025** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3025: Appropriation; Tax Appeals Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 638,699.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	6
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	C. Scott Bounds
Tyler McCaughn	Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3025** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3026** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3026: Appropriation; Workers' Compensation Commission.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,648,867.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Workers' Compensation Commission for the purpose of defraying the expenses for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 75,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

SECTION 4. With the funds appropriated in Section 1 of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	55
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that with the funds appropriated in Section 1, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Adjudication	
Number of Cases Resolved at the Administrative or Commission Level within 3 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 6 Months	950
Number of Cases Resolved at the Administrative or Commission Level within 9 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 1 Year	900
Self-insurance	

Percent of Individual Self-Insurers	
Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer	
Reviews Conducted in the Past Fiscal	
Year Showing That Reserves are	
Insufficient to Cover Claims	5.00
Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews	
Conducted Showing That Reserves are	
Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a %	
of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the Commission Chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Seventy-five Thousand Dollars (\$75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of upgrades to the Commission's imaging system and other equipment.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	Karl Oliver
Tyler McCaughn	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3026** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Harkins, McDaniel, Sojourner. Total--4.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3029** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3029: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the

purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 159,238.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 236,401.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Daniel H. Sparks	Timmy Ladner
Rita Potts Parks	Becky Currie

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3029** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3034** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3034: Appropriation; Pharmacy, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said

board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$  
3,851,052.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: 20  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Licensure	
Percent of Licenses Issued within Ten	
Business Days	100.00

Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	45
Percent of Written Complaints Resolved within Six Months	100.00
Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	16
Number of Investigations Conducted Due to the Pharmacists & Pharmacy Technicians	28
Recidivism Rate for Those Receiving Disciplinary Actions (% Avg of Three Years)	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 9. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Albert Butler	Karl Oliver
Benjamin Suber	Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3034** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3038** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3038: Appropriation; Gaming Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 8,828,391.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 1,675,397.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	121
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 2, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues	2,000,000,000.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State	
Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	25
Number of Bingo Halls Regulated	68
Average Cost per Employee to Total State	
Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Casey Eure
David Blount	Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3038** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3043** (version 2):

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3043: Appropriation; Audit, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 8,848,242.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 4,428,761.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	164
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Finance & Compliance	
County Government Audits - Percent	
Audited by CPA Firms	65.00
County Government Audits - Percent	
Audited by OSA	35.00
Single Audit Federal Program Coverage -	
Percent Audited by CPA Firms	25.00
Single Audit Federal Program Coverage -	
Percent Audited by OSA	75.00
ACFR Opinion Units - Percent General	
Fund Assets	75.00
ACFR Opinion Units - Percent General	
Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,200
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of	
70% or Higher	75.00
Investigations	

## Recovered Embezzled and/or Misspent

## Funds as a Result of Investigations

Conducted by this Office (\$)	600,000.00
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## Recovered Funds as a Percent of Total

Misspent Funds	18.00
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## Performance Audits

## Number of Performance Audit Reports

Completed	10
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## Number of Positive Changes Recommended

in Performance Audits or Bond Monitoring

Reports	25
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A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two hundred Thousand Dollars (\$200,000.00) is provided for the purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. Of the funds appropriated under the provisions of Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for IT equipment expenditures.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	C. Scott Bounds
Kevin Blackwell	Sam C. Mims, V

Senator Hopson made a substitute motion that the Conference Committee Report on **S. B. No. 3043** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3044** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3044: Appropriation; Banking and Consumer Finance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,029,003.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	90
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level

of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

W. Briggs Hopson III

John Read

John A. Polk

Karl Oliver

Sarita Simmons

Timmy Ladner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3044** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3046** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3046: Appropriation; Governor's Office and Mansion.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	2,730,696.00.
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SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	665,000.00.
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SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	39
Time-Limited:	7

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Jason White
Kevin Blackwell	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3046** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3047** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3047: Appropriation; Information Technology Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 26,695,501.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as provided in Senate Bill 2779, 2018 Legislative Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 25,252,878.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 132  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure

that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

.....\$ 11,134,207.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund State Treasury to the credit of the Wireless Communication Commission for the purpose of defraying the expenses for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 11,000,000.00

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	10
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 9. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated under the provisions of Section 6, Eleven Million Dollars (\$11,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the statewide refurbishment of the Mississippi Wireless Information Network (MSWIN).

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION  
TECHNOLOGY SERVICES FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	C. Scott Bounds
Bart Williams	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3047** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3051** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3051: Appropriation; Personnel Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 4,647,880.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 43

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Charles Jim Beckett
Sarita Simmons	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3051** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3052** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3052: Appropriation; Secretary of State.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 12,251,043.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 27,203,069.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	96
Time-Limited:	13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi

Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully	
Complete the Online Training Program	150
Number of Voter Registrations Updated on	
Secure Online Website	6,400
Percent of Poll Workers who Successfully	
Complete the Online Poll Manager	
Training on Their First Attempt	65.00
Publications	
Number of Visits to the Secretary of	
State's Website	11,700,000
Public Lands	
Number of Tax-Forfeited Properties Sold	900
Support Services	

## Support Services as a Percent of Total

Agency Expenditures 27.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. Of the funds appropriated in Section 1, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2, Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2, Eleven Million Four Hundred Fifty-five Thousand Two Hundred Forty-seven Dollars (\$11,455,247.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated in Section 2, Eight Million Seven Hundred Eighty Thousand Dollars (\$8,780,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Mississippi Secretary of State for the purpose of reimbursing counties or disbursing funds to counties for the purchase of modern voting systems, as prescribed in the Mississippi Voting Modernization Act, Senate Bill 2879, 2022 Regular Session.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Richard Bennett
Kevin Blackwell	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3052** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Tate as co-author of **S. B. No. 3052**.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3054** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3054: Appropriation; Debt Service-Gen. Obli.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2023, whichever shall first occur; and for the purpose

of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2023..... \$ 433,923,299.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2023.....  
\$ 25,501,575.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2023..... \$ 35,599,225.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2022, and June 30, 2023.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2023, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Kevin Blackwell	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3054** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 79, **S. B. No. 3043**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **S. B. No. 3043** (version 2) be recommitted for further conference

The foregoing motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3043** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3043: Appropriation; Audit, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state

and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 8,848,242.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 4,428,761.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 164  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures

Target

Finance & Compliance

County Government Audits - Percent	
Audited by CPA Firms	65.00
County Government Audits - Percent	
Audited by OSA	35.00
Single Audit Federal Program Coverage -	
Percent Audited by CPA Firms	25.00
Single Audit Federal Program Coverage -	
Percent Audited by OSA	75.00
ACFR Opinion Units - Percent General	
Fund Assets	75.00
ACFR Opinion Units - Percent General	
Fund Reserves	75.00

Technical Assistance

Number of Technical Assistance Inquiries	6,200
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of	
70% or Higher	75.00

Investigations

Recovered Embezzled and/or Misspent	
Funds as a Result of Investigations	
Conducted by this Office (\$)	600,000.00
Recovered Funds as a Percent of Total	
Misspent Funds	18.00

Performance Audits

Number of Performance Audit Reports	
Completed	10
Number of Positive Changes Recommended	
in Performance Audits or Bond Monitoring	
Reports	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 10. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two hundred Thousand Dollars (\$200,000.00) is provided for the purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. Of the funds appropriated under the provisions of Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for IT equipment expenditures.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	C. Scott Bounds
Kevin Blackwell	Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3043** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess until 1:00 PM.

The motion prevailed, and at 11:38 AM, the Senate stood in recess.

The Senate resumed business at 1:00 PM, pursuant to recess, with President Hosemann presiding.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2245:** AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; TO ENACT "BUDDY'S LAW"; TO REQUIRE A CHILD ADJUDICATED DELINQUENT OF CERTAIN OFFENSES AGAINST A DOMESTICATED DOG OR CAT TO RECEIVE A PSYCHIATRIC EVALUATION AND COUNSELING OR TREATMENT FOR A LENGTH OF TIME PRESCRIBED BY THE YOUTH COURT; AND FOR RELATED PURPOSES.

**S. B. No. 2263:** AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CHANCELLOR TO WAIVE PROCEDURAL REQUIREMENTS FOR ADULT ADOPTees WHO CONSENT TO THE ADOPTION; TO CONFORM TO FEDERAL LAW BY DELETING THE PROHIBITION AGAINST COUPLES OF THE SAME GENDER ADOPTING; TO PROHIBIT PHYSICALLY INCARCERATED OFFENDERS FROM REQUESTING A NAME CHANGE; TO DEFINE TERMS; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2545:** AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF PURCHASE TRANSACTIONS FOR SCRAP METAL; TO REVISE DEFINITIONS BY ADDING CERTAIN TERMS; TO REQUIRE RECORD KEEPING FOR DEALER TO DEALER TRANSACTIONS; TO REGULATE DELIVERY OF METAL PROPERTY BY A PERSON OTHER THAN THE SELLER WHO DELIVERS METAL PROPERTY; TO PROVIDE THAT THE SALE OF CERTAIN TELECOMMUNICATION WIRE SHALL BE UNLAWFUL; TO PROVIDE THAT THIS SECTION SHALL TAKE PRECEDENCE OVER LOCAL ORDINANCES GOVERNING PURCHASE TRANSACTIONS OF METAL PROPERTY; TO AMEND SECTION 97-17-71.1, MISSISSIPPI CODE OF 1972, TO REQUIRE A REGISTRANT TO DECLARE WHETHER THE REGISTRANT HAS EVER BEEN CONVICTED OF ANY FELONY OFFENSE OR ANY MISDEMEANOR OFFENSE INVOLVING FRAUD, DISHONESTY, OR DECEIT WITHIN FIVE YEARS PRECEDING THE DATE OF APPLICATION; TO PROVIDE THAT A REGISTRANT CONVICTED OF SUCH AN OFFENSE MAY BE PROHIBITED FROM REGISTERING FOR FIVE YEARS FROM THE DATE OF CONVICTION; TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO MAKE CERTAIN FALSE OR MISLEADING STATEMENTS; TO AUTHORIZE THE SECRETARY OF STATE TO COMPEL OR ALLOW A PERSON TO TESTIFY OR PRODUCE A RECORD UNDER CERTAIN CIRCUMSTANCES; TO REQUIRE THE SECRETARY OF STATE TO HOLD AN ADMINISTRATIVE HEARING WITHIN A CERTAIN NUMBER OF BUSINESS DAYS OF ISSUING AN IMMEDIATE CEASE AND DESIST ORDER; TO AMEND SECTION 97-17-71.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PURCHASE OF ANY AIR CONDITIONER EVAPORATOR COIL IS SUBJECT TO CERTAIN RECORD KEEPING REQUIREMENTS; TO CREATE NEW SECTION 97-17-71.3, MISSISSIPPI CODE OF 1972, TO PROVIDE REQUIREMENTS FOR THE PURCHASE AND ACQUISITION OF CERTAIN CATALYTIC CONVERTERS NOT ATTACHED TO A MOTOR VEHICLE; TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO TRANSFER OR PURCHASE A USED, DETACHED CATALYTIC CONVERTER WITHOUT MEETING THE REQUIREMENTS OF THIS SECTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES

**S. B. No. 2735:** AN ACT TO AMEND SECTION 41-75-1, MISSISSIPPI CODE OF 1972, TO CREATE A DEFINITION FOR PILOT FREESTANDING EMERGENCY ROOMS FOR THE PURPOSE OF LICENSURE; TO AMEND SECTION 41-75-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL NOT ISSUE LICENSES FOR MORE THAN FIVE PILOT FREESTANDING EMERGENCY ROOMS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2620:** AN ACT TO AMEND SECTION 25-61-9, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO AWARD ATTORNEY'S FEES FOR A THIRD PARTY'S COSTS IN SEEKING ADDITIONAL PROTECTIVE ORDERS FOR PUBLIC RECORD REQUESTS THAT ARE THE SUBJECT OF EXISTING PROTECTIVE ORDERS; AND FOR RELATED PURPOSES.

**S. B. No. 2913:** AN ACT TO AMEND SECTION 19-17-17, MISSISSIPPI CODE OF 1972, TO DELETE THE DUTY OF THE CLERK OF THE BOARD OF SUPERVISORS TO REPORT TO THE GRAND JURY THE RESULTS OF THE AUDIT REQUIRED BY THIS SECTION; TO DELETE THE CRIMINAL PENALTY AGAINST THE CLERK OF THE BOARD OF SUPERVISORS FOR FAILING TO REPORT TO THE GRAND JURY; AND FOR RELATED PURPOSES.

**S. B. No. 3202:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE MADISON SQUARE REDEVELOPMENT AUTHORITY AND THE CITY OF MADISON, MISSISSIPPI, TO TRANSFER CERTAIN PROPERTIES OWNED BY THE MADISON SQUARE REDEVELOPMENT AUTHORITY TO THE CITY OF MADISON, MISSISSIPPI, AND TO TRANSFER CERTAIN PROPERTIES OWNED BY THE CITY OF MADISON, MISSISSIPPI, TO THE MADISON SQUARE REDEVELOPMENT AUTHORITY; TO LEASE, SUBLEASE, SUB-SUBLEASE, SELL AND LEASEBACK, LEASE AND SUBLEASE-BACK FOR TERMS VARYING IN LENGTH BUT NOT TO EXCEED 99 YEARS, OR TO TRADE, EXCHANGE OR OTHERWISE CONVEY OR DISPOSE OF CERTAIN PROPERTIES OWNED BY THE CITY OF MADISON, MISSISSIPPI, AND CERTAIN PROPERTIES OWNED BY THE MADISON SQUARE REDEVELOPMENT AUTHORITY FOR COMMERCIAL, RESIDENTIAL, MUNICIPAL AND COMMUNITY DEVELOPMENT PURPOSES; TO ENTER INTO CERTAIN CONTRACTS FOR THE DEVELOPMENT OF PROJECTS UPON SUCH PROPERTIES AND FOR THE DEVELOPMENT OF FACILITIES RELATED TO SUCH PROJECTS; TO FINANCE OR OTHERWISE PROVIDE FUNDING FOR CERTAIN PROJECTS AND FACILITIES RELATED TO PROJECTS THAT PROMOTE COMMERCIAL, RESIDENTIAL, MUNICIPAL, COMMUNITY AND OTHER ECONOMIC DEVELOPMENT WITHIN THE CITY OF MADISON, MISSISSIPPI; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2159:** AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR TAX INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI

FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO AMEND SECTION 27-7-22, MISSISSIPPI CODE OF 1972, TO ALLOW AN INCOME TAX CREDIT FOR ANY QUALIFIED BUSINESS OR INDUSTRY WHICH IS CERTIFIED AS SUCH BY THE MISSISSIPPI BOARD OF ECONOMIC DEVELOPMENT UNDER THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT AND AWARDED A TAX INCENTIVE UNDER THE ACT FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF ANY MFLEX TAX INCENTIVE OR OTHER INCENTIVE THAT A QUALIFIED BUSINESS OR OTHER ENTITY IS ELIGIBLE TO RECEIVE UNDER THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT IS LESS THAN THE AMOUNT OF THE MFLEX TAX INCENTIVE OR OTHER INCENTIVE THAT THE QUALIFIED BUSINESS OR OTHER ENTITY WOULD HAVE BEEN ELIGIBLE TO RECEIVE OR TO USE IF THE MFLEX TAX INCENTIVE OR OTHER INCENTIVE HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR OTHER ENTITY SHALL RECEIVE A GRANT FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; TO AMEND SECTIONS 57-62-9 AND 57-62-11, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI ADVANTAGE JOBS ACT; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF THE INCENTIVE PAYMENT THAT A QUALIFIED BUSINESS OR INDUSTRY IS ELIGIBLE TO RECEIVE UNDER SUCH ACT IS LESS THAN THE AMOUNT THAT THE INCENTIVE PAYMENT WOULD HAVE BEEN IF THE PAYMENT HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR INDUSTRY ALSO SHALL RECEIVE A GRANT EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; TO AMEND SECTIONS 57-99-1, 57-99-3 AND 57-99-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2023, IF THE AMOUNT OF THE INCENTIVE PAYMENTS THAT A QUALIFIED BUSINESS OR INDUSTRY IS ELIGIBLE TO RECEIVE UNDER SUCH PROGRAM IS LESS THAN THE AMOUNT THAT THE INCENTIVE PAYMENTS WOULD HAVE BEEN IF THE PAYMENTS HAD BEEN CALCULATED USING ANY APPLICABLE INCOME TAX RATES IN SECTION 27-7-5 THAT WERE IN EFFECT BEFORE JANUARY 1, 2023, THEN THE QUALIFIED BUSINESS OR INDUSTRY ALSO SHALL RECEIVE A GRANT EQUAL TO THE DIFFERENCE BETWEEN SUCH TWO AMOUNTS; AND FOR RELATED PURPOSES.

**S. B. No. 2319:** AN ACT TO AMEND SECTION 43-19-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO COLLABORATE WITH THE TREASURER TO INTERCEPT UNCLAIMED PROPERTY TO SATISFY A CHILD SUPPORT ARREARAGE; TO AMEND SECTION 89-12-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE TREASURER TO COOPERATE WITH THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE IF A CLAIMANT OF UNCLAIMED PROPERTY OWES A CHILD SUPPORT ARREARAGE; TO REQUIRE THE TREASURER TO TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES

ANY PORTION OF A CLAIM TO SATISFY THE CHILD SUPPORT ARREARAGE; TO AMEND SECTION 93-11-71, MISSISSIPPI CODE OF 1972, TO SUBJECT UNCLAIMED PROPERTY TO INTERCEPTION OR SEIZURE WITHOUT REGARD TO THE ENTRY OF THE JUDGMENT ON THE JUDGMENT ROLL OF THE SITUS DISTRICT OR JURISDICTION TO SATISFY CHILD SUPPORT ARREARAGES; AND FOR RELATED PURPOSES.

**S. B. No. 2321:** AN ACT TO CREATE A CIVIL CAUSE OF ACTION FOR ENGAGING IN HUMAN TRAFFICKING OR WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITTING FROM PARTICIPATION IN HUMAN TRAFFICKING; TO DEFINE TERMS; TO PROVIDE THAT A DEFENDANT WHO ENGAGES IN HUMAN TRAFFICKING OR WHO WILLFULLY, INTENTIONALLY AND KNOWINGLY BENEFITS FROM PARTICIPATING IN A VENTURE THAT TRAFFICKS ANOTHER PERSON IS LIABLE TO THE PERSON TRAFFICKED FOR DAMAGES PROXIMATELY CAUSED BY THE TRAFFICKING OF THAT PERSON BY THE DEFENDANT OR VENTURE; TO PROVIDE FOR SHAREHOLDER OR MEMBER LIABILITY; TO CLARIFY THAT THE OCCURRENCE OF HUMAN TRAFFICKING ON THE PROPERTY OF ONE NOT ENGAGED IN OR BENEFITTING FROM SUCH HUMAN TRAFFICKING SHALL NOT, IN AND OF ITSELF, SUBJECT THE PROPERTY OWNER TO LIABILITY; TO AMEND SECTION 97-29-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CRIME OF PROMOTION OF PROSTITUTION; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO REVISE WHERE THE PROCEEDS OF FORFEITED ASSETS FROM HUMAN TRAFFICKING ARE DEPOSITED; TO AMEND SECTION 97-3-54.9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 97-3-54.8, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE "RELIEF FOR VICTIMS OF HUMAN TRAFFICKING FUND"; AND FOR RELATED PURPOSES.

**S. B. No. 2358:** AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PUBLISH THE FEES; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO USE OR DISBURSE FUNDS RECEIVED AS QUALIFYING FEES FOR PRESIDENTIAL CANDIDATES; TO CONFORM; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2461:** AN ACT TO CREATE PROCEDURES AND PROTECTIONS FOR RESIDENTIAL EVICTIONS WITHIN THE RESIDENTIAL LANDLORD AND TENANT ACT; TO CREATE NEW SECTION 89-8-31, MISSISSIPPI CODE OF 1972, TO PROSCRIBE WHEN A LANDLORD MAY COMMENCE PROCEEDINGS TO EVICT A TENANT; TO CREATE NEW SECTION 89-8-33, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION; TO CREATE NEW SECTION 89-8-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ISSUANCE OF SUMMONS; TO REQUIRE CERTAIN DISCLOSURES TO BE MADE IN THE SUMMONS INCLUDING THE FACT THAT THE TENANT SHALL HAVE A CERTAIN PERIOD OF TIME AFTER THE EXECUTION OF A WARRANT OF REMOVAL TO REMOVE PERSONAL PROPERTY; TO CREATE NEW SECTION 89-8-37, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO GRANT A JUDGMENT TO THE LANDLORD WHERE THE LANDLORD IS OTHERWISE ENTITLED TO A JUDGMENT UNDER LAW AND EITHER THE TENANT FAILED TO APPEAR OR THE JUDGE FINDS THAT THE TENANT FAILED TO PRESENT A VALID DEFENSE OR COUNTERCLAIM; TO PROVIDE THAT JUDGMENTS GRANTED IN EVICTION ACTIONS SHALL BE SIGNED AND EXECUTED ON THE SAME BUSINESS DAY THAT THE JUDGMENT IS GRANTED; TO CREATE NEW SECTION 89-8-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGE TO ORDER THE TENANT TO VACATE THE PREMISES BY A CERTAIN DATE IF A JUDGMENT OF POSSESSION IS GRANTED TO THE LANDLORD; TO PROVIDE THAT PRIOR TO THE DATE TO VACATE SET BY THE JUDGE THE TENANT SHALL HAVE THE SAME ACCESS TO THE PREMISES AS PREVIOUSLY ALLOWED UNDER THE TERMS OF

THE RENTAL AGREEMENT; TO AUTHORIZE THE LANDLORD TO REQUEST A WARRANT OF REMOVAL; TO REQUIRE THE LANDLORD TO PROVIDE THE TENANT WITH REASONABLE ACCESS FOR A CERTAIN PERIOD TO THE DWELLING UNIT TO RETRIEVE PERSONAL PROPERTY AFTER THE EXECUTION OF THE WARRANT; TO PROVIDE THAT A JUDGE SHALL NOT ISSUE A WARRANT OF REMOVAL IF THE TENANT HAS PAID THE SUMS OWED TO THE LANDLORD IN CASES OF A JUDGMENT OF POSSESSION FOR FAILURE TO PAY RENT; TO CREATE NEW SECTION 89-8-41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR CONTINUANCES; TO CREATE NEW SECTION 89-8-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPEALS FROM A FINAL JUDGMENT SHALL BE PURSUANT TO APPLICABLE MISSISSIPPI RULES OF COURT; TO CREATE NEW SECTION 89-8-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LANDLORD MAY CHARGE THE TENANT DOUBLE THE RENT FOR THE TIME THAT THE TENANT CONTINUES IN POSSESSION OF THE PREMISES FOLLOWING THE DATE TO VACATE; TO AMEND SECTION 89-8-11, MISSISSIPPI CODE OF 1972, TO REQUIRE RULES AND REGULATIONS TO BE WRITTEN; TO AMEND SECTION 89-8-13, MISSISSIPPI CODE OF 1972, TO PROVIDE A CERTAIN TIME PERIOD FOR A TENANT TO QUIT THE PREMISES IF THE MATERIAL NONCOMPLIANCE BY THE TENANT IS THE NONPAYMENT OF RENT PURSUANT TO THE RENTAL AGREEMENT; TO AMEND SECTION 89-8-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NOTICE TO TERMINATE THE TENANCY SHALL NOT BE REQUIRED WHEN THE LANDLORD OR TENANT HAS COMMITTED A SUBSTANTIAL VIOLATION OF THE RENTAL AGREEMENT OF THIS CHAPTER THAT MATERIALLY AFFECTS HEALTH OR SAFETY; TO AMEND SECTION 89-7-29, MISSISSIPPI CODE OF 1972, TO PROSCRIBE CERTAIN DOCUMENTS TO BE FILED TO COMMENCE AN EVICTION FOR PREMISES OR OTHER LANDS THAT ARE NOT DWELLING UNITS; TO REQUIRE THE LANDLORD TO IDENTIFY ANY ITEMS OF TENANT PROPERTY LOCATED AT THE PREMISES AS TO WHICH THE LANDLORD ASSERTS A VALID LIEN; TO AMEND SECTIONS 89-7-27, 89-7-31 AND 89-7-33, MISSISSIPPI CODE OF 1972, TO CONFORM; TO CREATE NEW SECTION 89-7-34, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO GRANT A JUDGMENT TO THE LANDLORD WHERE THE LANDLORD IS OTHERWISE ENTITLED TO A JUDGMENT UNDER LAW AND EITHER THE TENANT FAILED TO APPEAR OR THE JUDGE FINDS THAT THE TENANT FAILED TO PRESENT A VALID DEFENSE OR COUNTERCLAIM; TO PROVIDE THAT JUDGMENTS GRANTED IN EVICTION ACTIONS SHALL BE SIGNED AND EXECUTED ON THE SAME BUSINESS DAY THAT THE JUDGMENT IS GRANTED; TO AMEND SECTIONS 89-7-35, 89-7-37, 89-7-39, 89-7-43, 89-7-47, 89-8-3, 89-8-7, 89-8-9, 89-8-15 AND 89-8-17, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 89-7-41 AND 89-7-45, MISSISSIPPI CODE OF 1972, WHICH GOVERN THE DISPOSITION OF TENANT PERSONAL PROPERTY AND WHEN A WARRANT OF REMOVAL MAY ISSUE; AND FOR RELATED PURPOSES.

**S. B. No. 2508:** AN ACT TO AUTHORIZE AND PROVIDE FOR THE REGULATION OF THE USE OF PERSONAL DELIVERY DEVICES IN PEDESTRIAN AREAS; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2530:** AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES, ATTORNEY GENERAL AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2022; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION

TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, ATTORNEY GENERAL, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; AND FOR RELATED PURPOSES.

**S. B. No. 2536:** AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO QUALIFIED ELECTORS; AND FOR RELATED PURPOSES.

**S. C. R. No. 589:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUMMER FIELD PROGRAM AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI'S GULF COAST RESEARCH LABORATORY ON THE OCCASION OF ITS 75TH ANNIVERSARY AND RECOGNIZING ITS ACHIEVEMENTS.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 660:** AN ACT TO AMEND SECTIONS 57-119-9 AND 57-119-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOLS ARE ELIGIBLE FOR ASSISTANCE FOR PROJECTS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL NOT APPLY TO PROJECTS FOR PUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 77:** A CONCURRENT RESOLUTION TO CONDEMN THE INVASION OF UKRAINE AND TO SEVER ALL ECONOMIC, FINANCIAL, CULTURAL AND OTHER CONNECTIONS WITH THE RUSSIAN FEDERATION, ITS LEADERS, AND ITS BUSINESSES.

**H. C. R. No. 90:** A CONCURRENT RESOLUTION CHANGING THE DATE OF SINE DIE ADJOURNMENT OF THE 2022 REGULAR SESSION OF THE LEGISLATURE FROM APRIL 6, 2022, TO APRIL 10, 2022.

Joseph Thomas, Chairman

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 4, **H. B. No. 1663**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1663** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1663: Bonds; authorize issuance for various purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

( \*\* \*c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are

necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property; \* \* \*

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned \* \* \*;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

(\* \* \*d) "MDA" means the Mississippi Development Authority.

(\* \* \*e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, or Section 8 of Chapter 480, Laws of 2021, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
	Chris Johnson
Steve Massengill	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1663** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2034:** AN ACT TO AMEND SECTION 91-7-63, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LETTERS OF ADMINISTRATION SHALL BE GRANTED BY THE CHANCERY COURT OF THE COUNTY IN WHICH THE INTESTATE OWNED

LAND IF THE INTESTATE HAD NO FIXED PLACE OF RESIDENCE; TO REMOVE THE PROVISION OF LAW THAT PROVIDED FOR LETTERS OF ADMINISTRATION TO BE ISSUED BY THE CHANCERY COURT IN THE COUNTY IN WHICH THE INTESTATE HAD PERSONAL PROPERTY; AND FOR RELATED PURPOSES.

**S. B. No. 2336:** AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE BOARD TO COLLECT PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2306:** AN ACT TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO TRANSFER THE AUTHORITY OF THE MISSISSIPPI ETHICS COMMISSION TO ASSESS A CIVIL PENALTY AGAINST ANY CANDIDATE OR POLITICAL COMMITTEE FOR FAILURE TO FILE A REPORT TO THE SECRETARY OF STATE; TO DELETE THE PROVISIONS THAT PROVIDES FOR A HEARING FOR A CANDIDATE OR POLITICAL COMMITTEE BEFORE THE STATE BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR AN APPEAL PROCEDURE FOR THOSE CANDIDATES WHO ARE ASSESSED A CIVIL PENALTY BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR REPORTS THAT WOULD OTHERWISE BE DUE ON A WEEKEND OR LEGAL HOLIDAY SHALL BE DUE ON THE NEXT WORKING DAY AFTER THE DUE DATE; AND FOR RELATED PURPOSES.

**S. B. No. 2338:** AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE FRAUD INVESTIGATION UNIT OF THE DEPARTMENT OF HUMAN SERVICES TO REPORT TO THE STATE AUDITOR ANY SUSPECTED CIVIL OR CRIMINAL VIOLATIONS RELATING TO PROGRAM FRAUD, EMBEZZLEMENT OR RELATED CRIMES; AND FOR RELATED PURPOSES.

**S. B. No. 2421:** AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UNTIL 2024 THE STATE DEPARTMENT OF HEALTH SHALL USE FUNDS PROVIDED UNDER THIS SECTION TO MAKE PHYSICIAN GRANTS TO QUALIFIED HEALTH CENTERS; AND FOR RELATED PURPOSES.

**S. B. No. 2512:** AN ACT TO AMEND CHAPTER 955, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE UNTIL JULY 1, 2026, ON THE LAW THAT AUTHORIZES THE CITY OF SOUTHAVEN, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF SALES OF BEVERAGES AND PREPARED FOOD AT RESTAURANTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

**S. B. No. 2513:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION, TO AUTHORIZE THE CITY TO ISSUE GENERAL OBLIGATION BONDS OR INCUR OTHER INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF AN AMOUNT FOR WHICH DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX LEVIED UNDER THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2517:** AN ACT TO CREATE NEW SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO

CREATE BY RULE A VOLUNTARY PROGRAM OF COMMERCIAL MOTOR VEHICLE INSPECTION; AND FOR RELATED PURPOSES.

**S. B. No. 2525:** AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO RETAIN A 200-FOOT BUFFER ON THE NORTH SIDE OF THE CHAMPION HILL HISTORICAL PROPERTY BETWEEN THE RAILROAD RIGHT-OF-WAY AND THE NATIONAL PARK SERVICE PROPERTY AND AN ACCESS CORRIDOR, TO PROVIDE A LEGAL DESCRIPTION OF THE BUFFER AND THE ACCESS/EGRESS PROPERTY, AND TO FILE NECESSARY DEEDS THEREFOR; AND FOR RELATED PURPOSES.

**S. B. No. 2649:** AN ACT TO AMEND SECTION 33-7-119, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PLACEMENT OF CERTAIN FEDERALLY RECOGNIZED OFFICERS OR ENLISTED MEN ON THE MISSISSIPPI NATIONAL GUARD RETIRED LIST; AND FOR RELATED PURPOSES.

**S. B. No. 2669:** AN ACT TO AMEND SECTIONS 27-15-205, 27-15-223, 83-5-71 AND 83-17-25, MISSISSIPPI CODE OF 1972, TO MAKE THE TERM OF CERTAIN LICENSES AND CERTIFICATES ISSUED BY THE COMMISSIONER OF INSURANCE PERPETUAL UNTIL SUCH TIME AS THE COMMISSIONER OF INSURANCE REVOKES THE LICENSE OR CERTIFICATE, OR THE LICENSE OR CERTIFICATE IS FORFEITED BY THE LICENSEE OR CERTIFICATE HOLDER; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2700:** AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 475, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADMINISTER CERTAIN CONSTRUCTION AND MAINTENANCE PROJECTS OF THE INSTITUTIONS UNDER ITS JURISDICTION; TO ESTABLISH THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UTILIZING FUNDS MADE AVAILABLE UNDER THE FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS AND THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROMULGATE GRANT APPLICATION REGULATIONS; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADMINISTER THE MAICU GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO CREATE IN THE STATE TREASURY A SPECIAL FUND DESIGNATED AS THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM FUND"; TO AMEND SECTION 27-104-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

**S. B. No. 2725:** AN ACT TO CREATE NEW SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTH CARE PROVIDERS TO PROVIDE MEDICAL RECORDS AND BILLING RECORDS THAT ARE IN THEIR POSSESSION OR CUSTODY TO A PATIENT OR THE PATIENT'S REPRESENTATIVE WITHIN 30 DAYS FROM THE DATE THAT IT RECEIVES A VALID REQUEST; AND FOR RELATED PURPOSES.

**S. B. No. 2980:** AN ACT TO REENACT AND AMEND CHAPTER 966, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2016, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON, MISSISSIPPI, TO CONTINUE TO PAY KEEP JACKSON BEAUTIFUL, INC., FOR ITS SERVICES IN REGARD TO A LITTER PREVENTION PROGRAM THROUGH CALENDAR YEAR 2026; TO RAISE THE AUTHORIZED AMOUNT FROM \$40,000.00 TO \$60,000.00; AND FOR RELATED PURPOSES.

**S. B. No. 2998:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SARDIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; TO PROVIDE THAT THE REVENUE FROM THE TAX SHALL BE EXPENDED BY THE TOWN OF SARDIS FOR THE ENHANCEMENT OF TOURISM AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; TO PROVIDE THAT THE TAX SHALL BE COLLECTED BY THE DEPARTMENT OF REVENUE AND PAID TO THE TOWN OF SARDIS; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**S. B. No. 2999:** AN ACT TO AMEND CHAPTER 922, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 905, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2026, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF HORN LAKE, MISSISSIPPI, TO LEVY A TAX UPON HOTEL AND MOTEL ROOM RENTALS, WHICH SHALL BE USED TO PROMOTE THE CITY'S TOURISM AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

**S. B. No. 3206:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BYHALIA AREA ARTS COUNCIL; AND FOR RELATED PURPOSES.

**S. B. No. 3208:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO ENTER INTO CERTAIN ROAD IMPROVEMENT CONTRACTS REGARDLESS OF WHETHER THE CONTRACTS MAY EXTEND BEYOND 30 DAYS FROM THE TERMINATION AND END OF THE TERM OF OFFICE OF THE MEMBERS OF THE BOARD OF SUPERVISORS AWARDING THE CONTRACTS; AND FOR RELATED PURPOSES.

**S. B. No. 3209:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF HERNANDO, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN 1% UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO SUPPORT CAPITAL IMPROVEMENTS RELATED TO PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE THAT AN ELECTION BE HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER 2022 ON THE QUESTION OF THE LEVYING OF SUCH TAX; TO PROVIDE THAT THE TAX SHALL BE SUBJECT TO REAUTHORIZATION BY THE VOTERS AT EACH MUNICIPAL GENERAL ELECTION; AND FOR RELATED PURPOSES.

**S. B. No. 3211:** AN ACT TO AUTHORIZE THE MERIDIAN PUBLIC SCHOOL DISTRICT TO TRANSFER CERTAIN PROPERTY TO THE MERIDIAN HOUSING AUTHORITY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 657:** AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROHIBITS THE DIVISION OF MEDICAID'S RATES OF REIMBURSEMENT, SERVICES, CHARGES AND FEES FROM

BEING INCREASED, DECREASED OR OTHERWISE CHANGED UNLESS THEY ARE AUTHORIZED BY AN AMENDMENT TO THIS SECTION BY THE LEGISLATURE; TO ESTABLISH A PROCEDURE FOR THE MEDICAID COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED CHANGES IN PROVIDER RATES OF REIMBURSEMENT OR PAYMENT METHODOLOGIES BY THE DIVISION OF MEDICAID BEFORE THE CHANGES WILL TAKE EFFECT; TO REQUIRE THE DIVISION TO INCREASE THE AMOUNT OF THE REIMBURSEMENT RATE FOR RESTORATIVE DENTAL SERVICES FOR FISCAL YEARS 2023, 2024 AND 2025 BY 5% ABOVE THE AMOUNT OF THE REIMBURSEMENT RATE FOR THE PREVIOUS FISCAL YEAR; TO SET REQUIREMENTS FOR THE REIMBURSEMENT OF DURABLE MEDICAL EQUIPMENT, INCLUDING NONINVASIVE VENTILATORS OR VENTILATION TREATMENTS PROPERLY ORDERED AND BEING USED IN AN APPROPRIATE CARE SETTING; TO REQUIRE REIMBURSEMENT TO DURABLE MEDICAL EQUIPMENT SUPPLIERS FOR HOME USE OF NONINVASIVE AND INVASIVE VENTILATORS TO BE ON A CONTINUOUS MONTHLY PAYMENT BASIS FOR THE DURATION OF MEDICAL NEED THROUGHOUT A PATIENT'S VALID PRESCRIPTION PERIOD; TO REQUIRE THE DIVISION TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM OR ANOTHER ALLOWABLE DELIVERY SYSTEM AUTHORIZED BY FEDERAL LAW FOR EMERGENCY AMBULANCE TRANSPORTATION PROVIDERS; TO PROVIDE FOR THE FORMULA THAT THE DIVISION SHALL USE FOR CALCULATING AMBULANCE SERVICE ACCESS PAYMENT AMOUNTS; TO PROVIDE THAT THE DIVISION SHALL REIMBURSE FOR OUTPATIENT HOSPITAL SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES UNDER THE AGE OF 21 BY BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITALS; TO REQUIRE THE DIVISION TO EVALUATE THE FEASIBILITY OF USING A SINGLE VENDOR TO ADMINISTER DENTAL BENEFITS PROVIDED UNDER A MANAGED CARE DELIVERY SYSTEM; TO PROVIDE THAT PLANNING AND DEVELOPMENT DISTRICTS PARTICIPATING IN THE HOME- AND COMMUNITY-BASED SERVICES PROGRAM FOR THE ELDERLY AND DISABLED AS CASE MANAGEMENT PROVIDERS SHALL BE REIMBURSED FOR CASE MANAGEMENT SERVICES AT THE MAXIMUM RATE APPROVED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO REQUIRE THE DIVISION TO REIMBURSE FOR SERVICES PROVIDED TO ELIGIBLE MEDICAID BENEFICIARIES BY A LICENSED BIRTHING CENTER IN A METHOD AND MANNER TO BE DETERMINED BY THE DIVISION IN ACCORDANCE WITH FEDERAL LAWS AND FEDERAL REGULATIONS; TO REQUIRE THE DIVISION TO SEEK ANY NECESSARY WAIVERS, MAKE ANY REQUIRED AMENDMENTS TO ITS STATE PLAN OR REVISE ANY MANAGED CARE CONTRACTS AUTHORIZED UNDER THIS SECTION AS NECESSARY TO PROVIDE SUCH BIRTHING CENTER SERVICES; TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR THE MEDICAID COMMITTEES OF THE HOUSE AND SENATE TO REVIEW PROPOSED STATE PLAN AMENDMENTS OF THE DIVISION OF MEDICAID BEFORE THE PROPOSED STATE PLAN AMENDMENTS ARE FILED WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES; TO PROVIDE THAT THE MEDICAID COMMITTEES HAVE NO AUTHORITY UNDER THE PRECEDING PROVISIONS TO VETO OR REVISE ANY PROPOSED ACTIONS BY THE DIVISION OF MEDICAID, BUT ARE LIMITED TO REVIEWING, MAKING OBJECTIONS TO AND MAKING RECOMMENDATIONS FOR SUGGESTED CHANGES TO PROPOSED ACTIONS BY THE DIVISION; TO AMEND SECTION 43-13-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY STATE PLAN AMENDMENT SUBMITTED TO COMPLY WITH THE PROVISIONS OF SECTION 43-13-117 IS DISAPPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DIVISION MAY OPERATE UNDER THE STATE PLAN AS PREVIOUSLY APPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES IN ORDER TO PRESERVE FEDERAL MATCHING FUNDS; TO REQUIRE THE DIVISION TO PROVIDE NOTICE OF THE DISAPPROVAL TO THE CHAIRMEN OF THE HOUSE AND SENATE MEDICAID COMMITTEES; TO AMEND SECTIONS 41-71-1 AND 41-71-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS AND CLINICAL NURSE SPECIALISTS TO PRESCRIBE OR

ORDER HOME HEALTH SERVICES AND PLANS OF CARE, CERTIFY AND RECERTIFY ELIGIBILITY FOR HOME HEALTH SERVICES AND CONDUCT THE REQUIRED INITIAL FACE-TO-FACE VISIT WITH THE RECIPIENT OF THE SERVICES; TO PROVIDE THAT THE AMENDMENTS IN THE ACT ARE RETROACTIVE TO MAY 8, 2020; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1408:** AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES OF THE COUNTY SHERIFFS; TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY IN WHICH A JUVENILE DETENTION CENTER IS LOCATED TO PAY AN ANNUAL SUPPLEMENT TO THE SHERIFF OF THE COUNTY; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF PER DIEM FOR COUNTY ELECTION COMMISSIONERS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 79:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MRS. MILLICENT "MANDY" GUNTER OF BAYOU VIEW ELEMENTARY SCHOOL IN GULFPORT, MISSISSIPPI, FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING.

**H. C. R. No. 80:** A CONCURRENT RESOLUTION COMMENDING CHICKASAW COUNTY, MISSISSIPPI, NATIVE, THE LEGENDARY AND RENOWNED SINGER-SONGWRITER MRS. BOBBIE GENTRY FOR HER MUSICAL ARTISTRY AND EXTRAORDINARY TALENT.

**H. C. R. No. 81:** A CONCURRENT RESOLUTION DESIGNATING APRIL 14, 2022, AS THE PERIOD OF OBSERVATION OF GLOBAL REMAN DAY THROUGHOUT THE STATE OF MISSISSIPPI.

**H. C. R. No. 82:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MISSISSIPPI EXPORT RAILROAD UPON ITS 100TH ANNIVERSARY AND DESIGNATING NOVEMBER 10, 2022, AS MISSISSIPPI EXPORT RAILROAD DAY.

**H. C. R. No. 83:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PINE GROVE HIGH SCHOOL PANTHERS BOYS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A BOYS BASKETBALL STATE CHAMPIONSHIP.

**H. C. R. No. 84:** A CONCURRENT RESOLUTION COMMENDING THE RICH AND HISTORICAL LEGACY OF THE CITY OF MCCOMB, MISSISSIPPI, AND CONGRATULATING THE CITY UPON THE OCCASION OF ITS SESQUICENTENNIAL ANNIVERSARY, ACKNOWLEDGING 150 YEARS OF EXCELLENCE.

**H. C. R. No. 85:** A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS SECOND COMMUNITY FOCUSED ADVERSE CHILDHOOD EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND DECLARING JUNE 20,

2022, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

**H. C. R. No. 86:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE MEMBERS OF THE POISED PEARLS OF LAUREL INTEREST GROUP UPON THE MOST AUSPICIOUS OCCASION OF BECOMING A CHARTERED GRADUATE CHAPTER OF ALPHA KAPPA ALPHA SORORITY, INC., ON MAY 7, 2022.

**H. C. R. No. 87:** A CONCURRENT RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE COMMERCIAL DISPATCH NEWSPAPER ON MARCH 12, 1922, IN COLUMBUS, MISSISSIPPI, THE ONLY FAMILY-OWNED DAILY NEWSPAPER IN THE STATE, AND RECOGNIZING ITS CONTRIBUTIONS TO THE COMMUNITY AND TO THE STATE OF MISSISSIPPI.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 88:** A CONCURRENT RESOLUTION RECOGNIZING AND HONORING BOB TYLER FOR HIS LIFE OF SERVICE TO YALOBUSHA COUNTY AND THE STATE OF MISSISSIPPI UPON THE OCCASION OF HIS RETIREMENT IN JUNE 2022 AS EXECUTIVE DIRECTOR OF THE YALOBUSHA COUNTY ECONOMIC DEVELOPMENT DISTRICT.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 1:09 PM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3024:** Appropriation; Revenue, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. C. R. No. 46:** "Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 11-17, 2022, as. Title Sufficient. Do Be Adopted.

**S. R. No. 63:** Recognize Jeff Rosamond for distinguished and outstanding legal service to the Mississippi Senate as Director of Legislative Services. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1599** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1599: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 10,964,532.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 26,613,642.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	155
Time-Limited:	Full Time .....	8

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1386, 2021 Regular Session to provide for the de la Pointe-Krebs House for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 220,820.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 14. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 12,000,000.00.

The purpose of these funds is to provide for repair, renovation, and construction projects undertaken by the Department of Archives and History.

SECTION 15. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 2,500.00.

The purpose of these funds is to provide for the Governor's Portrait.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the

Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1386, 2021 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 17. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 18. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making grants to nonprofit organizations as defined in Senate Bill 2834, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 3,000,000.00.

SECTION 19. It is the intent of the Legislature that following projects be funded from any funds available in the Historic Site Preservation Fund as established in Senate Bill 2834, 2021 Regular Session: Chambliss Shoe Hospital in Hinds County; Champion Hill Farms Tract (Champion Hill Battlefield) in Hinds County; the Oswald Site in Jackson County; and Railroad Redoubt (Vicksburg Battlefield) in Warren County.

SECTION 20. With the funds appropriated herein, the Department of Archives and History is authorized to make payment for expenses incurred during Fiscal Years 2019 through 2022 as follows:

VendorFiscal Amount	Year
City of Jackson, Mississippi.....	2020/2021
\$ 1,748.72	
City of Jackson, Mississippi.....	2020/2021/2022
\$ 1,851.20	
City of Jackson, Mississippi.....	2019/2020/2021/2022
\$ 4,159.09	

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	J. Walter Michel
Timmy Ladner	Robert L. Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1599** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting---None.  
Voting Present--Blount. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1601** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1601: Appropriation; Educational Television, Authority for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 4,463,984.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 10,216,280.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	86
Time-Limited:	Full Time .....	9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 4. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations,

publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 7. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Content Operations	
Number of Locally Produced TV Programs	150
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	4,500
Number of New Programs Produced & Broadcast Related to Fit to Eat Programming	13
Percent Increase in Visitors Viewing the Healthy Living Related Items on MPB Site	31.00
Percent of Radio Broadcasts & TV Alerts During Times of Emergency	100.00
Education Services	
Percent Increase in Users Using MPB Education Online Resources for Pre-K Children & Families	15.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30

Number of Teachers Taking e-Learning Courses	1,200
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	400
Percent Increase of Visitors to the MPB Education Website	20.00
Number of Rotary Clubs Sponsoring with MPB	20
Number of Early Childhood Educators Attending MPB Resource Workshops Involving PBS & MPB Programs/Content	250
Number of Childcare Centers Using PBS Content	30
Number of Parents Participating in Parents Are Teachers Too (PATT) Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability (%)	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach Events Including Virtual Engagements	125
Number of State Agency Partners	40
New Grant Dollars Acquired	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 11. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for tower maintenance and upgrades ..... \$ 2,000,000.00.

SECTION 12. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for Digitalization of 49 Years of Educational Content and Mississippi History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 700,000.00.

SECTION 13. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of producing a documentary about Medgar Evers by the Educational Television Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 350,000.00.

SECTION 14. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Fund, as authorized in HB 1388, 2021 Regular Session to provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,500,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 16. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars (\$2,000,000.00).

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	Dennis DeBar, Jr.
Casey Eure	Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1601** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--47.  
 Nays--Chism, Hill, McDaniel, Sojourner, Whaley. Total--5.  
 Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1602** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1602: Appropriation; Library Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023  
 \$ 10,576,872.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
 \$ 3,139,465.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
 AUTHORIZED HEADCOUNT:

Permanent: 48  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 4. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,350
Library Services	
Number of Continuing Education Workshops	
Held per Year	30
Percent Increase of Citizens Informed by	
Acquiring Needed Information Through	
Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille,	
Audio, Etc	4,000
Number of Children Participating in	
Statewide Summer Library Prg	120,000
Number of Items Borrowed & Loaned on the	
Interlibrary Loan System	13,000
Number of Items Available for Use	
Statewide on the Interlibrary Loan	
System	5,000,000
Number of Searches on MAGNOLIA	40,000,000
Number of Items Available for Use at MLC	
(PPrimary Resource Library)	100,000

A reporting of the degree to which the performance targets

set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. It is the intention of the Legislature that no less than One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be expended for the Magnolia Database.

SECTION 8. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA . \$ 350,000.00.

SECTION 9. Of the funds appropriated herein, Four Million Seventy-eight Thousand Thirty-one Dollars (\$4,078,031.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	Dennis DeBar, Jr.
Casey Eure	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1602** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1604** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1604: Appropriation; Environmental Quality, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 12,351,451.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023...  
\$ 257,266,909.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	267
Time-Limited:	193

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties that Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00
Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00

Percent of Contaminated Sites That Have	
Completed Remediation	5.00
Percent of Waters That Have Acceptable	
Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified	
in a Timely Manner	70.00
Percent of NPDES Majors Inspected per Year	50.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the	
National Incident Management System	70.00
Construction Grants	
Percent of SRF Loan Recipients in	
Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water	
Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits	
Issued/Modified	95.00
Percent of Surface Water Use Permits	
Issued/Modified	95.00
Percent of Water Use Reported	80.00
Percent of High Hazard Dams with	
Emergency Action Plans	80.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities	
in Compliance with Regulatory	
Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Six Hundred Twenty-five Thousand Dollars (\$625,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for upgrades to IT security and infrastructure.

SECTION 10. Of the funds appropriated in Section 2, Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00), or so much thereof, is provided for the Clean Water Grant match.

SECTION 11. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently

use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 15. It is the intent of the Legislature that from the funds available to the Department of Environmental Quality, the agency may purchase and pay premiums on property damage insurance on its motor vehicles, boats, trailers, motors, and other equipment assigned to the South Regional Office.

SECTION 16. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 17. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 18 . Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 19. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2020 to certain vendors as follows:

Mississippi State University .....	\$ 47,660.11
Mississippi Forestry Commission .....	\$ 16,713.61
Pearl River County Board of Supervisors .....	\$ 11,713.61
Jackson County Board of Supervisors.....	\$ 13,154.35
Washington County Board of Supervisors.....	\$ 14,700.00
United States Geological Survey.....	\$ 24,732.14
United States Geological Survey.....	\$ 29,417.18
MS Dept of Environmental Resources.....	\$ 14,798.47

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21 . Notwithstanding any other provision, the Department of Environmental Quality shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Philip Moran
Charles Jim Beckett	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1604** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1605** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1605: Appropriation; Wildlife, Fisheries and Parks, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 9,540,002.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 80,144,536.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2023.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	575
Time-Limited:	Full Time .....	58

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the

Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Support Services	
Number of Hunting & Fishing Licenses Sold	460,000
Number of Registrations of Boats	50,000
Percent Change in License Sales	1.00
Percent Change in Boat Registration	1.00

## Fisheries

Number of Fish Stocked for Public Waters	2,000,000
Number of Customers of DWFP Lakes	65,000
Number of Participants in Aquatic Education	6,500
Number of Access Facilities Built or Maintained (Boat Ramps)	0

## Wildlife

MDWFP Mgmt for Hunters & Non-Consumptive Users (Man-Days)	100,000
Research Projects Conducted to Sustain Healthy & Abundant Wildlife Populations	6
Acres of Forest Inventory	500
Acres of Prescribed Burning, Waterfowl Management, & Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	30,000
Percent Change in Number of Research Projects Conducted to Sustain Healthy & Abundant Wildlife Populations	50.00
Percent Change in Number of Private Land Acres Influenced	-30.00
Percent Change in the Number of Forest Inventories Conducted	0.00

## Law Enforcement

Hunter Education (Participants)	11,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	75,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	40
Number of Boating Fatalities	0
Cost per Student for Hunter Education	48.00
Percent Increase in Shooting Sports Program	10.00

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Percent Change in Number of Boating	
Accidents	50.00
Percent Change in Boating Related Fatalities	50.00
Percent Change in Public Contacts per	
Officer/per Day	0.00
Special Projects	
Improve Use of Special Funds (%)	0.20
Motor Vehicle Fund	
Number of Vehicles Purchased	40
Number of Used Vehicles Sold	40
Percent Change in Number of Vehicles in	
the Fleet in Order to Maintain Efficient	
& Reliable Fleet of Vehicles	1.00
Parks	
Overnight Accommodation (Cabins/Motels)	160,000
Overnight Accommodations (Camping)	750,000
Day Use Services (Persons)	400,000
Percent Change in Day Use Services	0.00
Percent Change in the Prior Year of	
Occupancy Rate of Cabins	0.00
Museum	
Statewide Education Programming	
(Participants)	110,000
Total Public Programming (Persons)	210,000
Number of Visitors to Exhibits	70,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that	
Understand the Importance of Natural	
Resource Conservation	15.00
Percent Change of Visitors to Exhibits	5.00
Percent Change in the Number of Natural	
Heritage Records	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Hundred Thousand Dollars (\$400,000.00) is allocated for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 16. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars (\$75,000.00) is allocated for LeFleur's Bluff State Park for playground security expenses.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 18. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 19. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 20. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 21. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 22. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 23. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 24. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services".

SECTION 25. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 26. Of the funds appropriated in Section 2, Ten Million Dollars (\$10,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds shall be used for repairs and renovations to state parks and museums operated by the Department of Wildlife, Fisheries and Parks.

SECTION 27. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 28. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 29. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 30. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Scott DeLano
Charles Jim Beckett	Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1605** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1606** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1606: Appropriation; Grand Gulf Military Monument Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 296,499.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ... \$ 467,875.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	7
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Three Hundred Fifty-five Thousand Dollars (\$355,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for maintenance, multiple repairs, and fiber internet installation.

SECTION 7. The following sum, or so much thereof as may be necessary, is reapportioned out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1394, 2021 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 25,000.00.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Philip Moran
Sam C. Mims, V	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1606** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1610** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1610: Appropriation; Public Utilities Staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

..... \$ 2,402,689.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 25  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to

the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Scott DeLano

Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1610** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1611** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1611: Appropriation; Human Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 191,565,867.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,920,474,778.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, it is the intent of the Legislature that any amount of funds and positions may be transferred between the Department of Human Services and the Department of Child Protection Services in order to comply with agreements made by the State of Mississippi with the United States District Court in reference to the Olivia Y., et al. lawsuit.

DEPARTMENT OF HUMAN SERVICES

FUNDING:

General Funds .....	\$ 75,189,899.00.
Special Funds .....	\$ 1,739,554,699.00.
Total .....	\$ 1,814,744,598.00.

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	1,471
Time-Limited:	Full Time .....	516

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed

Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

DIVISION OF CHILD PROTECTION SERVICES

FUNDING:

General Funds .....	\$	116,375,968.00
Special Funds .....	\$	180,920,079.00
Total .....	\$	297,296,047.00

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1,517
Time-Limited:	417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Human Services and Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2022. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services and the Department of Child Protection Services are authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	
Disqualification Hearings & Fair	
Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted	
within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	28,975
Community Services - Age 60 + (Persons	
Served)	203,297
Number of Congregate Meals	491,685
Number of Home Delivered Meals	2,201,105
Substantiated Incidences of Abuse of	
Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction	
of Persons on Waiting List	5.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50

Total Collections (\$)	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG & LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Household Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	690,000.00
Food Assistance	
Number of Average Monthly Households	225,000
Supplement Nutrition Assistance Program - SNAP (\$)	716,413,100.00
Percent of Mississippi Households Receiving SNAP Benefits	22.51
Tanf Work Program	
Number of Average Monthly TANF Households	4,600
Number of Average Monthly Persons Served in TANF Work Program	1, 107
TANF Work Program Participation Rate (%)	60.00
Number of Persons Employed Through the	

TANF Work Program for the Year	720
Number of Households Receiving TANF Benefits During the Year	4,600
Percent of Households Receiving TANF During the Year	49.00
Percent of TANF Participants in Job Training who Enter Employment	30.00
Percent of TANF Participants in Job Training who Enter Employment at a Salary Sufficient to be Ineligible for TANF	19.00
Percent of TANF Participants in Job Training who Remain Employed for: One Year After Leaving the Program	75.00
Percent of TANF Participants in Job Training who Remain Employed for: Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served, Division of Family & Children's Services	75,611
Number of Clients Served, Aging & Adult Services	21,178
Number of Clients Served, Youth Services	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Number of Volunteers - Community Services/Institution	0
Number of Children Placed in Alternative Placement	0
Percent of Children Diverted from Institutional Care	95.00

Recidivism Rate (%)

20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2023, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2022.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 17. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 18. Of the funds appropriated by this act, pursuant to HB 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 19. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Dollars (\$1,000,000.00) shall be allocated to North Mississippi Connect Center, Inc. for Workforce Development training, literacy, and parenting resources.

SECTION 20. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 21. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

.....  
(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

.....  
(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....(i) A listing of all costs incurred by the subgrantee during the previous month;

.....  
(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....  
(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....  
(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

.....  
(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

.....  
(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 22. Of the funds appropriated under the provisions of Section 2, Fifty-four Million Dollars (\$54,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the Department of Human Services for the initial funds needed to secure federal funding for a new computer system.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1398, 2021 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,204,943.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 24. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1398, 2021 Regular Session to provide for computer expenses for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 5,000,000.00.

SECTION 25. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 27. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the Department of Child Protection Services ..... \$57,600,000.00.

These funds are provided for the purpose of defraying eligible operational expenses as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 28. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 29. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Sam C. Mims, V	Kevin Blackwell
C. Scott Bounds	Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1611** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1614** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1614: Appropriation; Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 34,861,746.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by

or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 518,982,131.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Fifteen Million Ninety-three Thousand Seven Hundred Eighty-three Dollars (\$15,093,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Maternal and Child Health Care Program.....	\$ 1,242,943.00
Mississippi Health Care Alliance for the ST Elevated Myocardial Infarction Program (STEMI) and the Stroke System of Care Plan.....	\$ 100,000.00
Rural Hospital Loan Program.....	\$ 2,500,000.00
Non-Transport Emergency Services.....	\$ 415,000.00
MAGnet Community Health Disparity Program .....	\$ 2,900,000.00
Health Department Programs.....	\$ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute.....	\$ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School	
Nurse Program .....	\$ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit .....	\$ 680,000.00
University of Mississippi Medical Center –	

A Comprehensive Tobacco (ACT)

Center ..... \$ 595,000.00  
Mississippi Health Care Alliance - ST Elevated

Myocardial Infarction Program (STEMI) and  
Stroke System of Care Plan..... \$ 595,000.00  
Mississippi Qualified Health  
Center Grant Program ..... \$ 3,400,000.00  
Mississippi Health Department Programs..... \$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, Five Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars (\$558,795.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated  
Myocardial Infarction Program (STEMI)  
and Stroke System of Care Plan..... \$ 279,400.00.  
Mississippi Qualified Health Center  
Grant Program..... \$ 55,880.00.  
Mississippi Health Department Programs..... \$ 223,515.00.

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 939  
Time-Limited: 1,375

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville

Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	Target	FY2023
Health Services		
State Infant Mortality Rate (per 1,000 Live Births)	8.20	
Percent of Women who Received Prenatal Care in First Trimester	76.90	
Percent of Live Births Delivered Prior to 37 Weeks of Gestation	13.60	
Teenage Live Birth Rate Age 15-19 Years (per 1,000 Women Age 15-19)	27.10	
Percent of Newborns with Positive & Inconclusive Genetic Screens who Received Recommended Follow-Up	100.00	
Percent of Adults who are Obese (Body Mass Index of 30 or More, Regardless of Sex)	40.80	
Health Protection		
Percent of Mississippi Population Receiving Water from a Public Water Supply	92.00	
Percent of Mississippi Population Receiving Optimally Fluoridated Water	59.00	
Transfer Time of Level III & IV Trauma Centers to Appropriate Facilities for Treatment (Minutes)	130	

Communicable Disease					
.....	Primary & Secondary Syphilis: Case Rate				
per 100,000.....					32.44
Tuberculosis:	Number	of			Cases
41					
Tuberculosis:	Case	Rate	per		100,000
1.40					
HIV	Disease:	Number	of		Cases
400					
HIV	Disease:	Case	Rate	per	100,000
13.48					
.....	Rate of Two Year Old Children Fully				
Immunized (National Immunization Survey:					
4:3:1:3:3:1:4 Series - 19 to 35 Months)					85.00
Tobacco Control					
.....	Percent of Current Smokers among Public				
Middle School Students					3.00
.....	Percent of Current Smokers among Public				
High School Students					6.50
.....	Percent of Current Smokers among Adults				
18 Years & Older					21.00
Public Health Emerg Prep/resp					
.....	Time Required for Command Staff to				
Report to Emergency Operations Center in					
Response to a National or Man-Made					
Disaster (Minutes).....					20
Admin & Support Services					
.....	Percent of Mississippi Population Living				
in an Area Designated as a Health					
Professional Shortage Area: Mental					
Health					65.00
.....	Percent of Mississippi Population Living				
in an Area Designated as a Health					
Professional Shortage Area: Dental					54.00
.....	Percent of Mississippi Population Living				
in an Area Designated as a Health					
Professional Shortage Area: Primary Care					54.00
Mississippi Medical Cannabis Program					
.....	Number of Conditions Added to the List				
of Debilitating Medical Conditions					1
Number	of	Qualifying	Patients	Approved	
10,000					

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Number	of	Designated	Caregivers	Approved
500				
..... Number of Registry Identification Cards				
Revoked				50
..... Total Number of Patients with a Registry				
..... Identification Card				
Number	of	Licensed	Medical	Practitioners
500				10,000
..... Number of Licensed Cannabis Cultivation				
Facilities				25
..... Number of Licensed Cannabis Processing				
Facilities				15
..... Number of Licensed Cannabis Testing				
Facilities				3
..... Number of Licensed Cannabis Waste				
Disposal Entities				10
..... Number of Licensed Cannabis				
Transportation Entities				10
Percent	of	Applications		Approved
95.00				

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 38,792,704.00.

SECTION 12. Of the funds appropriated in Section 11, the following sum, or so much thereof as may be necessary, is provided in House Bill 1353, 2022 Regular Session for the purpose of defraying the expenses of the Department of Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,450,000.00.

The purpose of these funds is to provide for matching funds for Federal grants of the Local Governments and Rural Water Program at the Department of Health.

AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	3

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 13. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2022. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 14. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ 2,000,000.00.

The purpose of these funds is to defray the expense of the Victims of Crimes Act (VOCA) at the Department of Health, Office of Interpersonal Violence.

SECTION 15. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 16. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 18. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Medical Cannabis Act at the Department of Health ..... \$ 7,484,638.00.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Health for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in Senate Bill 2967, 2022 Regular Session to provide for defraying the expenses related to the operations of the Mississippi Medical Cannabis Act for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 3,800,128.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 34

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 20. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of

special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 1,000,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 23. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2022. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 24. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 25. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2022. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 26. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 27. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 28. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 29. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 30. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 31. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 32. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 33. Of the funds appropriated in Section 2, an amount not to exceed Three Million Two Hundred Forty Thousand Dollars (\$3,240,000.00) may be used to purchase accumulated compensatory time incurred before June 30, 2023, by employees who are activated under emergency orders in response to the COVID-19 pandemic.

SECTION 34. Notwithstanding any other provision, the Department of Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 35. It is the intention of the Legislature that the State Department of Health is hereby authorized to escalate, budget and expend funds for salaries and positions, with the approval of the State Fiscal Officer, from fund numbers 5331400000, 5331500000 and 5820130100, for the purpose of operating the State Department of Health programs as authorized by law, in accordance with rules and regulation of the Department of Finance and Administration in a manner consistent with the escalation of federal funds and when grant requirements have changed that result in staffing needs but do not result in new or additional funds.

The Executive Director of the State Department of Health or designee shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 36. (1) Of the funds appropriated in Section 2, is hereby appropriated out of any money to the credit of the "Coronavirus State Fiscal Recovery Fund" to the State Department of Health for the purpose described in this section, for the period beginning on July 1, 2022, and ending June 30, 2023 .....  
\$ 2,500,000.00.

(2) These funds are allocated for the purpose of operational expenditures needed to respond to the COVID-19 pandemic as allowable under Section 9901 of the American

Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(3) It is the intention of the Legislature that no funds appropriated under this act shall be used to pay employee premium payments.

(4) As a condition of receiving and expending the funds appropriated to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds appropriated to the agency under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 37. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 38. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Read

W. Briggs Hopson III

Sam C. Mims, V

C. Scott Bounds

J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1614** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.  
Voting Present--Hill. Total--1.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1625** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1625: Appropriation; District attorneys and staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 27,021,964.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 811,633.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Two Hundred Seventy-seven Thousand Dollars (\$1,277,000.00).

SECTION 5. Of the funds appropriated in Section 1, office expenses and such funds for salaries shall be provided as authorized in Section 25-3-35(6), Mississippi Code of 1972, to fund the salary for one (1) full-time legal assistant in the Sixth Circuit Court District as authorized in Section 25-31-5(2)(f), Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget requests for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. (1) In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the District Attorney's and Staff, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,027,785.00

These funds are provided for the purpose of funding additional salaries and office expenses of temporary legal assistants and support personnel as authorized by Section 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
Casey Eure	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1625** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1627** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1627: Appropriation; State Public Defender, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 3,448,278.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 25  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2023 Target
Capital Defense	
..... Percent of Trial Cases Opened Less Than	
One Year .....	75.00
..... Percent Change in Running Average of	
Reversals Due to Ineffective Assistance	
.....	
of Counsel .....	0.10
..... Average of Reversals Due to Ineffective	
Assistance of Counsel.....	7.90

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified

attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. (1) In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Office of the State Public Defender, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 744,532.00.

These funds are provided for the purpose of funding additional salaries and office expenses for public defenders assigned to special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
Charles Young, Jr.	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1627** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1629** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1629: Appropriation; Attorney General.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for

the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 29,857,765.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 9,876,923.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	88
Time-Limited:	Full Time .....	229

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Supportive Services	
Cost of Support Services as Percent of	
Budget, 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education	
Training Presentation by Participants	95.00
Ratings of CRIMES System Training	
Presentation by Participants	90.00
Litigation	
Minimum Affirmations of Criminal	
Convictions (%) 2011-2012 Baseline:	
90.00%	85.00
Minimum Affirmations of Death Penalty	
Appeals (%) 2011-2012 Baseline: 83.33%	80.00
Minimum Denial of Relief in Federal	
Habeas Corpus (%) 2011-2012 Baseline:	
86.96%	95.00
Minimum Pos Results of Civil Cases (%)	
2011-2012 Baseline: 96.00%	94.00
Percent Change of Affirmations of	
Criminal Convictions Attained	0.00
Percent Change of Death Penalty Review	
Cases Affirmed	6.00
Percent of Change of Appeals for Relief	
in Federal Habeas Corpus Cases Denied	3.00
Percent Change of Positive Results from	
Civil Cases	1.00

## Opinions

Percent Assigned to Attys in 3 Days or Less, 2011-2012 Baseline: 100.00%	100.00
Percent of Opinions Completed in 30 Days or Less, 2011-2012 Baseline: 76.00%	25.00
Percent Change of Opinion Requests Assigned to Attorneys within 3 Days or Less	0.00
Percent Change of Opinion Requests Completed within 30 Days or Less	5.00

## State Agency Contracts

Percent of Good & Excellent Ratings for Legal Services, 2011-2012 Baseline: 94.00%	100.00
Percent Change of Good/Excellent Ratings for Legal Services	0.00

## Insurance Integrity Enforcement

Minimum Positive Results of Workers' Compensation Cases (%) 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases (%) 2011-2012 Baseline: 90.00%	99.00
Percent Change of Positive Results of Workers' Compensation Insurance Fraud	5.00
Percent Change of Positive Results of Other Insurance Cases	0.00

## Other Mandated Programs

Medicaid Fraud Convictions vs Dispositions (%) 2011-2012 Baseline: 100.00%	85.00
Medicaid Abuse Convictions vs Dispositions (%) 2011-2012 Baseline:	

95.00%	95.00
Minimum Defendants Convicted after	
Indictments (PID) (%) 2011-2012	
Baseline: 96.00%	90.00
Response to Consumer Complaints (Days)	
2011-2012 Baseline: 3.14%	5
Average Number of Days to Respond to	
Consumer Complaints	5
Percent Change of Medicaid Fraud	
Convictions vs Dispositions	5.00
Percent Change of Medicaid Abuse	
Convictions vs Dispositions	5.00
Percent Change of Defendants Convicted	
After Indictment	0.00
Crime Victims Compensation	
Percent of Claims Processed in 12 Weeks	
or Less, 2011-2012 Baseline: 67.97%	80.00
Percent Change of Claims Processed Timely	0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity

and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 9. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 12. Of the funds appropriated in Section 2, Two Million Five Hundred Thousand Dollars (\$2,500,000.00), or so much thereof, is provided for the purpose of providing funds to the Victims of Human Trafficking and Commercial Sexual Exploitation Fund.

SECTION 13. Of the funds appropriated under the provisions of Section 2, Three Hundred Fifty Thousand Dollars (\$350,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Attorney General's Office for the purpose of providing funds for equipment and vehicles for agency operations.

SECTION 14. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation .....	\$ 1,901,332.00
Vulnerable Persons Training, Invest and Prosecution Trust .....	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability Benefits Trust .....	\$ 133,666.00
Cyber Crime Unit .....	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers .....	\$ 554,489.00
Crime Victims Compensation Admin .....	\$ 347,547.00
Motorcycle Officer Training .....	\$ 62,763.00
District Attorney Operations .....	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 15. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
Randy P. Boyd	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1629** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson moved that the Conference Committee Report on **S. B. No. 3002** (version 2) be recommitted for further conference and the motion prevailed.

**S. B. No. 3002:** Appropriation; IHL - General support.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3003** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3003: Appropriation; IHL - Subsidiary programs.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 36,377,544.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 46,417,603.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems for	
the sum of .....	\$ 4,528,758.00.
Supercomputer for the sum of .....	\$ 644,348.00.
Center for Manufacturing Excellence for	
the sum of .....	\$ 2,926,955.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 355,037.00.
State Court Education Program for the	
sum of .....	\$ 1,882,974.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 861,178.00.
Executive Office of the Board of Trustees for	

the sum of .....	\$ 7,170,767.00.
Mississippi Polymer Institute for	
the sum of .....	\$ 865,161.00.
Mississippi Small Business Development	
Center for the sum of.....	\$ 307,684.00.
Stennis Space Center - Center for Higher	
Learning for the sum of.....	\$ 352,716.00.
Jackson State University Urban Research	
Center for the sum of.....	\$ 521,816.00.
Stennis Institute of Government for the	
sum of .....	\$ 758,384.00.
Commission for Volunteer Services for	
the sum of .....	\$ 1,020,753.00.
Gulf Coast Research Laboratory for the	
sum of .....	\$ 8,220,312.00.
Mississippi Water Resources Institute for the	
sum of .....	\$ 351,676.00.
Mississippi State Chemical Laboratory for the	
sum of .....	\$ 1,853,096.00.
Research Institute of Pharmaceutical Sciences	
for the sum of .....	\$ 3,755,929.00.
(b) From Special Funds, for the support of:	
Center for Advanced Vehicular Systems for	
the sum of .....	\$ 142,782.00.
Center for Manufacturing Excellence for the	
sum of .....	\$ 142,782.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 662,186.00.
Mississippi State University-Alcohol Safety	
for the sum of .....	\$ 1,856,286.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 1,344,830.00.
Executive Office of the Board of Trustees for	
the sum of .....	\$ 20,323,325.00.
Mississippi Small Business Development	
Center for the sum of.....	\$ 1,563,355.00.
Commission for Volunteer Services for	
the sum of .....	\$ 5,076,128.00.
Gulf Coast Research Laboratory for the	
sum of .....	\$ 1,841,177.00.
Mississippi State Chemical Laboratory for the	

sum of ..... \$ 503,441.00.  
Research Institute of Pharmaceutical Sciences

for the sum of ..... \$ 12,961,311.00.

Of the funds appropriated under the provisions of Section 1 and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2023.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 and authorized for expenditure in Section 3(b), the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$ 142,782.00.

Center for Manufacturing Excellence.....\$ 142,782.00.

Gulf Coast Research Laboratory.....\$ 142,782.00.

Executive Office of the Board of Trustees

for the sum of ..... \$ 402,396.00.  
Total.....\$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated, for the University of Mississippi - State Court Education Program for the purpose of reauthorizing the expenditure of General Funds for operational expenditures, as authorized in SB 2905, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 200,000.00.

Notwithstanding this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
David Parker	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3003** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3009** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3009: Appropriation; IHL - Student Financial Aid.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 50,631,667.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student

Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 9,500,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2022, for assistance through the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 2, Two Million Dollars (\$2,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program established in HB 1179, 2021 Regular Session.

SECTION 13. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act established in HB 1313, 2022 Regular Session.

SECTION 14. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 15. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT

PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Dennis DeBar, Jr.	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3009** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
 Nays--McDaniel, Sojourner. Total--2.  
 Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3011** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3011: Appropriation; Community and Junior Colleges Board - Administrative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,116,874.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 149,179,989.00.

SECTION 3. Of the funds appropriated in Section 2, Three Hundred Fifty-six Thousand Dollars (\$356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying the expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....

.....\$ 574,386.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 52  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the budget requests of the administrative expenses of the Mississippi Community College Board for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 8. Of the funds appropriated in Sections 1 and 2, funds in the amount of Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) are appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2023 and future fiscal years shall be based only upon funds available in this section and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board, or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2022, or after, and shall not be expended for obligations made prior to this date.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2024 Workforce Education Program.

SECTION 10. Of the funds appropriated in Section 2, funds in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million One Hundred Forty-four Thousand Nine Hundred Fourteen Dollars (\$2,144,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 11. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 12. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 13. Of the funds appropriated in Section 1, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 16. Of the funds appropriated in Section 1, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. Of the funds appropriated in Section 2, Thirty Million Seven Hundred Thousand Dollars (\$30,700,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and shall be expended by the Mississippi Community College Board in programmatic collaboration with the Office of Workforce Development for the purpose of Construction (including land acquisition) and/or repair, equipment upgrades and renovation projects associated with Career & Technical Education (CTE) Centers in the following school districts and Community Colleges:

Long Beach School District .....	\$ 5,500,000.00.
Jackson County School District.....	\$ 6,000,000.00.
Lauderdale County Public School District.....	\$ 8,000,000.00.

New Albany School District ..... \$ 2,000,000.00.  
 Itawamba County School District..... \$ 2,000,000.00.  
 Mississippi Delta Community College  
 (Greenville)..... \$ 2,700,000.00.  
 Itawamba Community College ..... \$ 2,500,000.00.  
 Lafayette County School Oxford  
 School District ..... \$ 2,000,000.00.

SECTION 19. Of the funds appropriated in Section 2, Twenty-two Million Dollars (\$22,000,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following purposes:

Hinds Community College Nursing School ..... \$ 8,000,000.00.  
 Jones Community College Nursing School..... \$ 2,000,000.00.  
 Holmes Community College Nursing School ..... \$ 6,000,000.00.  
 Northwest Community College dormitory ..... \$ 6,000,000.00.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Hillman Terome Frazier	Manly Barton
Scott DeLano	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3011** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3012** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3012: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
 \$ 157,581,404.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the aid and support of public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 49,884,946.00.

SECTION 3. The funds appropriated in this act for the aid and support of the public and community junior colleges shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree	
Nursing	1.19
(d) Associate Degree	
Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2022, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

SECTION 4. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in the act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 5. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board.

SECTION 6. The following public community and junior colleges which qualify shall participate in the funds provided by Sections 1 and 2 of this act:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 7. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 26,943,342.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 9. In addition to funds appropriated in Section 8, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 400,000.00.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,750,000.00.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .... \$ 179,050.00.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,099,160.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,900,840.00.

SECTION 14. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 15. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures

Target

## Instruction

Number of Total Degrees Awarded per 100 FTE Enrollment (%)	31.29
Number of Associate Degrees Awarded per 100 FTE Enrollment (%)	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment (%)	7.00
Number of Certificates Awarded per 100 FTE Enrollment (%)	9.50
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.50
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End of Year Two	46.82
Percent of Associate Degree Nursing & Practical Nursing Licensure Exam Pass Rates	42.51
Percent of Total Student Success, Which Includes Graduates, Transfers, & Retention (Those Still Enrolled)	80.78
Percent of Graduates	33.50
Percent of Transfers	20.78
Percent of Retention	8.34
Percent of Students Enrolled in Career/ Technical & Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical & Health Science Graduates	90.10

Percent of Developmental English	
Students (Unduplicated Headcount) who	
Enrolled in English Composition I who	
Successfully Completed English	
Composition I During the Academic Year	51.50
Percent of Developmental Math Students	
(Unduplicated Headcount) who Enrolled in	
College Algebra who Successfully	
Completed College Algebra During the	
Academic Year	38.30
Number of High School Equivalencies Awarded	2,320

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 2,556,922.00.

SECTION 17. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board and to enroll low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 3,000,000.00.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2022 on, or before, August 1, 2023.

SECTION 18. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 19. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 20. It is the intention of the Legislature that the support of community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 21. The following sum, Ten Million Dollars (\$10,000,000.00) or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college and the remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 22. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 23. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 10,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College .....	\$ 314,264.00.
Copiah- Lincoln Community College .....	\$ 460,254.00.
East Central Community College .....	\$ 336,320.00.
East Mississippi Community College.....	\$ 533,725.00.
Hinds Community College.....	\$ 1,615,789.00.
Holmes Community College.....	\$ 734,015.00.
Itawamba Community College .....	\$ 760,710.00.
Jones Junior College .....	\$ 676,327.00.
Meridian Community College .....	\$ 422,691.00.
Mississippi Delta Community College.....	\$ 372,587.00.
Mississippi Gulf Coast Community College .....	\$ 1,292,212.00.
Northeast Mississippi Community College.....	\$ 584,522.00.
Northwest Mississippi Community College .....	\$ 869,579.00.
Pearl River Community College .....	\$ 712,434.00.
Southwest Mississippi Community College .....	\$ 314,571.00.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Hillman Terome Frazier	Manly Barton
Scott DeLano	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3012** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3013** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3013: Appropriation; Corrections, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 362,878,248.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 28,751,205.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 28,188,748.00
Special Funds .....	8,093,889.00
Total .....	\$ 36,282,637.00

AUTHORIZED HEADCOUNT:

Permanent:	188
Time-Limited:	8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	2,415,027.00
Total .....	\$ 2,415,027.00

AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 770,161.00
Special Funds .....	0.00
Total .....	\$ 770,161.00

AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 58,309,374.00
Special Funds .....	0.00

Total ..... \$ 58,309,374.00  
AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds ..... \$ 78,288,021.00  
Special Funds ..... 375,447.00  
Total ..... \$ 78,663,468.00

AUTHORIZED HEADCOUNT:

Permanent: 1  
Time-Limited: 2

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds ..... \$ 43,850,472.00  
Special Funds ..... 0.00  
Total ..... \$ 43,850,472.00

AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds ..... \$ 10,064,537.00  
Special Funds ..... 0.00  
Total ..... \$ 10,064,537.00

AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds ..... \$ 28,210,513.00  
Special Funds ..... 12,875,366.00  
Total ..... \$ 41,085,879.00

AUTHORIZED HEADCOUNT:

Permanent: 578  
Time-Limited: 83

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$	32,139,354.00
Special Funds .....		1,446,839.00
Total .....	\$	33,586,193.00

AUTHORIZED HEADCOUNT:

Permanent:	635
Time-Limited:	5

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$	34,963,207.00
Special Funds .....		2,090,578.00
Total .....	\$	37,053,785.00

AUTHORIZED HEADCOUNT:

Permanent:	701
Time-Limited:	9

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$	25,458,959.00
Special Funds .....		1,454,059.00
Total .....	\$	26,913,018.00

AUTHORIZED HEADCOUNT:

Permanent:	497
Time-Limited:	4

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$	11,429,406.00
Special Funds .....		0.00
Total .....	\$	11,429,406.00

AUTHORIZED HEADCOUNT:

Permanent:	153
Time-Limited:	0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$	11,205,496.00
Special Funds .....		0.00
Total .....	\$	11,205,496.00

AUTHORIZED HEADCOUNT:

Permanent:	170
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
General Administration	
Support as a Percent of Total Budget	10.30
Number of State Prisoners per 100,000	
Population (Includes Only Inmates)	

Sentenced to More Than a Year)	585
Average Annual Incarceration Cost per Inmate	50.63
Percent of Offenders Returning to Incarceration within 3 Years of Release	36.00
Farming Operations	
Annual Income from Farm Sales	1,251,034.00
Parole Board	
Number of Inmates Paroled	5,275
Private Prisons	
Number of ABE Program Slots Available	510
Number of VOC-ED Program Slots Available	174
Number of A&D Program Slots Available	125
Medical Services	
Number of Inmate Days in a Hospital	5,130
Regional Facilities	
Number of ABE Program Slots Available	585
Number of VOC-ED Program Slots Available	700
Number of A&D Program Slots Available	445
Probation/parole	
Recidivism Rate within 12 Months of Release to Field Supervision (%)	10.00
Recidivism Rate within 36 Months of Release to Field Supervision (%)	14.00
Community Work Centers	
Recidivism Rate within 12 Months of Release (%)	10.30
Recidivism Rate within 36 Months of Release (%)	20.00
Restitution Centers	
Recidivism Rate within 12 Months (%)	16.80
Recidivism Rate within 36 Months (%)	35.50
Local Confinement	

Number of Inmates Housed in County Jails	
(Inmate Days)	503,327
Institutional Security	
Number of Assaults on Inmates per 100	
Inmates	20
Number of Assaults on Officers per 100	
Officers	31
Youthful Offender School	
Recidivism Rate within 12 Months of	
Release (%)	24.00
Recidivism Rate within 36 Months of	
Release (%)	50.00
Evidenced Based Intervention	
Recidivism Rate for Inmates who Complete	
the ABE Program (%)	20.20
Recidivism Rate for Inmates who Complete	
a Vocational Program (%)	19.00
Recidivism Rate for Inmates who Complete	
the A&D Program (%)	19.22
Percent of Offenders Possessing GED	
Certificate or High School Diploma at	
Time of Release	40.00
Percent of Offenders Obtaining	
Marketable Job Skills During	
Incarceration	6.48

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars (\$31.00) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972, however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars (\$31.00) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund effective July 1, 2022. Of the amounts appropriated in Section 2, an amount not exceeding Six Million Dollars (\$6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund be placed in a treasury fund effective July 1, 2022. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars (\$1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program as created House Bill 920, 2022 Regular Session.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 17. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2023, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 20. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement

officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 22. Of the funds appropriated under the provisions of Section 2, One Million Five Hundred Thousand Dollars (\$1,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Mississippi Department of Corrections for technology, equipment, and training in order to integrate, analyze, and visualize data ranging from law enforcement intelligence to administrative filings.

SECTION 23. With the funds appropriated herein, the Department of Corrections is authorized to make payment for expenses incurred during Fiscal Years 2018 through 2020 as follows:

Vendor		Fiscal Year	Amount
Sharkey Isaquena Hospital	2018	\$3,700.22	
Sharkey Isaquena Hospital	2019	\$3,427.47	
Sharkey Isaquena Hospital	2020	\$11,909.16	

SECTION 24. With the funds appropriated herein, the Department of Corrections is authorized to make payment for expenses incurred during Fiscal Years 2020 through 2021 for the payment of medical services to CoreCivic for an amount not to exceed Three Hundred Fifty Thousand Four Hundred Forty-one Dollars and Seventy-four Cents (\$350,441.74) or an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2022, except for Section 23 shall be enacted from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Brice Wiggins	Kevin Horan
Rod Hickman	Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3013** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3023** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3023: Appropriation; Employment Security, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 165,676,036.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 434  
Time-Limited: 180

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated under the provisions of Section 2, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, the Mississippi Department of Employment Security is authorized to expend up to Three Million Dollars (\$3,000,000.00) from the State Workforce Investment Funds for the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Section 2, the Mississippi Department of Employment Security is authorized to expend up to Fifteen Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated in Section 1, an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT  
SECURITY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	Karl Oliver
Tyler McCaughn	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3023** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3027** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3027: Appropriation; Mental Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 221,619,746.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 424,827,839.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

\$ 16,797,843.00	Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
\$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
\$ 636,374.00	Crisis Centers
\$ 1,138,252.00	Physician services at community mental health centers.
\$ 18,951,886.00	TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	6,299
Time-Limited:	457

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall

determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

The Department of Mental Health (DMH) is authorized to grant temporary COVID-19 adjustments to the compensation for employees in the following occupational title: Nurse Licensed Practical I, II and III; Nurse I, II, III and IV; Nurse Manager; Nurse Administrator; Nurse Chief; and for those employees who function as a nurse and are already classified in their new nurse titles as part of Project SEC2. Authority is provided for an increase of up to seventy-five percent (75%) temporary COVID adjustment pay for Fiscal Year 2023.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	60
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	212
Mental Health Services	
Percent of Population Lacking Access to	

Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations & Do Not Respond to Traditional Treatment	25.00
Number Served by the Program of Assertive Community Treatment (PACT), Intensive Community Outreach and Recovery Teams (ICORT), and Intensive Community Support Services (ICSS)	2,200
Number of Individuals Employed through Supported Employment	300
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	35,176
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center & Scheduled an Appointment	10,211
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	29,093
Increase the Number of Certified Peer Supt Specialists in the State	315
Idd Services	
Number of Individuals on Planning List for Home & Community-Based Services	3,000
Percent of DMH Institutionalized Clients who Could be Served in the Community	87.00

Percent of DMH Clients Served in the Community vs. in an Institutional Setting	87.00
Number of People Added from Planning List to ID/DD Waiver Services	100
Children & Youth Services	
Percent of Children with Serious Mental Illness Served by Local Multidisciplinary Assessment & Planning (MAP) Teams	2.30
Number Served by MAP Teams	890
Number of Children & Youth that are Served by Wraparound Facilitation	2,381
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made Available Statewide Due to the Three Percent Tax Supplements	226
Number Receiving Residential Substance Use Disorder Treatment	1,589
Crisis Stabilization Units	
Average Length of Time from Mental Health Crisis to Receipt of Community Mental Health Crisis Service (Minutes)	1
Percent of People Receiving Mental Health Crisis Services who were Treated at Community Mental Health Centers vs. Institutions	98.00
Diversion Rate of Admissions to State Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,900
Number of Voluntary Admissions	1,700
Mi - Institutional Care	

	4255
Number Served Adult Acute Psychiatric	1,950
Maintain Readmission Rates within	
National Trends (%)	3.35
Mi - Support Services	
Support as an Overall Percent of Total	
Budget	4.95
Idd - Institutional Care	
Number of People Served in Residential	
IID Programs	755
Number of People Transitioned from	
Facility to ICF/IID Community Home	28
Idd - Group Homes	
Number of People Served in the 10-Bed	
ICF/IID Community Homes	564
Percent of People Served in the	
Community vs. in an Institutional	
Setting	41.68
Idd - Community Programs	
Number of People Added from Planning	
List to ID/DD Waiver Services	97
Number of People Enrolled in the 1915i	1,053
Idd - Support Services	
Support as a Percent of Total Budget	3.82

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2023.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and

Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-three Million Three Hundred Twenty-nine Thousand Dollars (\$23,329,000.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2022, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2023. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the thirteen (13) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 24. Of the funds appropriated in Section 1 & 2, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2022 appropriated amount shall be allocated to the ID/DD Home and Community Based Waiver slots.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Department of Mental Health for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for a mental health services pilot program with the Department of Corrections, as authorized in Senate Bill No. 2926, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 600,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 26. It is the intention of the Legislature that the Department of Mental Health shall provide a report on the pilot program created to provide mental health services to former inmates of the Department of Corrections who are no longer incarcerated within a correctional institution of the Department of Corrections. This report shall be provided on December 15th of the current fiscal year to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 27. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2022, and ending June 30, 2023...\$ 4,900,389.00.

The purpose of these funds is to provide to the Department of Mental Health for Mississippi State Hospital forensic unit.

SECTION 28. With the funds appropriated herein, South Mississippi Regional Center is authorized to make payment for expenses incurred during Fiscal Years 2019 through 2020 as follows:

Vendor	Fiscal Year	Amount
Sysco	2019	\$ 3,056.47
Sysco	2020	\$ 17,876.61

SECTION 29. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 30. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Burks Hill	Sam C. Mims, V
J. Walter Michel	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3027** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3048** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3048: Appropriation; Development Authority, Mississippi.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not

otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 22,024,526.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 94,232,101.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 213  
Time-Limited: 56

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures

Target

Global Business

Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contracts	1,000
Number of Qualified National Prospects	225
Return on Investment (ROI)	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000

Minority & Small Business Dev

Number of Minority & Small Business Contacts	8,000
Number of Minority Business	
Certification Applications Processed	190
Technical Assistance to Disadvantaged	
Contacts	2,300
State Contracting with Minority Business (\$)	45,000,000.00

Financial Resources

Number of Requests for Financing or	
Incentives	225

Existing Industry & Business

Number of Interactions with Interested	
Businesses	2,500
Number of Qualified Contacts	750
Number of Expansions	30
Number of Jobs Created from Expansions	3,000

Energy

Number of Energy Efficiency & Renewable	
Energy Direct Contacts	12,000

Community Services

Awarded Grants & Loans for Community &	
Economic Development (\$)	50,000,000.00
Number of Grants & Loans Awarded	100

Support Services

Administration as a Percent of Total Budget	9.50
Tourism	
Number of Tourist Inquiries Generated	37,875
Number of Visitors per Year	26,000,000
Travel Revenue (\$ in Billions)	6.67
Welcome Centers	
Number of Tourists Registered	2,448,600

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 5. Of the funds appropriated in Section 2, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2023, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 14. Of the funds appropriated in Section 1, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 15. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) shall be transferred to Innovate Mississippi.

SECTION 16. Of the funds appropriated in Section 1, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established by Senate Bill No. 2928, 2019 Regular Session.

SECTION 17. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty Thousand Dollars (\$50,000.00) shall be allocated to the Mississippi Book Festival.

SECTION 18. Of the funds appropriated herein, Five Hundred Thousand Dollars (\$500,000.00) shall be provided to the Mississippi Main Street Association for statewide support and operations.

SECTION 19. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand Dollars (\$500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Gulf Coast Restoration Fund, as created in Section 57-119-1, Mississippi Code of 1972. These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972. The Mississippi Development Authority shall provide quarterly reports on the status of these projects to the Legislative Budget Office and the Department of Finance and Administration. The Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as provided in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..\$ 356,608.00

These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972.

Notwithstanding, the amounts reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 21. Of the funds appropriated under the provisions of Section 2, Four Hundred Thousand Dollars (\$400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Skills Foundation of Mississippi.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..\$ 246,431.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 23. Of the funds appropriated in Section 2, Ten Million Dollars (\$10,000,000.00) shall be provided to the Mississippi Ports Improvement Fund.

SECTION 24. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Richard Bennett
Kevin Blackwell	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3048** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3049** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3049: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, non-governmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 37,857,356.00.

Of the funds appropriated in this section the following sums are provided for projects:

- (a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment ..... \$ 8,000,000.00
- (b) To assist the City of Pass Christian with the Water Front Redevelopment Plan ..... \$ 3,000,000.00
- (c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan..... \$ 3,061,356.00
- (d) To assist the City of Biloxi with the Popp's Ferry Extension Project ..... \$ 3,000,000.00
- (e) To assist the City of Waveland with the Waveland Marina Phase I ..... \$ 2,000,000.00
- (f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects ..... \$ 2,000,000.00
- (g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0 ..... \$ 2,000,000.00
- (h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I ..... \$ 2,000,000.00
- (i) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Project ..... \$ 1,600,000.00
- (j) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration ..... \$ 1,000,000.00

- (k) To assist the City of Bay St. Louis with the City Public Safety Complex ..... \$ 1,000,000.00
- (l) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project ..... \$ 1,000,000.00
- (m) To assist the City of Diamondhead with the Commerce District Transportation ..... \$ 900,000.00
- (n) To assist Stone County with the Heritage Spring Water Project..... \$ 600,000.00
- (o) To assist the Ocean Springs Collective with Ocean Springs Collective Projects ..... \$ 400,000.00
- (p) To assist the Mississippi Export Railroad with Mississippi Export Projects ..... \$ 3,500,000.00
- (q) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue ..... \$ 2,000,000.00
- (r) To assist the Mississippi Gulf Resort Classic Foundation with the Rapiscan Systems Classic Tournament ..... \$ 796,000.00

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$52,793,000.00.

Notwithstanding the amounts reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section the following sums are provided for projects:

- (a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... \$ 13,500,000.00

- (b) To assist the University of Southern Mississippi Ocean Enterprise ..... \$ 4,500,000.00

- (c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass ..... \$ 2,500,000.00

- (d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment. .... \$ 2,500,000.00

- (e) To assist the City of Ocean Springs

and the OHOS Development LLC with a

Public/Private Development..... \$ 6,000,000.00

(f) To assist the Pascagoula Redevelopment

with downtown revitalization project..... \$ 3,000,000.00

(g) To assist Long Beach High School with

the Long Beach High School Career and Technical

Education Center..... \$ 2,500,000.00

(h) To assist the City of Diamondhead with

the Town Center District – Commercial District

Project \$ 2,000,000.00

(i) To assist Stone County School District

with the Stone County High School Career and

Technical Education Center..... \$ 3,200,000.00

(j) To assist Hancock County Port and

Harbor Assault Landing Strip..... \$ 2,500,000.00

(k) To assist the City of Gulfport with

flood control and/or drainage for the

Forest Heights Project..... \$ 2,100,000.00

(l) To assist the City of Moss Point with

the Interstate 10 Frontage Roads, North and

South \$ 2,000,000.00

(m) To assist the City of Picayune with the

Friendship Park Revitalization Project ..... \$ 1,900,000.00

(n) To assist Pearl River Community College

PRCC Aviation Aerospace Academy..... \$ 1,900,000.00

(o) To assist the City of Bay St. Louis with

the Court Street Parking facility, expansion and

improvements..... \$ 1,000,000.00

(p) To assist the Walter Anderson Museum with

Phase 3 and Phase 4..... \$ 636,000.00

(q) To assist the City of Lucedale with

Ventura Drive Improvements..... \$ 577,000.00

(r) To assist George County with the Scott

Road Project, widening and infrastructure ..... \$ 480,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$49,925,069.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades ..... \$ 1,550,000.00

(b) To assist the City of Bay St. Louis with the Old Town Police Department..... \$ 1,000,000.00

(c) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District..... \$ 1,500,000.00

(d) To assist the City of Diamondhead with the Commercial District Transformation Project..... \$ 1,500,000.00

(e) To assist the Stone County School District with the Stone County High School Career and Technical Education Center ..... \$ 3,144,128.00

(f) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I ..... \$ 6,305,093.00

(g) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II..... \$ 515,957.00

(h) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..... \$ 2,000,000.00

(i) To assist the Gulfport School with a STEM Exploration Lab..... \$ 85,410.00

(j) To assist the City of Biloxi with downtown revitalization at the Saenger Theater ..... \$ 950,328.00

(k) To assist Hancock County Port and Harbor Commission with the multiuser aero strip at Stennis Airport..... \$ 2,500,000.00

Of the funds reappropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with the

Harrison County Law Enforcement Training Academy ..... \$ 2,813,258.00

(b) To assist George Regional Health System with a multi-specialty medical office complex..... \$ 1,901,193.00

(c) To assist George Regional Health System with a cafeteria expansion and renovation..... \$ 820,469.00

(d) To assist Mississippi State University

Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... \$ 3,430,624.00  
(e) To assist the Port of Pascagoula with  
the North Rail Connector ..... \$ 6,600,000.00  
(f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier ..... \$ 1,356,650.00  
(g) To assist the Pascagoula Redevelopment Authority with the Innovation Center ..... \$ 1,000,000.00  
(h) To assist the Pascagoula Redevelopment Authority with the City Center ..... \$ 1,993,952.00  
(i) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms ..... \$ 3,000,000.00  
(j) To assist the City of Pass Christian with redevelopment and revitalization ..... \$ 750,000.00  
(k) To assist the City of Long Beach with development and revitalization ..... \$ 2,000,000.00  
(l) To assist the City of Long Beach with the Quarles House ..... \$ 2,000,000.00  
(m) To assist George County with a rail connection project:  
(1) George County rail and highway improvements for Enviva project ..... \$ 600,000.00  
(2) Mississippi Export Railroad for the Enviva project ..... \$ 608,007.00

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$5,500,000.00.

Notwithstanding this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section the following sums are provided for the following programs:

(a) For the Mississippi Development Authority

and the Air Service Development Incentive Program ..... \$2,500,000.00

(b) For the Mississippi Development Authority

and the Quality of Place Incentives Program ..... \$3,000,000.00

Of these funds, One Million Dollars (\$1,000,000.00) is provided for the development of a South Mississippi defense and space industry strategy for small companies to compete for defense related contracts to include government, industry and academia.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS, FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Richard Bennett
Kevin Blackwell	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3049** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Carter, Moran. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3053** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3053: Appropriation; Treasurer's Office.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,763,259.00.

SECTION 2. Of the funds appropriated in Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 42  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust

Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program .....	\$	1,854,655.00.
(b) Mississippi Affordable College Savings program.....	\$	177,860.00.
(c) Treasury Office - Support programs.....	\$	3,730,744.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Kevin Blackwell	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3053** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 10, **H. B. No. 1593**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1593** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1593: Appropriation; Insurance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 13,078,204.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 280,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	145
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	150,000
Average Cost per License Issued	25.00
Number of Agent's C/A's Issued	575,000
Average Cost per Agent C/A Issued	24.00
Number of Requests for Assistance	13,000
Average Cost per Customer I/C Addressed	53.00
Number of Fire Marshal Investigations	538
Cost per Fire Marshal Investigation	550.00
Number of Fire Marshal Inspections	8,000
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0
Number of Inspections	8,000
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. Of the funds appropriated in Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the

Treasurer's Office. These funds shall be provided for the Department of Insurance to purchase vehicles for inspectors.

SECTION 9. Of the funds appropriated in Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the purchase of smoke alarms.

SECTION 10. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 14. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 130,000.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of the Rural Fire Truck Acquisition Fund and/or the Supplementary Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,360,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 16. Of the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Acquisition Assistance Fund which was created in Section 1, Laws of 2004, Third Extraordinary Session, the Supplemental Rural Fire Truck Fund which was created in Section 1, Laws of 2004, Third Extraordinary Session, and the Rural Fire Truck Matching Assistance Fund which was created in House Bill 842 of the 2022 Regular Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 5,000,000.00.

SECTION 17. Of the funds in Section 16, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Rural Fire Truck Acquisition Assistance Fund, the Supplemental Rural Fire Truck Fund and/or the Rural Fire Truck Matching Assistance Fund as follows for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Rural Fire Truck Acquisition Assistance Fund and/or

Supplemental Rural Fire Truck Fund ..... \$ 3,000,000.00

Rural Fire Truck Matching Assistance Fund ..... \$ 2,000,000.00

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Rural Fire Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 2,000,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 19. With the funds appropriated herein, the Mississippi Department of Insurance is authorized to make payment for expenses incurred during Fiscal Year 2020 and 2021 as follows:

Vendor	Fiscal Year	Amount
Wise Carter Child & Caraway	2020	\$ 960.00
Wise Carter Child & Caraway	2021	\$ 150.00
Mike Chaney	2020	\$ 379.99

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	J. Walter Michel
Charles Jim Beckett	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1593** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 11, **H. B. No. 1597**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1597** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1597: Appropriation; Legislative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2023 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives ..... \$ 4,204,526.00.  
For Contingent Fund for the

House of Representatives ..... \$ 7,658,264.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate ..... \$ 1,832,767.00.  
For Contingent Fund for the Senate ..... \$ 6,046,612.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate ..... \$ 1,088,244.00.  
For the expenses of the Joint Legislative

Budget Committee ..... \$ 4,440,134.00.  
For the expenses of the Joint Legislative

Committee on Performance Evaluation

and Expenditure Review ..... \$ 2,568,984.00.  
For the expenses of the Joint Legislative

Reapportionment Committee ..... \$ 879,207.00.  
For the expenses of the Joint Legislative

Code Committee ..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

For the House of Representatives ..... \$ 2,639,066.00.  
For the Senate ..... \$ 1,145,308.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 429,880.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board.....	\$ 29,077.00.
Interstate Cooperation.....	\$ 324,453.00.
National Conference of Commissioners on Uniform State Laws.....	\$ 37,950.00.
The Energy Council .....	\$ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Joint Legislative Budget Committee for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 848,000.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 750,000.00

SECTION 6. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 50,000.00.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the House of Representatives for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 ..... \$ 500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 .....  
\$ 500,000.00.

Notwithstanding this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the joint operations of the House of Representatives and the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 .....

\$ 400,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Reapportionment Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..

\$ 10,000.00.  
Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 .....

\$ 250,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 14. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 .....

\$ 3,700,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 15. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1381, 2021 Regular Session, for the fiscal year beginning July 1, 2022 and ending June 30, 2023 .....

\$ 65,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 16. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Jason White	John A. Polk
Karl Oliver	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1597** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.  
Absent and those not voting---None.

Senator Hopson moved that the rules be suspended to move to calendar item 22, **H. B. No. 1613**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1613** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1613: Appropriation; Medicaid, Division of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 838,822,547.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 292,498,317.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,896,606,971.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty ..... \$ 9,000,000.00.  
Medical Program Matching Funds..... \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 984  
Time-Limited: 23

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Administrative Services	
Admin as a Percent of Total Budget	3.74
Third Party Liability Cost Avoided (\$Thou)	1,288,062.00
Percent of Clean Claims Processed within	
30 Days of Receipt	99.50
Percent of Clean Claims Processed within	

90 Days of Receipt	100.00
Percent of Applications Processed within Std of Promptness - Medicaid	90.00
Third Party Funds Recovered	6,954,827.00
Number of Providers Submitting Electronic Claims	31,500
Turnover Rate of Employees (%)	15.00
Medical Services	
Costs of Emergency Room Visits	176,165,636.00
Number of Emergency Room Visits	632,631
Medicaid Recipients - Enrolled (Persons)	710,000
Child Physical Exams (Ages 0-20)	303,356
Adult Physical Exams (21-Older)	2,948
Number of Fraud & Abuse Cases Investigated	250
Number of Medicaid Providers	34,844
Number of Medicaid Beneficiaries Assigned to a Managed Care Company	450,000
Percent of MSCAN Diabetic Members Aged 17-75 Receiving HBA1c Test	88.87
Percent of MSCAN Members with Persistent Asthma are Appropriately Prescribed Medication	52.52
Rate of EPSDT Well Child Screening (%)	75.00
Percent Change in Number of Recipients Enrolled from Last Year	-2.06
Percent Change in Number of Providers from Last Year	-10.00
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	47,000
Percent of CHIP Applications Processed within Std of Promptness	90.00
Home & Comm Based Waiver Prg	

Elderly & Disabled - Persons Served	19,580
Elderly & Disabled - Funded Slots	19,163
Elderly & Disabled - Total Authorized Slots	21,900
Assisted Living - Persons Served	900
Assisted Living - Funded Slots	874
Assisted Living - Total Authorized Slots	1,100
Independent Living - Persons Served	3,500
Independent Living - Funded Slots	3,443
Independent Living - Total Authorized Slots	5,725
Traumatic Brain Injury - Persons Served	1,050
Traumatic Brain Injury - Funded Slots	1,050
Traumatic Brain Injury - Total	
Authorized Slots	1,050
Intellectual Disability - Persons Served	3,250
Intellectual Disability - Funded Slots	3,250
Intellectual Disability - Total	
Authorized Slots	4,150
Percent Change in Persons on Waiting	
List (E&D)	10.00
Percent Change in Persons on Waiting	
List (AL)	10.00
Percent Change in Persons on Waiting	
List (IL)	10.00
Percent Change in Persons on Waiting	
List (TBI)	10.00
Percent Change in Persons on Waiting	
List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated herein, no more than Two Hundred Thirty-two Thousand Six Hundred Forty-eight Dollars and Eighteen Cents (\$232,648.18) may be used to pay invoices from Fiscal Year 2022 for expenses to the Mississippi Department of Health for Health Facilities Licensure Certification for the month of October 2021. This authorization is needed to cover the time period after the expiration of the interagency agreement on September 30, 2021 and before the execution of the new agreement on November 1, 2021.

SECTION 12. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided for five (5) slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation. The Division shall develop eligibility criteria for these additional slots.

SECTION 13. Of the funds appropriated in Section 1, Eight Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is provided to maintain additional slots in the Assisted Living Home and Community Based Waiver program and One Million One Hundred Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00) is provided to maintain additional slots in the Elderly and Disabled Home and Community Based Waiver program.

SECTION 14. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative

Budget Committee hearings for Fiscal Year 2023, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2023 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
- b. Medication Management for People with Asthma (MMA) or successive measure.
- c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
- d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 15. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 16. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 17. Of the funds appropriated herein, no more than Ten Thousand Nine Hundred Forty-six Dollars and Six Cents (\$10,946.06) may be used to pay invoices from Fiscal Year 2020 for expenses to the Sovereign States Drug Consortium for Medicaid supplemental drug rebate group purchasing services.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Joey Hood	Kevin Blackwell
Jason White	Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1613** (version 2) was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Barrett, Chism, McDaniel, Sojourner. Total--4.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Senator Harkins moved that the rules be suspended to move to calendar item 101, **S. B. No. 2844**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2844** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2844: Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Definitions. In addition to the definitions provided in Section 67-1-5, which apply to this article, the following terms as used in this article shall have the following meanings unless otherwise required by the context:

(a) "Commissioner" means the Commissioner of Revenue.

(b) "Construction contractor" means an entity contracting with the department to design and construct a warehouse under this article.

(c) "Occasional improvements" means items of maintenance, repairs, upgrades or other improvements for the warehouse or its equipment that are not performed on a monthly basis.

(d) "Regular maintenance" means monthly overhead expenses, including, but not limited to, utilities, cleaning services and lawn care.

(e) "Shipping costs" means the cost to the department per case of alcoholic beverages delivered from the warehouse to the permittee's premises.

(f) "State" means the State of Mississippi.

(g) "Warehouse" or "new warehouse" means a liquor distribution warehouse constructed under this article.

(h) "Warehouse operator" or "operator" means an entity contracting with the department to perform warehouse and distribution operations.

(i) "Warehouse and distribution operations" or "operations" means services provided to or on behalf of the state for the management of the warehouse and the distribution of alcoholic beverages. "Warehouse and distribution operations" or "operations" may include shipping; however, nothing herein shall preclude the department from entering into separate contracts for operations and for shipping.

SECTION 2. Warehouse construction. (1) The Department of Finance and Administration, using the monies available in the ABC Warehouse Construction Fund created in Section 6(1) of this act and such other monies as the Legislature may make available, shall purchase land for and shall provide for the design and construction of a warehouse for the division in the most expedient and cost-effective manner practicable as determined by the Executive Director of the Department of Finance and Administration.

(2) The Department of Finance and Administration shall select a suitable site for the warehouse within fifty (50) miles of the new state capitol building. In selecting a site, the Department of Finance and Administration shall consider the feasibility of selecting state-owned land by comparing the cost of preparing the state-owned land for construction to the cost of acquiring other land and preparing such other land for construction.

(3) The contract for design and construction shall provide that the operator shall be consulted so that the warehouse may, so far as possible, suit the preferences of the operator in furtherance of effective operations. The contract shall also provide that the design shall aim to fill demand for the next twenty-five (25) years.

(4) A contract for warehouse construction shall not be entered into unless the construction contractor has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) The ability to expedite the design and construction of facilities comparable to the warehouse.

SECTION 3. Warehouse and distribution operations. (1) The department shall contract for warehouse and distribution operations. The shipping contract in effect on July 1, 2022, shall remain in effect until the expiration of its term.

(2) The department shall pay regular maintenance expenses and shall reimburse the operator for services performed under the contract out of monies appropriated by the Legislature.

(3) The contract shall include the following terms:

(a) The department shall pay the operator cost-plus on these operations at a set dollar amount per case of alcoholic beverages sold. Otherwise, the contract shall not alter the current cash flow of operations;

(b) The operator shall be allotted a monthly spending limit for occasional improvements. The state may, at any time, review the operator's spending. The operator shall obtain prior state approval for any spending over the monthly limit set in the contract. The contract shall allow the operator to pay out of pocket, in which case the state will reimburse the operator on a monthly basis out of monies in the ABC Warehouse Improvements Fund created in Section 6(2) of this act;

(c) Shipping costs, where the contract encompasses shipping, shall be based on a set dollar amount per case of alcoholic beverages shipped from the warehouse to the permittee's premises;

(d) The department and the operator may provide for the operator's software to interface with the department's TAP system in a manner allowing for information sharing in furtherance of efficient operations while also protecting the security of the TAP system;

(e) The department shall develop quality and efficiency criteria for determining whether to renew a contract for warehouse and distribution operations;

(f) The obligation of the department to proceed under the contract is conditioned upon the appropriation of funds by the Legislature and the receipt of state or federal funds. If the funds anticipated for the continuing time fulfillment of the agreement are, at any time, not forthcoming or insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds, or the discontinuance or material alteration of the program under which funds were provided, or if funds are not otherwise available to the department, the department shall have the right, upon ten (10) working days' written notice to the operator, to terminate this agreement without damage, penalty, cost or other expenses to the department of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination;

(g) The state and the operator as parties to the contract and all terms of the contract shall be subject to and governed by the laws of the state at the time the contract is entered into, and any later amendments to such laws, through the duration of the contract; and

(h) The operator shall be required to comply with any duties, responsibilities, conditions or other provisions required by state law during the duration of the contract, regardless of whether such duties, responsibilities, conditions or other provisions were required by state law at the time the contract was entered into.

(4) The initial contract for operations shall terminate on the earlier of: (a) four (4) years from the date it commences; or (b) the last day of the use of the warehouse that is in service on July 1, 2022. The contract may be renewed for four (4) years, with another option to renew at the end of that four-year term. The department shall issue requests for proposals before entering any subsequent contract. Requests for proposals shall be required whenever a contract is not renewed, but no less frequently than every twelve (12) years.

(5) The contract shall provide that all employees needed for operations shall be employees of the operator.

(6) A contract for warehouse and distribution operations shall not be entered into unless the operator has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract; and

(b) The ability to comply with applicable federal and state laws.

(7) A contract for operations shall not be entered into unless the following requirements are met:

(a) In addition to fire and casualty insurance, the operator provides at least Ten Million Dollars (\$10,000,000.00) of liability insurance. The liability insurance shall be issued by an insurance company with a rating of at least an A- according to AM Best standards. In determining the adequacy of such insurance, the Department of Finance and Administration shall determine whether:

(i) The insurance is adequate to protect the state from any and all actions by a third party against the operator or the state as a result of the contract;

(ii) The insurance is adequate to protect the state against any and all claims arising as a result of any occurrence during the term of the contract;

(iii) The insurance is adequate to assure the operator's ability to fulfill its contract with the state in all respects, and to assure that the operator is not limited in this ability because of financial liability which results from judgments; and

(iv) The insurance is adequate to satisfy such other requirements specified by the independent risk management/actuarial firm.

(b) The sovereign immunity of the state shall not apply to the operator. Neither the operator nor the operator's insurer may plead the defense of sovereign immunity in any action arising out of the performance of the contract.

(c) The operator shall post a performance bond to assure the operator's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the department and the Department of Finance and Administration, and such approval is a condition precedent to the contract taking effect.

(d) The operator shall defend any suit or claim brought against the state arising out of any act or omission in operations, and shall hold the state harmless from such claim or suit. The operator shall be solely responsible for the payment of any legal or other costs relative to any such claim or suit. The operator shall reimburse the state for any costs that it may incur as a result of such claim or suit immediately upon being submitted a statement therefor by the Attorney General.

Any suit brought or claim made arising out of any act or omission in operations shall be made or brought against the operator and not the state.

The Attorney General retains all rights and emoluments of his or her office which include direction and control over any litigation or claim involving the state.

SECTION 4. Resumption of control by state upon contract termination. A plan shall be developed and certified by the commissioner which demonstrates the method by which the state would resume control of the warehouse upon termination of the contract

for operations. The plan shall be submitted for review and comment to the Governor, the Lieutenant Governor, the Speaker of the House, the Chairmen of the Senate Finance Committee and the House Ways and Means Committee, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

SECTION 5. Contract compliance officer. (1) The commissioner shall designate an employee of the department as a contract compliance officer within the department who shall monitor the contract between the state and the operator for warehouse and distribution operations, and shall assure operator compliance with its performance work statement.

(2) The contract compliance officer shall be responsible for monitoring all aspects of the warehouse. The officer shall be provided an on-site work area, shall be on site on a daily basis, and shall have access to all areas of the warehouse and staff at all times. The operator shall provide any and all data, reports and other materials that the contract compliance officer determines are necessary to carry out monitoring responsibilities under this section.

(3) The contract compliance officer shall report at least annually, or as requested, to the Governor and the Legislature.

SECTION 6. Special funds. (1) A special fund, to be designated the "ABC Warehouse Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be used to assist the Department of Finance and Administration in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for its Alcoholic Beverage Control Division. In addition, monies in this special fund shall be used to pay the costs of relocating inventory to the new warehouse from the warehouse that is in service on July 1, 2022. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

(2) A special fund, to be designated the "ABC Warehouse Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in this special fund shall be used to assist the Department of Revenue in paying the costs associated with occasional improvements. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 7. Revenue bonds. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) Monies deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Department of Revenue in paying the costs associated

with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for its Alcoholic Beverage Control Division.

(b) Amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) For the purpose of providing for the payment of the principal of and interest upon bonds issued under this section, there is created a special bond sinking fund in the State Treasury. The special bond sinking fund shall consist of such amounts as may be paid into such fund under this act, by appropriation or by other authorization by the Legislature. Except as otherwise provided in this section, monies in the special bond sinking fund shall be used to pay the debt service requirements of the bonds issued under this section. If the special bond sinking fund has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under this section, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11. Unexpended amounts remaining in the special bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special bond sinking fund shall be deposited into such sinking fund. If the special bond sinking fund has a balance in excess of the amount needed to pay the debt service and meet the obligations related to the bonds issued under this section, as determined in the resolution providing for the issuance of the bonds, the excess monies shall be transferred to the State General Fund.

(4) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of revenue bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the revenue bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Fifty-five Million Dollars (\$55,000,000.00).

(b) Any investment earnings on amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(5) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without

premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(6) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(7) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(8) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(9) The bonds issued under the provisions of this section shall be revenue bonds of the state, the principal of and interest on which shall be payable solely from and shall be secured by the special bond sinking fund created in subsection (3) of this section. The bonds shall never constitute an indebtedness of the state within the meaning of any state constitutional provision or statutory limitation, and shall never constitute or give rise to a pecuniary liability of the state, or a charge against its general credit or taxing powers, and such fact shall be plainly stated on the face of each such bond. The bonds shall not be considered when computing any limitation of indebtedness of the state. All bonds issued under the authority of this section and all interest coupons applicable thereto shall be construed to be negotiable instruments, despite the fact that they are payable solely from a specified source.

(10) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ABC Warehouse

Construction Fund created in Section 6(1) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(11) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(12) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(13) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(14) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(15) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(16) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(17) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(18) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. (1) The \* \* \* department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate

alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

(2) The \* \* \* department shall add to the cost of all alcoholic beverages a markup of twenty-seven and one-half percent (27-1/2%), inclusive of the three percent (3%) markup imposed by Section 27-71-7(2).

(3) In addition to other excise taxes and markups imposed in this section and in Section 27-71-7, the department shall add to the cost of all alcoholic beverages shipped a charge of Twenty-five Cents (25¢) per case, to be deposited into the ABC Warehouse Improvements Fund created in Section 6(2) of this act. However, any unobligated amounts above Ten Million Dollars (\$10,000,000.00) remaining in the ABC Warehouse Improvements Fund at the end of a fiscal year shall be transferred to the State General Fund.

(4) Notwithstanding the contract for warehouse and distribution operations under Section 3 of this act, the department shall remain responsible for purchasing and selling alcoholic beverages. The \* \* \* department shall sell alcoholic beverages at uniform prices throughout the state. Pricing for all alcoholic beverages shall be set by the addition of the markup and taxes to the price at which the beverages were purchased by the department.

(5) A permittee's order shall qualify for shipping when it includes the minimum number of cases of alcoholic beverages as set by the department. The department shall place qualifying orders in a queue for shipment in the order in which the orders are made. An order of fewer than the minimum number of cases, and special orders, shall be added to the permittee's next qualified shipment. The department shall give sufficient notice of any change in the minimum number of cases for shipping and shall allow the opportunity for comment.

(6) The department shall set a per-case shipping fee to be charged to permittees. The department shall adjust the fee to match, as closely as possible, the shipping costs as defined in Section 1 of this act. The shipping fee charged under this subsection shall be deposited to the credit of the ABC Shipping Fund created in Section 27-71-29.

(7) The department shall charge manufacturers a bailment fee of One Dollar (\$1.00) per case of alcoholic beverages stored in the warehouse, to be deposited to the credit of the bond sinking fund created in Section 7(3) of this act.

SECTION 9. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. (1) All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the General Fund, except for a portion of the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11, as specified in subsection (2) of this section, and except for fees charged by the department for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be

earmarked for use by the department for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall lapse into the General Fund. "Net proceeds" in this section means the total of all fees collected by the department to defray the costs of shipping less the actual costs of shipping.

(2) If the special bond sinking fund created in Section 7(3) of this act has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under Section 7 of this act, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11.

SECTION 10. Section 27-65-5, Mississippi Code of 1972, is amended as follows:

27-65-5. "Wholesaler," "jobber" or "distributor" means a person doing a regularly organized wholesale or jobbing business, known to the trade as such, and selling to licensed retail dealers or other wholesalers for resale in the regular course of business. This classification has no bearing on rates of tax due under this chapter, each sale or part of sales being taxable or exempt depending upon the class in which it falls.

"Wholesale sales" shall apply to:

(1) A sale of tangible personal property taxable under \* \* \* Section 27-65-17 \* \* \* for resale in the regular line of business, when made in good faith to a retailer regularly selling or renting that property and when the dealer is licensed under Section 27-65-27 of this chapter if located in this state.

A sale of a service taxable under Section 27-65-23 for resale in the regular line of business, when made to a regular dealer in that service and when the dealer is licensed under Section 27-65-27 of this chapter if located in this state, or a charge for custom processing rendered upon merchandise for resale or rental by a dealer licensed under Section 27-65-27.

A sale of telecommunications services taxable under Section 27-65-19 for resale in the regular course of business, when made to a regular telecommunications provider of the service and the provider is the holder of a permit issued under Section 27-65-27 and is located in this state or is providing telecommunications services in this state.

A sale of specified digital product taxable under Section 27-65-26 for resale in the regular course of business, when made to a regular dealer of specified digital products and the dealer is the holder of a permit issued under Section 27-65-27 and is located in this state.

"Wholesale sale" shall not include a transaction whereby property is delivered to, and collection for the transaction is made from, a person that will consume the property rather than resell it even though the billing is to a retailer.

However, when a taxpayer sells merchandise and has paid a rate equal to the retail rate of tax on the purchase price to a wholesaler, the taxpayer may take credit for the tax paid to the wholesaler from the tax due on the sale of the merchandise specifically included in his return to the commissioner.

(2) A sale of tangible personal property (except sand or gravel when sold by the producer thereof) or service which is to become a component part of a structure or improvement erected, constructed, repaired, or made only when the sale is made to a contractor taxable under Section 27-65-21 of this chapter on the contract in which the

component materials are to be used; and only when the contractor holds a material purchase certificate as required by Section 27-65-21 of this chapter.

(3) A sale of boxes, crates, cartons, cans, bottles and other packaging materials to a retailer or retail custom processor for use as a container to accompany goods or services sold by the retailer or custom processor where possession thereof will pass to the customer at the time of sale of the goods or services contained therein.

(4) The value of soft drinks and syrup withdrawn from the business by a manufacturer for sale at retail and food or drink withdrawn by a manufacturer or wholesaler to be sold through full service vending machines for human consumption.

The quantity of property or services sold or the price at which sold is immaterial in determining whether or not a sale is at wholesale. Sales may be classed as wholesale, or exempt, only if evidenced by proper and adequate records and invoices to substantiate the wholesale rate or exemption from the tax on each individual sale.

The substantiation of the wholesale sales must be by an invoice clearly indicating the date, the name and address of the vendor and vendee, the items sold and the price thereof. Such proof of wholesale sales shall be filed in chronological order and thus preserved for a period of three (3) years from the date of sale. These records shall be subject to inspection by the commissioner and his agents, at their discretion, for the verification of returns filed by either the wholesaler or his customers.

The substantiation of an exempt sale must be by an invoice containing the same information as required for the wholesale sales. This requirement shall apply equally to a retailer making wholesale or exempt sales.

Any failure to comply with all the above requirements shall subject the violator to the retail rate of tax on all such violations.

SECTION 11. Section 27-65-25, Mississippi Code of 1972, is amended as follows:

27-65-25. Upon every person engaging or continuing within this state in the business of selling alcoholic beverages at retail, the sales of which are legal under the provisions of Chapter 1 of Title 67, Mississippi Code of 1972, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business. \* \* \*

SECTION 12. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form

from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf

course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; however, the governing authorities of the municipality in which such area is located may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; and

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 1 of this act.

SECTION 13. Section 67-1-19, Mississippi Code of 1972, is amended as follows:

67-1-19. Except as otherwise noted, the administration and enforcement of this chapter shall be vested in the Department of Revenue. There is hereby created the Alcoholic Beverage Control Division within and as a part of the Department of Revenue.

SECTION 14. Section 67-1-33, Mississippi Code of 1972, is amended as follows:

67-1-33. (1) No member of the Board of Tax Appeals, Commissioner of Revenue of the Department of Revenue, or person appointed or employed by the department under this chapter, including its warehouse operator, shall solicit, accept or receive any gift, gratuity, emolument or employment from any person subject to the provisions of this chapter, or from any officer, agent or employee thereof.

(2) No member of the Board of Tax Appeals, the Commissioner of Revenue of the Department of Revenue, or person appointed or employed by the department under this chapter, including its warehouse operator, shall solicit, request from or recommend, directly or indirectly, to any person subject to the provisions of this chapter, or to any officer, agent or employee thereof, the appointment of any person to any place or position.

(3) Every person subject to the provisions of this chapter, and every officer, agent or employee thereof, is hereby forbidden to offer to any member of the Board of Tax

Appeals, to the Commissioner of Revenue or to any person appointed or employed by the department under this chapter, including its warehouse operator, any gift, gratuity, emolument or employment.

(4) If any member of the Board of Tax Appeals, the Commissioner of Revenue or any person appointed or employed by the department under this chapter, including its warehouse operator, shall violate any of the provisions of this section, he shall be removed from the office or employment held by him.

(5) Every person violating the provisions of this section shall be guilty of a misdemeanor.

(6) For purposes of this provision, the terms "gift," "gratuity," "emolument" and "employment" do not include the payment of expenses associated with social occasions afforded public servants or any other benefit that does not come within the definition of "pecuniary benefit" as defined in Section 25-4-103.

SECTION 15. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department, except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, and the department may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this chapter.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this chapter, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 16. Section 67-1-43, Mississippi Code of 1972, is amended as follows:

67-1-43. Any authorized retail distributor who shall purchase or receive \* \* \* alcoholic beverages from any source except from the department or its warehouse operator, unless authorized by rules and regulations of the department promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail for

not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 17. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 918, 2022 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate

facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales

made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours

of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the \* \* \* department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this chapter, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this chapter to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing

body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the \* \* \* intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 18. Sections 1 through 6 of this act shall be codified as a new article in Title 67, Chapter 1, Mississippi Code of 1972.

SECTION 19. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION IN THE JACKSON, MISSISSIPPI, METROPOLITAN AREA; TO PROVIDE THAT LAND ACQUISITION AND WAREHOUSE DESIGN AND CONSTRUCTION SHALL BE FUNDED WITH MONIES FROM THE ABC WAREHOUSE CONSTRUCTION FUND AND SUCH OTHER MONIES AS THE LEGISLATURE MAY MAKE AVAILABLE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE WAREHOUSE; TO DIRECT THE DEPARTMENT OF REVENUE TO CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO PROVIDE THAT THE DEPARTMENT SHALL PAY REGULAR MAINTENANCE EXPENSES AND SHALL REIMBURSE THE OPERATOR FOR SERVICES PERFORMED UNDER THE CONTRACT OUT OF MONIES APPROPRIATED BY THE LEGISLATURE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO SET THE TERM OF THE CONTRACT AND PROVIDE UP TO TWO OPTIONAL RENEWALS BEFORE A REQUEST FOR PROPOSALS SHALL BE REQUIRED; TO REQUIRE THE COMMISSIONER OF REVENUE TO DEVELOP A PLAN DEMONSTRATING THE METHOD BY WHICH THE STATE WOULD RESUME CONTROL OF THE WAREHOUSE UPON TERMINATION OF THE CONTRACT; TO REQUIRE THAT THE PLAN BE SUBMITTED FOR REVIEW AND COMMENT TO THE GOVERNOR AND THE LEGISLATURE; TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL DESIGNATE AN EXISTING DEPARTMENT EMPLOYEE AS A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND SHALL ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; TO REQUIRE THE CONTRACT COMPLIANCE OFFICER TO REPORT AT LEAST ANNUALLY, OR AS REQUESTED, TO THE GOVERNOR AND THE LEGISLATURE; TO CREATE THE ABC WAREHOUSE CONSTRUCTION FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF, THE WAREHOUSE; TO CREATE THE ABC WAREHOUSE IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN PAYING THE COSTS ASSOCIATED WITH OCCASIONAL MAINTENANCE, REPAIRS, UPGRADES AND OTHER IMPROVEMENTS FOR THE WAREHOUSE AND ITS EQUIPMENT; TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS IN THE AMOUNT OF \$55,000,000.00 FOR THE ABC WAREHOUSE CONSTRUCTION FUND; TO CREATE A SPECIAL BOND SINKING FUND FOR THE PURPOSE OF PAYING THE DEBT SERVICE OF BONDS ISSUED UNDER THIS ACT; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO ADD A \$0.25 CHARGE TO THE COST OF EACH CASE OF ALCOHOLIC BEVERAGES SHIPPED BY THE DEPARTMENT OR ITS WAREHOUSE OPERATOR, TO BE DEPOSITED INTO THE ABC WAREHOUSE IMPROVEMENTS FUND; TO PERIODICALLY SUSPEND THE CHARGE WHEN THE AMOUNT IN THE ABC WAREHOUSE IMPROVEMENTS FUND REACHES CERTAIN THRESHOLDS; TO AMEND SECTIONS 27-65-5 AND 27-65-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX ON WHOLESALE PURCHASES OF ALCOHOLIC BEVERAGES; TO AMEND SECTIONS 67-1-5, 67-1-19, 67-1-33, 67-1-41 AND 67-1-43, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO AMEND SECTION 67-1-51,

MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 918, 2022 REGULAR SESSION, IN CONFORMITY TO THE ABOVE, AND TO REVISE CERTAIN DISTANCE RESTRICTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Chris Johnson	Brent Powell
Joel R.Carter, Jr.	Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2844** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--42.

Nays--Branning, Chism, Hill, McDaniel, Norwood, Parker, Seymour, Sojourner, Whaley. Total--9.

Absent and those not voting---None.

Voting Present--Blackwell. Total--1.

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On request of Senator Johnson, unanimous consent was granted to make the following correction in **S. B. No. 2844**:

Unanimous Consent for SB 2844 Conference Report

AMEND on line 61 by striking "department" and inserting in lieu thereof the following:

Department of Finance and Administration

AMEND on lines 272-273 by striking "its Alcoholic Beverage Control Division" and inserting in lieu thereof the following:

the Department of Revenue's Alcoholic Beverage Control Division

FURTHER, AMEND on line 306 by striking "the Department of Revenue".

FURTHER, AMEND on line 308 by striking "its" and inserting in lieu thereof the following:

the Department of Revenue's

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On request of Senator Harkins, unanimous consent was granted to make the following correction in **S. B. No. 2063**:

Unanimous Consent for SB 2063 Conference Report

AMEND on line 9 by inserting the following after "1972,":

as amended by Senate Bill No. 2844, 2022 Regular Session,

FURTHER, AMEND by inserting the following below line 636:

(z) "Warehouse operator" shall have the meaning ascribed in Section 1 of Senate Bill No. 2844, 2022 Regular Session.

FURTHER, AMEND the title to conform on line 1 by inserting the following after "1972,":

AS AMENDED BY SENATE BILL NO. 2844, 2022 REGULAR SESSION,

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Senator Polk moved that the Senate stand in recess until 4:15 PM.

The motion prevailed, and at 3:44 PM, the Senate stood in recess.

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The Senate resumed business at 4:15 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 51, S. N. No. 50, S. N. No. 49, S. N. No. 53, S. N. No. 9, S. N. No. 10, S. N. No. 11, S. N. No. 22, S. N. No. 23, S. N. No. 24, S. N. No. 36, S. N. No. 46, S. N. No. 57, S. N. No. 101 and S. N. No. 132 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

**S. N. No. 51:** Melissa Henry (Melissa) King, RN, NP, DNP, Raymond, Mississippi, Mississippi Board of Nursing as the Registered Nurse Practitioner, unexpired four year term effective May 21, 2021 and ending June 30, 2024.

**S. N. No. 50:** Lacey Melissa T. Gentry, MSN, APRN, Courtland, Mississippi, Mississippi Board of Nursing as an Educator, unexpired balance of the four year term ending June 30, 2024.

**S. N. No. 49:** Jeremy Lester Cummins, LPN, Louisville, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term beginning July 1, 2021 and ending June 30, 2025.

**S. N. No. 53:** William Alton Shaw, RN, NP, Wesson, Mississippi, Mississippi Board of Nursing as the Registered Nurse at large, unexpired four year term effective May 21, 2021 and ending June 30, 2024.

**S. N. No. 9:** Michael Jackson (Mike) Cothran, Carthage, Mississippi, State Board of Barber Examiners, term effective July 23, 2021 for the unexpired balance of the four year term ending June 30, 2024, representing the Second Congressional District.

**S. N. No. 10:** Michael Lee (Mike) McBunch, Tupelo, Mississippi, State Board of Barber Examiners, four year term effective September 13, 2021 and ending June 30, 2025, representing the First Congressional District.

**S. N. No. 11:** Lisa Carol Watkins, Union, Mississippi, State Board of Barber Examiners, four year term effective September 1, 2021 and ending June 30, 2025, representing the Third Congressional District.

**S. N. No. 22:** Haley Harrison Birmingham, RDH, Brandon, Mississippi, Mississippi State Board of Dental Examiners as the Dental Hygienist member, six year term beginning July 1, 2021 and ending June 30, 2027.

**S. N. No. 23:** Marion Lewis (Lewis) Grubbs, DMD, Madison, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Four, six year term beginning July 1, 2021 and ending June 30, 2027.

**S. N. No. 24:** Jeff Michael Zimmerman, DDS, Gulfport, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Five, six year term beginning July 1, 2021 and ending June 30, 2027.

**S. N. No. 36:** John Edward (Ed) Hill, MD, Oxford, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 2, 2021 and ending June 30, 2027.

**S. N. No. 46:** George Anthony (Tony) Hamrick, RN, LNH, Laurel, Mississippi, Mississippi State Board of Nursing Home Administrators as the Registered Nurse, unexpired four year term effective July 19, 2021 and ending June 30, 2024.

**S. N. No. 57:** Virginia Jones (Jenny) Bryan, Oxford, Mississippi, Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, four year term effective immediately and ending June 30, 2023.

**S. N. No. 101:** Terrance D. Bonner, Columbus, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four year term effective January 3, 2022 and ending June 30, 2025, vice Jeff Miller.

**S. N. No. 132:** Dr. Robert Carrington Dews, Jr., Hattiesburg, Mississippi, Mississippi State Board of Physical Therapy as the representative of physicians, four year term effective January 13, 2022 and ending June 30, 2024, vice Dr. Gene Barrett.

YEAS AND NAYS on consideration en bloc of S. N. No. 51, S. N. No. 50, S. N. No. 49, S. N. No. 53, S. N. No. 9, S. N. No. 10, S. N. No. 11, S. N. No. 22, S. N. No. 23, S. N. No. 24, S. N. No. 36, S. N. No. 46, S. N. No. 57, S. N. No. 101 and S. N. No. 132. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 4:27 PM, the Senate stood in recess.

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The Senate resumed business at 4:35 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

**S. B. No. 3002:** Appropriation; IHL - General support.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Hopson moved that the rules be suspended to move to calendar item 2, **H. B. No. 1518**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1518** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1518: Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds to destination marketing organizations to assist in paying costs of certain marketing activities, providing assistance to non profit museums, and providing

funds to Mississippi Main Street Association, as provided in House Bill No. 453, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023....  
\$ 40,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES, PROVIDING ASSISTANCE TO NONPROFIT MUSEUMS, AND PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION, AS PROVIDED IN HOUSE BILL NO. 453, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1518** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 5, **H. B. No. 1521**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1521** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1521: Appropriation; IHL for funding Nursing Education Incentive Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of providing funding for the Nursing and Respiratory Therapy Education Incentive Program created in House Bill No. 1005, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "agency" means the Board of Trustees of State Institutions of Higher Learning.

(2) The agency shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the agency under this act, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds appropriated to the agency under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF PROVIDING FUNDING FOR THE NURSING AND RESPIRATORY EDUCATION INCENTIVE PROGRAM CREATED IN HOUSE BILL NO. 1005, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1521** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 9, **H. B. No. 1542**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1542** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1542: Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not

otherwise appropriated, to the Department of Public Safety for the purpose of providing funds for the Mississippi Law Enforcement and Fire Fighters Premium Pay Program as created in House Bill No. 1427, 2022 Regular Session, for the period beginning July 1, 2022, and ending June 30, 2023.....\$ 12,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM, AS CREATED IN HOUSE BILL NO. 1427, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1542** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 13, **H. B. No. 1600**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1600** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1600: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 343,885,004.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 82,559,501.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 18,967,201.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....  
\$ 2,117,035,934.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,562,447,640.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division .....\$ 2,011,437,273.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 22,693,254.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program.....\$ 265,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING .....\$ 2,299,242,724.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment..... \$ 6,805,774.00

Educable Child ..... \$ 7,000,000.00

Grants to school districts for

capital facilities and buses ..... \$ 16,000,000.00

Instructional materials..... \$ 25,000,000.00

Students with Special Needs ..... \$ 1,800,000.00

Implementing Performance-Based Data

Collection and Accreditation

Model..... \$ 274,937.00

Testing \$ 6,125,670.00

Mississippi School for Math and

Science..... \$ 275,000.00

Mississippi School for Fine Arts. .... \$ 475,000.00

Early Learning Collaboratives ..... \$ 16,210,526.00

Other Early Learning Programs ..... \$ 20,000,000.00

Early Learning Coaches ..... \$ 3,251,533.00

Math Coaches ..... \$ 5,000,000.00

WorkKeys..... \$ 1,000,000.00

Advanced Placement, Dual Credits,  
International Baccalaureate,  
Cambridge Diploma Endorsements .....

\$ 300,000.00

Vocational Technical Grants..... \$ 1,000,000.00

Mississippi School for the Deaf

and Blind ..... \$ 1,357,037.00

Educational Facilities Revolving

Loan Fund..... \$ 20,000,000.00

TOTAL \$ 131,875,477.00

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division..... \$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program..... \$ 245,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	368
Time-Limited:	Full Time .....	160

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Special Education	
Number of Special Education Teachers (FTE)	6,188
Number of Gifted Education Teachers	805
Percent Increase of Children with	
Disabilities in General Education Early	
Childhood Programs while Decreasing the	
Percent in Self-Contained Special	
Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General	
Administration	26,532,257.00
Percent of Total Budget Spent on General	

Administration	18.58
Create a Public-Facing Data System for All Stakeholders (%)	100.00
Create a User-Friendly Website for the Public & School Districts to Access Data to Make Decisions (%)	100.00
Create a Roadmap to Improve the Mississippi Student Information System (%)	100.00
Number of Research Results Published to Support Improved Student Outcomes & Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	88.00
Early Childhood Education	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target Score on Kindergarten Readiness Post-Test	68.88
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.00
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,022
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced & Non-Certified Teachers in Schools That Are High Poverty (%)	80.00
Reduce the Proportion of Inexperienced & Non-Certified Teachers in Schools That	

Are High Minority (%)	31.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers & Leaders	51.08
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	25.00
Increase the Number of Licensed, Diverse Teachers & Leaders	24
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	
Increase the Number of Students Participating in & Passing Advanced Placement (AP), International Baccalaureate (IB) & Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup	50.07
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	49.93

Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	77.00
Percent of Districts Rated "C" or Higher	72.90
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	65.63
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	64.43
Percent of Students Participating in Dual Credit in Each Subgroup	50.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D & F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	76.00
Increase the Growth of D & F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	70.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving	

the Letter Grade and/or Increasing the

Number of Points within a Letter Grade 100.00

Decrease the Number of High Schools

Rated D or F 55

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	48
Time-Limited:	Full Time .....	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers .....	\$ 1,275,000.00.
Dubard School .....	\$ 650,000.00.
Dyslexia Program .....	\$ 225,000.00.
Jobs for MS Graduates, Inc. ....	\$ 600,000.00.
Amplify Data Coaching .....	\$ 1,100,000.00.
Magnolia Speech School .....	\$ 1,000,000.00.
Principal Corp. ....	\$ 200,000.00.
Sight Savers .....	\$ 375,000.00.
Teach for America .....	\$ 1,250,000.00.
Teacher Corp .....	\$ 200,000.00.
Children's Center for Comm & Develop .....	\$ 750,000.00.
Vision Screening Research .....	\$ 225,000.00.
Algebra Nation .....	\$ 1,100,000.00.
Save the Children .....	\$ 75,000.00.
Mississippi Construction Education Program .....	\$ 212,500.00.
T. K. Martin Center .....	\$ 75,000.00.
JumpStart Act .....	\$ 250,000.00.
Mastery Prep .....	\$ 200,000.00.
Lighthouse Academy for Dyslexia .....	\$ 200,000.00.
Arts for All Mississippi .....	\$ 40,000.00.
Total	\$ 10,002,500.00.

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Twenty Million Dollars (\$20,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of

Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 17. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 18. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2023 shall be Six Thousand Five Hundred Thirty-two Dollars and Twenty Cents (\$6,532.20).

SECTION 19. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 20. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the budget requests for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 21. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars (\$700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 22. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that

the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 23. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 24. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated in Section 1, not less than Six Million Three Hundred Twenty-one Thousand Nine Hundred Twenty-seven Dollars (\$6,321,927.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 28. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2023.

SECTION 29. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 30. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 31. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds

to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2022, and ending June 30, 2023. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2023.

SECTION 32. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2022.

SECTION 33. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 34. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed three percent (3%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 35. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-four Million Dollars (\$24,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2023 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51.

SECTION 36. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment.

SECTION 37. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 38. Of the funds appropriated in Section 1(a), Two Million Six Hundred Eighty-seven Thousand Eighty-nine Dollars (\$2,687,089.00) shall be used for the Mississippi School of the Arts and Three Million Nine Hundred Thirty-three Thousand Three Hundred Eighty-three Dollars (\$3,933,383.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Forty-three Thousand Five Hundred Forty-four Dollars (\$1,343,544.00) shall be paid to the school no later than July 10, 2022, and One Million Three Hundred Forty-three Thousand Five Hundred Forty-five Dollars (\$1,343,545.00) shall be paid no later than January 10, 2023. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 39. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 40. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Thirty Thousand Sixty-seven Dollars (\$10,030,067.00) from Section 1(a), One Million Three Hundred Fifty-seven Thousand Thirty-seven Dollars (\$1,357,037.00) from Section 4(a), and Two Million Three Hundred Nine Thousand Seven Hundred Twenty-five Dollars (\$2,309,725.00) from Section 2(a).

SECTION 41. Of the funds appropriated in this act, an amount not to exceed Four Million Six Hundred Eighty Thousand Four Hundred Fourteen Dollars (\$4,680,414.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 42. Of the funds appropriated in Section 1(a) and 1(b), an amount not to exceed Two Hundred Forty-five Million Seventy-five Thousand Two Hundred Fifty-nine Dollars (\$245,075,259.00) shall be allocated for the purpose of providing funds to each public school district in the state as prescribed in the Minimum Salary Schedules in Section 37-19-7 and 37-21-7, Mississippi Code of 1972, for the 2022-2023 school year, and school years thereafter.

SECTION 43. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of General Fund, as authorized in HB 1387, 2021 Regular Session to provide for agency operations for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,350,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 44. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Fund, as authorized in HB 1387, 2021 Regular Session, to provide upgrades for the Mississippi Student Information System for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 5,100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 45. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 46. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 47. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	Dennis DeBar, Jr.
Casey Eure	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1600** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 30, **H. B. No. 1664**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1664** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1664: Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of administering the State and School Employees' Life and Health Insurance Plan for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 60,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration - Office of Insurance.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF

ADMINISTERING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH  
INSURANCE PLAN FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1664** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 35, **S. B. No. 2865**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2865** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2865: Appropriation; Mental Health, Department of-ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Mental Health for the purposes described in this section, for the period beginning on July 1, 2022, and ending June 30, 2023 .....

\$ 86,069,500.00.

The funds appropriated under this section are for the purpose of assisting with behavioral and mental health needs exacerbated by the Coronavirus Disease 2019

(COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Mental Health for the purposes described in this section, for the period beginning on July 1, 2022, and ending June 30, 2023 .....

\$ 18,550,000.00.

The funds appropriated under this section are for the purpose of providing funding to the Department of Mental Health, which shall be utilized at Community Mental Health Centers (CMHCs) or for the benefit of CMHCs to allow for investments in software, databases, telemedicine capabilities, and other information technology resources that support behavioral and mental health needs exacerbated by the Coronavirus Disease 2019 (COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 3. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 4. As a condition of receiving the funds appropriated in Section 2 of this act, the Department of Mental Health shall obtain advice from the Office of the Coordinator of Mental Health Accessibility when determining the utilization of funds.

SECTION 5. (1) As used in this section and Section 6 of this act, the term "department" means the Department of Mental Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of (ARPA). In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 6. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the

department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 7. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ASSISTING WITH BEHAVIORAL AND MENTAL HEALTH NEEDS EXACERBATED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, RESPONDING TO OTHER PUBLIC HEALTH IMPACTS, ASSISTING COMMUNITY MENTAL HEALTH CENTERS, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Daniel H. Sparks	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2865** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 39, **S. B. No. 3010**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3010** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3010: Appropriation; IHL - University of Mississippi Medical Center.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 177,211,048.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,757,267,199.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Section 1 and Section 2, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1, and the funds authorized to be expended in Section 2, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 8. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

- (a) Education activities or scholarships \$ 6,888,029.00.
- (b) Rural Physicians Scholarship Program \$ 340,000.00.
- (c) Rural Dentists Scholarship Program \$ 105,000.00.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Section 1 and Section 2, the sum of Four Hundred Twenty Thousand Dollars (\$420,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in House Bill 776, 2013 Regular Session.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated in Section 1 and Section 2, Two Million One Hundred Seventy Thousand Dollars (\$2,170,000.00) is hereby provided for scholarships for the Rural Physicians Scholarship Program as described in House Bill 1465, 2007 Regular Session. Of this amount, Thirty-five Thousand Dollars (\$35,000.00) is provided for a Psychiatrist Scholarship as described in Senate Bill 2524, 2019 Regular Session.

SECTION 13. Of the funds appropriated under the provisions of Sections 1 and 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 14. Of the funds appropriated in Section 2, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 15. Of the funds appropriated in Section 1 and Section 2, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in House Bill 317, 2012 Regular Session.

SECTION 16. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 17. Of the funds appropriated under the provisions of Section 1, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. Of the funds appropriated in Section 1 and Section 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians Scholarship Program and the Rural Dentists Scholarship Program.

SECTION 20. Of the funds appropriated under the provisions of Section 1, Three Million Dollars (\$3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 22. Of the funds appropriated in Section 1, One Million Two Hundred Thousand Dollars (\$1,200,000.00) shall be provided for the Child Health and Developmental Promotion (CHDP) Fellowship Program.

SECTION 23. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated to the credit of the University of Mississippi Medical Center .....

University of Mississippi Medical Center .....	\$ 55,000,000.00.
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These funds are provided for the purpose of constructing a new nursing school at the University of Mississippi Medical Center as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 24. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the University of Mississippi Medical Center .....

University of Mississippi Medical Center .....	\$ 50,000,000.00.
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These funds are provided for the purpose of completing capital improvements to the patient care facilities and operating suites of the Adult Hospital at the University of Mississippi Medical Center as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by

Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB 2912, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 3,681,530.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
David Blount	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3010** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Not Voting--Sparks. Total--1.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 43, **S. B. No. 3014**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3014** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3014: Appropriation; Public Safety, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 137,913,293.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of

Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 138,658,412.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1,771  
Time-Limited: 80

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Department of Public Safety shall receive Five Million Dollars (\$5,000,000.00) from the Mississippi Department of Transportation, for the operations of the Office of Commercial Transportation Enforcement Division that was authorized to be relocated in Senate Bill 2825, 2021 Regular Session.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Enforcement	
Increased Enforcement - Citations (%)	6.40
Decrease Fatalities (%)	4.50
Percent Increase in DUI Arrests	
(Includes Felony DUI)	6.00
Number of Criminal Investigations	36,600
Number of Highway Fatalities per 100	
Million Vehicle Miles of Travel	0.88
Number of Alcohol Impaired Driving	
Fatalities per 100,000 Population	1.60
Number of Driving Under the Influence	
(DUI) Arrests per 100,000 Population	232.00
Percent Increase in Seatbelt/Child	
Restraint Citations	7.00
Driver Services	
Number of Driver's License/ID Cards Issued	604,249

Cost per License Document Produced	24.00
Number of Drivers Suspended	31,676
Number of Accident Reports Processed	1,653
Average Wait Time (Minutes)	20
Number of Documented Complaints	11
Percent Change in Wait Time	67.00
Percent Change in Complaints	10.00
Percent Increase in Regular & Commercial Driver Licenses Issued	10.00
Support Services	
Number of Financial Transactions Processed	40,200
Number of Employees Supported	1,300
Forensic Analysis	
Number of Reports Issued (Cases)	20,000
Number of Court Testimonies (Cases)	250
Cost per Case Analyzed	518.00
Cost per Testimony	500.00
Percent of Days for Reports Issued	40.00
Dna Analysis	
Number of Known Felony Offender Samples in Database	139,000
Number of Proficiency Samples	500
Number of Casework Samples Examined	10,500
Cost per Sample	650.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Number of Deaths Investigated	25,500
Number of Autopsies Performed SME Office	1,375
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	2.50
Percent of Coroners Educated by ME's Office	30.00

Percent Change in the Number of	
Autopsies Performed at SME Office	2.00
Training Academy	
Number of Basic Students to Graduate	240
Number of Basic Refresher Students to	
Graduate	70
Number of In-Service & Advanced Students	
to Graduate	2,600
Percent of Law Enforcement Officers Trained	100.00
Drug Enforcement	
Number of Drug Suspects Arrested	1,575
Number of Drug Cases Prosecuted	1,350
Number of Drug Organization Disrupted	
and/or Dismantled	12
Percent Change in Number of Drug	
Suspects Arrested	0.50
Percent Change in Number of Drug Cases	
Prosecuted	0.50
Percent Change in Number of Drug Orgs	
Disrupted and/or Dismantled	0.50
Jail Officer Training	
Number of Jail & Youth Detention	
Officers Certified	300
Number of Certification Transactions	3,300
Number of Administrative Review Actions	15
Percent of Appointed Jail & Youth	
Detention Officers Obtaining	
Certification	75.00
Percent of Administrative Review Actions	
Taken within One Year	3.00
Law Enforcement Training	
Number of Basic Law Enforcement Officers	

Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	90.00
Percent of Appointed Part-Time, Reserve, & Auxiliary Officers Obtaining Certification	85.00
Percent of Administrative Disciplinary Actions Taken within One Year	3.50
Highway Safety	
Number of Federal Applications Funded & Statewide Pgms Supported	10
Percent Decrease in the Number of Unrestrained Passenger Vehicle Occupant Fatalities by 5%	2.00
Percent Decrease in the Number of Fatalities in Crashes Involving a Driver or Motorcycle Operator with a BAC of .08 & Above	1.00
Justice	
Number of Juvenile Jail/Detention Alternatives	5
Number of Hot Spots Policing Programs Funded	4
Emerg Telecommunications Tng	
Number of Emergency Telecommunicators Certified	400
Number of Certification Transactions	1,600
Percent of Appointed Emergency Telecommunicators Obtaining Certification	75.00

Percent of Appointed Emergency	
Telecommunicators Obtaining	
Recertification	75.00
Percent of Administrative Review Actions	
Taken within One Year	2.00
Council On Aging	
Number of Triad Programs Established	2
Number of Training Programs Conducted	0
Provide On-Site-Training	0
Percent Change in the Number of	
Operational Triad Programs	3.00
Percent Increase in Funding to Counties	
to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected	125
Number of Strategic Plans Implemented	20
Percent of Admin Review Actions Taken	
within One Year	80.00
Homeland Security	
Number of OHS Grants for Jurisdictions	107
Number of First Responder Classes	136
Percent Increase in Emergency Task Force	
Responder Training & Exercises	2.00
Percent Increase in Citizen & Community	
Preparedness Training & Exercises	2.00
Percent Increase in Requests for Information	2.00
Percent Increase in National Incident	
Mgmt Training & Exercises	2.00
Investigations	
Number of Human Trafficking Cases Initiated	300
Number of Human Trafficking Arrests	55
Number of Human Trafficking Child Recoveries	20

Capitol Police

Number of Patrols	45
Number of Emergencies (Medical, Weather, Active Shooter, etc.)	214
Average Time to Respond to an Emergency (minutes)	3

Motor Carrier

Number of Compliance Reviews	49,803
Number of On-Site Examinations at Scales	22,677
Number of Trucks Weighed	5,721,069

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 16. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and

one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 17. Of the funds appropriated in Sections 1 and 2, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 18. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2023.

SECTION 19. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2023. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 20. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of House Bill 812, 2017 Regular Session, Section 1. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

- State Crime Stoppers Fund.....\$ 99,003.00.
- Adult Driver Training.....\$ 75,794.00.
- Information Exchange Network Fund.....\$ 264,007.00.
- Forensics Lab MS – MS Forensics Lab – Implied Consent Law  
Fund.....\$ 404,795.00.
- Forensics Lab Forensics Laboratory – DNA Identification

Fund.....\$ 629,543.00.

Law Enforcement and Firefighters Death Benefits Trust

Fund.....\$ 191,361.00.

Law Enforcement Standards Training – Law Enforcement Officers

Training Fund.....\$ 2,276,404.00.

Drug Abuse/Driver's License Reinstatement.\$ 13,573.00.

Federal – State Alcohol Program Fund.....\$ 160,431.00.

MS Leadership Council on Aging Fund.....\$ 197,691.00.

SECTION 22. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 23. Of the funds appropriated by this act, pursuant to House Bill No 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 24. Of the funds appropriated by this act, pursuant to House Bill 1283, 2019 Regular Session, Two Hundred Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 25. Of the funds appropriated under the provisions of Section 2, Six Million Seven Hundred Thousand Dollars (\$6,700,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for the upgrade of the Driver Services IDEMIA System.

SECTION 26. Of the funds appropriated under the provisions of Section 2, Two Million Four Hundred Eighty Thousand Dollars (\$2,480,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for the capital facilities, equipment, and other operational needs.

SECTION 27. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the Department of Public Safety .....\$ 15,535,000.00.

These funds are provided for the purpose of completing capital projects at state-owned buildings or grounds, crime prevention due to the increase in crime, and operational expenditures necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

(6) Of the funds provided under this section, Four Million Dollars (\$4,000,000.00) is provided for the backlog of autopsies at the Mississippi Forensic Laboratory, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner.

SECTION 28. The department may subgrant a portion of the funds appropriated herein to the Jackson Police Department for eligible activities contingent upon the execution of an operational agreement between the Capitol Police and Jackson Police Department on roles and responsibilities within the Capitol Complex Improvement District.

SECTION 29. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 2916, 2021 Regular Session to provide for repairs and renovations at the Department of Public Safety Mississippi Law Enforcement

Officers Training Academy for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 169,885.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 30. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 2916, 2021 Regular Session to provide for Bullet Proof Vests Program at the Department of Public Safety for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 93,750.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 31. With the funds appropriated herein, the Department of Public Safety is authorized to make payment for expenses incurred during Fiscal Years 2017 and 2020 as follows:

Vendor	Fiscal Year	Amount
Buford Plumbing	2019	\$ 1,095.00
Broadway Linen	2019	\$ 1,406.88
Kirk Auto World Inc. – DBA –		
Sunset Chrysler Dodge Jeep	2020	\$ 28,893.00
C-Spire	2017	\$ 22,704.87
C-Spire	2018	\$ 4,442.55

SECTION 32. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 33. This act shall take effect and be in force from and after July 1, 2022, except for Section 31 shall be enacted from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Brice Wiggins	Angela Cockerham
Dennis DeBar, Jr.	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3014** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 45, **S. B. No. 3018**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3018** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3018: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 4,682,866.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 33,230,513.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	113
Time-Limited:	69

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed

Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 361,806,571.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

- 1604        Hurricane Katrina
- 4175        Severe Storms, Tornadoes, Flooding - Cities  
of Louisville & Tupelo

- Hazard Mitigation
- Other Needs Assistance
- Mississippi Temporary Housing Program
- Pre-Disaster Response
- Emergency Preparedness Programs
- 4429 Feb 22-March 29, 2019 Flooding
- 4450 Severe Weather April 13, 2019
- 4470 Severe Weather October 26, 2019
- 4478 Severe Weather January 10-11, 2020
- 4528 Coronavirus Pandemic
- 4536 Severe Weather April 12, 2020 Easter Tornadoes
- 4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
- 4248 Severe Storms, Tornadoes, Flooding - North  
Mississippi/Holly Springs
- 4268 Delta Flooding
- 4295 Pine Belt Tornado/Flooding
- 4314 Severe Storms, Flooding in Adams, Calhoun,  
Carroll, Claiborne, Holmes, Jefferson, Montgomery,  
Webster & Yazoo Counties
- 4350 Hurricane Nate
- 4415 Severe Storms, Flooding & Tornado in Clarke,  
Covington, Forrest, Greene, Jasper, Jones,  
Marion, Newton, Perry & Wayne Counties
- 4551 Severe Weather April 22-23, 2020
- 3544 Hurricane Sally
- 3548 Hurricane Delta
- 4576 Hurricane Zeta
- 4598 2021 Winter Storm

SECTION 7. None of the funds appropriated in Section 4 shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when

the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Emergency Mgmt Preparedness	
Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services	
(Hrs)	24
Recovery	
Number of Ongoing Projects	1,200
Number of Meetings Conducted	3,500
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	14
Number of Ongoing Projects	140
Average Cost per Project	50,000.00
Percent Reduction in Damage Due to	
Natural & Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the

Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. Of the funds appropriated in Section 5, Five Million Dollars (\$5,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided as a deposit to the Mississippi Emergency Management Agency Disaster Trust Fund.

SECTION 17. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the Mississippi Emergency Management Agency..... \$3,170,000.00.

These funds are provided for the purpose of defraying eligible expenses in connection with the Coronavirus Disease 2019 (COVID-19) as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through

200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 2917, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 75,500.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 19. It is the intention of the Legislature that the Mississippi Emergency Management Agency is hereby authorized to pay invoices submitted by eTech Channel for reimbursement for prior fiscal year commodities in an amount not to exceed One Hundred Fifteen Thousand Dollars (\$115,000.00).

SECTION 20. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Richard Bennett
John A. Polk	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3018** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 46, **S. B. No. 3019**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3019** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3019: Appropriation; Military Department.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 8,668,520.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and

federal/state agreements for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 168,297,026.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent: 886  
Time-Limited: 27

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. Of the funds appropriated under the provisions of Section 2, funds in the amount of Two Million Dollars (\$2,000,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of the State Education Assistance Program.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 7. Of the funds appropriated in Section 1, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 8. Of the funds provided under the provisions of this act, Six Hundred Twenty-six Thousand Five Hundred Five Dollars (\$626,505.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 9. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 10. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 11. Of the funds provided in Sections 1 and 2, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 12. Of the funds appropriated in Section 1, Twenty-five Thousand Dollars (\$25,000.00) shall be provided for the operations of the Mississippi State Guard.

SECTION 13. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. Of the funds appropriated under the provisions of Section 2, Nine Hundred Forty Thousand Dollars (\$940,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds to purchase a foam truck for the Hawkins Field Airport.

SECTION 17. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds for the construction of a military equipment storage depot at Camp Shelby.

SECTION 18. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the Mississippi National Guard.....\$ 10,391,000.00.

These funds are provided for the purpose of completing capital projects at Mississippi National Guard buildings and grounds as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall

ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Mac Huddleston
Philip Moran	Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3019** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England,

Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Not Voting--DeBar. Total--1.

\_\_\_\_\_  
Senator Hopson moved that the rules be suspended to move to calendar item 61, **S. B. No. 3062**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3062** (version 2) be recommitted for further conference and the motion prevailed.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

\_\_\_\_\_  
Senator Hopson moved that the rules be suspended to move to calendar item 59, **S. B. No. 3060**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3060** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3060: Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the Covid-19 Hospital Expanded Capacity Program established in Senate Bill No. 2820, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023 \$ 12,000,000.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the COVID-19 Mississippi Local Provider Innovation Grant Program established in Senate Bill No. 2820, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023 ..... \$ 25,000,000.00.

SECTION 3. None of the funds appropriated under Sections 1 and 2 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds granted under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department and granted to them under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money appropriated by Section 1 and 2 of this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM; TO MAKE AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Albert Butler	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3060** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 68, **H. B. No. 1424**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1424** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1424: Criminal investigators; increase salaries of and provide for additional appointments of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Twentieth Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by \* \* \* the criminal investigators shall be not more than \* \* \* Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq., Mississippi Code of 1972. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

[From and after January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Twentieth and Twenty-third Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than \* \* \* Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 2. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL COMPENSATION OF CRIMINAL INVESTIGATORS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Angela Cockerham	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1424** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended to move to calendar item 73, **S. B. No. 2780**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2780** be recommitted for further conference and the motion prevailed.

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

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Senator Hopson moved that the rules be suspended to move to calendar item 71, **H. B. No. 1427**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1427** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1427: Law enforcement officers and fire fighters; provide premium pay to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The federal COVID-19 public health emergency continues to create significant exposure and risk to law enforcement officers and fire fighters in the State of Mississippi. American Rescue Plan Act funds are specifically targeted toward assisting with premium pay for such public safety workers. The program created in this act provides for necessary expenditures related to COVID-19, the purpose of which is to provide law enforcement officers and fire fighters with premium pay for their heightened risk during the ongoing federal COVID-19 public health emergency.

SECTION 2. (1) There is created the "Mississippi Law Enforcement and Fire Fighters Premium Pay Program," which shall be administered by the Department of Public Safety to provide premium pay to those law enforcement officers and fire fighters in the State of Mississippi as provided for in subsection (2) of this section. Monies disbursed by the Department of Public Safety under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section.

(2) The program shall be funded from monies appropriated by the Legislature from the Coronavirus State Fiscal Recovery Fund for that purpose. The Department of Public Safety shall distribute the monies for the program in accordance with the following:

(a) One Thousand Dollars (\$1,000.00) of premium pay shall be paid to each eligible individual.

(b) Eligible individuals are all certified, full-time and part-time law enforcement officers and certified, full-time and part-time fire fighters who are serving in the State of Mississippi on the effective date of this act, except those excluded under paragraph (c) of this subsection (2). If a person is an eligible individual in more than one (1) position covered under this paragraph, that person shall only be eligible for one (1) payment of premium pay under paragraph (a) of this subsection.

(c) Any law enforcement officer who received hazard pay from the Governor's discretionary funds authorized by the Legislature from the federal Coronavirus Aid, Relief and Economic Security Act is not eligible to receive monies under this act.

(d) The department also shall distribute monies to counties, municipalities and other governmental entities that, before the effective date of this act, paid premium pay to law enforcement officers and fire fighters employed by them from funds received under the federal American Rescue Plan Act, to reimburse those governmental entities for not more than One Thousand Dollars (\$1,000.00) of the amount of premium pay that the governmental entity paid to each recipient.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM" TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS AS PREMIUM PAY FOR THEIR EFFORTS DURING THE COVID-19 PANDEMIC; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1427** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 25, **H. B. No. 1626**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1626** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1626: Appropriation; Capital Post-Conviction Counsel, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

...\$ 1,948,045.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 215,258.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 9

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
John W. Hines, Sr.	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1626** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 67, **H. B. No. 1423**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1423** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1423: State Appellate and trial judges and DAs; increase salaries of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-35, Mississippi Code of 1972, is amended as follows:  
 25-3-35. (1) The annual salaries of the following judges are fixed as follows:  
 \* \* \*

Through December 31, 2022:

Chief Justice of the Supreme Court ..... \$174,000.00

Presiding Justices of the Supreme Court, each ..... 169,500.00

Associate Justices of the Supreme Court, each..... 166,500.00

From and after January 1, 2023:

Chief Justice of the Supreme Court ..... \$181,491.00

Presiding Justices of the Supreme Court, each ..... 176,737.00

Associate Justices of the Supreme Court, each..... 173,800.00

There are imposed upon the Supreme Court justices the extra duties of taking all necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each justice, from and after January 1, \* \* \* 2023, shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (1).

The fixed salaries in this subsection (1) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than: One Hundred Fifteen Thousand Three Hundred Ninety Dollars (\$115,390.00) of the Chief Justice's salary in this subsection (1), One Hundred Thirteen Thousand One Hundred Ninety Dollars (\$113,190.00) of the salary of a presiding justice in this subsection (1), and One Hundred Twelve Thousand Five Hundred Thirty Dollars (\$112,530.00) of the salary of an associate justice in this subsection (1) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of the Chief Justice, a presiding justice and an associate justice to the levels set forth in this subsection (1).

The fixed salaries as specified in this subsection (1) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(2) The annual salaries of the judges of the Court of Appeals of Mississippi are fixed as follows:

\* \* \*

Through December 31, 2022:

Chief Judge of the Court of Appeals ..... \$161,500.00

Associate Judges of the Court of Appeals, each..... 158,500.00

From and after January 1, 2023:

Chief Judge of the Court of Appeals..... \$169,349.00

Associate Judges of the Court of Appeals, each..... 168,467.00

From and after January 1, \* \* \* 2023, each judge shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (2).

The fixed salaries in this subsection (2) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Eight Thousand One Hundred Thirty Dollars (\$108,130.00) of the Chief Judge's salary in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the Chief Judge's salary to the level set forth in this subsection (2). No less than One Hundred Five Thousand Fifty Dollars (\$105,050.00) of the salary of an associate judge in this subsection (2) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of an associate judge to the level set forth in this subsection (2).

The fixed salaries as specified in this subsection (2) shall be the exclusive and total compensation which can be reported to the Public Employees' Retirement System for retirement purposes; however, any judge in office on December 31, 2003, may continue to report his expense allowance as part of his compensation for retirement purposes.

(3) The annual salaries of the chancery and circuit court judges are fixed as follows:

\* \* \*

Through December 31, 2022:

Chancery Judges, each .....	\$149,000.00
Circuit Judges, each .....	149,000.00

From and after January 1, 2023:

Chancery Judges, each .....	\$158,000.00
Circuit Judges, each .....	158,000.00

In addition to their present official duties, the circuit and chancery judges shall take necessary action to promote judicial education in schools, intervention courts, electronic filing and case management systems as developed by the Administrative Office of Courts, or such other additional duties as may be assigned by the Chief Justice of the Supreme Court. For such extra services each judge, from and after January 1, \* \* \* 2023, shall receive a sum sufficient to aggregate, per annum, the salaries set forth in this subsection (3).

The fixed salaries in this subsection (3) shall be paid from the State General Fund and from the Judicial System Operation Fund created under Section 9-21-45. No less than One Hundred Four Thousand One Hundred Seventy Dollars (\$104,170.00) of the salary of a chancery or circuit judge in this subsection (3) shall be paid from general fund monies; in addition, the Legislature shall appropriate annually from the Judicial System Operation Fund a sum sufficient to increase the salary of a chancery or circuit judge to the levels set forth in this subsection (3).

(4) From and after January 1, 2019, and every four (4) years thereafter, the annual salaries of the judges in subsections (1), (2) and (3) shall be fixed at the level of compensation recommended by the State Personnel Board according to the board's most recent report on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this

subsection (4) shall not become effective until the commencement of the next immediately succeeding term of office.

(5) The Supreme Court shall prepare a payroll for chancery judges and circuit judges and submit such payroll to the Department of Finance and Administration.

(6) The annual salary of the full-time district attorneys shall be:

\* \* \*

From and after January 1, 2016, through December 31, 2022:

One Hundred Twenty-five Thousand Nine Hundred Dollars (\$125,900.00).

From and after January 1, 2023:

One Hundred Thirty-four Thousand Four Hundred Dollars (\$134,400.00).

(7) The annual salary of the full-time legal assistants shall be not less than Fifteen Thousand Dollars (\$15,000.00) nor more than eighty percent (80%) of the salary of the district attorney for legal assistants who have been licensed to practice law for five (5) years or less; eighty-five percent (85%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least five (5) years but less than fifteen (15) years; and ninety percent (90%) of the salary of the district attorney for legal assistants who have been licensed to practice law for at least fifteen (15) years or more.

SECTION 2. Section 25-31-39, Mississippi Code of 1972, is amended as follows:

25-31-39. \* \* \* To the extent the district attorney's office receives funds from any source, the district attorney may employ one or more part-time legal assistants who shall serve at the will and pleasure of the district attorney to assist in the performance of the duties of the district attorney. A part-time legal assistant must not engage in the private practice of law, and must possess the qualifications and be subject to removal as provided in Section 25-31-6. The term "any source" has the meaning ascribed in Section 25-31-5.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE IN THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS, EFFECTIVE ON JANUARY 1, 2023; TO AMEND SECTION 25-31-39, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISTRICT ATTORNEYS TO EMPLOY PART-TIME LEGAL ASSISTANTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Angela Cockerham

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1423** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism. Total--1.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Barnett, who would have voted yea on H. B. No. 1423, announced a pair with Senator McDaniel, who would have voted nay.

Senator Hopson moved that the rules be suspended to move to calendar item 50, **S. B. No. 3028**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3028** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3028: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 189,978,608.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEACOUNT:

Permanent:	54
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall

determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures

Target

## Administrative

Percent of Administrative Costs as	
Compared to Construction Costs	4.00
Percent of State Aid Construction Funds	
Allocated to Counties	95.00
Number of Projects Let to Contract	175
Percent of Personnel Devoted to	
Construction Programs	81.00
Federal Percent of Total Project Fund	
Obligations	35.00

## Construction

Percent Reduction of Structurally	
Deficient Bridges	0.00
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds	
Available Programmed or Obligated to	
Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to	
Completion of a Fed Project (Days)	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges	
on the State Aid System	5,000
Average Cost of a State Aid/Federal	
Bridge Project	1,550,000.00

## Local System Bridge

Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects	
per County	1

Percent of LSBP Funds Available	
Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	5,000
Average Time From Initiation to	
Completion of a LSBP Project (Days)	450
Percent of Counties Utilizing All of	
Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Jenifer B. Branning	Charles Busby
John A. Polk	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3028** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel moved that the rules be suspended to move to calendar item 112, **H. B. No. 451**, and the motion prevailed.

Senator Michel moved that the Conference Committee Report on **H. B. No. 451** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 451**: Nonadmitted policy fee; delete repealer on.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 604:** Paying tribute to United States Army Korean War casualty PFC Jimmy Rowland of Baldwyn, Mississippi, finally laid to rest.

**S. C. R. No. 605:** Suspend rules for further consideration of HB 451; delete repealer on the nonadmitted policy fee.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 5:28 PM, the Senate stood in recess.

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The Senate resumed business at 5:33 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Blackwell moved that the Senate stand in recess until 6:30 PM.

The motion prevailed, and at 5:34 PM, the Senate stood in recess.

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The Senate resumed business at 6:30 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2424:** AN ACT TO AMEND SECTION 37-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL DISTRICTS SHALL PROCESS A SINGLE MONTHLY OR BIMONTHLY PAYROLL FOR EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; TO AMEND SECTION 37-151-103, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL SCHOOL DISTRICTS TO PROCESS A SINGLE MONTHLY

OR BIMONTHLY PAYROLL FOR ALL EMPLOYEES IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; AND FOR RELATED PURPOSES.

**S. B. No. 2476:** AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LICENSE MOLLUSCAN SHELLFISH AQUACULTURE OPERATIONS AND TO LICENSE MULTIPLE VESSELS AT SUCH AQUACULTURE OPERATIONS; AND FOR RELATED PURPOSES.

**S. C. R. No. 601:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE HANCOCK HIGH SCHOOL "LADY HAWKS" GIRLS BOWLING TEAM AND COACH TREVIN BURGE FOR WINNING THREE CONSECUTIVE STATE CHAMPIONSHIPS.

**S. C. R. No. 602:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PEARL RIVER COMMUNITY COLLEGE "WILDCATS" BASKETBALL TEAM AND HEAD COACH SCOTTY FLETCHER FOR WINNING THEIR FIRST MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE CHAMPIONSHIP SINCE 1994.

**S. C. R. No. 603:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PEARL RIVER COMMUNITY COLLEGE "WILDCATS" MEN'S BASKETBALL TEAM AND HEAD COACH CHRIS ONEY FOR WINNING ITS THIRD CONSECUTIVE MACCC TITLE.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 590:** A CONCURRENT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF MCCOMB, MISSISSIPPI.

**S. C. R. No. 592:** A CONCURRENT RESOLUTION COMMENDING MISSISSIPPI STATE PAROLE BOARD MEMBER BETTY LOU JONES OF MERIDIAN, MISSISSIPPI, ON THE OCCASION OF HER RETIREMENT AFTER MANY YEARS OF EFFECTIVE GOVERNMENT SERVICE.

**S. C. R. No. 593:** A CONCURRENT RESOLUTION RECOGNIZING THE SERVICE AND LEGACY OF WORLD WAR II VETERAN HENRY "HOWARD" BENNETT OF SUMRALL, MISSISSIPPI, AND EXTENDING THE CONGRATULATIONS OF THE LEGISLATURE FOR HIS AWARD BY THE FRENCH GOVERNMENT OF THE MEDAL OF A LIBERATED FRANCE, THE LEGION OF HONOUR, FRANCE'S HIGHEST DEGREE OF MERIT, AND FOR HIS UPCOMING KNIGHTHOOD BY PRESIDENT MACRON OF FRANCE, AND EXTEND BEST WISHES ON HIS 100TH BIRTHDAY.

**S. C. R. No. 594:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "LADY BLUE DEVILS" GIRLS BASKETBALL TEAM AND HEAD COACH MICHAEL SMITH FOR WINNING THE 2022 MHSAA CLASS 3A GIRLS BASKETBALL CHAMPIONSHIP, THEIR THIRD STATE TITLE IN SCHOOL HISTORY.

**S. C. R. No. 595:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BASEBALL TEAM AND HEAD COACH KEVIN WILLIAMS FOR WINNING THE 2021 MHSAA CLASS 3A STATE CHAMPIONSHIP WHICH IS THE SECOND TITLE IN SCHOOL HISTORY.

**S. C. R. No. 597:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BOYS BASKETBALL TEAM AND HEAD COACH MICHAEL SMITH FOR WINNING THE 2022 MHSAA CLASS 3A BOYS STATE BASKETBALL CHAMPIONSHIP.

**S. C. R. No. 598:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "LADY BLUE DEVILS" GIRLS

FAST-PITCH SOFTBALL TEAM AND COACH JESSICA TAYLOR FOR WINNING THEIR FIRST MHSAA CLASS 3A STATE CHAMPIONSHIP.

**S. C. R. No. 599:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "LADY CARDINALS" VOLLEYBALL TEAM AND COACH STEPHANIE CLEVELAND FOR WINNING THE 2021 MHSAA 2A STATE CHAMPIONSHIP, THE FIRST IN PROGRAM HISTORY.

**S. C. R. No. 600:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVIL" MARCHING BAND AND DIRECTORS JOSHUA AND JADA FORSYTHE FOR WINNING THE 2021 MHSAA 3A STATE MARCHING CHAMPIONSHIP.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON GAMING

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 33:** MG Alben Norris (Al) Hopkins, Sr., Gulfport, Mississippi, Gaming Commission as Chairman, four year term effective October 1, 2021 and ending September 30, 2025. Do Advise and Consent.

BLOUNT, Chairman

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 109:** Desmond Wayne Hoda, D.C., Pass Christian, Mississippi, State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, five year term effective April 21, 2022 and ending April 20, 2027. Do Advise and Consent.

**S. N. No. 150:** Douglas Wesley (Wes) Rouse, III, Hattiesburg, Mississippi, MS Industries for the Blind as rep. with at least 5 years experience in finance or related field, remainder of four year term effective February 22, 2022 and ending June 30, 2025, vice Sam Walker. Do Advise and Consent.

BRYAN, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1593:** Appropriation; Insurance, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Michel moved that the rules be suspended for the immediate consideration of **H. B. No. 451**, and the motion prevailed.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 451** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 451: Nonadmitted policy fee; delete repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-34-4, Mississippi Code of 1972, is amended as follows:

83-34-4. (1) Nonadmitted insurers shall not be assessable insurers of the association. All surplus lines insurance producers placing insurance through nonadmitted insurers shall collect from the insured and remit to the association a nonadmitted policy fee on all premiums for all insurance written by such surplus lines insurance producer for a policy from a nonadmitted insurer for any and all risks in this state, except that policies or portions thereof that cover residential earthquake risks or residential flood risks that are not written through the National Flood Insurance Program shall be exempt from the nonadmitted policy fee. By procuring or selling insurance on property in this state from a nonadmitted insurer, each surplus lines insurance producer placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy fee provided for herein.

(2) The nonadmitted policy fee shall be a percentage of the total policy premium but the nonadmitted policy fee shall not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy fee shall be treated the same as failure to pay premium. "Total policy premium" includes taxes and commissions.

(3) The nonadmitted policy fee percentage shall be three percent (3%).

(4) Within twenty (20) days of the end of the quarter, surplus lines insurance producers placing insurance through nonadmitted insurers shall remit directly to the association all nonadmitted policy fees collected in the preceding quarter. In addition to the nonadmitted policy fee provided for herein, surplus lines insurance producers placing insurance through nonadmitted insurers shall collect and remit excess deficit surcharges as provided by this chapter. Surplus lines insurance producers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy fees.

(5) Each insured in this state who directly procures or renews insurance with a nonadmitted insurer on properties, risks or exposures located or to be performed, in whole

or in part, in this state, other than insurance procured through a surplus lines licensee, shall be subject to the nonadmitted policy fee which shall be paid by the insured according to the procedures provided for premium taxes in Section 83-21-17(5).

(6) Monies derived from the nonadmitted policy fee collected under this section shall not be considered public funds and may be used by the association, in addition to any uses provided for in Section 83-34-3(4), for education, public outreach, training of building officials and other programs targeted to reduce the number of policies within the association; however, beginning on July 1, 2018, and ending on June 30, 2019, before any fees are remitted to the association, One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be diverted and deposited into the Capital Expense Fund, and Four Million Five Hundred Thousand Dollars (\$4,500,000.00) shall be diverted and deposited into the Rural Fire Truck Fund or Supplementary Rural Fire Truck Fund. Further, beginning July 1, 2019, and ending on June 30, 2020, before any fees are remitted to the association, Three Million Five Hundred Thousand Dollars (\$3,500,000.00) shall be diverted and deposited into the Rural Fire Truck Fund or Supplementary Rural Fire Truck Fund. Further, beginning July 1, 2022, before any fees are remitted to the association but only if the association will receive at least sixty percent (60%) of the fees, Five Hundred Thousand Dollars (\$500,000.00) shall be diverted and deposited annually into the Mississippi First Responders Health and Safety Trust Fund created in Section 2 of this act. Further, beginning July 1, 2022, but only if the association will receive at least sixty percent (60%) of the fees and the Mississippi First Responders Health and Safety Trust Fund has received the diversion of Five Hundred Thousand Dollars (\$500,000.00), Three Million Five Hundred Thousand Dollars (\$3,500,000.00) shall be diverted and deposited annually into the Annual Fire Fund created in Section 3 of this act. Further, beginning July 1, 2022, after the association has received sixty percent (60%) of the fees and after all other diversions are made, fifty percent (50%) of any excess amount shall be remitted to the association and fifty percent (50%) of any excess amount shall be diverted and deposited annually into the Annual Fire Fund.

In the event the value of the association's Total Admitted Assets, as defined by the audited financial statement, is less than Two Hundred Fifty Million Dollars (\$250,000,000.00), the monies diverted and not remitted to the association under this subsection (6) during that fiscal year and subsequent fiscal years shall immediately be diverted to the association and shall not be considered public funds.

(7) \* \* \* The association may use excess funds to purchase reinsurance in an amount that may exceed the total premiums collected from policyholders.

SECTION 2. There is created in the State Treasury a special fund to be designated as the "Mississippi First Responders Health and Safety Trust Fund" to be administered by the Commissioner of Insurance, upon appropriation by the Legislature, to assist the state, municipalities, counties and fire protection districts with providing benefits required by the Mississippi First Responders Health and Safety Act. The commissioner shall notify the Chairmen of the House and Senate Insurance Committees in advance of any distributions made from this fund. This fund shall consist of monies provided to it through the provisions of Section 83-34-4(6), and any monies which may be appropriated to it by the Legislature. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 3. There is created in the State Treasury a special fund to be designated as the "Annual Fire Fund" to be administered by the Commissioner of Insurance. Monies in the fund, upon appropriation by the Legislature, may be used by the commissioner only for the purpose of his or her discretion in requesting the State Fiscal Officer, and notifying the Legislative Budget Office of such, to transfer funds from this fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund; however, the commissioner shall request the State Fiscal Officer to transfer at least One Million Five Hundred Thousand

Dollars (\$1,500,000.00) annually to the Rural and Supplementary Rural Fire Truck Funds. This fund shall consist of monies provided to it through the provisions of Section 83-34-4(6), and any monies which may be appropriated to it by the Legislature. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 4. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES DERIVED FROM THE NONADMITTED POLICY FEE SHALL NOT BE CONSIDERED PUBLIC FUNDS; TO PROVIDE, AS LONG AS THE ASSOCIATION WILL RECEIVE AT LEAST SIXTY PERCENT OF THE FEES, AN ANNUAL DIVERSION OF \$500,000.00 FROM THE NONADMITTED POLICY FEE TO THE FIRST RESPONDER HEALTH AND SAFETY TRUST FUND; TO PROVIDE, AS LONG AS THE ASSOCIATION WILL RECEIVE AT LEAST SIXTY PERCENT OF THE FEES, AN ANNUAL DIVERSION OF \$3,500,000.00 FROM THE NONADMITTED POLICY FEE TO THE ANNUAL FIRE FUND; TO REMIT TO THE ASSOCIATION FIFTY PERCENT OF ANY AMOUNT REMAINING AFTER ANY DIVERSIONS OF THE NONADMITTED POLICY FEE AND FIFTY PERCENT TO THE ANNUAL FIRE FUND; TO PROVIDE THAT IN THE EVENT THE VALUE OF THE ASSOCIATION'S TOTAL ADMITTED ASSETS, AS DEFINED BY THE AUDITED FINANCIAL STATEMENT, IS LESS THAN \$250,000,000.00, THE MONIES DIVERTED AND NOT REMITTED TO THE ASSOCIATION DURING THAT FISCAL YEAR AND SUBSEQUENT FISCAL YEARS SHALL IMMEDIATELY BE DIVERTED TO THE ASSOCIATION AND SHALL NOT BE CONSIDERED PUBLIC FUNDS; TO AUTHORIZE THE ASSOCIATION TO USE EXCESS FUNDS TO PURCHASE REINSURANCE IN AN AMOUNT THAT MAY EXCEED THE TOTAL PREMIUMS COLLECTED FROM POLICYHOLDERS; TO DELETE THE REPEALER ON THE NONADMITTED POLICY FEE; TO CREATE A NEW SECTION OF LAW TO CREATE A SPECIAL FUND TO BE DESIGNATED AS THE "MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY TRUST FUND" TO BE ADMINISTERED BY THE COMMISSIONER OF INSURANCE TO ASSIST THE STATE, MUNICIPALITIES, COUNTIES AND FIRE PROTECTION DISTRICTS WITH PROVIDING BENEFITS REQUIRED BY THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; TO CREATE A NEW SECTION OF LAW TO CREATE A SPECIAL FUND TO BE DESIGNATED AS THE "ANNUAL FIRE FUND" TO BE ADMINISTERED BY THE COMMISSIONER OF INSURANCE TO REQUEST THE STATE FISCAL OFFICER TO TRANSFER FUNDS FROM THIS FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Henry Zuber III

J. Walter Michel

Kevin Ford

Nicole Boyd

Charles Busby

Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 451** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended to move to calendar item 10, **H. B. No. 1593**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1593** (version 2) was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1593** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1593:** Appropriation; Insurance, Department of.

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Senator Hopson moved that the rules be suspended to move to calendar item 12, **H. B. No. 1599**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1599** (version 2) was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1599** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1599:** Appropriation; Archives and History, Department of.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1517** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1517: Appropriation; Office of Workforce Development for various activities and programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of Workforce Development, with the Department of Employment Security serving as the fiscal agent, for the purposes described in Section 2 of this act for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 60,000,000.00.

SECTION 2. (1) Thirty-two Million Dollars (\$32,000,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be distributed as follows:

(a) For direct training and related expenses for workforce development efforts related to health care at the community and junior colleges, including, but not limited to, outreach and recruitment, awareness and interest-building, and training program expansion for certified nursing assistants, nurses and home-health providers; increasing opportunities for certified nursing assistants to become nurses; and first responder training, especially for first responders who offer initial care at rural home emergencies or automobile accidents.

(b) For direct training and related expenses for workforce development efforts related to emerging sectors, including, but not limited to, outreach and recruitment, awareness and interest-building, and training program expansion for horizon-thinking programs such as advanced manufacturing, drone, cyber, fiber, electric vehicles and data analytics and management.

(c) For direct training and related expenses for workforce development efforts related to logistics and supply chain, including, but not limited to, outreach and recruitment, awareness and interest-building, and training program expansion for commercial driver's licenses, warehousing, shipping and similar essential programs that support product transportation and delivery.

(d) For direct training and related expenses for workforce development efforts related to specific populations, including, but not limited to, outreach to, investment in, and training for military personnel, single parents, currently and formerly incarcerated individuals, underemployed individuals, and individuals with disabilities; work with existing nonpublic partners and state agencies to provide wrap-around supportive services, such as child care and transportation, for individuals who have a desire to work.

(e) For the Accelerate Mississippi Workforce Development Program created in House Bill No. 1006, 2022 Regular Session.

(f) To be retained by the department for program monitoring and evaluation, administrative fees, third-party accounting as needed, and the deployment of an ecosystem workforce development model by the Office of Workforce Development to support effective implementation of the activities described in subsection (1) paragraphs (a) through (e), subsection (2) and subsection (3) of this Section 2.

(2) Twenty Million Dollars (\$20,000,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be for the Mississippi Health Sciences Training Infrastructure Grant Program created in House Bill No. 1006, 2022 Regular Session. It is the intent of the Legislature that this program result in the

retention of at least fifty percent (50%) of osteopathic medical school graduates within the State of Mississippi.

(3) Eight Million Dollars (\$8,000,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be for the career coaching program created in House Bill No. 1388, 2022 Regular Session.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Employment Security.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, receiving entities shall certify to the department, and the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law. SECTION 6. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, TO BE DISTRIBUTED TO COMMUNITY COLLEGES, INSTITUTIONS OF HIGHER LEARNING, LOCAL SCHOOL DISTRICTS, AND INDUSTRY PARTNERS FOR SHORT-TERM TRAINING PROGRAMS, EQUIPMENT, SUPPLIES, AND BELATED EXPENSES NECESSARY TO SUPPORT SUCH SHORT-TERM TRAINING PROGRAMS AND TO INCREASE THE CAPACITY OF TRAINING PROGRAMS THAT ARE ALREADY IN PLACE, SO THAT EMPLOYEES AND OTHERS WHO HAVE BEEN DISPLACED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY CAN BE MORE COMPETITIVE AND TRAINED FOR THE JOB MARKET THAT EMERGES AFTER THE COVID-19 PUBLIC HEALTH EMERGENCY, FOR ON THE JOB TRAINING AND FOR CERTAIN ADMINISTRATIVE FEES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1517** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1628** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1628: Appropriation; Supreme Court, Court of Appeals and trial judges services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 7,252,217.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 937,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 70  
Time-Limited: 0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 27,129,175.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109  
Time-Limited: 0

Of the funds appropriated and allocated herein, Eight Million Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided for the purpose of employing support staff in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per judge.

SECTION 7. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,970,528.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 28,007,212.00.

SECTION 9. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 40

Time-Limited: 0

SECTION 10. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 155,600.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 11. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

SECTION 12. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..\$ 5,097,224.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..\$ 1,588,856.00.

SECTION 14. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58

Time-Limited: 0

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 355,449.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 17. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 18. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 19. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. Of the funds appropriated under the provisions of Section 8, One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of the Courts.

SECTION 22. Of the funds appropriated under the provisions of Section 8, Four Hundred Forty-eight Thousand Dollars (\$448,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for programmers, trainers and operations for the Mississippi Electronic Courts (MEC) System to meet the mandate to bring all the courts into the MEC System for the Supreme Courts – Administrative Office of the Courts.

SECTION 23. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Four Hundred Sixty Thousand Five Hundred Dollars (\$2,460,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 24. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 25. Of the funds appropriated under the provisions of this act, One Million Eight Hundred Seventy-five Thousand Dollars (\$1,875,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 26. Of the funds appropriated in Section 7, Nine Million Dollars (\$9,000,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 27. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in HB 484, 2012 Regular Session, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of HB 484, 2012 Regular Session.

SECTION 28. Of the funds appropriated in Section 7, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts .....	\$ 6,500,000.00
Civil Legal Assistance .....	\$ 200,000.00

SECTION 29. (1) In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Supreme Court – Trial Judges, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,500,000.00.

These funds are provided for the purpose of providing temporary Special Judges to help alleviate the backlog of adoption cases in Child Protection Services, and operational expenditures necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight

over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 30. (1) In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Supreme Court – Trial Judges, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,727,683.00.

These funds are provided for the purpose of funding additional special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that

expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 31. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 32. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
Jason White	Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1628** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1630** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1630: Appropriation; Transportation, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....  
\$ 1,426,077,673.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	2,906
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be

available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses .....	\$ 62,667,692.00
Construction.....	\$ 983,995,968.00
Maintenance .....	\$ 264,476,524.00
Debt Service .....	\$ 78,782,972.00
Aeronautics, Rails and other .....	\$ 36,154,517.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2023.

SECTION 6. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars (\$5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division as authorized to be relocated in Senate Bill 2825, 2021 Regular Session.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the

Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 9. It is the intention of the Legislature that of the sum appropriated in Section 1, the Department is authorized to provide a protective footwear allowance of not more than \$150 per person annually for Engineers, Maintenance, and Construction Workers as part of their safety equipment.

SECTION 10. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 11. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2022 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2022, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 15. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
<b>Maintenance</b>	
Number of Acres Mowed (First & Subsequent)	290,000
Percent Increase of Acreage Mowed	66.00
Slow the Expected Increases of Total	
Fatalities According to a 5 Year Rolling	
Average (697 or Less)	749
Percent Decrease in State-Maintained	
Lane Miles Needing Repair or	
Rehabilitation	1.50
Percent of Pavement Needs Met Annually	10.00
Percent on Interstate Lane-Miles with	
Acceptable Pavement Condition Rating	52.50
Percent of 4 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	72.00
Percent of 2 Lane Highway Lane-Miles	
With an Acceptable Pavement Condition	
Rating	57.50
Cost per Mile to Maintain State Highways	27,885.00
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	130
<b>Construction</b>	
Percent of Miles of State Maintained	
Highways that Meet MDOT Thresholds for	
Congestion	2.01
Number of Lane Miles of State Maintained	
Highways Requiring Additional Capacity	563
Cost per Mile to Construct State Highways	14,960,000.00
<b>Administration &amp; Other</b>	
Administration as a Percent of Total Budget	5.05

GO-MDOT-Total Number of Page Views 1,025,931

Percent Increase in Utilization of  
 MDOTTRAFFIC.com Website 8.08

Bonded Debt Service

MDOT's Share of Annual Debt Service will  
 not Exceed 3.75% of Annual Budget 0.90

Aeronautics & Rails

Number of Airports Inspected 69

Number of Grade Crossings Inspected 2,800

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 19. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00).

SECTION 20. With the funds appropriated herein, the Department of Transportation is authorized to make payment for expenses incurred during Fiscal Years 2016 through 2021 as follows:

Year	Vendor	Fiscal Amount
16 43.23	Automated Power, Inc.	20 \$
18 172.00	Belmont Equipment	20 \$
20 18.79	Entergy	20 \$
20 19.47	Entergy	20 \$
20 18.83	Entergy	20 \$

	Entergy	20
20		\$
18.52		
	Home2Suites by Hilton	20
19		\$
282.00		
	Home2Suites by Hilton	20
19		\$
282.00		
	Home2Suites by Hilton	20
20		\$
188.00		
	Home2Suites by Hilton	20
20		\$
188.00		
	Jackson County Utility Authority	20
19		\$
5,250.00		
	Jackson County Utility Authority	20
19		\$
3,024.00		
	Jackson County Utility Authority	20
19		\$
146,139.91		
	Jackson County Utility Authority	20
19		\$
145,773.58		
	Jackson County Utility Authority	20
20		\$
10,080.00		
	Jackson County Utility Authority	20
20		\$
17,500.00		
	Mid-South Machinery, Inc.	20
18		\$
84.58		

	Mid-South Machinery, Inc.	20
19		\$
66.51		
	Mid-South Machinery, Inc.	20
19		\$
466.84		
	Mid-South Machinery, Inc.	20
19		\$
856.45		
	Mid-South Machinery, Inc.	20
19		\$
361.52		
	Mid-South Machinery, Inc.	20
20		\$
291.26		
	Mid-South Machinery, Inc.	20
20		\$
303.70		
	Tunica County, MS	20
21		\$
10,416.00		
	Vermeer Midsouth, Inc.	20
18		\$
188.03		
	Wolters Kluwer	20
18		\$
382.77		

SECTION 21. Of the funds provided in Section 1, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the 2022 Infrastructure Match Fund, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 40,000,000.00.

It is the intent of the Legislature that the funds provided herein shall be provided for matching funds needed pursuant to the Infrastructure Investment and Jobs Act.

SECTION 22. Of the funds provided in Section 1, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the 2022 Maintenance Project Fund, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 45,000,000.00.

With the funds provided herein, it is the intent of the Legislature for the Department of Transportation to utilize these funds to provide for maintenance projects

by adopting the Pavement Program of the Three-Year Plan as adopted by the Mississippi Transportation Commission on Minute Book 105, page 732 and further required by Section 65-1-141, Mississippi Code of 1972 Annotated.

In the event the Transportation Commission deviates from the recommended priorities presented in the Pavement Program, the Commission shall spread the specific reasons for deviation on its minutes in accordance with Section 65-3-97, Mississippi Code of 1972 Annotated.

SECTION 23. Of the funds provided in Section 1, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the 2022 Capacity Project Fund, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 35,000,000.00.

With the funds provided herein, it is the intent of the Legislature for the Department of Transportation to utilize these funds to provide for capacity projects by adopting the Capacity Program of the Three-Year Plan as adopted by the Mississippi Transportation Commission on Minute Book 105, page 732 and further required by Section 65-1-141, Mississippi Code of 1972 Annotated.

In the event the Transportation Commission deviates from the recommended priorities presented in the Capacity Program, the Commission shall spread the specific reasons for deviation on its minutes in accordance with Section 65-3-97, Mississippi Code of 1972 Annotated.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Charles Busby	Jenifer B. Branning
Vince Mangold	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1630** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Jackson (11th). Total--1.

Absent and those not voting---None.

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Senator Bryan moved that the rules be suspended for the immediate consideration of **S. N. No. 109**, and the motion prevailed.

Senator Bryan called up the following entitled nomination:

**S. N. No. 109:** Desmond Wayne Hoda, D.C., Pass Christian, Mississippi, State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, five year term effective April 21, 2022 and ending April 20, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 109 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting---None.

Voting Present--Hopson, Horhn, Tate. Total--3.

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Senator Bryan moved that the rules be suspended for the immediate consideration of **S. N. No. 150**, and the motion prevailed.

Senator Bryan called up the following entitled nomination:

**S. N. No. 150:** Douglas Wesley (Wes) Rouse, III, Hattiesburg, Mississippi, MS Industries for the Blind as rep. with at least 5 years experience in finance or related field, remainder of four year term effective February 22, 2022 and ending June 30, 2025, vice Sam Walker.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 150 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Polk moved that the Senate stand in recess until 7:30 PM.

The motion prevailed, and at 7:00 PM, the Senate stood in recess.

\_\_\_\_\_

The Senate resumed business at 7:30 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

\_\_\_\_\_

Senator Hopson moved that the rules be suspended to move to calendar item 32, **S. B. No. 2822**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2822** be recommitted for further conference and the motion prevailed.

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

\_\_\_\_\_

Senator Hopson moved that the rules be suspended to move to calendar item 29, **H. B. No. 1426**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1426** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1426: Salary statutes; revise certain provisions relating to salaries of state employees and officials.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-31, Mississippi Code of 1972, is amended as follows:

[Beginning July 1, 2022, through December 31, 2023, this section shall read as follows:]

25-3-31. (1) The annual salaries of the following elected state and district officers are fixed as follows:

Governor .....	\$122,160.00
Attorney General .....	108,960.00
Secretary of State.....	90,000.00
Commissioner of Insurance .....	90,000.00

State Treasurer.....	90,000.00
State Auditor of Public Accounts.....	90,000.00
Commissioner of Agriculture and Commerce.....	90,000.00
Transportation Commissioners .....	78,000.00
Public Service Commissioners.....	78,000.00

\* \* \*

(2) To assist the elected state and district officers in subsection (1) of this section in efficiently performing the official duties imposed upon him or her by law, the officer may employ suitable and competent persons who possess the professional skill and expert knowledge needed to fulfill those duties. The State Personnel Board, based upon its findings of fact, shall exempt those persons from the provisions of Section 25-3-39 when the acquisition of such professional services is precluded based upon the prevailing wage in the relevant labor market. This subsection (3) shall stand repealed on July 1, 2024.

[From and after January 1, 2024, this section shall read as follows:]

25-3-31. (1) The annual salaries of the following elected state and district officers are fixed as follows:

Governor .....	\$ * * * 160,000.00
Attorney General .....	* * * 150,000.00
Secretary of State.....	* * * 120,000.00
Commissioner of Insurance .....	* * * 150,000.00
State Treasurer.....	* * * 120,000.00
State Auditor of Public Accounts.....	* * * 150,000.00
Commissioner of Agriculture and Commerce.....	* * * 120,000.00
Transportation Commissioners .....	* * * 95,000.00
Public Service Commissioners.....	* * * 95,000.00

\* \* \*

(2) To assist the elected state and district officers in subsection (1) of this section in efficiently performing the official duties imposed upon him or her by law, the officer may employ suitable and competent persons who possess the professional skill and expert knowledge needed to fulfill those duties. The State Personnel Board, based upon its findings of fact, shall exempt those persons from the provisions of Section 25-3-39 when the acquisition of such professional services is precluded based upon the prevailing wage in the relevant labor market. This subsection (3) shall stand repealed on July 1, 2024.

SECTION 2. Section 25-3-39, Mississippi Code of 1972, is amended as follows:

[Beginning July 1, 2022, through December 31, 2023, this section shall read as follows:]

25-3-39. (1) (a) Except as otherwise provided in this section, no public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, shall be paid \*\*\* an annual salary \*\*\* greater than one hundred fifty percent (150%) of the salary fixed in Section 25-3-31 for the Governor, nor shall the salary of any public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, be supplemented with any funds from any source, including federal or private funds. Such salaries shall be completely paid by the state. The following shall be exempt from this subsection:

(i) \*\*\* Academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges \*\*\*;

(ii) Licensed physicians who are public employees \*\*\*;

(iii) Professional employees who hold a bachelor's degree or more advanced degree from an accredited four-year college or university or a certificate or license issued by a state licensing board, commission or agency and who are employed by the Department of Mental Health \*\*\*, if the State Personnel Board approves the exemption \*\*\*;

(iv) The Commissioner of Child Protection Services \*\*\*; and

(v) The Executive Director of the Public Employees' Retirement System and the Chief Investment Officer of the Public Employees' Retirement System \*\*\*.

(b) The Governor shall fix the annual salary of the Executive Director of the Mississippi Development Authority, the annual salary of the Commissioner of Child Protection Services, and the annual salary of the Chief of Staff of the Governor's Office. The salary of the Governor's Chief of Staff shall not be greater than one hundred fifty percent (150%) of the salary of the Governor and shall be completely paid by the state without supplementation from another source. The salary of the Executive Director of the Mississippi Development Authority may be greater than one hundred fifty percent (150%) of the salary of the Governor and may be supplemented with funds from any source, including federal or private funds; however, any state funds used to pay the salary of the Executive Director of the Mississippi Development Authority shall not exceed one hundred fifty percent (150%) of the salary of the Governor. If the executive director's salary is supplemented with private funds, the Mississippi Development Authority shall publish on its website the amount of the supplement and the name of the donor of the private funds.

(2) No public officer, employee or administrator shall be paid a salary or compensation, directly or indirectly, in excess of the salary authorized to be paid the executive head of the state agency or department in which he is employed. The State Personnel Board, based upon its findings of fact, may exempt physicians and actuaries from this subsection when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market.

(3) The executive head of any state agency or department appointed by the Governor, in such executive head's discretion, may waive all or any portion of the salary or compensation lawfully established for the position.

[From and After January 1, 2024, this section shall read as follows:]

25-3-39. (1) (a) Except as otherwise provided in this section, no public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, shall be paid \*\*\* an annual salary \*\*\* greater than \*\*\* one hundred twenty-five percent (125%) of the salary fixed in Section 25-3-31

for the Governor, nor shall the salary of any public officer, public employee, administrator, or executive head of any arm or agency of the state, in the executive branch of government, be supplemented with any funds from any source, including federal or private funds. Such salaries shall be completely paid by the state. The following shall be exempt from this subsection:

(i) \*\*\* Academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges \*\*\*;

(ii) Licensed physicians who are public employees \*\*\*;

(iii) Professional employees who hold a bachelor's degree or more advanced degree from an accredited four-year college or university or a certificate or license issued by a state licensing board, commission or agency and who are employed by the Department of Mental Health \*\*\*, if the State Personnel Board approves the exemption \*\*\*;

(iv) The Commissioner of Child Protection Services \*\*\*; and

(v) \*\*\* The Executive Director of the Public Employees' Retirement System and the Chief Investment Officer of the Public Employees' Retirement System \*\*\*.

(b) The Governor shall fix the annual salary of the Executive Director of the Mississippi Development Authority, the annual salary of the Commissioner of Child Protection Services, and the annual salary of the Chief of Staff of the Governor's office. The salary of the Governor's Chief of Staff shall not be greater than \*\*\* one hundred twenty-five percent (125%) of the salary of the Governor and shall be completely paid by the state without supplementation from another source. The salary of the Executive Director of the Mississippi Development Authority may be greater than \*\*\* one hundred twenty-five percent (125%) of the salary of the Governor and may be supplemented with funds from any source, including federal or private funds; however, any state funds used to pay the salary of the Executive Director of the Mississippi Development Authority shall not exceed \*\*\* one hundred twenty-five percent (125%) of the salary of the Governor. If the executive director's salary is supplemented with private funds, the Mississippi Development Authority shall publish on its website the amount of the supplement and the name of the donor of the private funds.

(2) No public officer, employee or administrator shall be paid a salary or compensation, directly or indirectly, in excess of the salary authorized to be paid the executive head of the state agency or department in which he is employed. The State Personnel Board, based upon its findings of fact, may exempt physicians and actuaries from this subsection when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market.

(3) The executive head of any state agency or department appointed by the Governor, in such executive head's discretion, may waive all or any portion of the salary or compensation lawfully established for the position.

SECTION 3. Section 5-1-43, Mississippi Code of 1972, is amended as follows:

[From and after July 1, 2022, through December 31, 2023, this section shall read as follows:]

5-1-43. (1) The salary of the Lieutenant Governor and of the Speaker of the House of Representatives shall be Sixty Thousand Dollars (\$60,000.00) annually, and they shall receive for attending each extraordinary or called session the same compensation and mileage as is provided for members of the Legislature. However, in the event the

Lieutenant Governor serving on the effective date of Laws, 1997, Chapter 577, shall be re-elected for the term beginning in the year 2000, he shall continue to receive an annual salary of Forty Thousand Eight Hundred Dollars (\$40,800.00).

(2) On the first day of each month, the Lieutenant Governor and the Speaker of the House of Representatives shall receive in twelve (12) equal monthly installments the compensation provided for pursuant to subsection (1) of this section.

[From and after January 1, 2024, this section shall read as follows:]

5-1-43. (1) The salary of the Lieutenant Governor and of the Speaker of the House of Representatives shall be \* \* \* Eighty-five Thousand Dollars (\$85,000.00) annually, and they shall receive for attending each extraordinary or called session the same compensation and mileage as is provided for members of the Legislature. \* \* \*

(2) On the first day of each month, the Lieutenant Governor and the Speaker of the House of Representatives shall receive in twelve (12) equal monthly installments the compensation provided for pursuant to subsection (1) of this section.

SECTION 4. Section 25-3-71, Mississippi Code of 1972, is amended as follows:

25-3-71. The State Personnel Board shall prepare a written legislative report to be submitted to the members of the Mississippi Legislature on December 1, 1988, and on December 1 of every year thereafter, making recommendations on any salary increases and the amounts deemed necessary for all state \* \* \* elected officials and state appointed officials whose salaries are established by statute.

SECTION 5. Section 25-9-133, Mississippi Code of 1972, is amended as follows:

25-9-133. (1) The board shall recommend policies and procedures for the efficient and economical use of employment positions. The board shall report to the State Fiscal Management Board and the Legislative Budget Office recommendations for the number of employment positions and costs within each department, agency or institution. Such recommendation shall include the job title and salary of each position. The board shall conduct periodic position audits within each department, agency or institution to ensure the effective and efficient use of all personnel resources and to determine compliance with organization and staffing plans by agencies \* \* \*.

(2) No person shall be employed by any agency for any period for any purpose except in an employment position authorized by legislative appropriation or by the body authorized by law to escalate budgets and approve employment positions under the guidelines established by the Legislature. Each employment position so authorized shall be classified and assigned a pay range on the basis of actual job content, according to the State Classification Plan.

SECTION 6. Section 37-3-13, Mississippi Code of 1972, is amended as follows:

37-3-13. \* \* \* The deputy superintendents, associate superintendents and directors shall be selected by and hold office subject to the will of the State Superintendent of Public Education subject to the approval of the State Board of Education. All other personnel shall be competitively appointed by the State Superintendent and shall be dismissed only for cause in accordance with the rules and regulations of the State Personnel Board. The State Board of Education shall set the salary of \* \* \* the members of the teaching staffs and employees of the Mississippi School of the Arts, the Mississippi School for the Blind, the Mississippi School for the Deaf, and the Mississippi School for Math and Sciences. The State Superintendent, subject to the approval of the State Personnel Board, shall fix the amount of compensation of all other employees of the State Department of Education. All salaries, compensation or expenses of any of the personnel of the department shall be paid upon the requisition of the State Superintendent of Public

Education and warrant issued thereunder by the State Auditor out of funds appropriated by the Legislature in a lump sum upon the basis of budgetary requirements submitted by the Superintendent of Education or out of funds otherwise made available. The entire expense of administering the department shall never exceed the amount appropriated therefor, plus funds received from other sources other than state appropriations. For a violation of this provision, the superintendent shall be liable, and he and the sureties on his bond shall be required to restore any such excess.

\* \* \*

SECTION 7. Section 47-5-20, Mississippi Code of 1972, is amended as follows:

47-5-20. The commissioner shall have the following powers and duties:

(a) To establish the general policy of the department;

(b) To approve proposals for the location of new facilities, for major renovation activities, and for the creation of new programs and divisions within the department as well as for the abolition of the same; provided, however, that the commissioner shall approve the location of no new facility unless the board of supervisors of the county or the governing authorities of the municipality in which the new facility is to be located shall have had the opportunity with at least sixty (60) days' prior notice to disapprove the location of the proposed facility. If either the board of supervisors or the governing authorities shall disapprove the facility, it shall not be located in that county or municipality. Said notice shall be made by certified mail, return receipt requested, to the members of the board or governing authorities and to the clerk thereof;

(c) Except as otherwise provided or required by law, to open bids and approve the sale of any products or manufactured goods by the department according to applicable provisions of law regarding bidding and sale of state property, and according to rules and regulations established by the State Fiscal Management Board; \* \* \*

(d) To adopt administrative rules and regulations including, but not limited to, offender transfer procedures, award of administrative earned time, personnel procedures, employment practices.

\* \* \*

SECTION 8. Section 47-5-28, Mississippi Code of 1972, as amended by House Bill No. 936, 2022 Regular Session, is amended as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to \* \* \* conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender \* \* \*;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

\* \* \*

(\* \* \*) To contract with licensed special care facilities for paroled inmates to provide authorized medical services and support services for medically frail inmates who have been paroled and who have voluntarily submitted to the Department of Corrections an address to one of the licensed care facilities to receive such services; and

(j) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 9. Section 57-1-5, Mississippi Code of 1972, is amended as follows:

57-1-5. (1) The Governor shall, with the advice and consent of the Senate, appoint an executive director who:

(a) Shall have at least a bachelor's degree, and

(b) Shall be an experienced administrator and have at least five (5) years' experience in at least one (1) of the following areas:

- (i) Industrial development, or
- (ii) Economic development.

(2) The executive director shall be the executive officer of the department in the execution of any and all provisions of this chapter, and his salary shall be fixed by the Governor.

(3) The executive director shall have the following powers and duties:

(a) To formulate the policy of the department regarding the economic and tourist development of the state.

(b) To use and expend any funds from state, federal or private sources coming into the department for the purposes herein provided. State funds appropriated for the department shall be expended in accordance with the regulations governing the expenditures of other state funds.

(c) To implement the duties assigned to the department and consistent with specific requirements of law, including, but not limited to:

(i) Support services to include legal, finance, data processing, personnel, communications and advertising, purchasing and accounting;

(ii) Research and planning;

(iii) Outreach, agency liaison and community development;

(iv) Tourism, business travel, and film;

(v) Programs and assistance for existing state business and industry;

(vi) Recruiting new business and industry into the state;

(vii) Fostering and promoting of entrepreneurship and the creation of new business in the state;

(viii) Programs aimed at competing effectively in the international economy by increasing exports of state products and services and by promoting, developing and creating the conditions and programs that will bring about significant increases in investment in the state from other countries;

(ix) Programs relating to the development of ports;

(x) Such other areas as are within the jurisdiction and authority of the department and will foster and promote the economic development of this state;

(xi) \* \* \* The positions of associate directors, deputy directors and bureau directors shall not be state service positions.

SECTION 10. Section 65-1-2, Mississippi Code of 1972, is amended as follows:

65-1-2. (1) There is hereby created the Mississippi Department of Transportation, which shall include the following offices:

(a) Office of Administrative Services.

(b) Office of Highways.

- (c) Office of State Aid Road Construction.
- (d) Office of Intermodal Planning.
- (e) Office of Enforcement.

(2) Each office shall be composed of such bureaus as deemed necessary by the executive director of the department.

(3) The department is designated as the single state agency to receive and expend any funds made available by the United States Department of Transportation or any agency of the federal government for transportation purposes and to cooperate with federal, state, interstate and local agencies, organizations and persons performing activities relating to transportation. This subsection shall not apply to motor carrier safety assistance program funds made available by the federal government to the Public Service Commission.

(4) The powers, duties and responsibilities of the State Highway Department with respect to the construction and maintenance of the state highway system are transferred to the Mississippi Department of Transportation.

(5) The powers, duties and responsibilities of the \* \* \* Mississippi Development Authority with respect to aeronautics are transferred to the Mississippi Department of Transportation.

(6) The powers, duties and responsibilities of the State Tax Commission with respect to the weighing of motor vehicles along the highways of this state at inspection stations and by means of portable scales are transferred to the Mississippi Department of Transportation.

(7) The powers, duties and responsibilities of the \* \* \* Mississippi Development Authority with respect to transportation matters, except with respect to ports, are transferred to the Mississippi Department of Transportation.

(8) The powers, duties and responsibilities of the State Aid Engineer and the Office of State Aid Road Construction are transferred to the Mississippi Department of Transportation.

(9) All powers, duties and responsibilities of the Public Service Commission with regard to railroads, except rate-making authority, are transferred to the Mississippi Department of Transportation. The Mississippi Transportation Commission may perform any act and issue any rule, regulation or order which the commission is permitted to do by the Federal Railroad Safety Act of 1970 (45 USCS et seq.). A copy of any new rule, regulation or order passed by the Mississippi Transportation Commission shall be furnished to members of the Transportation Committees of the Mississippi House of Representatives and the Mississippi Senate. Individuals, corporations or companies affected by the order, rule or regulation shall be notified in accordance with the Mississippi Administrative Procedures Law.

(10) All records, personnel, property and unexpended balances of appropriations, allocation or other funds of all those agencies, boards, commissions, departments, offices, bureaus and divisions that are transferred by Chapter 496, Laws of 1992, shall be transferred to the Mississippi Department of Transportation. The transfer of segregated or special funds shall be made in such a manner that the relation between program and revenue source as provided by law shall be retained.

\* \* \*

SECTION 11. Section 81-1-69, Mississippi Code of 1972, is amended as follows:

81-1-69. The \*\*\* salary of the commissioner \*\*\* shall be fixed by the \*\*\* Governor in conjunction with the State Compensation Plan, and shall be payable monthly out of the funds of the department.

SECTION 12. Section 25-9-147, Mississippi Code of 1972, is amended as follows:

25-9-147. The State Personnel Board shall review on an annual basis the variable compensation plan adopted by the Legislature at the regular session of 1981 and subsequently implemented by the State Personnel Board. Each state department or agency subject to the variable compensation plan shall prepare an annual written report under the direction of the head of that department or agency outlining the impact which the plan has had on that department or agency during the preceding fiscal year. Such department or agency report shall be submitted to the State Personnel Board and shall become a part of the board's annual review of the variable compensation plan. After conducting its annual review of the plan and studying the report of each department or agency, the State Personnel Board shall prepare a written legislative report, to be submitted to the members of the Mississippi Legislature prior to January 1 of each year. This written report shall accurately reflect the effect of the variable compensation plan on the various departments or agencies subject to the plan. From and after July 1, 1985, the plan shall be named the "Colonel Guy Groff State Variable Compensation Plan." From and after July 1, 2022, the plan shall be named the "Colonel Guy Groff/Neville Kenning Variable Compensation Plan."

SECTION 13. Section 25-3-34, Mississippi Code of 1972, which provides for education benchmark awards for appointive state and district officials, is repealed.

SECTION 14. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE ELECTED STATE AND DISTRICT OFFICERS FROM AND AFTER JANUARY 1, 2024; TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO REVISE THE CEILING ESTABLISHED FOR SALARIES OF PUBLIC OFFICERS AND EMPLOYEES; TO AMEND SECTION 5-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARY OF THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE; TO AMEND SECTION 25-3-71, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPORTING REQUIREMENT ON SALARY INCREASES FOR COUNTY ELECTED OFFICIALS; TO AMEND SECTION 25-9-133, MISSISSIPPI CODE OF 1972, TO REMOVE AN INCORRECT STATUTORY REFERENCE; TO AMEND SECTION 37-3-13, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE STATE BOARD OF EDUCATION TO SET THE SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTIONS 47-5-20 AND 47-5-28, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 57-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SET SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTION 65-1-2, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 81-1-69, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARY OF THE COMMISSIONER OF BANKING AND CONSUMER FINANCE SHALL BE FIXED BY THE GOVERNOR IN CONJUNCTION WITH THE STATE COMPENSATION PLAN; TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO DESIGNATE A NEW NAME FOR THE

VARIABLE COMPENSATION PLAN; TO REPEAL SECTION 25-3-34, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EDUCATION BENCHMARK AWARDS FOR APPOINTIVE STATE AND DISTRICT OFFICIALS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1426** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Bryan, Hill, Seymour. Total--3.

Absent and those not voting---None.

Voting Present--Barrett, Chism, Tate. Total--3.

Senator Hopson moved that the rules be suspended to move to calendar item 27, **H. B. No. 1421**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1421** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1421: ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after the effective date of this act, twenty percent (20%) of the funds appropriated to the department for the program be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant. The maximum amount of funds that may be provided to any rural water association from all grants under the program is Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 2. Section 27-104-7, Mississippi Code of 1972, as amended by Senate Bill No. 2818, 2022 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and

Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, \* \* \* any personal or professional service contract entered into by the Mississippi Department of Health and/or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2023, any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, \* \* \* any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, and any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the

proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its

action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any

recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM TO ASSIST RURAL WATER ASSOCIATIONS IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED FROM APPROPRIATIONS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1421** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson moved that the rules be suspended to move to calendar item 15, **S. B. No. 3015**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3015** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3015: Appropriation; Agriculture and Commerce, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 9,099,803.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,649,548.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	226
Time-Limited:	13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00) and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department..... \$ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Plant Industry	
Number of Pesticide Related Inspections	2,000

Number of Marketplace Inspections in	
Full Compliance	205
Number of Dealer Inspections in Full	
Compliance	110
Number of Agricultural &	
Non-Agricultural Pesticide Application	
Inspections in Full Compliance	1,200
Number of Agricultural &	
Non-Agricultural Record Inspections in	
Full Compliance	350
Percent of Marketplace Inspections in	
Full Compliance	85.00
Percent of Dealer Inspections in Full	
Compliance	96.00
Percent of Agricultural & Non-Ag	
Pesticide Application Inspections in	
Full Compliance	93.00
Percent of Agricultural & Non-Ag Record	
Inspections in Full Compliance	95.00
Museum	
Total Attendance	125,000
Number of Students in School Groups	18,000
Number of Private Revenue Generating	
Functions	1,700
Percent Change in Number of Private	
Revenue Generating Functions	1.00
Percent Change in Revenue from Private	
Functions	1.00
Percent Increase in Attendance from	
Prior Year	2.00
Percent Increase of School Students in	
Attendance from Prior Year	2.00

Revenue Generated from Functions (\$)	312,000.00
Regulatory	
Number of Retail Motor Fuel Devices	
Inspected	55,100
Number of Food Sanitation Inspections	5,000
Percent of Total Retail Motor Fuel	
Devices Inspected	100.00
Percent of Total Retail Food Sanitation	
Inspections	100.00
Percent of Consumer Complaints Answered	
within 48 Hours	97.00
Marketing	
Number of Persons Reached by Marketing Means	1,138,150
Percent Increase of Persons Reached by	
Marketing Means	3.00
Administration	
Maintain Administrative Cost at 18% of	
Total Budget (%)	25.00
Livestock Theft	
Number of Cases Investigated	200
Number of Cases Cleared	30
Percent of Cases Prosecuted	20.00
Farmer's Market	
Number of Retail Spaces Rented (Average	
per Week)	35
Amount of Revenue Generated through	
Rental Space Rented (\$)	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test	
(Average Depending on Type of Seed)	20

Number of Hours to Evaluate TZ Test	1
Mississippi State Fairgrounds	
Number of Event Days	520
Estimated Total Attendance	1,250,000
Egg Marketing Board	
Percent Increase in the Number of Eggs	
Purchased	2.00
Cost of Outreach in Relation to	
Consumers Reached. (This Number is the	
Percent of the Budget Dedicated to	
Advertising)	80.00
Percent Increase of Consumption of Eggs	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 1, Four Hundred Thousand (\$400,000.00), is provided for matching funds required for the Mississippi Farms and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the period beginning upon passage and ending June 30, 2023..... \$ 1,100,000.00.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2022, except for Section 14 shall be enacted from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Bill Pigott
Kelvin Butler	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3015** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3015**:

MEMORANDUM

TO: Clerk of the House of Representatives  
Secretary of the Senate

RE: FY 2023 Conference Reports - Unanimous Consent Requests

DATE: April 4, 2022

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It is requested that unanimous consent be granted to make the following clerical corrections:

SB 3015: Appropriation; Agriculture and Commerce, Department of

Amend line 226 by deleting the words "Mississippi Farms and Families Program" and inserting in lieu thereof the words "Mississippi Healthy Food and Families Program"

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John Read, Chairman  
House Appropriations Committee

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W. Briggs Hopson III, Chairman  
Senate Appropriations Committee

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Senator Hopson moved that the rules be suspended to move to calendar item 47, **S. B. No. 3023**, and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3023**:

MEMORANDUM

TO: Clerk of the House of Representatives  
Secretary of the Senate

RE: FY 2023 Conference Reports - Unanimous Consent Requests

DATE: April 4, 2022

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It is requested that unanimous consent be granted to make the following clerical corrections:

SB 3023: Appropriation; Employment Security, Department of

Amend line 20 deleting the number "434" and inserting in lieu thereof the number "479"

Amend line 21 deleting the number "180" and inserting in lieu thereof the number "135"

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John Read, Chairman  
House Appropriations Committee

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W. Briggs Hopson III, Chairman  
Senate Appropriations Committee

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charlene Rice Elliott of Brookhaven, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of William Angelo "Billy" Primos of Jackson, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Sarah Ann Miller of Natchez, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of John Charles Riles of Vicksburg, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Dr. Martin Luther King, Jr. of Atlanta, GA.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Elizabeth "Betty" Rogers Hallmark of Hopkinsville, KY.

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Senators England, Wiggins and McCaughn moved that when the Senate adjourns, it adjourn in memory of Dr. James Benjamin Gatewood of Ocean Springs, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Albert Knight of Bentonia, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Jill Harmon of Houston, TX.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of William Carlton Hux, III of Mendenhall, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Henry Cliff Partridge, Hazel Dowda, Dean Conner Moore and Betty Overby Thomas of Meridian, MS.

---

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Virginia L. Dickerson of Quitman, MS.

---

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Kenneth Gene Back, Sr. of Enterprise, MS.

---

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dr. Jane Lampton Moore of Jackson, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Kim Wilcher, Alva Sadler Dalton, Jr., Harold Dean Fowler, Ollie Mae Austin, Joe (JoJo) Coleman, Donald Eugene Dillingham and Donald Franks of Corinth, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Lola Mae Whittemore, Daniel Threadgill, Kenneth Eugene Moore, Danny Bingham, H. T. (Peck) Boggs, John Thomas Knight and Margaret Virginia Gant Maness of Corinth, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of James Larry Doran, Steen Dalton, Margaret Hickman, Betty Gilmore, Ricky Rorie and Bennie Don Holder of Corinth, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mancel Junior Mills and Charles Holt of Walnut, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Bobby "Doc" Stewart and Stanley Ray Horton, Jr. of Booneville, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Harold Guy Tucker of Tishomingo, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Victoria Morgan Huggins of Tupelo, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of James Michael "Mike" Henry of Glen, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Bethel William Bearden of Rienzi, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Linda Downs of Memphis, TN.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 453:** AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO CERTAIN NONPROFIT MUSEUMS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ADVERTISING AND OTHER FORMS OF PROMOTING AND PUBLICIZING NONPROFIT MUSEUMS AND MUSEUM RELATED ACTIVITIES, AND REPAIRS AND RENOVATIONS OF AND UPGRADES AND IMPROVEMENTS TO SUCH MUSEUMS FOR HEALTH AND SAFETY PURPOSES RELATED TO THE CORONAVIRUS DISEASE 19; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION TO BE USED FOR THE PURPOSE OF MAKING REVITALIZATION GRANTS TO MISSISSIPPI COMMUNITIES; TO DESIGNATE "ONE MISSISSIPPI," WRITTEN BY STEVE AZAR, AS THE CONTEMPORARY MUSIC GENRE OFFICIAL STATE SONG; TO ESTABLISH THE MISSISSIPPI STATE SONGS STUDY COMMITTEE TO DEVELOP VARIOUS GENRES OF OFFICIAL SONGS FOR THE STATE OF MISSISSIPPI; TO PRESCRIBE THE MEMBERSHIP OF THE COMMITTEE AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO REQUIRE THE COMMITTEE TO SUBMIT A REPORT OF ITS FINDINGS TO THE LEGISLATURE NO LATER THAN DECEMBER 31, 2022; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED "GO MISSISSIPPI" AS THE OFFICIAL STATE SONG; AND FOR RELATED PURPOSES.

**H. B. No. 474:** AN ACT TO REENACT SECTIONS 57-117-1 THROUGH 57-117-9, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND SECTION 57-117-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT; TO AMEND REENACTED SECTION 57-117-3, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO MAKE MINOR, NONSUBSTANTIVE NUMBERING CHANGES; TO REENACT SECTION 27-31-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT AN AD VALOREM TAX EXEMPTION TO HEALTH CARE INDUSTRY FACILITIES; TO AMEND REENACTED SECTION 27-31-101, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REVERTER ON THAT STATUTE; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REVERTER ON THE STATUTE THAT AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO GRANT A FEE-IN-LIEU OF AD VALOREM TAXES TO QUALIFIED BUSINESSES UNDER THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT WHICH MEET MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT EXEMPTS FROM SALES TAXATION SALES OF MATERIALS USED IN THE CONSTRUCTION OF, OR ADDITION OR IMPROVEMENTS TO, A HEALTH CARE INDUSTRY FACILITY AND CERTAIN SALES OF MACHINERY AND EQUIPMENT TO BE USED IN THE FACILITY; TO AMEND SECTION 6, CHAPTER 520, LAWS OF 2012, TO CORRECT THE SECTION NUMBERS CITED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT'S ENABLING LEGISLATION WHICH ARE SUBJECT TO REPEAL; AND FOR RELATED PURPOSES.

**H. B. No. 770:** AN ACT TO CREATE THE MISSISSIPPI EQUAL PAY ACT; TO PROVIDE DEFINITIONS FOR "EMPLOYEE", "EMPLOYER", "WAGE", "RATE", AND "UNPAID WAGES"; TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE

A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF THE OPPOSITE SEX IN THE SAME ESTABLISHMENT IS PAID FOR EQUAL WORK ON A JOB, THE PERFORMANCE OF WHICH REQUIRES EQUAL SKILL, EFFORT AND RESPONSIBILITY, AND WHICH IS PERFORMED UNDER SIMILAR WORKING CONDITIONS; TO PROVIDE REMEDIES; TO PROVIDE THE TIME IN WHICH A CIVIL ACTION MUST BE FILED; AND FOR RELATED PURPOSES.

**H. B. No. 881:** AN ACT TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS WITH SIGNIFICANT DEVELOPMENTAL DISABILITIES, COMPLEX COMMUNICATION NEEDS, SIGNIFICANT LANGUAGE OR LEARNING DEFICITS, WHO ARE UNABLE TO SUFFICIENTLY HAVE THEIR EDUCATIONAL NEEDS MET WITHIN THEIR PUBLIC SCHOOL'S REGULAR OR SPECIAL EDUCATION PROGRAM, TO RECEIVE EDUCATIONAL INSTRUCTION, TRAINING AND SPECIAL EDUCATION SERVICES FROM A STATE-SUPPORTED UNIVERSITY OR COLLEGE AUTHORIZED BY THE STATE DEPARTMENT OF EDUCATION TO PROVIDE SUCH INSTRUCTION AND TRAINING; TO AUTHORIZE QUALIFIED INSTRUCTORS WHO HOLD THE APPROPRIATE LICENSURE ENDORSEMENTS TO SERVE AS THE LEAD TEACHER FOR CHILDREN ENROLLED WITHIN THE UNIVERSITY-BASED PROGRAM (UBP) THROUGH THE IDEA-PART C AND IDEA-PART B ELIGIBILITY AND PLACEMENT PROCESS; TO PROVIDE THAT THE JUSTIFICATION FOR THE PLACEMENT OF EXCEPTIONAL STUDENTS AGES 3 TO 21 IS DETERMINED IN CONJUNCTION WITH THE LOCAL EDUCATION AGENCY THROUGH THE STUDENT'S IEP; TO AMEND SECTION 37-23-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SPEECH-LANGUAGE PATHOLOGISTS, EDUCATIONAL AUDIOLOGISTS AND SPECIAL AND EARLY CHILDHOOD EDUCATORS WHO MEET CERTAIN QUALIFICATIONS TO SERVE AS A LEAD TEACHER IN A UNIVERSITY-BASED PROGRAM; TO REQUIRE UNIVERSITY-BASED PROGRAMS TO SUBMIT REPORTS TO THE STATE DEPARTMENT OF EDUCATION AT THE SAME TIME THAT SUCH REPORTS ARE SUBMITTED BY LOCAL EDUCATION AGENCIES; TO AMEND SECTION 37-23-35, MISSISSIPPI CODE OF 1972, TO REQUIRE IDEA-PART B AND PRESCHOOL ALLOCATIONS FOR EACH LOCAL EDUCATION AGENCY TO BE CALCULATED BY THE STATE DEPARTMENT OF EDUCATION; TO REQUIRE A COLLABORATIVE AGREEMENT BETWEEN THE LOCAL EDUCATION AGENCY AND THE UBP; TO REQUIRE THE DEPARTMENT TO DISTRIBUTE ALL NECESSARY STATE FUNDS DIRECTLY TO THE STATE-SUPPORTED UNIVERSITY OR COLLEGE; AND FOR RELATED PURPOSES.

**H. B. No. 1031:** AN ACT TO CREATE THE CAPITAL CITY WATER/SEWER PROJECTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION, REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY OF JACKSON'S WATER AND SEWER SYSTEMS AND RELATED FACILITIES; TO PROVIDE THAT IF THE CITY OF JACKSON DESIRES ASSISTANCE UNDER THIS ACT, THE CITY MUST ESTABLISH A PLAN FOR THE PROJECT OR PROJECTS FOR WHICH IT DESIRES ASSISTANCE AND SUBMIT THE PLAN AND AN APPLICATION FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT IF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROVIDES ASSISTANCE TO THE CITY OF JACKSON UNDER THIS ACT, THE CITY SHALL PROVIDE QUARTERLY REPORTS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION DESCRIBING THE RECEIPT AND EXPENDITURE OF SUCH ASSISTANCE, THE STATUS OF THE PROJECT OR PROJECTS AND ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1313:** AN ACT TO CREATE THE "STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM," FOR THE PURPOSE OF PROVIDING FUNDS FOR CERTAIN YOUTH TO ATTEND APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS PLACED EITHER IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES (MDCPS) OR AT A QUALIFIED

RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER AUTHORIZE THE AWARD OF SCHOLARSHIPS TO ANY PERSON WHO WAS ADOPTED FROM MDCPS'S CUSTODY OR WHILE RESIDING AT A QUALIFIED RESIDENTIAL CHILD CARE AGENCY AT ANY TIME ON OR AFTER THE PERSON'S 13TH BIRTHDAY; TO FURTHER PROVIDE THAT KINKADE FAITH SCHOLARSHIP APPLICANTS MUST BE YOUNGER THAN THE AGE OF 25; TO PROVIDE THAT THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD SHALL ADMINISTER THE PROGRAM; TO PRESCRIBE INITIAL AND CONTINUING ELIGIBILITY REQUIREMENTS FOR RECEIVING A KINKADE FAITH SCHOLARSHIP; TO ADDRESS SUMMER AND HOLIDAY ROOM AND BOARD ACCOMMODATIONS FOR KINKADE FAITH SCHOLARS AT APPROVED POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO ESTABLISH THE STATE REPRESENTATIVE BILL KINKADE FOSTERING ACCESS AND INSPIRING TRUE HOPE (FAITH) SCHOLARSHIP PROGRAM SPECIAL FUND; TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS 18 YEARS OF AGE OR OLDER TO ENTER LEGALLY BINDING CONTRACTS FOR THE LEASE OF REAL PROPERTY AND ASSOCIATED UTILITIES; TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LIMITED DISCLOSURE OF RECORDS INVOLVING CHILDREN BY MDCPS TO STUDENT FINANCIAL ASSISTANCE BOARDS; AND FOR RELATED PURPOSES.

**H. B. No. 1509:** AN ACT TO PROHIBIT A STATE AGENCY, PUBLIC OFFICIAL, STATE INSTITUTION OF HIGHER LEARNING, PUBLIC COMMUNITY OR JUNIOR COLLEGE, COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE FROM REFUSING SERVICES, HEALTH CARE ACCESS OR EMPLOYMENT OPPORTUNITIES TO A PERSON, OR OTHERWISE DISCRIMINATE AGAINST A PERSON, BASED UPON HIS OR HER COVID-19 VACCINATION STATUS OR POSSESSION OF A COVID-19 IMMUNITY PASSPORT; TO DEFINE THE TERMS "IMMUNITY PASSPORT" AND "COVID-19 VACCINATION STATUS"; TO PROVIDE A CERTAIN EXEMPTION FOR HEALTH CARE FACILITIES; AND FOR RELATED PURPOSES.

**H. B. No. 1510:** AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR UPON RECEIVING A COMPLETED VOTER REGISTRATION APPLICATION TO ENTER AN APPLICANT INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE THAT THE REGISTRATION APPLICATION SHALL BE COMPARED WITH THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE AND IDENTIFICATION INFORMATION; TO REQUIRE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM TO NOTIFY THE REGISTRAR IF SUCH INFORMATION REFLECTS THAT THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES; TO REQUIRE THE REGISTRAR TO NOTIFY CERTAIN APPLICANTS; TO REQUIRE AN APPLICANT WHO RECEIVES NOTICE UNDER THIS SECTION TO PROVIDE PROOF OF CITIZENSHIP TO THE REGISTRAR; TO PROVIDE THE DOCUMENTATION THAT MAY BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE THE REGISTRAR TO MARK THE APPLICANT AS REJECTED WHERE THE APPLICANT FAILS TO RESPOND TO THE NOTICE OR TO PROVIDE PROOF OF CITIZENSHIP WITHIN A CERTAIN PERIOD OF TIME; TO ESTABLISH AN APPEAL PROCEDURE; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MONIES THAT ARE DEPOSITED INTO THE ELECTIONS SUPPORT FUND; AND FOR RELATED PURPOSES.

**H. B. No. 1685:** AN ACT TO CREATE THE PREGNANCY RESOURCE ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THAT CONTRIBUTIONS FOR WHICH TAX CREDITS ARE CLAIMED UNDER THIS ACT MAY NOT BE USED AS DEDUCTIONS FOR STATE TAX PURPOSES; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR THE TAX CREDIT

AUTHORIZED BY THIS ACT; TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; TO ADD AS PART OF THE REQUIRED WRITTEN CERTIFICATION A STATEMENT THAT THE FUNDS GENERATED FROM THE TAX CREDIT SHALL BE USED FOR EDUCATIONAL RESOURCES, STAFF AND EXPENDITURES AND/OR OTHER PURPOSES DESCRIBED IN THIS SECTION; TO DELETE PROVISIONS THAT REQUIRE A CERTAIN PORTION OF TAX CREDITS THAT MAY BE ALLOCATED UNDER THIS SECTION TO BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE PERCENTAGE OF TAX CREDITS THAT MAY BE ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS FOR BLOOD DONATIONS MADE BY EMPLOYEES OF A TAXPAYER DURING A BLOOD DRIVE; TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, AND HOUSE BILL NO. 1529, 2022 REGULAR SESSION, TO CONFORM TO THE AMENDMENTS MADE BY BOTH BILLS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMENDED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1599:** Appropriation; Archives and History, Department of.

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 446:** Distinctive motor vehicle license tag; authorize for various purposes.

**H. B. No. 1747:** City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation.

Adopted: 04/01/22

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers.

**S. B. No. 2246:** Search warrants; authorize issuance for sex offenses against children upon oral testimony.

**S. B. No. 2422:** Teacher procurement cards; revise deadlines to ensure teachers receive no later than September 1 of each year.

**S. B. No. 2430:** State aid for construction of school facilities; bring forward sections relating to.

Adopted: 04/01/22

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, April 5, 2022.

The motion prevailed, and at 8:11 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:11 PM in memory of Charlene Rice Elliott, Sarah Ann Miller, Hazel Dowda, Dean Conner Moore, Betty Overby Thomas, Virginia L. Dickerson, Kenneth Gene Back, Sr., Dr. Jane Lampton Moore, William Angelo "Billy" Primos, Kim Wilcher, Alva Sadler Dalton, Jr., Harold Dean Fowler, John Charles Riles, Ollie Mae Austin, Joe (JoJo) Coleman, Donald Eugene Dillingham, Donald Franks, Daniel Threadgill, Kenneth Eugene Moore, Danny Bingham, H. T. (Peck) Boggs, John Thomas Knight, Margaret Virginia Gant Maness, Dr. Martin Luther King, Jr., James Larry Doran, Steen Dalton, Margaret Hickman, Betty Gilmore, Ricky Rorie, Bennie Don Holder, Mancel Junior Mills, Charles Holt, Bobby "Doc" Stewart, Stanley Ray Horton, Jr., Elizabeth "Betty" Rogers Hallmark, Harold Guy Tucker, Victoria Morgan Huggins, James Michael "Mike" Henry, Bethel William Bearden, Linda Downs, Lola Mae Whittemore, Dr. James Benjamin Gatewood, Albert Knight, Jill Harmon, William Carlton Hux, III and Henry Cliff Partridge.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, APRIL 4, 2022

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NINETY-SECOND DAY, TUESDAY, APRIL 5, 2022

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Hill, Parks. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Frazier.

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Senator Parker led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1538** (version 2) and moved that the Report do be adopted:

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MR. PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1538: Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under House Bill No. 1421, 2022 Regular Session, for the period beginning upon the passage of this act and ending

June 30, 2023 ..... \$ 300,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State

Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1421, 2022 REGULAR SESSION, FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT THROUGH JUNE 30, 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1538** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3056** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3056: Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality for the purpose of administering the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program established in Senate Bill No. 2822, 2022 Regular Session, for the period beginning upon passage of this act and ending June 30, 2023 ..... \$ 450,000,000.00.

SECTION 2. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Environmental Quality.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not

otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" CREATED IN SENATE BILL NO. 2822, 2022 REGULAR SESSION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
J. Walter Michel	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3056** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3062** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3062: Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning on July 1, 2022, and ending June 30, 2023 \$ 217,250,000.00.

This additional appropriation under this section is for the purpose of completing capital projects at state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

- (a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;
- (b) Prevention, mitigation, or other services in congregate living facilities and other key settings;
- (c) Ventilation system installation and improvements;
- (d) Capital investments in public facilities to implement COVID-19 mitigation tactics;
- (e) Improvements to state parks due to increased use;
- (f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose if expressly stated in this act.

SECTION 4. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 5. Of the funds appropriated under the provisions of Section 1 of this act, One Hundred Seventy-nine Million Seven Hundred Fifty Thousand Dollars (\$179,750,000.00) or so much thereof as may be necessary, shall be provided for capital projects at state-owned buildings or grounds occupied by the following state agencies or for the following purposes as cited herein:

- (a) Any state-owned building as deemed necessary by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management ..... \$ 14,000,000.00.
- (b) The Department of Corrections ..... \$ 80,000,000.00.
- (c) The Department of Mental Health ..... \$ 40,000,000.00.
- (d) The Department of Human Services Oakley Youth Development Center ..... \$ 5,000,000.00.
- (e) State Department of Health for necessary capital investment to assist

in responding to the public health emergency ..... \$ 12,000,000.00.  
    (f) The State Fire Academy ..... \$ 750,000.00.  
    (g) To the entity that oversees the operations of state parks for the purpose of eligible water, wastewater, and stormwater projects ..... \$ 12,000,000.00.  
    (h) To the entity that oversees the operations of state parks for the purpose of improvements to state parks due to increased use and to promote tourism..... \$ 16,000,000.00.

SECTION 6. Of the funds appropriated under the provisions of Section 1 of this act, Twenty-five Million Dollars (\$25,000,000.00) or so much thereof as may be necessary, shall be provided for critical capital projects as determined by the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management at state-owned buildings or grounds occupied by the following universities: Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, or any related subsidiaries of these Universities.

SECTION 7. Of the funds appropriated under the provisions of Section 1 of this act, Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) or so much thereof as may be necessary, shall be provided for critical capital projects as determined by the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management at state-owned buildings or grounds occupied by the following public community and junior colleges: Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 8. Of the funds appropriated in Section 5 subsection (b), the following sum Eight Hundred Thousand Dollars (\$800,000.00) or so much as may be necessary is provided to the Town of Walnut Grove to assist with improvement to the sewer system and lagoon that serves the Walnut Grove Correctional Facility.

SECTION 9. (1) As used in this section and Section 10 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 10. (1) As a condition of receiving and expending the funds appropriated to each entity listed in Sections 5, 6, and 7 under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 11. The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a listing of the projects intended to be funded through this appropriation, the amount of funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 12. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Albert Butler	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3062** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3064** (version 2):

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3064: Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of funding the MAICU Grant Program established in Senate Bill No. 2700, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023..... \$ 10,000,000.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of funding the Independent Schools Infrastructure Grant Program established in Senate Bill No. 2780, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023..... \$ 10,000,000.00.

SECTION 3. None of the funds appropriated under Sections 1 and 2 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds granted under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department and granted to them under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money appropriated by Section 1 of this act shall be paid by the State Treasurer out of any money in the MAICU Grant Program Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. The money appropriated by Section 2 of this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT

COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022"; TO MAKE AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
Rita Potts Parks	Jason White

POINT OF ORDER

A point of order was raised by Senator Hickman that Section 2 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken. Joint Rule 24 states that when one house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

POINT OF ORDER

A point of order was raised by Senator Hickman that Section 2 violates Section 69 of the Constitution which says you cannot have two appropriations in one bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken. The Chair does not rule on constitutional matters.

POINT OF ORDER

A point of order was raised by Senator Turner-Ford that the Conference Committee Report was in violation of Joint Rule 25.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken. Joint Rule 25 prohibits adding code sections to a conference report which were not included in the bill as passed the house of origin or in the amendment by the other house. There is no violation because this conference report does not add any code sections.

Senator Polk moved that the Conference Committee Report on **S. B. No. 3064** (version 2) be recommitted for further conference and the motion prevailed.

Senator Hopson moved that the rules be suspended to move to calendar item 12, **H. B. No. 1599**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1599** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1599: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 10,964,532.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 22,613,642.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
 AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	155
Time-Limited:	Full Time .....	8

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1386, 2021 Regular Session to provide for the de la Pointe-Krebs House for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 220,820.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 14. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 8,000,000.00.

The purpose of these funds is to provide for repair, renovation, and construction projects undertaken by the Department of Archives and History.

SECTION 15. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 2,500.00.

The purpose of these funds is to provide for the Governor's Portrait.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1386, 2021 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 17. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 18. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making grants to nonprofit organizations as defined in Senate Bill 2834, 2021 Regular Session for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 3,000,000.00.

SECTION 19. It is the intent of the Legislature that following projects be funded from any funds available in the Historic Site Preservation Fund as established in Senate Bill 2834, 2021 Regular Session: Chambliss Shoe Hospital in Hinds County; Champion Hill Farms Tract (Champion Hill Battlefield) in Hinds County; the Oswald Site in Jackson County; and Railroad Redoubt (Vicksburg Battlefield) in Warren County.

SECTION 20. With the funds appropriated herein, the Department of Archives and History is authorized to make payment for expenses incurred during Fiscal Years 2019 through 2022 as follows:

Vendor	Fiscal	Year
Amount		
City of Jackson, Mississippi.....		2020/2021
\$ 1,748.72		
City of Jackson, Mississippi.....		2020/2021/2022
\$ 1,851.20		
City of Jackson, Mississippi.....		2019/2020/2021/2022
\$ 4,159.09		

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Richard Bennett	J. Walter Michel
Timmy Ladner	Robert L. Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1599** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.  
Nays--None.

Absent and those not voting--Hill, Parks. Total--2.  
Voting Present--Blount. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 18, **S. B. No. 3002**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3002** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3002: Appropriation; IHL - General support.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 340,447,794.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,032,867,271.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Alcorn State University.....	\$ 254,700.00.
Jackson State University.....	\$ 390,600.00.
Mississippi Valley State University .....	\$ 254,700.00.

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of One Million Six Hundred Fifteen Thousand Nine Hundred Three Dollars (\$1,615,903.00) shall be derived from unexpended balances in the Ayers program funds provided for the purpose in prior-year appropriations enacted by The Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University ..... \$ 1,165,697.00.

Alcorn State University ..... \$ 3,275.00.

Mississippi Valley State University ..... \$ 446,931.00.

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

- (a) For Mississippi State University as interest
  - on agricultural land script fund and
  - interest on sale of university land, the
  - sum of ..... \$ 14,387.00.
- (b) For the University of Mississippi as
  - interest on original seminary fund, the
  - sum of ..... \$ 32,643.00.
- (c) For the University of Mississippi as
  - interest on 1904 land grant fund, the

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- sum of..... \$ 9,965.00.
- (d) For the University of Mississippi as  
interest on LaBauve Fund, the sum  
of ..... \$ 1,420.00.
- (e) For Mississippi University for Women  
as interest on funds paid into the  
State Treasury as proceeds of sale of  
land donated to the Industrial Institute  
and College by the United States  
government, the sum of..... \$ 9,389.00.
- (f) For Alcorn State University as interest  
on land script and land sales funds,  
the sum of ..... \$ 12,592.00.

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University,  
Delta State University, Jackson State University,  
Mississippi State University, Mississippi University for  
Women, Mississippi Valley State University, University  
of Mississippi, and University of Southern Mississippi

for the sum of ..... \$ 68,873,070.00.

SECTION 11. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 13. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 14. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 15. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support

auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 16. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 17. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2023
Performance Measures	Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health & Education	5,337
Number of Undergraduate Degrees Awarded per 100 Undergraduate Full-Time Equivalent (FTE) Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State

University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities.... \$ 2,000,000.00.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch..... \$ 900,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center..... \$ 485,000.00.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center ..... \$ 155,000.00.

SECTION 24. It is the intent of the Legislature that at the end of Fiscal Year 2023 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 25. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 26. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation \$ 800,000.00.

SECTION 27. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 28. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... \$ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program ..... \$ 90,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide

scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen of the Senate and House Appropriations and Universities and Colleges Committees.

SECTION 31. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for defraying the expenses of the DuBard School.

SECTION 35. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars (\$266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 36. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 37. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 38. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

SECTION 39. Of the funds herein appropriated, Eight Hundred Thousand Dollars (\$800,000.00) shall be provided to the Charter School Authorizer Board. Of this amount, Three Hundred Thousand Dollars (\$300,000.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

SECTION 40. Of the funds appropriated in Section 2, One Million Five Hundred Dollars (\$1,500,000.00), shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to Alcorn State University for STEM related programs as determined by the university.

SECTION 41. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00), or so much as necessary, shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

These funds are provided to the IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. It is the intent of the legislature that funds can be used for both research and upgrades to the physical space in order to perform research and entrepreneurship.

SECTION 42. Of the funds appropriated in Section 2, Fifty-one Million One Hundred Forty-three Thousand Dollars (\$51,143,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated for the following purposes:

- (a) Delta State University – Commercial Aviation Department to defray expenses related to the purchase of flight simulators, training equipment, and other capital improvements..... \$ 2,478,000.00.
- (b) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics ..... \$ 1,000,000.00.
- (c) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence.....\$ 15,000,000.00.
- (d) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center..... \$ 10,000,000.00.
- (e) Mississippi State University to defray the expenses related to the construction, furnishing, and equipping of the Kinesiology & Autism Building, High-Performance Computing Center and/or Ballew Hall..... \$ 12,000,000.00.
- (f) Mississippi University for Women to defray expenses related to the expansion of the nursing program ..... \$ 2,500,000.00.
- (g) Alcorn State University to defray the expenses related to the renovation and expansion of the Davey L. Whitney Complex and Wellness Center ..... \$ 3,000,000.00.
- (h) Alcorn State University to defray the expenses related to the operations of the Poultry Sciences Program ..... \$ 165,000.00.
- (i) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence ..... hall \$ 5,000,000.00.

SECTION 43. Of the funds appropriated under the provision of Section 2, the following sum, or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer’s Office, to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 15,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University.....	\$ 746,792.00.
Delta State University.....	\$ 599,527.00.
Jackson State University.....	\$ 1,294,884.00.
Mississippi State University (including	
the Forest and Wildlife Research Center	
and the Division of Agriculture,	
Forestry and Veterinary Medicine) .....	\$ 4,401,981.00.
Mississippi University for Women.....	\$ 538,804.00.

Mississippi Valley State University .....	\$ 654,339.00.
University of Mississippi .....	\$ 4,063,186.00.
University of Southern Mississippi.....	\$ 2,700,487.00.
Total .....	\$ 15,000,000.00.

SECTION 44. Of the funds appropriated in Section 2, Eight Million Dollars (\$8,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for such purposes as follows:

Mississippi Valley State University

Emergency Roof Repair .....	\$ 3,000,000.00.
University of Southern Mississippi Ocean	

Enterprise – Gulfport .....	\$ 5,000,000.00.
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SECTION 45. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 2904, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

	\$ 1,911,895.00.
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This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Delta State University.....	\$ 306,335.00.
Mississippi Valley State University .....	\$ 688,116.00.
University of Southern Mississippi.....	\$ 917,444.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2022.

SECTION 46. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 47. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 48. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Bart Williams	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3002** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

Senator Hopson moved that the rules be suspended to move to calendar item 11, **H. B. No. 1593**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1593** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1593: Appropriation; Insurance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ 13,078,204.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices

of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023. \$ 280,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	145
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures	Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	150,000
Average Cost per License Issued	25.00
Number of Agent's C/A's Issued	575,000
Average Cost per Agent C/A Issued	24.00
Number of Requests for Assistance	13,000
Average Cost per Customer I/C Addressed	53.00
Number of Fire Marshal Investigations	538
Cost per Fire Marshal Investigation	550.00
Number of Fire Marshal Inspections	8,000
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0
Number of Inspections	8,000
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. Of the funds appropriated in Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds shall be provided for the Department of Insurance to purchase vehicles for inspectors.

SECTION 9. Of the funds appropriated in Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the purchase of smoke alarms.

SECTION 10. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 14. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 130,000.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Acquisition Assistance Fund which was created in Section 1, Laws of 2004, Third Extraordinary Session, the Supplemental Rural Fire Truck Fund which was created in Section 1, Laws of 2004, Third Extraordinary Session, the Rural Fire Truck Matching Assistance Fund which was created in House Bill 842 of the 2022 Regular Session and the Annual Fire Fund which was created in House Bill 451 of the 2022 Regular Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program as follows for the fiscal year beginning July 1, 2022, and ending June 30, 2023:

Rural Fire Truck Acquisition Assistance Fund, Supplemental Rural Fire Truck Fund, and/or Annual Fire Fund .....	\$ 4,000,000.00.
Rural Fire Truck Matching Assistance Fund .....	\$ 2,000,000.00.

SECTION 16. The following sum, or so much thereof as may be necessary, is reapportioned out of any money in the State Treasury to the credit of the Rural Fire Truck Acquisition Fund and/or the Supplementary Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi

Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 1,360,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Rural Fire Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 2,000,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 18. With the funds appropriated herein, the Mississippi Department of Insurance is authorized to make payment for expenses incurred during Fiscal Year 2020 and 2021 as follows:

Vendor	Fiscal Year	Amount
Wise Carter Child & Caraway	2020	\$ 960.00
Wise Carter Child & Caraway	2021	\$ 150.00
Mike Chaney	2020	\$ 379.99

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	J. Walter Michel
Charles Jim Beckett	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1593** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson moved that the rules be suspended to move to calendar item 19, **S. B. No. 3024**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3024** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3024: Appropriation; Revenue, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and The Enforcement Division for the fiscal year beginning July 1, 2022, and ending June 30, 2023

\$ 47,316,431.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 27,059,277.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	714
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The

Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures	Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	14.06
Cost per Call Center Call Answered	3.53
Audit	
Cost per Audit	721.01
Tax Production per Audit (\$)	8,173.08
Tax Enforcement	
Cost per Dollar Collected in Recovery	
Actions	0.06
General Administration	
Average Cost per Return Processed	4.18
ROI - Revenue Collected per Dollar of	
Expense	127.88
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.31
Cost per Title Issued	2.62
Abc Liquor Distribution Center	
Cost per Case Shipped	2.18
ROI - GF Dollars Returned per Dollar of Cost	14.05
Enforcement	
Number of Violations-Medical Cannabis	20
Number of Permits-Medical Cannabis	200
Number of Permits-Alcohol	2,400
Enforcement and Permitting Cost Per	
Permit-Medical Cannabis	4,761.00
Enforcement and Permitting Cost Per	
Permit-Alcohol	1,039.58
Average Number of Days to Issue	
Permit-Medical Cannabis	30
Average Number of Days to Issue	
Permit-Alcohol	23

Percent of Medical Cannabis Permits	
Receiving Administrative Actions	10.00
Percent of Medical Cannabis Permits	
Receiving Criminal Actions	10.00
Percent of Medical Cannabis Permits	
Inspected	100.00
Percent of Permit Applications	
Approved-Medical Cannabis	75.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 90,600,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag

Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,200,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. None of the funds appropriated under the provisions of Sections 1 and 2 of this act shall be expended unless an advisory committee continues to coordinate, in an advisory capacity only, with the Department of Revenue in the determination of the collection of statistical data and information related to economic and tax policy. This advisory committee shall consist of the following members or their designees: the Director of the Legislative Budget Office, the Director of the Joint Legislative PEER Committee, the State Economist, the President of the Mississippi Economic Council and the Director of the Mississippi Economic Policy Center.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 15. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 16. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 17. Of the funds appropriated in Section 2, Two Million Four Hundred Fifty-one Thousand Three Hundred Seventy-five Dollars (\$2,451,375.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for IT infrastructure, facility repairs, and equipment upgrades or purchases.

SECTION 18. Of the funds appropriated in Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303,

Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for complying with the provisions of Senate Bill 2844, 2022 Regular Session.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in Senate Bill 2966, 2022 Regular Session to provide for defraying the expenses related to the operations of the Mississippi Medical Cannabis Act for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 3,631,268.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for facility repairs, as authorized in Senate Bill No. 2923, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 900,000.00

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTRROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	C. Scott Bounds
Tyler McCaughn	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3024** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2822** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2822: "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars (\$1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. The total funds provided for all two-to-one matches shall not exceed Fifty Million Dollars (\$50,000,000.00). The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this act, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

- (i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;
- (j) Facilities to improve drinking water quality;
- (k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;
- (l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;
- (m) Storage of drinking water, such as to prevent contaminants or equalize water demands;
- (n) Purchase of water systems and interconnection of systems;
- (o) New community water systems;
- (p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;
- (q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;
- (r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and
- (s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this act if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this act is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this act shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the second or subsequent rounds which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In second or subsequent rounds, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to

time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this act shall return to the state all or a portion of the funds received.

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project.

(14) Grant funds shall be available under this act through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA Funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this act. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 2. A public utility as defined in Section 77-3-3(d)(iv) shall not deny or refuse services to any business entity solely on the basis that the entity is a licensee under the Mississippi Medical Cannabis Act.

SECTION 3. Section 27-104-7, Mississippi Code of 1972, as amended by Senate Bill No. 2818, 2022 Regular Session, and House Bill No. 1421, 2022 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts

for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, \* \* \* any personal or professional service contract entered into by the Mississippi Department of Health and/or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2023, any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, \* \* \* any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026, and any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form

furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

- (a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;
- (b) Explanation of why this vendor is the only practicably available source from which to obtain this service;
- (c) Explanation of why the price is considered reasonable; and
- (d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or

professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY UTILIZING CORONAVIRUS STATE FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO MUNICIPALITIES, COUNTIES AND CERTAIN UTILITIES ON A ONE-TO-ONE MATCHING BASIS AND TO PROVIDE AN ADDITIONAL GRANT TO SMALLER MUNICIPALITIES BASED ON CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE MULTIPLE ROUNDS OF WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE GRANT PROJECTS; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER THE MCWI GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO EXEMPT DEQ FROM THE ADMINISTRATIVE PROCEDURES LAW IN PROMULGATING REQUIREMENTS FOR GRANT APPLICATIONS AND FROM OVERSIGHT BY THE PUBLIC PROCUREMENT REVIEW BOARD WHEN ENTERING INTO NECESSARY CONTRACTS FOR PROFESSIONAL SERVICES; TO PROVIDE THAT A UTILITY MAY NOT DENY WATER SERVICE SOLELY ON THE BASIS THAT THE CUSTOMER IS A MEDICAL MARIJUANA LICENSEE; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
J. Walter Michel	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2822** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

Senator Kirby moved that the rules be suspended to move to calendar item 3, **H. C. R. No. 46**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**H. C. R. No. 46:** "Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 11-17, 2022, as.

YEAS AND NAYS On H. C. R. No. 46. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Kirby moved that the rules be suspended to move to calendar item 4, **S. R. No. 63**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. R. No. 63:** Recognize Jeff Rosamond for distinguished and outstanding legal service to the Mississippi Senate as Director of Legislative Services.

YEAS AND NAYS On S. R. No. 63. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Unanimous consent was granted to add Senators Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson (11th), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger as co-authors of **S. R. No. 63**.

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2246:** AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; AND FOR RELATED PURPOSES.

**S. B. No. 2879:** AN ACT TO ENACT THE MISSISSIPPI VOTING MODERNIZATION ACT FOR THE PURPOSE OF MODERNIZING VOTING SYSTEMS IN THE STATE; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI VOTING MODERNIZATION GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI SECRETARY OF STATE FOR THE PURPOSE OF REIMBURSING COUNTIES OR DISBURSING FUNDS TO COUNTIES FOR THE PURCHASE OF MODERN VOTING SYSTEMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL RECEIVE ANY FUNDS APPROPRIATED THEREFOR; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO PROMULGATE PROCEDURES; TO PRESCRIBE A TIMEFRAME FOR THE GRANT OR DENIAL OF AN APPLICATION; TO PROVIDE THAT EACH COUNTY IS ELIGIBLE FOR A PRO RATA SHARE OF THE FUNDS APPROPRIATED OR MADE AVAILABLE TO THE PROGRAM; TO PRESCRIBE CERTAIN ELIGIBILITY REQUIREMENTS; TO AUTHORIZE COUNTIES TO APPLY FOR THE GRANT PROGRAM; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO REPORT ON THE GRANT PROGRAM; TO PROVIDE FOR THE REPEAL OF SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

**S. B. No. 2887:** AN ACT TO AMEND SECTION 37-41-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL BOARDS MAY PURCHASE, OWN AND OPERATE ELECTRIC VEHICLES FOR THE TRANSPORTATION OF CHILDREN TO AND FROM PUBLIC SCHOOLS; TO BRING FORWARD SECTIONS 37-41-83, 37-41-85 AND 37-41-101, MISSISSIPPI CODE OF 1972, WHICH ALLOW FOR THE PURCHASE OF SCHOOL TRANSPORTATION VEHICLES AND EQUIPMENT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2893:** AN ACT TO AUTHORIZE JACKSON STATE UNIVERSITY TO ENTER INTO A GROUND LEASE, SALE, MANAGEMENT OR MAINTENANCE AGREEMENTS WITH A PRIVATE ENTITY RELATED TO THE DEVELOPMENT OF LAND OWNED OR TO BE OWNED BY THE UNIVERSITY; AND FOR RELATED PURPOSES.

**S. B. No. 2899:** AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI SHALL NOT DENY ANY COMMUNITY MENTAL HEALTH CENTER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE COMMUNITY MENTAL HEALTH CENTER AGREES TO PROVIDE THE MENTAL HEALTH SERVICES THAT MEET THE TERMS OF REQUIREMENTS SET FORTH BY THE INSURER UNDER THE POLICY OR PLAN AND AGREES TO THE TERMS OF REIMBURSEMENT SET FORTH BY THE INSURER; TO PROVIDE THAT CERTIFICATION/LICENSURE OF ALL MENTAL HEALTH PROVIDERS BY THE BOARD OF MENTAL HEALTH SHALL BE RECOGNIZED BY THE INSURER AND SHALL NOT BE USED AS A REASON TO DENY ANY MENTAL HEALTH PROVIDER THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 574:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CHOCTAW CENTRAL HIGH SCHOOL "LADY WARRIORS" GIRLS BASKETBALL TEAM AND COACH BILL SMITH FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP.

**S. C. R. No. 605:** A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS, AND PASSAGE OF HOUSE BILL NO. 451, 2022 REGULAR SESSION, ENTITLED "AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE NONADMITTED POLICY FEE; AND FOR RELATED PURPOSES."

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 606:** AN ACT TO ENACT THE MISSISSIPPI OUTDOOR STEWARDSHIP ACT; TO ESTABLISH THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO SPECIFY THE MEMBERSHIP OF THE BOARD; TO CREATE THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED AND EXPENDED BY THE BOARD TO PROVIDE FUNDS FOR GRANTS TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR VARIOUS OUTDOOR STEWARDSHIP PURPOSES; TO PROVIDE REQUIREMENTS FOR APPLICATIONS FROM COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR PROJECT PROPOSALS ELIGIBLE FOR FUNDING; TO DIRECT THE BOARD TO REQUIRE ANNUAL INDEPENDENT AUDITS OF ALL EXPENDITURES FROM THE SPECIAL FUND AND TO PRESENT THOSE FINDINGS TO THE GOVERNOR AND THE LEGISLATURE; TO DIRECT THE BOARD TO ESTABLISH CRITERIA FOR GUIDING ITS SELECTION OF PROJECTS FOR FUNDING; TO REQUIRE THAT THE LIST OF PROJECTS APPROVED BY THE BOARD BE SUBMITTED TO THE LEGISLATURE; TO REQUIRE THE BOARD, BEFORE DISTRIBUTING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO APPROVED PROJECTS, TO NOTIFY THE LEGISLATURE OF SUCH EXPENDITURES; AND FOR RELATED PURPOSES.

**H. B. No. 842:** AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; TO CREATE A SPECIAL FUND TO BE DESIGNATED THE "RURAL FIRE TRUCK MATCHING ASSISTANCE FUND" WHICH SHALL BE USED TO ASSIST COUNTIES AND MUNICIPALITIES WITH REMAINING ELIGIBILITY UNDER THE RURAL FIRE TRUCK ACQUISITION PROGRAM; TO PROVIDE THAT THE TOTAL AMOUNT OF MATCHING ASSISTANCE SHALL NOT EXCEED 80% OF THE PURCHASE PRICE OF THE RURAL FIRE TRUCK; TO PROVIDE THAT THE DEPARTMENT OF INSURANCE MAY PROVIDE SUCH MATCHING ASSISTANCE TO COUNTIES AND MUNICIPALITIES UPON MEETING CERTAIN CRITERIA; AND FOR RELATED PURPOSES.

**H. B. No. 1005:** AN ACT TO CREATE NEW SECTION 37-106-60, MISSISSIPPI CODE OF 1972, TO CREATE THE NURSING AND RESPIRATORY THERAPY EDUCATION INCENTIVE PROGRAM; TO PROVIDE THAT THE PROGRAM IS FOR STUDY IN NURSING TO BECOME A LICENSED PRACTICAL NURSE OR A REGISTERED NURSE, FOR ADVANCED STUDY IN NURSING BY LICENSED REGISTERED NURSES, OR FOR STUDY IN RESPIRATORY THERAPY TO BECOME A RESPIRATORY THERAPIST; TO PROVIDE THAT THE LOANS MAY BE REPAYED BY PRACTICING NURSING OR RESPIRATORY THERAPY IN THE STATE OF MISSISSIPPI FOR NOT LESS THAN FIVE YEARS AFTER COMPLETION OF THE COURSE OF STUDY; AND FOR RELATED PURPOSES.

**H. B. No. 1029:** AN ACT TO CREATE THE BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI (BEAM) ACT; TO DEFINE TERMS USED IN THE ACT; TO CREATE THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO DESIGNATE THE OFFICE AS THE STATE BROADBAND OFFICE TO REVIEW APPLICATIONS FOR FUNDING BROADBAND INFRASTRUCTURE PROJECTS USING FEDERAL AND STATE FUNDS; TO PROVIDE THAT THE OFFICE SHALL CONSIDER CERTAIN FACTORS IN MAKING ITS DETERMINATIONS AND AWARDS; TO REQUIRE THE OFFICE TO ESTABLISH AND PUBLISH ON ITS WEBSITE ITS CRITERIA FOR COMPETITIVELY SCORING APPLICATIONS; TO REQUIRE AN APPLICANT TO PROVIDE CERTAIN INFORMATION AT A MINIMUM ON THE APPLICATION; TO REQUIRE THE OFFICE TO MAKE PRELIMINARY DETERMINATIONS, FINAL DETERMINATIONS AND AWARDS AFTER CERTAIN INVESTIGATIONS; TO REQUIRE THE OFFICE TO ACCEPT COMMENTS AND OBJECTIONS CONCERNING EACH PRELIMINARY DETERMINATION AND INVESTIGATE THEM AS APPROPRIATE; AND FOR RELATED PURPOSES.

**H. B. No. 1101:** AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A MORATORIUM ON THE APPLICATION OF THE TRIP OPTIMIZER SYSTEM REQUIREMENTS FOR TRAVEL TO ANY STATE AGENCY; AND FOR RELATED PURPOSES.

**H. B. No. 1108:** AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND FOR CERTAIN NEW RAIL INFRASTRUCTURE EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2095, 2022 REGULAR SESSION, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO EXTEND THE REVERTER ON THE PROVISION OF LAW ALLOWING SUCH AGREEMENTS FOR PROJECTS TOTALING OVER \$100,000,000.00 BY QUALIFIED BUSINESSES, AS DEFINED IN THE MISSISSIPPI HEALTH CARE INDUSTRY ZONE ACT, MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REVISE THE MINIMUM AMOUNT ALLOWABLE AS A FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND/OR THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO GRANT A PARTIAL AD VALOREM TAX EXEMPTION FOR NONRESIDENTIAL USE PROPERTY THAT IS BEING CONVERTED TO A RESIDENTIAL USE IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE ASSESSED VALUE OF THE PROPERTY FOR RESIDENTIAL USE AND THE ASSESSED VALUE OF THE PROPERTY FOR NONRESIDENTIAL USE; TO PROVIDE THAT THE EXEMPTION SHALL END WHEN THE PROPERTY IS OCCUPIED BY A

HOMEOWNER; TO PROVIDE THE MANNER IN WHICH A REQUEST FOR SUCH EXEMPTION MUST BE MADE; AND FOR RELATED PURPOSES.

**H. B. No. 1351:** AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO REGULATE THE EXECUTION OF SCRIVENER'S ERROR AFFIDAVITS FOR PROPERTY DEEDS; TO CREATE THE "MISSISSIPPI ARCHITECTS AND ENGINEERS GOOD SAMARITAN ACT"; TO PROVIDE IMMUNITY FROM LIABILITY FOR ANY CIVIL ACTIONS ARISING FROM WORK PERFORMED BY ARCHITECTS OR ENGINEERS AT THE REQUEST OF AN ELECTED OFFICIAL DURING A STATE OF EMERGENCY; TO PROVIDE THAT THE IMMUNITY PROVIDED BY THIS ACT SHALL ONLY APPLY TO SAFETY ASSESSMENT SERVICES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 719:** AN ACT TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE LIMIT ON THE COMPENSATION OF CHANCERY CLERKS AND CIRCUIT CLERKS; TO AMEND SECTION 23-15-225, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF CIRCUIT CLERKS FOR CONDUCTING ELECTIONS; TO AMEND SECTION 25-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF COUNTY TAX ASSESSORS AND COLLECTORS; TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHANCERY CLERKS SHALL RECEIVE A CERTAIN ANNUAL SUM FOR ATTENDING THE MEETINGS OF BOARDS OF SUPERVISORS; TO BRING FORWARD SECTION 25-7-13, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE FEES PAID TO THE CIRCUIT CLERK FOR EACH DAY'S ATTENDANCE UPON THE CIRCUIT COURT TERM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-7-19, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO FEES CHARGED BY SHERIFFS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 25-7-27, MISSISSIPPI CODE OF 1972, TO INCREASE CERTAIN FEES CHARGED BY MARSHALS AND CONSTABLES; TO BRING FORWARD SECTION 41-61-59, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE COMPENSATION OF COUNTY MEDICAL EXAMINERS, DEPUTY MEDICAL EXAMINERS AND DEPUTY MEDICAL EXAMINER INVESTIGATORS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION THAT COUNTY MEDICAL EXAMINERS RECEIVE FOR EACH COMPLETED REPORT OF INVESTIGATION OF DEATH; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, - ARPA funds.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 11:14 AM, the Senate stood in recess.

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The Senate resumed business at 11:46 AM, pursuant to recess, with President Hosemann presiding.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:46 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 1719:** Suffrage; restore to Angela Porter-Williams of Amite County. Title Sufficient. Do Pass.

**H. B. No. 1758:** Suffrage; restore to LaTonya Woodson of Warren County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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Senator Fillingane moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 1:30 PM, the Senate stood in recess.

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The Senate resumed business at 4:14 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1611**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1611** (version 2) was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1611** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1611:** Appropriation; Human Services, Department of.

Senator Hopson moved that the rules be suspended to move to calendar item 34, **S. B. No. 2780**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2780** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2780: State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. During fiscal year 2023, the State Fiscal Officer shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
Mississippi Historic Site		
Preservation Fund	3348400000	\$ 2,000,000.00
Mississippi Ports		
Improvement Fund	6343322100	\$ 10,000,000.00
Victims of Human Trafficking and Commercial Sexual		
Exploitation Fund	3307800000	\$ 2,500,000.00
Mississippi Land, Water, and Timber Resources Fund		
634WC00000		\$ 2,500,000.00
MDOT 2022 Maintenance Project		

Fund created in this act	\$ 45,000,000.00
MDOT 2022 Capacity Project	
Fund created in this act	\$ 35,000,000.00
MDOT 2022 Infrastructure Match	
Fund created in this act	\$ 40,000,000.00
MDOT 2022 Emergency Road and Bridge Fund created in this act	
	\$100,000,000.00
TOTAL	\$237,000,000.00

SECTION 2. During fiscal year 2023, the State Fiscal Officer shall transfer the amounts listed below from the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
Coronavirus State Fiscal Recovery Lost Revenue Fund created in this act		
		\$ 55,000,000.00
Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund created in Senate Bill No. 2700, 2022 Regular Session		
		\$ 10,000,000.00
TOTAL		\$ 65,000,000.00

SECTION 3. During fiscal year 2023, the State Fiscal Officer shall transfer the sum of One Million Dollars (\$1,000,000.00) from the Capital Expense Fund - Archives and History (Fund No. 6447C00000) to Mississippi Historic Site Preservation Fund (Fund No. 3348400000).

SECTION 4. During fiscal year 2023, the State Fiscal Officer shall transfer the sum of Eight Thousand Eighty-six Dollars and Ninety-five Cents (\$8,086.95) from the Alcoholic Beverage Control Special Fund (Fund No. 331960000) and the sum of Eight Thousand Six Hundred One Dollars and Sixty-four Cents (\$8,601.64) from the Department of Revenue General Administration Special Fund (Fund No. 3319700000) to the Sales Tax Fees Fund (Fund No. 3318100000).

SECTION 5. During fiscal year 2023, the State Fiscal Officer shall transfer the sum of Six Hundred Twenty-three Dollars (\$623.00) from the Secretary of State Help Mississippi Vote Fund (Fund No. 3311M00000) to the State General Fund (Fund No. 2999000000).

SECTION 6. During fiscal year 2023, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the State General Fund (Fund No. 2999000000) to the Mississippi Outdoor Stewardship Trust Fund created by House Bill No. 606, 2022 Regular Session.

SECTION 7. There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Lost Revenue Fund," which shall consist of funds calculated based on a reduction in the state's general revenue due to the coronavirus public health emergency, made available through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and transferred into the fund by act of the Legislature. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purpose of providing government services.

SECTION 8. There is created in the State Treasury a special fund to be designated as the "2022 Maintenance Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for maintenance projects by adopting the Pavement Program of the Three-Year Plan as adopted by the Mississippi Transportation Commission on Minute Book 105, page 732 and further required by Section 65-1-141.

SECTION 9. There is created in the State Treasury a special fund to be designated as the "2022 Capacity Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for capacity projects by adopting the Capacity Program of the Three-Year Plan as adopted by the Mississippi Transportation Commission on Minute Book 105, page 732 and further required by Section 65-1-141.

SECTION 10. There is created in the State Treasury a special fund to be designated as the "2022 Infrastructure Match Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for funds necessary to match projected federal funds available through the following federal fiscal year from the annual Federal Highway Administration appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations.

SECTION 11. There is created in the State Treasury a special fund to be designated as the "2022 Emergency Road and Bridge Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, for the purposes provided in Section 65-1-179. Of the monies expended under this section, it is the intention of the Legislature that the Department of Transportation be excluded from applying for use of funds in order to give preference to counties and municipalities.

SECTION 12. (1) This section shall be known and may be cited as the "Independent Schools Infrastructure Grant Program Act of 2022."

(2) There is established the Independent Schools Infrastructure Grant Program, to be administered by the Department of Finance and Administration. Under the program, eligible independent schools may apply for reimbursable grants to make necessary investments in water, wastewater, stormwater, broadband and other eligible infrastructure projects to be funded by the Legislature using Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act (ARPA). The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund.

(3) The use of grants shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. An eligible independent school found to be fully or partially noncompliant with grant requirements shall return to the state all or a portion of the grant monies received and used for unallowable expenditures. Applicants shall confirm their understanding of these terms.

(4) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings as defined in this subsection:

(a) "Program" means the Independent Schools Infrastructure Grant Program established under this section.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "ARPA funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Department" means the Department of Finance and Administration.

(e) "Eligible independent school" means any private or nonpublic school operating within the State of Mississippi that:

(i) Is a member of the Midsouth Association of Independent Schools (MAIS) and located in the State of Mississippi; or

(ii) Is accredited by a state, regional or national accrediting organization; and

(iii) Is not subject to the purview of authority of the State Board of Education.

(5) On or before July 1, 2022, the department shall promulgate rules and regulations necessary to administer the program established under this section, including application procedures and deadlines.

(6) Funds under the program shall be awarded for ARPA eligible projects in the following order:

(a) Eligible water, wastewater and stormwater projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) and other eligible water projects allowable by ARPA;

(b) Broadband infrastructure projects;

(c) Capital investments for prevention, mitigation and ventilation in congregate living facilities and other key settings; and

(d) Any eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding premium pay for employees.

(7) The governing board of any eligible independent school may submit an application for grant funds under this section. Applicants shall certify to the department that each expenditure of the funds awarded to them by the department under this section is in compliance with the ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund. Subsequent submissions will be due by the dates established by the department.

(8) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application shall include the following at a minimum: applicant contact information; project description and type of project; project map; estimate of the population served by the projects; estimated project cost; estimated project schedule; and readiness to proceed. The department is authorized to accept additional rounds of grant proposals for application consideration as needed.

(9) Applications shall be reviewed, and the department shall certify that each project submitted is eligible under ARPA and all applicable guidance issued by the United States Department of the Treasury. For water, wastewater and stormwater projects, the department must also certify that it is a "necessary investment" in water, wastewater or stormwater infrastructure as defined in ARPA and all applicable guidance issued by the United States Department of the Treasury. Grant agreements shall be executed between the recipient and the department. All final awards shall be determined at the discretion of the executive director of the department. Funds shall be made available to a grantee upon the execution of a grant agreement between the department and the approved applicant, and the department obtains the necessary support for reimbursement.

(10) Grant funds shall be used prospectively and grants are not available to cover the costs of debt incurred before the effective date of this section.

(11) The maximum amount of grant funds that may be awarded to any eligible independent school under the program is One Hundred Thousand Dollars (\$100,000.00).

(12) The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report about the program. The reports shall contain the applications received, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and the status of each applicant's project.

(13) Grant funds received under this section must be obligated no later than December 31, 2024, and must be expended no later than December 31, 2026. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project using any other funds available.

(14) The department may retain an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) of the total funds allocated to the program to defray its administrative costs.

(15) This section shall stand repealed on July 1, 2026.

SECTION 13. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) \* \* \* projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures \* \* \* on deficient bridges in the State Aid Road System or the Local System Road Program that have \* \* \* been deemed to be a deficient bridge as defined in Section 65-37-3 or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government. \* \* \*

SECTION 14. Section 77-5-907, Mississippi Code of 1972, is amended as follows:

77-5-907. There is hereby created in the State Treasury a special fund to be designated as the "Public Utilities Application Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used for administration expenses related to the processing of grants by the Public Utilities Staff. Any application fee collected under the grant programs and deposited to the Public Utilities Staff Regulation Fund before September 1, 2020, shall be transferred to the \* \* \* Broadband Expansion and Accessibility of Mississippi (BEAM) Fund created by House Bill No. 1029, 2022 Regular Session.

SECTION 15. Section 57-1-601, Mississippi Code of 1972, is amended as follows:

57-1-601. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "MDA" means the Mississippi Development Authority.

(b) "Municipality" means \* \* \* any municipality with a population of less than fifteen thousand (15,000) according to the latest federal decennial census at the time the municipality submits an application to the MDA under this section.

(c) "Revitalization zone" means an area in the municipality officially designated by ordinance or resolution of the governing authorities of the municipality as a revitalization zone and approved and certified by the MDA as meeting the requirements of this section.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Main Street Investment Grant Fund" which shall consist of funds from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the MDA for the purposes authorized in subsection (3) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the MDA in providing grants under this section through the use of proceeds of such general obligation bonds. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for the program. Reimbursement of reasonable actual and necessary costs for assistance shall not exceed three percent (3%) of the proceeds of bonds issued for such assistance. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants to \* \* \* a municipality to assist with maintaining and improving the viability of revitalization zones. The proceeds of a grant made to \* \* \* a municipality under this section may be used for maintaining and/or improving the viability of a revitalization zone through means deemed appropriate by the governing authorities of \* \* \* a municipality, including, but not limited to, making loans, grants and/or other forms of assistance to any person or public or private association or other entity for use for infrastructure projects, improvements to properties, signage and other purposes related to maintaining and/or improving the viability of the revitalization zone.

(4) (a) If \* \* \* a municipality desires a grant under this section, the municipality shall submit an application to the MDA seeking (i) approval and certification of the proposed revitalization zone and (ii) a grant for the purposes authorized in this section. The application shall include, at a minimum:

1. The name of the proposed revitalization zone, together with the words, "revitalization zone";
2. A description of the revitalization zone by metes and bounds;
3. A map showing the parcels of real property included in the revitalization zone and the present use of such parcels;
4. A master plan for the revitalization zone that has been approved by sixty percent (60%) of the property owners within the zone at the time the municipality submits the application; and
5. Any other information required by the MDA. The governing authorities of \* \* \* a municipality may designate the boundaries of a proposed revitalization zone by adoption of an ordinance or resolution that is spread upon its minutes and describes the boundaries of the zone.

(b) The MDA shall review the application to confirm that the revitalization zone meets the requirements of this section. A revitalization zone may embrace two (2) or more separate parcels of real property, and such property may be publicly and/or

privately owned. Each revitalization zone shall be of such size and form as to include all properties that, in the determination of the municipality and the MDA, constitute an integral part of the revitalization zone. If the MDA determines that the boundaries of the proposed revitalization zone exceed the area that is reasonably deemed to be integral to the revitalization zone, the MDA may reduce the boundaries of the proposed area. Upon the approval and selection of a municipal revitalization zone project, the MDA shall certify the revitalization zone.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 16. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Two Million Dollars (\$2,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Rural Fire Truck Matching Assistance Fund created in House Bill 842, 2022 Regular Session.

SECTION 17. This act shall take effect and be in force from and after July 1, 2022, except for Section 14, which shall take effect and be in force from and after the passage of this act.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2023 FROM THE CAPITAL EXPENSE FUND, CORONAVIRUS STATE FISCAL RECOVERY FUND, CAPITAL EXPENSE FUND - ARCHIVES AND HISTORY, ALCOHOLIC BEVERAGE CONTROL SPECIAL FUND, DEPARTMENT OF REVENUE GENERAL ADMINISTRATION SPECIAL FUND, SECRETARY OF STATE HELP MISSISSIPPI VOTE FUND AND STATE GENERAL FUND TO OTHER FUNDS IN THE STATE TREASURY; TO CREATE THE "CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING GOVERNMENT SERVICES; TO CREATE THE 2022 MAINTENANCE PROJECT FUND, THE 2022 CAPACITY PROJECT FUND, THE 2022 INFRASTRUCTURE MATCH FUND AND THE 2022 EMERGENCY ROAD AND BRIDGE FUND AS SPECIAL FUNDS IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF TRANSPORTATION FOR VARIOUS PURPOSES; TO CREATE THE "INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION WITH FUNDS APPROPRIATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO ELIGIBLE INDEPENDENT SCHOOLS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO DIRECT THE DEPARTMENT TO PROMULGATE GRANT APPLICATION REGULATIONS; TO SET THE MAXIMUM AMOUNT OF GRANT FUNDS THAT MAY BE AWARDED TO ANY ELIGIBLE INDEPENDENT SCHOOL; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCEPTIONS TO LIMITATIONS ON COUNTY EXPENDITURES DURING THE LAST YEAR OF TERMS OF OFFICE OF THE BOARDS OF SUPERVISORS TO ALLOW EXPENDITURES FOR CERTAIN ROAD AND BRIDGE PROJECTS; TO AMEND SECTION 77-5-907, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN FEES DEPOSITED INTO THE PUBLIC UTILITIES STAFF REGULATION FUND SHALL BE TRANSFERRED TO THE BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI (BEAM) FUND; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS FOR MAIN STREET GRANTS; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS FROM THE CAPITAL EXPENSE FUND TO THE

RURAL FIRE TRUCK MATCHING ASSISTANCE FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Angela Cockerham
Kevin Blackwell	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2780** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson moved that the rules be suspended to move to calendar item 28, **S. B. No. 3064**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3064** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3064: Appropriation; additional to DFA for the MAICU Grant Program, -ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of funding the MAICU Grant Program established in Senate Bill No. 2700, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023..... \$ 10,000,000.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of funding the Independent Schools Infrastructure Grant Program established in Senate Bill No. 2780, 2022 Regular Session, for the fiscal year beginning on July 1, 2022, and ending June 30, 2023..... \$ 10,000,000.00.

SECTION 3. None of the funds appropriated under Sections 1 and 2 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds granted under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department and granted to them under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA. Further, as a condition of receiving and expending funds appropriated under Section 2, the entities shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money appropriated by Section 1 of this act shall be paid by the State Treasurer out of any money in the MAICU Grant Program Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer

shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. The money appropriated by Section 2 of this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022"; TO MAKE AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
	Jason White

#### POINT OF ORDER

A point of order was raised by Senator Bryan that the Report of Conference Committee on S. B. No. 3064 (version 3) requires a majority of all members elected to the Senate.

#### RULING OF THE CHAIR

The Chair, President Pro Tempore Kirby presiding, ruled the point of order well-taken. Joint Rule 28 states that no bill making an appropriation from, or authorizing the expenditure of money from, any special fund in the State Treasury shall be passed except by the votes of a majority of all the members elected to each house of the Legislature.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3064** (version 3) failed to be adopted, a one-half vote being required:

Yeas--Barrett, Blackwell, Branning, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McDaniel, Michel, Moran, Polk, Seymour, Sojourner, Suber, Tate, Thompson, Whaley, Younger. Total--25.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), Jordan, McCaughn, McLendon, McMahan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Turner-Ford, Williams. Total--21.

Absent and those not voting--Carter, Hill, Parks, Wiggins. Total--4.

Senator Parker, who would have voted yea on S. B. No. 3064, announced a pair with Senator Boyd, who would have voted nay.

Senator Hopson moved that the rules be suspended to move to calendar item 20, **S. B. No. 3045**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3045** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3045: Appropriation; Finance and Administration, Department of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 36,996,312.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 448,583,532.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	341
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual

personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$	6,549,874.00.
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SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:  
AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 39,995.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 7,265.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,603,897.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Positions in Section 3 of this bill may be used for performing related administrative duties of the State Property Insurance program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning

July 1, 2022, and ending June 30, 2023 ..... \$ 1,810,227.00.

SECTION 12. The funds appropriated in Section 11 shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years.

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state

official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Coronavirus Local Fiscal Recovery Fund not otherwise appropriated for the Department of Finance and Administration for the purpose of reauthorizing the expenditure of Coronavirus Local Fiscal Recovery Funds, as authorized in Senate Bill 2948, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$140,000,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

The purpose of allocating these funds to nonentitlement units of local government in accordance with the provisions applicable to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Broadband Commission as established in House Bill No. 1029, 2022 Regular Session, for the purpose of defraying the expenses of the commission for the period beginning upon passage and ending June 30, 2023 ..... \$ 351,500.00.

SECTION 17. Of the funds appropriated under the provisions of Section 16, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 18. Of the funds appropriated under the provisions of Section 16, Two Hundred Thousand Dollars (\$200,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, for expenses related to the Mississippi Broadband Commission.

SECTION 19. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 20. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 23. Of the funds appropriated in Section 2, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 24. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 25. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 26. Of the funds appropriated in Section 2, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 27. Of the funds appropriated in Section 2, Twelve Million Dollars (\$12,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 28. Notwithstanding any other provision, the agency shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 29. Of the funds appropriated in Section 2, Thirty-seven Million Nine Hundred Twenty-five Thousand Dollars (\$37,925,000.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for such purposes as follows:

- (a) To assist Mississippi Delta Community College in paying costs associated with the construction of a men's dormitory ..... \$ 7,500,000.00.
- (b) To assist Singing River Health System in paying costs associated with the Singing River Healthcare Workforce Academy ..... \$ 7,000,000.00.
- (c) To assist Gulfport Memorial Hospital in paying costs associated with the pediatric multispecialty center located at or near Gulfport Memorial Hospital in collaboration with the University of Mississippi Medical Center and Gulf Coast Community College ..... \$ 7,000,000.00.
- (d) To assist Holmes Community College in paying costs associated with tornado damage ..... \$ 3,000,000.00.
- (e) To assist the University of Southern Mississippi in paying costs associated with roof repairs and other capital expenditures related to the Reed Green Coliseum ..... \$ 3,000,000.00.
- (f) To assist East Jasper School District with operational expenses due to an error related to the average daily attendance (ADA) used in determining the district's MAEP allocation ..... \$ 725,000.00.
- (g) To assist the Department of Finance and Administration in paying costs associated with the NeoGov System ..... \$ 350,000.00.
- (h) To assist the Mississippi Department of Agriculture and Commerce in paying costs associated with the Agriculture Theft building ..... \$ 350,000.00.
- (i) ..... To assist the Chickasaw Inkana Foundation with construction, furnishing, and equipping the Chickasaw Heritage Center in Tupelo \$ 5,000,000.00.
- (j) To assist Mississippi State University with the construction, furnishing, and equipping of the Northern Gulf Aquatic Food Research Center ..... \$ 4,000,000.00.

Any amounts allocated to a project that are in excess of that needed to complete the project may be used for general repairs and renovations at state-owned facilities, universities, and community colleges at the discretion of the Department of Finance and Administration.

SECTION 30. Of the funds appropriated in Section 2, Three Hundred Eighty-eight Million One Hundred Twenty Thousand Dollars (\$388,120,000.00), or so much thereof as may be necessary, shall be derived out of the following funds in the State Treasury to the credit of the Department of Finance and Administration.

- (a) 2022 IHL Capital Improvements Fund ..... \$ 85,570,000.00.

(b) 2022 Community and Junior Colleges Capital Improvements Fund .....\$  
35,000,000.00.

(c) 2022 State Agencies Capital Improvements  
Fund \$ 35,250,000.00.

(d) 2022 Department of Finance and Administration Statewide Repair and  
Renovation Fund..... \$ 10,000,000.00.

(e) 2022 Local Improvements Project Fund..... \$ 222,300,000.00.

SECTION 31. It is the intention of the Legislature that the funds herein  
appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code  
of 1972, that no state agency shall incur obligations or indebtedness in excess of their  
appropriation and that the responsible officers, either personally or upon their official  
bonds, shall be held responsible for actions contrary to this provision.

SECTION 32. With the funds appropriated herein, the Department of Finance  
and Administration is authorized to make payment for expenses incurred during Fiscal  
Years 2018, 2019, and 2020 as follows:

Vendor	Fiscal Year	Amount
Mississippi Interactive LLC	2018	\$ 4,940.00
Mississippi Interactive LLC	2019	\$ 4,940.00
City of Jackson	2020	\$ 358.68

SECTION 33. The money herein appropriated shall be paid by the State  
Treasurer out of any money in the State Treasury to the credit of the proper fund or  
funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the  
State Fiscal Officer shall issue his warrants upon requisitions signed by the proper  
person, officer or officers, in the manner provided by law.

SECTION 34. This act shall take effect and be in force from and after July 1,  
2022, except for Sections 16, 17, and 18 shall be enacted from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the  
following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Manly Barton
Kevin Blackwell	Kevin Horan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference  
Committee on **S. B. No. 3045** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler  
A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,  
England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson,  
Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,  
Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Fillingane moved that the rules be suspended for the immediate consideration en bloc of H. B. No. 1719 and H. B. No. 1758 and the motion prevailed.

Senator Fillingane called up the following measures:

**H. B. No. 1719:** Suffrage; restore to Angela Porter-Williams of Amite County.

**H. B. No. 1758:** Suffrage; restore to LaTonya Woodson of Warren County.

YEAS AND NAYS on consideration en bloc of H. B. No. 1719 and H. B. No. 1758. On motion of Senator Fillingane, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, Michel, Moran, Norwood, Parker, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--39.

Nays--Whaley. Total--1.

Absent and those not voting--Hill, Parks. Total--2.

Voting Present--Blackwell, Branning, Chism, McDaniel, McLendon, McMahan, Seymour, Sojourner, Suber, Tate. Total--10.

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Senator Blount moved that the rules be suspended to move to calendar item 40, **S. N. No. 33**, and the motion prevailed.

Senator Blount called up the following entitled nomination:

**S. N. No. 33:** MG Alben Norris (Al) Hopkins, Sr., Gulfport, Mississippi, Gaming Commission as Chairman, four year term effective October 1, 2021 and ending September 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 33 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blount. Total--1.

Absent and those not voting--Hill, Parks. Total--2.

Voting Present--Frazier, Hickman, Jackson (11th), Jordan, Norwood, Thomas, Thompson. Total--7.

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Senator Butler K. (38th), who would have voted nay on S. N. No. 33, announced a pair with Senator Boyd, who would have voted yea.

Senator Carter requested that the following explanation be placed in the journal.

EXPLANATION

Pursuant to Senate rule 116

I ask the journal to reflect that I was sick at the time of the vote on item 40 on today's general calendar and wasn't present. If I was, I'd vote present.

Thanks,

Senator Joel R. Carter, Jr.  
Mississippi State Senate  
49th District - Harrison County

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 4:55 PM, the Senate stood in recess.

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The Senate resumed business at 6:06 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1611:** Appropriation; Human Services, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1611**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1611** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1611: Appropriation; Human Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 190,565,867.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,920,474,778.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, it is the intent of the Legislature that any amount of funds and positions may be transferred between the Department of Human Services and the Department of Child Protection Services in order to comply with agreements made by the State of Mississippi with the United States District Court in reference to the Olivia Y., et al. lawsuit.

DEPARTMENT OF HUMAN SERVICES

FUNDING:

General Funds .....	\$ 74,189,899.00.
Special Funds .....	\$ 1,739,554,699.00.
Total .....	\$ 1,813,744,598.00.

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: Full Time .....	1,471
Time-Limited: Full Time .....	516

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

DIVISION OF CHILD PROTECTION SERVICES

FUNDING:

General Funds .....	\$	116,375,968.00
Special Funds .....	\$	180,920,079.00
Total .....	\$	297,296,047.00

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1,517
Time-Limited:	417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Human Services and Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2022. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services and the Department of Child Protection Services are authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2023

Performance Measures

Target

Support Services

Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	
Disqualification Hearings & Fair	
Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted	
within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	28,975
Community Services - Age 60 + (Persons	
Served)	203,297
Number of Congregate Meals	491,685
Number of Home Delivered Meals	2,201,105
Substantiated Incidences of Abuse of	
Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction	
of Persons on Waiting List	5.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50
Total Collections (\$)	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current	
on Payments	-2.53
Community Services	

Number of Elderly Served by CSBG & LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Household Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	690,000.00
Food Assistance	
Number of Average Monthly Households	225,000
Supplement Nutrition Assistance Program - SNAP (\$)	716,413,100.00
Percent of Mississippi Households Receiving SNAP Benefits	22.51
Tanf Work Program	
Number of Average Monthly TANF Households	4,600
Number of Average Monthly Persons Served in TANF Work Program	1, 107
TANF Work Program Participation Rate (%)	60.00
Number of Persons Employed Through the TANF Work Program for the Year	720
Number of Households Receiving TANF Benefits During the Year	4,600
Percent of Households Receiving TANF During the Year	49.00
Percent of TANF Participants in Job	

Training who Enter Employment	30.00
Percent of TANF Participants in Job	
Training who Enter Employment at a Salary Sufficient to be Ineligible for TANF	19.00
Percent of TANF Participants in Job	
Training who Remain Employed for: One Year After Leaving the Program	75.00
Percent of TANF Participants in Job	
Training who Remain Employed for: Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served, Division of Family & Children's Services	75,611
Number of Clients Served, Aging & Adult Services	21,178
Number of Clients Served, Youth Services	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Number of Volunteers - Community Services/Institution	0
Number of Children Placed in Alternative Placement	0
Percent of Children Diverted from Institutional Care	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2024.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2023, the Executive Director of the Department of Human Services shall submit a report to the

Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2022.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 17. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 18. Of the funds appropriated by this act, pursuant to HB 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 19. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 20. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

.....  
(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

.....  
(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....(i) A listing of all costs incurred by the subgrantee during the previous month;

.....  
(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....  
(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....  
(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;  
.....

(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and  
.....

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 21. Of the funds appropriated under the provisions of Section 2, Fifty-four Million Dollars (\$54,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the Department of Human Services for the initial funds needed to secure federal funding for a new computer system.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1398, 2021 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 14,204,943.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1398, 2021 Regular Session to provide for computer expenses for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 5,000,000.00.

SECTION 24. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. (1) Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the credit of the Department of Child Protection Services ..... \$57,600,000.00.

These funds are provided for the purpose of defraying eligible operational expenses as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

(2) None of the funds provided under this section shall be used to pay employee premium payments.

(3) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement

sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(4) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(5) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 27. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 28. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

C. Scott Bounds

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1611** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill, Parks. Total--2.

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Senator Hopson entered a motion to reconsider the vote whereby the Conference Report failed on **S. B. No. 3064**.

Senator Hopson moved to reconsider the vote whereby the Conference Report failed on **S. B. No. 3064**.

The foregoing motion prevailed.

The vote now recurring on the motion adopt the Conference Report.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3064** (version 3) was adopted, a one-half vote being required:

Yeas--Barrett, Blackwell, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Polk, Seymour, Sojourner, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson (11th), McLendon, McMahan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--17.

Absent and those not voting--Hill, Jordan, Parks. Total--3.

Senator Sparks, who would have voted yea on S. B. No. 3064, announced a pair with Senator Boyd, who would have voted nay.

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Senator Hopson moved that the rules be suspended to move to calendar item 20, **S. B. No. 3045**, and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3045**:

#### MEMORANDUM

TO: Clerk of the House of Representatives  
Secretary of the Senate

RE: FY 2023 Conference Reports - Unanimous Consent Request

DATE: April 5, 2022

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It is requested that unanimous consent be granted to make the following clerical corrections:

SB 3045: Appropriation; Finance and Administration.

Amend Line 16 by deleting the number "448,583,532" and inserting in lieu thereof the number "461,583,532"

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John Read, Chairman  
House Appropriations Committee

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W. Briggs Hopson III  
Chairman  
Senate Appropriations  
Committee

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Senator Hopson moved that the rules be suspended to move to calendar item 31, **H. B. No. 1353**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1353** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1353: Budget process; bring forward various sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Eighty-five Million Five Hundred Seventy Thousand Dollars (\$85,570,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 IHL Capital Improvements Fund created in Section 20 of this act.

SECTION 2. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty-five Million Dollars (\$35,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 Community and Junior Colleges Capital Improvements Fund created in Section 21 of this act.

SECTION 3. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty-five Million Two Hundred Fifty Thousand Dollars

(\$35,250,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 State Agencies Capital Improvements Fund created in Section 22 of this act.

SECTION 4. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 23 of this act.

SECTION 5. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Four Hundred Fifty Thousand Dollars (\$4,450,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Local Governments and Rural Water Systems Improvements Revolving Loan Fund created in Section 41-3-16, Mississippi Code of 1972.

SECTION 6. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Five Million Dollars (\$5,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, Mississippi Code of 1972.

SECTION 7. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972, to provide funds necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Not more than Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00) of such funds may be used to match the annual CWSRF appropriations and not more than One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00) of such funds may be issued to match the supplemental IIJA appropriations.

SECTION 8. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Two Million Dollars (\$2,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Mississippi Dam Safety Fund created in Section 19, Chapter 492, Laws of 2020.

SECTION 9. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 Tate County - Erosion Control and Repair Fund created in Section 24 of this act.

SECTION 10. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty Million Dollars (\$30,000,000.00) from the Capital Expense Fund created in Section 27-103-303, to the ACE Fund created in Section 57-1-16, Mississippi Code of 1972.

SECTION 11. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Forty Million Dollars (\$40,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Mississippi Site Development Grant Fund created in Section 57-1-701, Mississippi Code of 1972.

SECTION 12. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to Mississippi Business Investment Fund created in Section 57-61-21, Mississippi Code of 1972, to be used for the purposes provided in Section 57-61-36(3), Mississippi Code of 1972.

SECTION 13. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Three Million Dollars (\$3,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Mississippi Major Economic Impact Authority Fund created in Section 57-75-15, Mississippi Code of 1972, to be used for projects defined in Section 57-75-5(f)(ii), Mississippi Code of 1972.

SECTION 14. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Seven Million Dollars (\$7,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Economic Development Highway Fund created in Section 65-4-15, Mississippi Code of 1972.

SECTION 15. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the Capital Expense Fund created in Section 27-103,303, Mississippi Code of 1972, to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221, Mississippi Code of 1972.

SECTION 16. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Five Million Dollars (\$5,000,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the Mississippi Main Street Investment Grant Fund created in Section 57-1-601, Mississippi Code of 1972.

SECTION 17. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Two Hundred One Million Five Hundred Thousand Dollars (\$201,500,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the 2022 Local Improvements Projects Fund created in Section 25 of this act.

SECTION 18. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Twenty Million Eight Hundred Thousand Dollars (\$20,800,000.00) from the State BP Settlement Fund created in Section 27-103-302.1, Mississippi Code of 1972, to the 2022 Local Improvements Projects Fund created in Section 25 of this act.

SECTION 19. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, to the special fund created in Section 26 of this act.

SECTION 20. (a) (i) A special fund, to be designated as the "2022 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

		AMOUNT
NAME	PROJECT	ALLOCATED
Alcorn State University .....		\$ 5,040,000.00

Preplanning for repair,  
renovation, and  
expansion of and upgrades  
and improvements to the  
David L. Whitney Complex  
and Wellness Center; campus  
safety and security project,  
including open space  
development, sprinkler  
systems for dormitories,  
security camera  
installation, card access  
systems, street lighting,  
and emergency kiosks; and  
repair, renovation and  
upgrading of campus  
infrastructure.....\$ 1,040,000.00

Repair and renovation of  
and upgrades and  
improvements to the Math  
and Science Building.....\$ 4,000,000.00

Delta State University..... \$ 5,640,000.00

Repair, renovation and  
replacement of and  
upgrades and  
improvements to HVAC systems  
and related equipment and  
infrastructure.....\$ 3,937,500.00

Repair and renovation  
for ADA compliance

for the Bologna Performing

Arts Center.....\$ 1,702,500.00

Jackson State University ..... \$ 12,000,000.00

Construction, furnishing

and equipping of a new

dining facility and

related facilities.....\$ 12,000,000.00

Mississippi State University ..... \$ 14,680,000.00

Repair, renovation, construction,

acquisition of property, furnishing

and equipping of related

facilities to house the

College of Architecture,

Art and Design.....\$ 14,680,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... \$ 9,610,000.00

Repair and renovation

of and upgrades and

improvements to

Dorman Hall and

related facilities.....\$ 9,610,000.00

Mississippi University for Women ..... \$ 2,500,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,500,000.00

Mississippi Valley State University..... \$ 10,200,000.00

Repair, renovation,

furnishing and

equipping of the  
Charles Lackey  
Recreation Center.....\$ 10,200,000.00

University of Mississippi ..... \$ 5,500,000.00

Construction, furnishing  
and equipping of a new  
mechanical and power  
plant building and related  
facilities.....\$ 4,500,000.00

Preplanning for  
construction,  
furnishing and  
equipping of a  
new building and  
related facilities  
to house the School  
of Accountancy.....\$ 1,000,000.00

University of Mississippi Medical Center..... \$ 8,000,000.00

Repair, renovation,  
and upgrading of  
campus buildings  
and facilities.....\$ 8,000,000.00

University of Southern Mississippi ..... \$ 11,000,000.00

Construction, furnishing  
and equipping of a new  
science research facility...\$ 11,000,000.00

IHL Education and Research Center ..... \$ 1,400,000.00

Repair and replacement of  
chillers and related  
equipment for the campus

air conditioning and

heating system.....\$ 1,400,000.00

TOTAL ..... \$ 85,570,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 21. (a) (i) A special fund, to be designated as the "2022 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma..... \$ 1,570,500.00

Copiah-Lincoln .....	1,840,500.00
East Central.....	1,735,500.00
East Mississippi.....	2,015,500.00
Hinds.....	3,780,500.00
Holmes.....	2,656,500.00
Itawamba.....	2,415,500.00
Jones.....	2,295,500.00
Meridian .....	1,840,500.00
Mississippi Delta.....	1,655,500.00
Mississippi Gulf Coast .....	3,357,500.00
Northeast Mississippi.....	2,145,500.00
Northwest Mississippi .....	3,500,000.00
Pearl River.....	2,545,500.00
Southwest Mississippi.....	1,645,500.00
GRAND TOTAL.....	\$35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 2 of this act from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

SECTION 22. (a) (i) A special fund, to be designated as the "2022 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES.....\$ 35,250,000.00

Department of Finance and Administration.....\$ 21,500,000.00

Continuation of planning,  
repair, restoration of  
and improvements to the  
New Capitol Grounds.....\$ 5,000,000.00

Phase II of repair,  
renovation, furnishing  
and equipping of the  
660 North Street Building..\$ 9,500,000.00

Phase II of repair,  
renovation, furnishing  
and equipping of the  
350 High Street Building..\$ 7,000,000.00

Department of Mental Health.....\$ 7,750,000.00

Phase II of ligature  
compliance measures  
at the Mississippi  
State Hospital.....\$ 1,250,000.00

Planning, construction,  
furnishing and equipping  
of new north entry gate  
security station and  
perimeter fencing at  
the Boswell Regional  
Center.....\$ 1,500,000.00

Planning, repair  
and renovation, furnishing  
and equipping of Buildings

#42, #49 and #50 at

Ellisville State School...\$ 3,000,000.00

Planning, construction,

furnishing and equipping

of new entry security

station and reconstruction

of north passage bridge

at North Mississippi

Regional Center.....\$ 2,000,000.00

Department of Public Safety.....\$ 4,000,000.00

Continuation of construction,

furnishing and equipping of

new Troop G Highway Patrol

Substation in Starkville..\$ 4,000,000.00

Mississippi Military Department.....\$2,000,000.00

Planning, repairs,

renovations, expansions,

upgrades and furnishing

and equipping of Readiness

Centers.....\$ 2,000,000.00

TOTAL.....\$ 35,250,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 3 of this act from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, into the special fund, then the agency for which any unused monies are allocated under paragraph (a) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies

authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this section may be used for general repairs and renovations at the agency.

SECTION 23. (a) (i) A special fund, to be designated the "2022 Department of Finance and Administration Statewide Repair and Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this section.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

SECTION 24. (a) (i) A special fund, to be designated as the "2022 Tate County - Erosion Control and Repair Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Environmental Quality, to assist Tate County, Mississippi, in paying costs associated with ditch erosion control, repair and rehabilitation along and near the project described in Section 27-104-301(2)(mm), Mississippi Code of 1972, and on property located along and near such project, including, but not limited to, creation of detention areas along ditches, replacement of drainage structures along ditches, rock

stabilization at downstream ends of ditches and reestablishing vegetative cover on all disturbed areas.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this section.

SECTION 25. (1) A special fund, to be designated as the "2022 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration as follows:

(a) To the Department of Archives and History for the purpose of providing a grant to the Scott Ford House, Inc., to develop the property located at 136 East Cohea Street in the City of Jackson, the home of the former slave Mary Scott Green, to tell her story and that of other Mississippi midwives, and to develop the property located at 138 East Cohea Street in the City of Jackson as a house museum to tell the family story of the midwife Virginia Scott Ford..... \$200,000.00

(b) To assist in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi ..... \$300,000.00

(c) To assist in paying costs associated with construction, furnishing and equipping of a recreation center and related facilities in the Town of Centreville, Mississippi..... \$500,000.00

(d) To assist Pike County, Mississippi, in paying costs associated with recreational equipment and lights for the Richards Community Center ..... \$150,000.00

(e) To assist in paying costs associated with repair and renovation of the National Guard Armory in Town of Gloster, Mississippi ..... \$250,000.00

(f) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue lighting and park area ..... \$50,000.00

(g) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue sidewalks ..... \$100,000.00

(h) To assist the City of Brookhaven, Mississippi, in paying costs associated with geometric improvements, signalization improvements, striping/signing and drainage improvements to Brookway Boulevard beginning at Interstate 55 and continuing east to U.S. Highway 51..... \$1,000,000.00

(i) To assist the Town of Byhalia, Mississippi, in paying costs associated with the Old School Commons restoration and upgrades necessary to meet ADA regulations ..... \$500,000.00

(j) To assist Marshall County, Mississippi, in paying costs associated with the Blackwater Road Bridge project ..... \$500,000.00

(k) To assist the Town of Tylertown, Mississippi, in paying costs associated with the renovation of the Civic Center and Mississippi State University Extension Service

offices..... \$450,000.00

(l) To assist the City of Durant, Mississippi, in paying costs associated with road repairs..... \$50,000.00

(m) To assist the Town of Goodman, Mississippi, in paying costs associated with road repairs..... \$50,000.00

(n) To assist Holmes County, Mississippi, in paying costs associated with courthouse renovation..... \$150,000.00

(o) To assist the Town of Pickens, Mississippi, in paying costs associated with repair and renovation of the town police station..... \$50,000.00

(p) To the Board of Supervisors of Lowndes County, Mississippi, to assist the Town of Crawford, Mississippi, in paying costs associated with infrastructure needs..... \$250,000.00

(q) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of

Mallett Road..... \$1,000,000.00

(r) To assist the Town of Coldwater, Mississippi, in paying costs associated with the acquisition of a fire

truck..... \$350,000.00

(s) To assist the Town of Tunica, Mississippi, in paying costs associated with road repairs..... \$500,000.00

(t) To assist Tunica County, Mississippi, in paying costs associated with the extension of natural gas

lines..... \$150,000.00

(u) To assist the City of Starkville, Mississippi, in paying costs associated with Northside Drive drainage channel improvements, mobilization, channel shaping and

grading..... \$250,000.00

(v) To assist the City of Starkville, Mississippi, in paying costs associated with J.L. King Center infrastructure, security and lighting..... \$250,000.00

(w) To assist the City of Jackson, Mississippi, in paying costs associated with construction of a parking lot and related facilities for the Jackson Convention

Center..... \$1,000,000.00

(x) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department..... \$1,000,000.00

(y) To assist Perry County, Mississippi, in paying costs associated with the acquisition of a fire truck..... \$250,000.00

(z) To assist the City of Columbus, Mississippi, Fire and Rescue in paying costs associated with the acquisition of a fire engine ..... \$350,000.00

(aa) To assist the City of Fulton, Mississippi, in paying costs associated with the purchase of and repair and renovation of a building to house City Hall and repair and renovation of the former City Hall to house other city

departments ..... \$1,000,000.00

(bb) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse and construction of a Justice

Court ..... \$1,000,000.00

(cc) To assist Jones County, Mississippi, in paying costs associated with repair, renovation, upgrades and additions to the Jones County Law Enforcement Complex ..... \$500,000.00

(dd) To assist the City of Laurel, Mississippi, in paying costs associated with additions to the Veterans Museum in Laurel, Mississippi ..... \$250,000.00

(ee) To assist Arise and Shine, Inc., with providing children and youth programs and services in Copiah County, Mississippi ..... \$50,000.00

(ff) To assist the City of Crystal Springs, Mississippi, in paying costs associated with providing lighting for Pedestrian and Bicycle Corridor Federal Aid Project

No. STP-0130-00(013)LPA/107363-701000 ..... \$250,000.00

(gg) To assist in paying costs associated with repair and renovation of the Millsaps Heritage Center in the City of Hazlehurst, Mississippi ..... \$300,000.00

(hh) To assist the City of Ocean Springs, Mississippi, in paying costs associated with water system, sewer system and other infrastructure improvements and development of the Fayard project beautification ..... \$1,500,000.00

(ii) To assist the City of Diamondhead, Mississippi, in paying various costs for the City Fire Department ..... \$25,000.00

(jj) To assist in paying various costs for the Fenton Fire Station in Hancock County, Mississippi ..... \$25,000.00

(kk) To assist in paying various costs for the County Farm Fire Station in Harrison County, Mississippi ..... \$25,000.00

(ll) To assist in paying various costs for the Lizan Fire Station in Harrison County, Mississippi ..... \$25,000.00

(mm) To assist in paying various costs for the Saucier Fire Station in Harrison County, Mississippi ..... \$25,000.00

(nn) To assist in paying various costs for the Success Fire Station in Harrison County, Mississippi ..... \$25,000.00

(oo) To assist the City of Fayette, Mississippi, in paying costs associated with the construction, furnishing and equipping of a fire station for the city's fire

department ..... \$400,000.00

(pp) To assist the City of Baldwin, Mississippi, in paying costs associated with the construction of a satellite fire station..... \$200,000.00

(qq) To assist the City of Baldwin, Mississippi, in paying costs associated with repairs to Winddance Drive necessary for trucking company weight restrictions ..... \$100,000.00

(rr) To assist the City of Tupelo, Mississippi, in paying costs associated with lighting and curb upgrades to McCullough Boulevard ..... \$500,000.00

(ss) To assist the City of Booneville, Mississippi, in paying costs associated with the repair, replacement, adjustment and relocation of sewer lines and related sewer system infrastructure underneath and near the Northeast Mississippi Community College football field and surrounding

area..... \$1,000,000.00

(tt) To assist Madison County, Mississippi, in paying costs associated with making improvements to Bozeman Road, beginning at its intersection with Mississippi Highway 463 and proceeding north..... \$2,500,000.00

(uu) To assist the City of Madison, Mississippi, in paying costs associated with renovation of the Performing Arts Center and placement of utility lines under the center..... \$1,000,000.00

(vv) To assist the Town of Bruce, Mississippi, in paying costs associated with infrastructure improvements around and near both of the city's parks, including, but not limited to paving town streets and parking lots, drainage improvements, water and sewer line repairs and extensions, and pavilion construction in such parks..... \$400,000.00

(ww) To assist the Town of Bruce, Mississippi, in paying costs associated with repair and resurfacing of "Jimmy Beckley" Industrial Park Road ..... \$500,000.00

(xx) To assist the Town of Derma, Mississippi, in paying costs associated with water well repairs ..... \$50,000.00

(yy) To assist the Town of Vardaman, Mississippi, in paying costs associated with paving town streets ..... \$150,000.00

(zz) To assist in paying costs associated with construction of an ambulance center for Tippah County  
Hospital..... \$500,000.00

(aaa) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of a fire truck for the town's fire department..... \$300,000.00

(bbb) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$25,000.00

(ccc) To assist in paying costs associated with creating a SkillPath 2030 Lab for the North Tippah School  
District..... \$200,000.00

(ddd) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department..... \$100,000.00

(eee) To assist the City of Ripley, Mississippi, in paying costs associated with various infrastructure

projects ..... \$200,000.00

(fff) To assist Mississippi Hills Heritage Area Alliance in paying costs associated with alliance

activities ..... \$100,000.00

(ggg) To assist in paying costs associated with exhibits with robotics and code training for students at the Issac

Chapel Rosenwald Historical Museum and Education Center in Marshall County, Mississippi..... \$200,000.00

(hhh) To assist Delta Health System in paying costs associated with capital improvements and infrastructure improvements related to patient room compliance and women's center services ..... \$2,000,000.00

(iii) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater ..... \$4,000,000.00

(jjj) To assist the City of Senatobia, Mississippi, in paying costs associated with repair, renovation and upgrades to Front Street Fire Station..... \$500,000.00

(kkk) To assist the City of Gautier, Mississippi, in paying costs associated with expansion of RV sites and paving at Shepard State Park ..... \$1,500,000.00

(lll) To assist Chickasaw County, Mississippi, in paying costs associated the CR424 Road project..... \$500,000.00

(mmm) To assist in paying costs associated with construction of a firehouse for the Thorn Volunteer Fire Department in Chickasaw County, Mississippi..... \$50,000.00

(nnn) To assist Clay County, Mississippi, in paying costs associated with road projects in Supervisors District 2 in Clay County including overlay of Mayhew Road, Mayfield Road, Pinkerton Road, Clisby Road and Herman Shirley Road ..... \$500,000.00

(ooo) To assist Monroe County, Mississippi, in paying costs associated with road maintenance and repairs ..... \$500,000.00

(ppp) To assist the City of West Point, Mississippi, in paying costs associated with roof repair and/or replacement for Bryan Public Library ..... \$250,000.00

(qqq) To assist in paying costs associated with construction of the Michael H. Ball Veterans of Foreign Wars Post 12191 building in Carroll County, Mississippi.....\$200,000.00

(rrr) To assist the Town of Duck Hill, Mississippi, in paying costs associated with resurfacing streets ..... \$200,000.00

(sss) To assist the Town of Carrollton, Mississippi, in paying various costs associated with the town's water tower project ..... \$20,000.00

(ttt) To assist in paying costs associated with various Winona-Montgomery County Consolidated School District renovation projects ..... \$7,000,000.00

(uuu) To assist in paying costs associated with a regional communications system for the Mississippi Organ Recovery Agency..... \$200,000.00

(vvv) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to the city's downtown storm drainage system and related infrastructure ..... \$500,000.00

(www) To assist Marion County, Mississippi, in paying costs associated with pavement maintenance for county roads..... \$500,000.00

(xxx) To assist Lamar County, Mississippi, in paying costs associated with the Mental Health Diversion Center in Purvis, Mississippi..... \$500,000.00

(yyy) To assist in paying costs associated with acquisition and repair, renovation, furnishing and equipping of a building and related facilities for the Bovina Volunteer Fire Department in Warren County, Mississippi ..... \$250,000.00

(zzz) To assist the City of Vicksburg, Mississippi, in paying costs associated with lighting for city baseball fields ..... \$250,000.00

(aaaa) To assist Warren County, Mississippi, in paying costs associated with the purchase of culverts and construction and installation of sluice gates..... \$75,000.00

(bbbb) To assist the City of Grenada, Mississippi, in paying costs associated with road resurfacing for Southwest Frontage Road..... \$250,000.00

(cccc) To assist Grenada County, Mississippi, in paying costs associated with construction and extension of New Industrial Park Road ..... \$500,000.00

(dddd) To assist Grenada County, Mississippi, in paying costs associated with resurfacing of National Guard Trout Road ..... \$750,000.00

(eeee) To assist in paying costs associated with roof repair for Phillip Community Center in Tallahatchie County, Mississippi..... \$50,000.00

(ffff) To assist the City of Petal, Mississippi, in paying costs associated with the construction of an access road beginning at or near the intersection of Central Avenue and M. J. Harris Drive in Petal, Mississippi, and running southerly into the Robert E. Russell Sports Complex ..... \$500,000.00

(gggg) To assist the City of Iuka, Mississippi, in paying costs associated with road paving, purchase of utility vehicles for the city's police department and fire department, city park upgrades, library repair and purchase of a dump truck and two (2) police cars ..... \$250,000.00

(hhhh) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location..... \$750,000.00

(iiii) To assist in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... \$1,600,000.00

(jjj) To assist in paying costs associated with industrial park wastewater replacement main in George County,

Mississippi..... \$400,000.00

(kkkk) To assist in paying costs associated with construction of a multipurpose arena in Jackson County, Mississippi ..... \$750,000.00

(lll) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges including, but not limited to, CR 195 and

CR 215..... \$650,000.00

(mmmm) To assist Smith County, Mississippi, in paying costs associated with repair and repaving of county

roads..... \$250,000.00

(nnnn) To assist in paying costs associated with acquisition of motor vehicles for the Winston County Sheriff's Department ..... \$150,000.00

(oooo) To assist Kemper County, Mississippi, in paying costs associated with a gas line project from Dekalb, Mississippi, to Scooba, Mississippi..... \$500,000.00

(pppp) To assist in paying costs associated with the purchase of equipment for the Kemper County Volunteer Fire Department..... \$50,000.00

(qqqq) To assist in paying costs associated with acquisition of motor vehicles for the Neshoba County Sheriff's Department..... \$150,000.00

(rrrr) To assist the Town of Scooba, Mississippi, in paying costs associated with the renovation of town

facilities ..... \$75,000.00

(ssss) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting..

..... \$1,750,000.00

(tttt) To assist the City of Hattiesburg, Mississippi, in paying costs associated with flood control, detention basins or other infrastructure improvements in and around Gordon's Creek

..... \$250,000.00

(uuuu) To assist Alcorn County, Mississippi, in paying costs associated with repair and renovation of the Alcorn County Courthouse..... \$1,000,000.00

(vvvv) To assist in paying costs associated with Alcorn County School District improvements..... \$150,000.00

(wwww) To Alcorn County, Mississippi, to assist in paying Alcorn County Fire Chiefs and Firefighters Association

expenses..... \$100,000.00

(xxxx) To assist the Jacinto Foundation, Inc., in paying costs associated with capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the Jacinto Courthouse and related facilities in Alcorn County, Mississippi..... \$100,000.00

(yyyy) To assist Covington County, Mississippi, in paying costs associated with improvements to Kelly Creek Road and/or Fruitstand Road..... \$200,000.00

(zzzz) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Willie Fortenberry Road, Gum Swamp Road and/or Sumrall Road ..... \$100,000.00

(aaaaa) To assist the Town of Shubuta, Mississippi, in paying costs associated with refurbishing, repair, renovation, restoration and furnishing of the Town Hall building..... \$200,000.00

(bbbb) To assist in paying costs associated with completion of the HVAC system for the Coahoma County Higher Education Center ..... \$150,000.00

(ccccc) To assist Simpson County, Mississippi, in paying costs associated with various road paving projects ..... \$500,000.00

(dddd) To assist the Town of D'Lo, Mississippi, in paying costs associated with paving South Maple Street, Elm Street, North Oak Street and North Maple Street ..... \$200,000.00

(eeee) To provide funds to be distributed equally among the following fire departments in Simpson County, Mississippi, to assist in paying various department costs: Braxton Fire Department, Cato Fire Department, Harrisville Volunteer Fire Department, Magee Fire Department, Mendenhall Fire Department, Mendenhall Station 7 Fire Department, Old Pearl Volunteer Fire Department, Pinola Fire Department, Puckett Volunteer Fire Department and Shell Road Volunteer Fire Department ..... \$150,000.00

(ffff) To assist in paying costs associated with the purchase of playground equipment for Houston Community Park in Itawamba County ..... \$50,000.00

(ggggg) To assist Newton County, Mississippi, in paying costs associated with upgrades and repairs to Tanglewood Road ..... \$450,000.00

(hhhhh) To assist Scott County, Mississippi, in paying costs associated with infrastructure improvements on Coal Bluff Road.....\$350,000.00

(iiii) To assist the Town of Plantersville, Mississippi, in paying costs associated with infrastructure improvements and the purchase of equipment for the town's police department..... \$100,000.00

(jjjj) To assist Oktibbeha County, Mississippi, in paying costs associated with upgrades and improvements to Maben Sturgis Road ..... \$1,000,000.00

(kkkkk) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street project.....\$1,250,000.00

(lllll) To assist Humphreys County, Mississippi, in paying costs associated with repairs, including asbestos removal, to the Humphreys County Courthouse. \$400,000.00

(mmmmm) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations ..... \$250,000.00

(nnnnn) To assist in paying costs associated with storm shelter and community center renovations in the Red Hill Community in Union County, Mississippi . \$150,000.00

(ooooo) To the Board of Trustees of Southwest Mississippi Community College for the purpose of providing funds for the costs associated with the construction of a new indoor multipurpose center on the campus of the college ..... \$500,000.00

(ppppp) To Scenic Rivers Development Alliance for the purpose of making improvements at parks and facilities as follows: golf cart path repairs and course equipment upgrades at Quail Hollow Golf Course in Pike County; building repairs and equipment upgrades at Bogue Chitto Water Park in Pike County; building repairs, arena equipment and bleachers at Ethel Vance Park in Pike County; building repairs and fencing at Liberty Town Fields in Pike County; ADA sidewalk improvements and building repairs at Walkers Bridge Water Park in Walthall County; pier improvements, building improvements and road improvements at the County Outdoor Complex in Walthall County and park improvements in Franklin County..... \$1,000,000.00

(qqqqq) To assist the Caledonia Natural Gas District in paying costs associated with acquisition of three (3) pickup trucks to be used as service trucks..... \$150,000.00

(rrrrr) To assist Neshoba County, Mississippi, in paying costs associated with transition to the MSWIN system..... \$1,000,000.00

(sssss) To assist in paying costs associated with the Neshoba General Hospital Ambulance Enterprise ..... \$250,000.00

(ttttt) To assist the Briarwood Pool in Jackson, Mississippi, in paying costs associated with ADA requirements and accessibility plan..... \$250,000.00

(uuuuu) To assist Hinds County, Mississippi, in paying costs associated with Phase I White Oak Creek streambank erosion improvements to a portion of the creek running from at or near Old Canton Road to at or near Briarwood Drive in the City of Jackson, Mississippi..... \$2,000,000.00

(vvvvv) To assist Lee County, Mississippi, in paying costs associated with improvements to Endville Road ..... \$500,000.00

(wwwww) To provide funds to be distributed equally among the following volunteer fire departments in Wayne County, Mississippi, to assist in paying various department costs: Battles Volunteer Fire Department, Beat Four Volunteer Fire Department, Buckatunna Volunteer Fire Department, Central Volunteer Fire Department, Clara Volunteer Fire Department, Coyt Volunteer Fire Department, Crossroads Volunteer Fire Department, Denham Volunteer Fire Department, Ecutta Volunteer Fire Department, Hiwanee Volunteer Fire Department, Matherville Volunteer Fire Department, Maynor Creek Volunteer Fire Department, Mulberry Volunteer Fire Department, Pleasant Grove

Volunteer Fire Department, Progress Volunteer Fire Department, Strengthford Volunteer Fire Department and Yellow Creek Volunteer Fire Department..... \$340,000.00

(xxxxx) To assist the City of Waynesboro, Mississippi, in paying city fire department costs ..... \$70,000.00

(yyyyy) To assist in paying various department costs for Stateline Volunteer Fire Department in Greene County, Mississippi..... \$20,000.00

(zzzzz) To assist in paying various department costs for Richton Volunteer Fire Department in Perry County, Mississippi..... \$20,000.00

(aaaaa) To assist the City of Stateline, Mississippi, in paying costs associated with acquisition of motor vehicles for the city's police department..... \$50,000.00

(bbbbb) To assist the City of Picayune, Mississippi, in paying costs associated with improvements to North Frontage Road from Interstate 59 in Picayune .. \$850,000.00

(ccccc) To assist the City of Raymond, Mississippi, in paying costs associated with renovation, rehabilitation and expansion of and additions to the city's police station ..... \$250,000.00

(ddddd) To assist Benton County, Mississippi, in paying costs associated with maintenance of roads and bridges ..... \$500,000.00

(eeeeee) To assist the Town of Potts Camp, Mississippi, in paying costs associated with the acquisition of a fire truck ..... \$300,000.00

(fffff) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with the acquisition of equipment for the town's police department ..... \$100,000.00

(ggggg) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 1 in Union County ..... \$500,000.00

(hhhhh) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 2 in Union County ..... \$500,000.00

(iiiiii) To provide matching funds to the City of Charleston, Mississippi, for the repair of Charleston City Hall..... \$250,000.00

(jjjjj) To assist the Town of Coffeeville, Mississippi, in paying costs associated with street improvements..... \$125,000.00

(kkkkk) To assist the City of Water Valley, Mississippi, in paying costs associated with renovation of the Water Valley Civic Auditorium ..... \$225,000.00

(lllll) To assist Pearl River County, Mississippi, in paying costs associated with county road maintenance ..... \$500,000.00

(mmmmmm) To assist the City of Morton, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads around Morton High School and surrounding areas in the City of Morton ..... \$150,000.00

(nnnnnn) To provide funds to be distributed equally among the eight (8) volunteer fire departments in Scott County, Mississippi, to assist in paying various department costs and expenses..... \$200,000.00

(oooooo) To assist in paying costs associated with repair and renovation of facilities at Chautauqua Park in Crystal Springs, Mississippi ..... \$500,000.00

(pppppp) To assist Quitman Community Hospital in paying costs associated with improvements and upgrades to facilities and equipment..... \$500,000.00

(qqqqqq) To provide funds to be distributed in the amount of \$25,000.00 to fire departments in Prentiss County, Mississippi, to assist in paying equipment costs ..... \$425,000.000

(rrrrrr) To assist the City of Senatobia, Mississippi, in paying costs associated with lighting and other improvements to city owned facilities ..... \$1,000,000.00

(ssssss) To assist Tate County, Mississippi, in paying costs associated with road and infrastructure improvements..... \$5,000,000.00

(tttttt) To assist in paying costs associated with construction of an Agriculture Technology building at Independence High School in the Tate County School District ..... \$750,000.00

(uuuuuu) To provide funds to be distributed equally among all volunteer fire departments in Clarke County, Mississippi, to assist in paying equipment costs and for upgrades..... \$150,000.00

(vvvvvv) To assist in paying costs associated with acquisition of motor vehicles with upfit, lights, cages and sirens, for the Clarke County Sheriff's Department ..... \$100,000.00

(wwwwww) To assist Lincoln County, Mississippi, in paying costs associated with HVAC system and equipment repairs and/or replacement..... \$500,000.00

(xxxxxx) To assist Alliance School for Workforce Development in paying costs associated with roof and building repairs for its building ..... \$100,000.00

(yyyyyy) To Attala County, Mississippi, to provide funds for the acquisition of fire trucks for Carmack Volunteer Fire Department, Friendship Volunteer Fire Department, Providence Fire Department and Zama Volunteer Fire Department ..... \$1,000,000.00

(zzzzzz) To assist Attala County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to county roads and bridges ..... \$1,000,000.00

(aaaaaa) To Leake County, Mississippi, to provide funds for the acquisition of fire trucks for volunteer fire departments in Leake County ..... \$2,000,000.00

(bbbbbbb) To assist Attala County, Mississippi, in paying costs associated with repair and/or replacement of the roof for the Jack Post Industrial Building . \$1,000,000.00

(ccccccc) To assist the Town of West, Mississippi, in paying costs associated with repairs and improvements to town facilities ..... \$200,000.00

(ddddddd) To assist the City of Kosciusko, Mississippi, in paying costs associated with repair and maintenance of city facilities ..... \$500,000.00

(eeeeeee) To assist in paying costs associated with construction of a new building for American Legion Post No. 44 in Attala County, Mississippi ..... \$300,000.00

(ffffff) To assist the City of Clinton, Mississippi, in paying costs associated with site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton..... \$8,000,000.00

(ggggggg) To assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure ..... \$1,000,000.00

(hhhhhhh) To assist Rankin County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to roads and bridges..... \$8,000,000.00

(iiiiiii) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure improvements..... \$2,000,000.00

(jjjjjjj) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl ..... \$500,000.00

(kkkkkkk) To assist Harrison County, Mississippi, in paying costs associated with Sportsplex improvements.....\$1,500,000.00

(lllllll) To assist in paying costs associated with improvements to Lumpkin Stadium for the Long Beach School District  
..... \$100,000.00

(mmmmmmm) To provide funds to be distributed equally among the following fire departments in Choctaw County, Mississippi, to assist in paying various department costs: Chester Volunteer Fire Department, Sherwood Volunteer Fire Department, Reform Volunteer Fire Department, Town of Ackerman Fire Department, Bywy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department and Town of French Camp Fire Department ..... \$200,000.00

(nnnnnnn) To provide funds to be distributed equally among the following fire departments in Winston County, Mississippi, to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Volunteer Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department, Town of Noxapater Volunteer Fire Department and Mars Hill Volunteer Fire Department..... \$120,000.00

(ooooooo) To provide funds to be distributed equally among the following fire departments in Webster County, Mississippi, to assist in paying various department costs:

Town of Mathiston Volunteer Fire Department, City of Eupora Fire Department and Tomnolen Volunteer Fire Department..... \$60,000.00

(pppppp) To assist the City of Eupora, Mississippi, in paying costs associated with street repairs, resurfacing and improvements ..... \$300,000.00

(qqqqqq) To assist the City of Louisville, Mississippi, in paying the costs associated with constructing a road and other transportation infrastructure in the City of Louisville that will provide and improve access to land owned by the city designated for an economic development project on or near the location of Winston Plywood & Veneer ..... \$200,000.00

(rrrrrr) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs, lighting and improvements for the town's Historic Downtown District and School Street..... \$100,000.00

(ssssss) To provide funds to be distributed equally among the following road districts in Choctaw County, Mississippi: Beat 1 Choctaw County road and resurfacing repairs for Seward Road and Whites Loop, Beat 4 Choctaw County road and resurfacing repairs for Penderville Road, Beat 5 Choctaw County road and resurfacing repairs for McClure Road, McKnight Road and Enon Road and Beat 3 Choctaw County road and resurfacing repairs for roads ..... \$500,000.00

(tttttt) To assist the Town of Ackerman, Mississippi, in paying costs associated with street repairs, resurfacing and improvements ..... \$200,000.00

(uuuuuu) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's facilities ..... \$100,000.00

(vvvvvv) To assist Choctaw County, Mississippi, in paying costs associated with Courthouse renovations and improvements..... \$100,000.00

(wwwwww) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... \$25,000.00

(xxxxxx) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities ..... \$25,000.00

(yyyyyy) To assist VFW Post 4540 in Winston County, Mississippi, in paying costs associated with the Post building and Post activities..... \$25,000.00

(zzzzzz) To assist VFW Post 5569 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... \$25,000.00

(aaaaaaa) To assist in paying the costs associated with land acquisition, site development and construction, furnishing and equipping of new buildings and facilities for, and the relocation of, the Mississippi Armed Forces Museum at Camp Shelby to property owned by the Mississippi Military Department and located near Camp Shelby in Forrest County, Mississippi ..... \$6,000,000.00

(bbbbbbb) To assist the City of Pascagoula, Mississippi, in paying costs associated with renovations of city offices.....\$1,000,000.00

(ccccccc) To assist the Town of Sardis, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges.....\$250,000.00

(ddddddd) To assist the Town of Como, Mississippi in paying costs associated with repairs, resurfacing and other improvements to roads and bridges.....\$250,000.00

(eeeeeee) To assist the City of Bay Springs, Mississippi, in paying the costs associated with repairs to Payton

Avenue..... \$35,000.00

(ffffff) To assist the Town of Heidelberg, Mississippi, in paying the costs associated with repairs to Walnut

Street..... \$45,000.00

(ggggggg) To assist the Town of Heidelberg, Mississippi, in paying the costs associated with the acquisition of the Old Heidelberg Academy..... \$350,000.00

(hhhhhhh) To assist the City of Hattiesburg, Mississippi, in paying the costs associated with improvements to Dabbs Street ..... \$250,000.00

(iiiiiii) To assist Lincoln County, Mississippi, in paying the costs associated with repairs and improvements to the county courthouse..... \$350,000.00

(jjjjjjj) To assist the City of Carthage, Mississippi in paying the costs associated with the repair and renovation of the coliseum..... \$600,000.00

(kkkkkkk) To assist Holmes County, Mississippi, in paying the costs associated with the paving and improvements to

Salem/Courts Road..... \$600,300.00

(lllllll) To assist Tougaloo College in paying the costs associated with the improvement, renovation and preservation of the historic Mansion building.. \$600,000.00

(mmmmmmm) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal at the intersection of Airways Blvd. and Guthrie Drive ..... \$270,000.00

(nnnnnnn) To assist DeSoto County, Mississippi, in paying the costs associated with a traffic signal at the intersection of Byhalia Road and Hwy 305 in Lewisburg/Olive

Branch..... \$270,000.00

(oooooooo) To assist Marshall County, Mississippi, in paying the costs associated with building the Chickasaw Trail Emergency Response Center..... \$1,000,000.00

(ppppppp) To assist the Town of Terry, Mississippi, in paying the costs associated with the renovation of a community

center..... \$30,000.00

(qqqqqqqq) To assist the City of Byram, Mississippi, in paying the costs associated with bridge and drainage projects

..... \$500,000.00

(rrrrrrrr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for

Thalia Mara Hall ..... \$2,000,000.00

(ssssssss) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium ..... \$2,000,000.00

(tttttttt) To assist Panola County, Mississippi, in paying the costs associated with airport improvements..... \$500,000.00

(uuuuuuuu) To assist the Town of Sardis, Mississippi, in paying costs associated with the Sardis Lake Development

project ..... \$1,700,000.00

(vvvvvvvv) To assist the Town of Noxapater, Mississippi, in paying the costs associated with paving, repairs and improvements to city streets ..... \$250,000.00

(wwwwwww) To assist the Town of Walnut Grove, Mississippi, in paying the costs associated with the purchase of a new fire truck..... \$250,000.00

(xxxxxxx) To assist the Lee County 4th District Community Development Group, a nonprofit corporation, in paying the costs associated with the construction/improvement to its community center..... \$300,000.00

(yyyyyyyy) To assist the Windows of Amory, a nonprofit corporation, for expenses related to improvements and operations of the former First Christian Church, known as

"The Windows" ..... \$200,000.00

(zzzzzzzz) To assist the City of Aberdeen, Mississippi, in paying the costs associated with repairs and improvements to the Magnolias ..... \$150,000.00

(aaaaaaaa) To assist Claiborne County, Mississippi, in paying the costs associated with repairs and improvements to historical structures in the county ..... \$75,000.00

(bbbbbbbbb) To assist Claiborne County, Mississippi, in paying the costs associated with the replacement of an air conditioning and heating system for the county jail ..... \$80,000.00

(cccccccc) To assist Claiborne County, Mississippi, in paying the costs associated with the resurfacing of Russom-Westside Road..... \$300,000.00

(dddddddd) To assist the Summit Community Development Foundation in paying the costs associated with the Stand Pipe project..... \$200,000.00

(eeeeeeee) To assist the City of Natchez, Mississippi, in paying the costs associated with lighting of the Mississippi River Bridge..... \$500,000.00

(ffffff) To assist the City of Magee, Mississippi, in paying the costs associated with infrastructure improvements

..... \$150,000.00

(ggggggggg) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements ..... \$150,000.00

(hhhhhhhhh) To assist Montgomery County, Mississippi, in defraying expenses for infrastructure improvements and industrial facility..... \$1,000,000.00

(iiiiiii) To assist Attala County, Mississippi, in paying the costs associated with roof repairs for a county-owned building..... \$600,000.00

(jjjjjjjjj) To assist the Mississippi Department of Transportation in paying the costs associated with an overpass for Old Highway 63 over Highway 98..... \$1,200,000.00

(kkkkkkkkk) To assist Greene County, Mississippi, in paying the costs associated with asbestos abatement and demolition of an abandoned factory building .. \$600,000.00

(lllllllll) To assist Greene County, Mississippi, in paying the costs associated with the conversion of the old farmer's market into a regional emergency operations center ..... \$1,200,000.00

(mmmmmmmmm) To assist the Greene County School District in paying costs associated with tornado and wind damage at the McLain Attendance Center . \$50,000.00

(nnnnnnnnn) To assist the City of D'Iberville, Mississippi, in paying the costs associated with upgrades, mitigation and improvements to the city marina... \$750,000.00

(ooooooooo) To assist Jackson County, Mississippi, in paying the costs associated with the renovations and expansions of the Ball Park Road Fire Station ..... \$750,000.00

(ppppppppp) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements to Riley Road..... \$500,000.00

(qqqqqqqqq) To assist the Pearl & Leaf Rivers Rails to Trails Recreational District in paying the costs associated with overlaying the trail from James Lynn Cartledge Gateway to Carolyn McRaney Gateway and paving the parking lots at stations ..... \$1,500,000.00

(rrrrrrrrr) To assist the City of Flowood, Mississippi, in paying the costs associated with infrastructure improvements to North Flowood Drive ..... \$2,000,000.00

(sssssssss) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 25 between Grants Ferry Road and Mississippi Highway 471 ..... \$4,000,000.00

(ttttttttt) To assist the City of Macon, Mississippi, in paying the costs associated with inspection, repairs and improvements to the Electric Department Office . \$40,000.00

(uuuuuuuuu) To assist Noxubee County, Mississippi, in paying the costs associated with a roof replacement on the county courthouse ..... \$400,000.00

(vvvvvvvv) To assist the City of Poplarville, Mississippi, in paying costs associated with the acquisition of a new fire truck..... \$500,000.00

(wwwwwwwww) To assist Warren County, Mississippi, in paying the costs associated with upgrades and improvements for the historic Old Courthouse and grounds in Vicksburg..... \$650,000.00

(xxxxxxx) To assist the City of Gulfport, Mississippi, in paying costs associated with the Interconnecting Gulfport project related to the federal BUILD grant route, to include Pool Street Extension, Creosote Road Extension, and Daniel Boulevard Extension..... \$3,500,000.00

(yyyyyyyyy) To assist Yazoo County, Mississippi, in paying the costs associated with the construction and repairs of the Lake George Bridge..... \$3,000,000.00

(zzzzzzzzz) To assist Issaquena County, Mississippi, in paying the costs associated with the construction and repairs of the Mannie Road Bridge... \$1,500,000.00

(aaaaaaaaa) To assist Sharkey County, Mississippi, in paying the costs associated with the construction and repairs of the Low Water Bridge Road Bridge..... \$1,500,000.00

(bbbbbbbbb) To assist the Warren County Port Commission in defraying expenses for environmental and permit..... \$500,000.00

(ccccccccc) To assist Quitman County, Mississippi, in paying the costs associated with infrastructure improvements on county roads and bridges..... \$500,000.00

(ddddddddd) To assist Perry County, Mississippi, in paying the costs associated with the widening of Cochran Road..... \$600,000.00

(eeeeeeeeee) To assist the City of Richland, Mississippi, in paying the costs associated with the Highway 49 pedestrian crossover..... \$500,000.00

(fffffffff) To assist the City of Pearl, Mississippi, in paying the costs associated with the Pearl-Richland Intermodal Bridge..... \$2,000,000.00

(ggggggggg) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 21 in Sebastopol, Mississippi..... \$400,000.00

(hhhhhhhhh) To assist the Town of Decatur, Mississippi, in paying the costs associated with upgrading rescue extrication equipment..... \$60,000.00

(iiiiiii) To assist the City of Hernando, Mississippi, in paying the costs associated with infrastructure improvements to the Oak Grove and Highway 51 intersection..... \$500,000.00

(jjjjjjjjj) To assist the City of Tupelo, Mississippi, in the refurbishment of Ballard Park for the purposes of renovation and to establish a special needs (all inclusive) children's playground..... \$500,000.00

(kkkkkkkkkk) To assist the City of Tupelo, Mississippi, in paying costs associated with turnaround access at the Elvis Presley Birthplace ..... \$250,000.00

(llllllllll) To assist the City of Slatillo, Mississippi, in paying the costs associated with infrastructure improvements..... \$250,000.00

(mmmmmmmmmm) To assist the City of Gluckstadt, Mississippi, in paying the costs associated with the acquisition of land and construction of a new police station ..... \$1,000,000.00

(nnnnnnnnnn) To assist the City of Ridgeland, Mississippi, in paying the costs associated with the construction of the Commerce Park Connector Road . \$1,000,000.00

(oooooooooo) To assist the City of Ridgeland, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$1,500,000.00

(pppppppppp) To assist the City of Olive Branch, Mississippi, in paying the costs associated with infrastructure improvement on Pleasant Hill Road from SR 302 to Stateline  
Road ..... \$750,000.00

(qqqqqqqqqq) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with an infrastructure project..... \$10,000,000.00

(rrrrrrrrrr) To assist the City of Corinth, Mississippi, in paying the costs associated with the EFLAP Bridge Replacement..... \$500,000.00

(ssssssssss) To assist Alcorn County, Mississippi, in paying the costs associated with infrastructure improvements at the Getwell Road and Harper Road Intersection ..... \$350,000.00

(tttttttttt) To assist the Town of Blue Mountain, Mississippi, in paying the costs associated with improvements to the Blue Mountain Children's Park ..... \$150,000.00

(uuuuuuuuuu) To assist the Town of Farmington, Mississippi, in paying the costs associated with computer equipment upgrades for city hall ..... \$25,000.00

(vvvvvvvvvv) To assist the City of Corinth, Mississippi, in paying the costs associated with the Corinth Veterans Honor Memorial..... \$25,000.00

(wwwwwwwww) To assist the University of Southern Mississippi in paying the costs associated with re-roofing the  
coliseum..... \$500,000.00

(xxxxxxxxxx) To assist Stone County, Mississippi, in paying the costs associated with road paving and improvements to county roads and bridges ..... \$500,000.00

(yyyyyyyyyy) To assist the City of Greenville, Mississippi, in paying the costs of construction and development of the downtown green space associated with the new federal courthouse as part of the Thad Cochran Project ..... \$500,000.00

(zzzzzzzzzz) To assist the City of Greenville, Mississippi, in paying the costs of redevelopment of Hangar 173 at airport to assist the Mississippi Delta Community College (MDCC) Aerospace Maintenance Instruction Program ..... \$1,500,000.00

(aaaaaaaaaa) To assist the City of Cleveland, Mississippi, in paying the costs associated with the Airport Terminal Road Extension Project ..... \$1,000,000.00

(bbbbbbbbbb) To assist Tishomingo County, Mississippi, in paying the costs associated with a tornado siren and storm shelter at Carter's Branch Volunteer Fire Department ..... \$50,000.00

(ccccccccc) To assist the Town of Marietta, Mississippi, in paying the costs associated with an infrastructure project..... \$165,000.00

(ddddddddd) To assist the Town of Mantachie, Mississippi, in paying the costs associated with modernizing the town's police force..... \$100,000.00

(eeeeeeeeeee) To assist Tishomingo County, Mississippi, in paying the costs associated with a roof replacement for the Circuit Courthouse ..... \$400,000.00

(fffffffff) To assist the City of Iuka, Mississippi, in paying the costs associated with repairs and improvements to city streets ..... \$150,000.00

(gggggggggg) To assist the Yellow Creek Inland Port Authority in paying the costs associated with infrastructure and port improvement..... \$1,500,000.00

(hhhhhhhhh) To assist Pontotoc County, Mississippi, in paying the costs associated with a Veteran's Service Center in

Pontotoc..... \$125,000.00

(iiiiiiiiiii) To assist Pontotoc County, Mississippi, in paying costs associated with improvements to the Fairgrounds/Exhibit Building Parking Project. .... \$100,000.00

(jjjjjjjjj) To assist the City of Calhoun City, Mississippi, in paying the costs associated with paving and improvements to city streets ..... \$200,000.00

(kkkkkkkkkk) To assist the Mississippi Arts and Entertainment Experience (The MAX) in paying the costs associated with upgrading exhibits ..... \$250,000.00

(llllllllll) To assist Yazoo County, Mississippi, in paying costs associated with renovations at the Oakes African-American Cultural Center ..... \$100,000.00

(mmmmmmmmm) To assist the City of Pass Christian, Mississippi, in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative ..... \$750,000.00

(nnnnnnnnn) To assist Clay County, Mississippi, in paying the costs associated with the renovations of the county

courthouse ..... \$ 350,000.00

(ooooooooo) To assist the City of West Point, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$400,000.00

(pppppppppp) To assist the City of Macon, Mississippi, for reimbursement to the city for engineers, clean up of debris, and to stabilize exterior of Electric Department when surrounding buildings collapsed (local state of emergency) ..... \$35,000.00

(qqqqqqqqqq) To assist the Pascagoula Redevelopment Authority in paying the costs associated with the downtown revitalization project..... \$750,000.00

(rrrrrrrrr) To assist the City of Eupora, Mississippi, in paying the costs associated with the construction of an amphitheater ..... \$50,000.00

(ssssssssss) To assist the City of Eupora, Mississippi, in paying the costs associated with a walking trail

..... \$10,000.00

(ttttttttt) To assist Lowndes County, Mississippi, in paying the costs associated with the construction, development, upgrades and improvements to the rail yard expansion at the West Bank Port, and other rail improvements in Lowndes County that provide otherwise support freight rail service to and from the West Bank Port

..... \$3,200,000.00

(uuuuuuuuuu) To assist the City of Jackson, Mississippi, in paying the costs associated with the widening, straightening and clearing debris from Eubanks Creek from State Street to Old Canton Road

..... \$500,000.00

(vvvvvvvvvv) To assist the Department of Finance and Administration in paying the costs associated with the development of the LeFleur's Bluff Otter Creek Golf Park and Connector Trail Project

..... \$13,250,000.00

(wwwwwwwwww) To assist the City of Vicksburg, Mississippi, in paying costs associated with the river front development

..... \$3,500,000.00

(xxxxxxxxxxx) To assist the City of Pelahatchie, Mississippi, in paying the costs associated with repairs and improvements to roads and bridges

..... \$300,000.00

(yyyyyyyyyyy) To assist the Marty Stuart Congress of Country Music Museum in paying the costs associated with the completion of the Ellis Theatre

..... \$500,000.00

(zzzzzzzzzz) To assist the City of Water Valley, Mississippi, in paying the costs associated with upgrades and improvements to the city owned electrical system

..... \$500,000.00

(aaaaaaaaaaaa) To assist the North Mississippi Health Services in paying the costs associated with the unfinished dedicated operating room for cesarean deliveries at the hospital in Amory, Mississippi, which room may be used as a negative pressure room

..... \$1,000,000.00

(bbbbbbbbbbbb) To assist the B.B. King Museum and Delta Interpretive Center in paying costs associated with renovations, repairs and improvements to the B.B. King Museum and Club Ebony

..... \$2,500,000.00

(ccccccccccc) To assist the Department of Finance and Administration – Bureau of Building, Ground and Real Property Management for the Mississippi Sports Hall of Fame and Museum in paying costs associated with renovations, repairs and improvements to the Mississippi Sports Hall of Fame

..... \$2,500,000.00

(ddddddddddd) To assist the Town of Macon, Mississippi, in paying costs associated with storm cleanup and emergency operation including storm debris removal

..... \$75,000.00

(eeeeeeeeeee) To assist Noxubee County, Mississippi, in paying costs associated with repair of the Veterans Building

..... \$25,000.00

(fffffffffff) To assist Noxubee County, Mississippi, in paying costs associated with road maintenance and repairs

..... \$150,000.00

(ggggggggggg) To assist Hinds County, Mississippi, in paying costs associated with resurfacing Champion Hill Road.....\$500,000.00

(hhhhhhhhhhh) To assist the Town of Vaiden, Mississippi, in paying costs associated with various infrastructure projects..... \$100,000.00

(iiiiiiiiiii) To assist the Town of McCool, Mississippi, in paying costs associated with various infrastructure projects..... \$100,000.00

(jjjjjjjjjjj) To assist the Tate County Heritage Museum in paying costs associated with acquisition and updating of exhibits and displays and repair, restoration, upgrades and improvements to equipment and facilities.....\$50,000.00

(kkkkkkkkkkk) To assist the Mississippi's Toughest Kids Foundation in paying the costs associated with:

(i) Design, preplanning, construction, furnishing and equipping of buildings and related facilities at Camp Kamassa in Copiah County, Mississippi; and

(ii) Design, preplanning, construction and development of infrastructure at Camp Kamassa in Copiah County,

Mississippi..... \$1,000,000.00

SECTION 26. (1) A special fund is created within the State Treasury to be used as provided in this section. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Monies deposited into the fund shall be disbursed, in the discretion of the Mississippi Development Authority ("MDA") as follows:

(i) Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be used for the purpose of providing funds to assist Pinchers Seafood, with support and expansion of its operations in Mississippi, including, but not limited to, land acquisition, construction of facilities and dredging. In order to receive such assistance, Pinchers Seafood must submit an application to the MDA. The MDA shall review and approve the projects for which the assistance may be used. If the MDA approves an application for assistance, it also must use other available funds from its programs, for which Pinchers Seafood is eligible to receive assistance, to assist with the completion of the approved projects.

(ii) Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be used for the purpose of providing funds to assist Halter Marine with support and expansion of its operations including shoreline power in Mississippi. In order to receive such assistance, Halter Marine must submit an application to the MDA. The MDA shall review and approve the projects for which the assistance may be used. If the MDA approves an application for assistance, it also must use other available funds from its programs, for which Halter Marine is eligible to receive assistance, to assist with the completion of the approved projects.

(iii) Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be used for the purpose of providing funds to assist Highland Carbon Solutions, LLC, with the establishment of its operations in Mississippi. In order to receive such assistance,

Highland Carbon Solutions, LLC, must submit an application to the MDA. The MDA shall review and approve the projects for which the assistance may be used. If the MDA approves an application for assistance, it also must use other available funds from its programs, for which Highland Carbon Solutions, LLC, is eligible to receive assistance, to assist with the completion of the approved projects.

SECTION 27. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) \* \* \* Fifty-six Million Fifty Thousand Dollars (\$56,050,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two

Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko,

Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) One Hundred Fifty Thousand Dollars (\$150,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be allocated and disbursed as grant funds to assist in paying the costs associated with relocation, repair, renovation and restoration of a one-room school building and related facilities including costs incurred before July 1, 2022, and such grant funds shall not be subject to any requirement for matching funds.

( \*\* \*q) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking

assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 28. Section 39-11-13, Mississippi Code of 1972, is amended as follows:

39-11-13. (1) (a) A special fund, to be designated as the "Building Fund for the Arts," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any money designated for deposit therein from any source, including, but not limited to, any state general obligation bonds issued for the purposes described in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Money deposited into the fund shall be disbursed, in the discretion of the Mississippi Arts Commission, to provide grants to nonprofit organizations that are qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code and units of local government to pay the costs of:

(i) Repair, upgrading, expansion, renovation or enhancement of existing buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities;

(ii) Construction of new buildings and facilities for the presentation, teaching or exhibition of the arts in any and all of its forms and furniture, equipment and/or technology for such buildings or facilities; or

(iii) The development, construction, equipping and furnishing of an entertainment and film center and museum and completion of a sound stage project.

Two Hundred Thousand Dollars (\$200,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be used to provide grant funds for the establishment of a band and music program for a nonprofit organization in this state that is qualified as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(c) The entity to which such grants are made shall provide matching funds from local, federal or private sources equal to forty percent (40%) of the proposed project cost in order to be eligible for a grant under this section.

(d) The maximum aggregate amount of monies in the special fund that may be used to provide grant funds to an entity or combination of entities under paragraph (b)(iii) of this subsection shall not exceed One Million Dollars (\$1,000,000.00), and no monies in the special fund may be used to provide grant funds under paragraph (b)(iii) of this subsection after July 1, 2003. The maximum aggregate amount of grant funds that may be provided to an entity or combination of entities under paragraph (b)(iii) of this subsection during a fiscal year shall not exceed Five Hundred Thousand Dollars (\$500,000.00).

(2) (a) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in the special fund are derived from proceeds of bonds issued under Sections 3 through 18 of Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of 2002, as amended by Chapter 519, Laws of 2003, as amended by Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by Chapter 538, Laws of 2006, as amended by Section 1 of Chapter 607, Laws of 2007, and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Mississippi Arts Commission shall provide an accounting of such unused monies to the State Bond Commission.

(b) [Repealed]

(3) The Mississippi Arts Commission is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of money deposited into the special fund shall be under the direction of the Mississippi Arts Commission, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration upon request of the Mississippi Arts Commission, which warrants shall be issued upon requisitions signed by the Executive Director of the Mississippi Arts Commission, or his or her designee.

(4) The Mississippi Arts Commission shall adopt necessary rules and regulations to govern the administration of the program described in subsection (1) of this section, including, but not limited to, rules and regulations governing applications for grants and rules and regulations providing for the distribution of grant funds. The Mississippi Arts Commission shall comply with the provisions of the Mississippi Administrative Procedures Law.

SECTION 29. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

( \* \* \*c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property; \* \* \*

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned \* \* \*;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

( \* \* \*d) "MDA" means the Mississippi Development Authority.

( \* \* \*e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, or Section 8 of Chapter 480, Laws of 2021, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

- (ii) The amount of assistance requested;
- (iii) The amount and type of matching funds to be provided by the eligible entity; and
- (iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 30. This act shall take effect and be in force from and after July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 IHL CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEM IMPROVEMENTS REVOLVING LOAN FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE WATER POLLUTION CONTROL REVOLVING FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI DAM SAFETY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 TATE COUNTY - EROSION CONTROL AND REPAIR FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE ACE FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI BUSINESS INVESTMENT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE ECONOMIC DEVELOPMENT HIGHWAY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO

DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE STATE BP SETTLEMENT FUND TO THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO A SPECIAL FUND CREATED IN THIS ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF PROVIDING ASSISTANCE FOR CERTAIN BUSINESSES; TO CREATE THE "2022 IHL CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR INSTITUTIONS OF HIGHER LEARNING CAPITAL IMPROVEMENTS; TO CREATE THE "2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS; TO CREATE THE "2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR STATE AGENCIES CAPITAL IMPROVEMENTS; TO CREATE THE "2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR STATE AGENCIES REPAIR AND RENOVATION PURPOSES; TO CREATE THE "2022 TATE COUNTY - EROSION CONTROL AND REPAIR FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH DITCH EROSION CONTROL, REPAIR AND REHABILITATION; TO CREATE THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSES OF PROVIDING FUNDS TO ASSIST WITH VARIOUS LOCAL PROJECTS ACROSS THE STATE; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM AMOUNT OF FUNDS IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND THAT MAY BE ALLOCATED FOR CERTAIN TYPES OF PROJECTS; TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read

Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1353** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McLendon. Total--1.  
Absent and those not voting--Hill, Parks. Total--2.  
Voting Present--Branning. Total--1.

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Senator Simmons D. T. (12th) moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 6:37 PM, the Senate stood in recess.

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The Senate resumed business at 6:38 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senators Wiggins and England moved that when the Senate adjourns, it adjourn in memory of Janette Taggart Grantham of Moss Point, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of William Delbert Green of Helena, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Emma Hillebrecht, Bobby Barnes, Jr. and Joe Brock of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of James Roy Hall and William "Bill" Francis Lyon of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Rena Logan of Pontotoc, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Rodney Allen Richardson of McComb, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of William Joseph "Will" Whitehead of Natchez, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Charles Freddie Combest, Sr. and Oscar James Crosby of Quitman, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Jeffrey Abel and Aaron "Chipper" Sibley of Vancleave, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Alma Marie Donohoe and Jesse W. "Pops" Brasher, Jr. of Pascagoula, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Ronald Alton "Ronnie" Terrell of Gautier, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Gene Bryant of Okolona, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Cora Lee Tanner of Big Point, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Wiley Overstreet of Prentiss, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Alan Craig Bryant, Sr. of Bayou La Batre, AL.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of David Ditsworth and Agnes Stork Delcambre of Pascagoula, MS.

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Senators England and Boyd moved that when the Senate adjourns, it adjourn in memory of Charles Thomas Austin of Batesville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Lloyd "Buddy" David Hovatter of Leakesville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Jonathan Keith Elmore of Richton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert P. Bowen and Roger Raymond Gilbert of Jackson, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joyce Irene Williams of Perkinston Community, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Larry Don Taylor, J. W. Moody, Judy McCreary, Arlene Carr, Ruthel Comer and Stacy Roberts of Belmont, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Myra Sparks, Maedean Allen, Shara Sue Holley, Donita Trotter, Virgie Waddle and Gary Wright of Belmont, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Joan Sparks, Harold Segars, Clyne Bates, Carol Wood and Ralph Montgomery of Belmont, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Eugene "Gene" Gifford, Jr., Danny Bruce Childers, James Chase, Tommy Murphy and James Bethay of Booneville, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Sue Bethay, Travis Cartwright, Craig Glenn and Martha Jumper of Booneville, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Elizabeth Rayna Smith, Charles Swimmer, Martha Ann Segars, Michael Scott Walker, Robert "Bob" Wimbish, Ricky Dill and SFC Jason Belue of Iuka, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Jerry Hollingsworth, Quthel McNatt, Laverne Cornelius, Brenda Crane and Brandon Wayne Holiday of Tishomingo, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Helen Rouse, David "Wormy" Lynch, Larry Sartain, Charles Monroe and Peggy Sparks Adams of Dennis, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Autumn Rose Wells, Olen Lovette, Jr., Beaton Patterson and Randy Northington of Golden, MS.

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Senators Sparks and McMahan moved that when the Senate adjourns, it adjourn in memory of William "Bill" White of Booneville, MS.

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Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, April 6, 2022, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Thursday, April 7, 2022, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Friday, April 8, 2022, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Saturday, April 9, 2022, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Sunday, April 10, 2022 and recess until 12:00 midnight, at which time the journal will reflect that the Senate adjourned Sine Die at 12:00 midnight, Sunday, April 10, 2022, in accordance with HCR 89, as amended by HCR 90.

The motion prevailed, and at 6:41 PM, the Senate stood adjourned in memory of Janette Taggart Grantham, William Delbert Green, Charles Freddie Combest, Sr., Oscar James Crosby, Jeffrey Abel, Aaron "Chipper" Sibley, Alma Marie Donohoe, Jesse W. "Pops" Brasher, Jr., Ronald Alton "Ronnie" Terrell, Gene Bryant, Cora Lee Tanner, Wiley Overstreet, Emma Hillebrecht, Alan Craig Bryant, Sr., David Ditsworth, Agnes Stork Delcambre, Charles Thomas Austin, Lloyd "Buddy" David Hovatter, Jonathan Keith

Elmore, Robert P. Bowen, Roger Raymond Gilbert, Joyce Irene Williams, Larry Don Taylor, Bobby Barnes, Jr., J. W. Moody, Judy McCreary, Arlene Carr, Ruthel Comer, Stacy Roberts, Myra Sparks, Maedean Allen, Shara Sue Holley, Donita Trotter, Virgie Waddle, Joe Brock, Gary Wright, Joan Sparks, Harold Segars, Clyne Bates, Carol Wood, Ralph Montgomery, Eugene "Gene" Gifford, Jr., Danny Bruce Childers, James Chase, Tommy Murphy, James Roy Hall, James Bethay, Sue Bethay, Travis Cartwright, Craig Glenn, Martha Jumper, Elizabeth Rayna Smith, Chales Swimmer, Martha Ann Segars, Michael Scott Walker, Robert "Bob" Wimbish, William "Bill" Francis Lyon, Ricky Dill, SFC Jason Belue, Jerry Hollingsworth, Quthel McNatt, Laverne Cornelius, Brenda Crane, Brandon Wayne Holiday, Helen Rouse, David "Wormy" Lynch, Larry Sartain, Rena Logan, Charles Monroe, Peggy Sparks Adams, Autumn Rose Wells, Olen Lovette, Jr., Beauton Patterson, Randy Northington, William "Bill" White, Rodney Allen Richardson and William Joseph "Will" Whitehead.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR TUESDAY, APRIL 5, 2022

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NINETY-THIRD DAY, WEDNESDAY, APRIL 6, 2022

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate convened at 10:00 A.M., a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2844:** Alcoholic Beverage Control Division; authorize construction of new warehouse and contracting for operations.

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3010:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3013:** Appropriation; Corrections, Department of.

**S. B. No. 3014:** Appropriation; Public Safety, Department of.

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3017:** Appropriation; Animal Health, Board of.

**S. B. No. 3018:** Appropriation; Emergency Management Agency.

**S. B. No. 3019:** Appropriation; Military Department.

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes.

**S. B. No. 3021:** Appropriation; Ethics Commission.

**S. B. No. 3022:** Appropriation; Judicial Performance Commission.

**S. B. No. 3023:** Appropriation; Employment Security, Department of.

**S. B. No. 3025:** Appropriation; Tax Appeals Board.

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission.

**S. B. No. 3027:** Appropriation; Mental Health, Department of.

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3034:** Appropriation; Pharmacy, Board of.

**S. B. No. 3038:** Appropriation; Gaming Commission.

**S. B. No. 3043:** Appropriation; Audit, Department of.

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3051:** Appropriation; Personnel Board.

**S. B. No. 3052:** Appropriation; Secretary of State.

**S. B. No. 3053:** Appropriation; Treasurer's Office.

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli.

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS Water and Wastewater Infrastructure Act-ARPA funds.

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds.

Adopted: 04/04/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 451:** Nonadmitted policy fee; delete repealer on.

**H. B. No. 1006:** Community and Junior College Nursing Supplemental Funding Program; establish.

**H. B. No. 1421:** ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health.

**H. B. No. 1423:** State Appellate and trial judges and DAs; increase salaries of.

**H. B. No. 1424:** Criminal investigators; increase salaries of and provide for additional appointments of.

**H. B. No. 1426:** Salary statutes; revise certain provisions relating to salaries of state employees and officials.

**H. B. No. 1427:** Law enforcement officers and fire fighters; provide premium pay to.

**H. B. No. 1517:** Appropriation; Office of Workforce Development for various activities and programs.

**H. B. No. 1518:** Appropriation; DFA for providing funds to destination marketing organizations for certain marketing activities.

**H. B. No. 1521:** Appropriation; IHL for funding Nursing Education Incentive Program.

**H. B. No. 1538:** Appropriation; Department of Health for ARPA Drinking Water and Rural Water Associations Infrastructure Grant Programs.

**H. B. No. 1542:** Appropriation; additional to DPS for providing premium pay to law enforcement officers and firefighters.

**H. B. No. 1594:** Appropriation; Fire Academy.

**H. B. No. 1595:** Appropriation; Public Employees' Retirement System.

**H. B. No. 1597:** Appropriation; Legislative expenses.

**H. B. No. 1598:** Appropriation; Arts Commission.

**H. B. No. 1600:** Appropriation; Education, Department of.

**H. B. No. 1601:** Appropriation; Educational Television, Authority for.

**H. B. No. 1602:** Appropriation; Library Commission.

**H. B. No. 1604:** Appropriation; Environmental Quality, Department of.

**H. B. No. 1605:** Appropriation; Wildlife, Fisheries and Parks, Department of.

**H. B. No. 1606:** Appropriation; Grand Gulf Military Monument Commission.

**H. B. No. 1608:** Appropriation; Oil and Gas Board.

**H. B. No. 1609:** Appropriation; Public Service Commission.

**H. B. No. 1610:** Appropriation; Public Utilities Staff.

**H. B. No. 1612:** Appropriation; Rehabilitation Services, Department of.

**H. B. No. 1613:** Appropriation; Medicaid, Division of.

**H. B. No. 1614:** Appropriation; Health, Department of.

**H. B. No. 1616:** Appropriation; Forestry Commission.

**H. B. No. 1617:** Appropriation; Soil and Water Conservation Commission.

**H. B. No. 1624:** Appropriation; Marine Resources, Department of.

**H. B. No. 1625:** Appropriation; District attorneys and staff.

**H. B. No. 1626:** Appropriation; Capital Post-Conviction Counsel, Office of.

**H. B. No. 1627:** Appropriation; State Public Defender, Office of.

**H. B. No. 1628:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

**H. B. No. 1629:** Appropriation; Attorney General.

**H. B. No. 1630:** Appropriation; Transportation, Department of.

**H. B. No. 1664:** Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan.

Adopted: 04/04/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2780:** State budget; bring forward certain provisions, create the Coronavirus Capital Projects Fund, and transfer funds.

**S. B. No. 2822:** "Mississippi Water Infrastructure Grant Program Act of 2022"; establish.

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds.

**S. B. No. 3002:** Appropriation; IHL - General support.

**S. B. No. 3024:** Appropriation; Revenue, Department of.

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds.

**S. B. No. 3064:** Appropriation; additional to DFA for the MAICU Grant Program, - ARPA funds.

Adopted: 04/05/22

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1353:** Budget process; bring forward various sections relating to.

**H. B. No. 1593:** Appropriation; Insurance, Department of.

**H. B. No. 1599:** Appropriation; Archives and History, Department of.

**H. B. No. 1611:** Appropriation; Human Services, Department of.

Adopted: 04/05/22

Andrew Ketchings, Clerk of the House of Representatives

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2120:** AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

**S. B. No. 2335:** AN ACT TO AMEND SECTION 45-11-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATION ON THE NUMBER OF EMERGENCY MEDICAL RESPONDER STUDENTS THE STATE FIRE ACADEMY MAY TRAIN PER YEAR; TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO REVISE THE MUNICIPAL FIRE PROTECTION FUND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO REVISE THE COUNTY VOLUNTEER FIRE PROTECTION FUND TO ALLOW USE OF FIRE REBATE MONIES FOR EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2371:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2806 AND SENATE BILL NO. 2818, 2022 REGULAR SESSION, TO INCREASE THE THRESHOLD FOR BID REQUIREMENT UNDER THE PUBLIC PURCHASING LAW; TO PROVIDE THAT REVERSE AUCTIONS SHALL ONLY BE REQUIRED FOR INDIVIDUAL PUBLIC SCHOOLS, CHARTER SCHOOLS AND SCHOOL DISTRICTS, WHEN PURCHASING COPYRIGHTED EDUCATIONAL SUPPLEMENTAL MATERIALS AND SOFTWARE AS A SERVICE PRODUCT; TO ALLOW LOCAL SCHOOL BOARDS TO AUTHORIZE A PURCHASING ENTITY IN ITS JURISDICTION TO USE A REQUEST FOR QUALIFICATIONS WHICH PROMOTES OPEN COMPETITION AND MEETS THE REQUIREMENTS OF THE OFFICE OF PURCHASING AND TRAVEL FOR SUCH PURCHASES; TO CLARIFY THAT A PURCHASING ENTITY MAY, IN ITS DISCRETION, USE REVERSE AUCTION FOR TERM CONTRACT PURCHASES; TO CLARIFY UNDER THE PUBLIC PURCHASING LAW THAT REVERSE AUCTION SHALL NOT BE USED FOR THE IMPROVEMENT, REPAIR OR REMODELING OF ANY PUBLIC FACILITIES, INCLUDING THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS FOR SAME; TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE SOLELY FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

**S. B. No. 2422:** AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROCUREMENT CARD FOR CLASSROOM SUPPLIES USING EDUCATIONAL ENHANCEMENT FUNDS SHALL BE ISSUED TO TEACHERS ON AUGUST 1 OF EACH YEAR; TO PROVIDE THAT LOCAL SCHOOL BOARDS SHALL REQUIRE EACH SCHOOL TO ISSUE CREDENTIALS FOR A DIGITAL SOLUTION SELECTED OR PROCUREMENT CARDS FOR THE USE OF TEACHERS IN MAKING INSTRUCTIONAL SUPPLY FUND EXPENDITURES UNDER THE EDUCATIONAL ENHANCEMENT FUND; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DISTRIBUTE EDUCATION ENHANCEMENT FUNDS FOR CLASSROOM SUPPLIES TO ELIGIBLE TEACHERS THROUGH THE USE OF DIGITAL

SOLUTIONS AND THEIR APPLICABLE CREDENTIALS; TO SET TIMELINES FOR THE ISSUANCE OF THESE SOLUTIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2509:** AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS CONCERNING THE MAXIMUM LIMITS ON THE HEIGHT OF OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

**S. B. No. 2543:** AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO INCLUDE THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND THE DRIVER SERVICE BUREAU AS SEPARATE OFFICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 41-29-107, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY POLICY WITHIN THE BUREAU OF NARCOTICS TO REFLECT STATE LAW AND POLICY WITHIN OTHER UNITS OF THE DEPARTMENT OF PUBLIC SAFETY; TO DELETE OUTDATED LANGUAGE; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 719, 2022 REGULAR SESSION, TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY TO SET THE FEE FOR TESTIMONY PROVIDED BY STATE MEDICAL EXAMINERS, PHYSICIANS AND PATHOLOGISTS OF THE MISSISSIPPI FORENSICS LABORATORY OR THE OFFICE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ALLOW TESTIMONY OF EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY AND THE OFFICE OF THE STATE MEDICAL EXAMINER IN CRIMINAL TRIALS TO BE CONDUCTED VIA REMOTE AUDIOVISUAL COMMUNICATIONS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EMPLOYEES OF THE MISSISSIPPI FORENSICS LABORATORY SHALL BE SUBJECT TO THE RULES, REGULATIONS AND POLICIES OF THE MISSISSIPPI STATE PERSONNEL BOARD IN THEIR EMPLOYMENT; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL HAVE JURISDICTION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS, OTHER THAN SHOOTINGS INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION, RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL DESIGNATE ANOTHER LAW ENFORCEMENT AGENCY OR TASK FORCE TO INVESTIGATE ANY INCIDENT OF A SHOOTING INVOLVING ONE OR MORE MEMBERS OF THE MISSISSIPPI BUREAU OF INVESTIGATION RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE; TO PROVIDE THAT THE ATTORNEY GENERAL'S OFFICE SHALL BE EXCLUSIVELY RESPONSIBLE FOR PRESENTING ALL OFFICER-INVOLVED SHOOTINGS RESULTING IN INJURY OR DEATH OCCURRING IN THE STATE TO THE APPROPRIATE DULY EMPANELED GRAND JURY AND, UPON INDICTMENT BY THE GRAND JURY, PROSECUTING SUCH MATTERS; TO REPEAL SECTION 97-35-27, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES THE REGISTRATION OF CONVICTED FELONS WITH THE CHIEF OF POLICE OF THE CITY IN WHICH THE FELON RESIDES OR THE SHERIFF OF THE COUNTY IN WHICH THE FELON RESIDES; AND FOR RELATED PURPOSES.

**S. B. No. 2739:** AN ACT TO REQUIRE NONEMERGENCY MEDICAL TRANSPORTATION (NEMT) PROVIDERS TO HAVE A PERMIT FROM THE STATE DEPARTMENT OF HEALTH BEFORE THEY MAY PROVIDE NEMT TRANSPORTATION SERVICES IN MISSISSIPPI; TO REQUIRE THE DEPARTMENT TO ADOPT RULES PROVIDING FOR APPLICATIONS FOR PERMITS, ISSUANCE OF PERMITS, RENEWAL OF PERMITS AND REVOCATION OF PERMITS, AND AUTHORIZE THE DEPARTMENT TO PROVIDE FOR THE PAYMENT OF FEES FOR THE ISSUANCE AND RENEWAL OF PERMITS; TO REQUIRE THE DEPARTMENT TO ADOPT STANDARDS FOR THE OPERATION OF VEHICLES USED TO PROVIDE NEMT TRANSPORTATION SERVICE, AND SPECIFY THE MINIMUM STANDARDS THAT MUST BE ADOPTED; TO PROVIDE THAT NEMT PROVIDERS MUST MEET ALL THE REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT FOR PROVIDING NEMT TRANSPORTATION SERVICES; TO AUTHORIZE THE DEPARTMENT TO REVOKE THE PERMIT OF, OR IMPOSE FINES ON, ANY NEMT PROVIDER THAT IS FOUND TO BE NOT IN COMPLIANCE WITH THE

REQUIREMENTS AND STANDARDS SET BY THE DEPARTMENT; TO AUTHORIZE THE DEPARTMENT TO BRING ACTIONS FOR INJUNCTIONS TO ENJOIN AND PROHIBIT ANY PERSON OR ENTITY FROM PROVIDING NEMT TRANSPORTATION SERVICES IN THE STATE WITHOUT HAVING A PERMIT FROM THE DEPARTMENT; TO PROVIDE THAT ANY PUBLIC ENTITY OR PRIVATE ENTITY IN THE BUSINESS OF PROVIDING NONEMERGENCY MEDICAL TRANSPORTATION SERVICES MAY CONTINUE TO PROVIDE SUCH SERVICES WITHOUT FIRST RECEIVING A PERMIT UNTIL JULY 1, 2023, PROVIDED THAT IT COMPLIES WITH THE OTHER PROVISIONS OF THIS ACT AND THE RULES SET BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2810:** AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TERMS AND CONDITIONS FOR ALLOWING STATE EMPLOYEES TO ENGAGE IN TELEWORK; AND FOR RELATED PURPOSES.

**S. B. No. 2820:** AN ACT TO ESTABLISH THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROVIDE FUNDS TO HOSPITALS TO INCREASE TREATMENT CAPACITY RELATED TO THE COVID-19 PANDEMIC; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROMULGATE RULES AND REGULATIONS TO GOVERN THE ADMINISTRATION OF THE PROGRAM; TO ESTABLISH CERTAIN CONDITIONS ON THE USE OF FUNDS UNDER THE PROGRAM; TO REQUIRE THE DEPARTMENT OF HEALTH TO REPORT ON THE STATUS OF THE PROGRAM; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO EXEMPT THE CONSTRUCTION OR ADDITION OF INTENSIVE CARE UNITS OR NEGATIVE PRESSURE ROOMS FUNDED BY THIS PROGRAM FROM THE PROVISIONS OF THE HEALTHCARE CERTIFICATE OF NEED LAW; TO ESTABLISH THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM TO BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE PROGRAM AND ANY GRANT AWARDED UNDER THE PROGRAM SHALL BE FOR THE PURPOSE OF STRENGTHENING AND IMPROVING THE HEALTH CARE SYSTEM AND INCREASING ACCESS TO HEALTH CARE SERVICES PROVIDERS TO HELP COMMUNITIES ACHIEVE AND MAINTAIN OPTIMAL HEALTH BY PROVIDING TRANSITIONAL ASSISTANCE TO PROVIDERS; TO SPECIFY THE INFORMATION THAT APPLICANTS FOR GRANTS MUST SUBMIT TO THE DEPARTMENT; TO PROVIDE THAT APPLICANTS ARE LIMITED TO ONE APPLICATION PER BUSINESS ENTITY AND SUBSIDIARIES OF THE ENTITY ARE NOT ELIGIBLE TO SUBMIT SEPARATE APPLICATIONS; TO PROVIDE THE MAXIMUM AMOUNT OF A GRANT THAT MAY BE AWARDED TO AN APPLICANT; TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED BY APPROPRIATION OF THE LEGISLATURE FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

**S. C. R. No. 604:** A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LEGACY OF UNITED STATES ARMY KOREAN WAR CASUALTY PFC JIMMY ROWLAND OF BALDWIN, MISSISSIPPI, WHO WAS IDENTIFIED AMONG THE UNKNOWN BURIED SOLDIERS IN THE NATIONAL MEMORIAL CEMETERY OF THE PACIFIC (PUNCHBOWL) IN HONOLULU, HAWAII, AND EXTENDING THE DEEPEST SYMPATHY AND RESPECT OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 446:** AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI MAIN STREET ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE

LICENSE TAGS TO SUPPORTERS OF GAUTIER ATHLETICS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE SOUTH JONES TOUCHDOWN CLUB; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF STARKVILLE ACADEMY ATHLETICS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE PRO-LIFE BILLBOARD INITIATIVE; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF LUNG CANCER AWARENESS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ASSOCIATION OF NURSE PRACTITIONERS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE SEABEE HISTORICAL FOUNDATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SAINT STANISLAUS COLLEGE IN BAY SAINT LOUIS, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF VANCELEAVE LIVE OAK CHOCTAW; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MORTON HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE FOREST MUNICIPAL SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF LAKE HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SCOTT CENTRAL ATTENDANCE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SEBASTOPOL ATTENDANCE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF EAST RANKIN ACADEMY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF HOUSTON HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MAGNOLIA HEIGHTS SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF REGENTS SCHOOL OF OXFORD; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GARDEN CLUBS OF MISSISSIPPI, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GIRL SCOUTS OF GREATER MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF BAPTIST HEALTH FOUNDATION, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GREENE COUNTY WILDCATS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI DISC GOLF; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS THAT DISPLAY THE EMBLEMS OF UNIVERSITIES LOCATED IN OTHER STATES; TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 192, 2022 REGULAR SESSION, TO ADD THE NAME AND EMBLEM OF EACH BRANCH OF THE UNITED STATES ARMED FORCES TO THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.93, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF FEES COLLECTED FROM THE ISSUANCE OF BREAST CANCER AWARENESS DISTINCTIVE MOTOR VEHICLE LICENSE TAGS; TO AMEND SECTION 27-19-56.292, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' ASSOCIATION, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO SUCH PERSONS; TO AMEND SECTION 27-19-56.314, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO

SUPPORTERS OF THE MIND CENTER AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO AMEND SECTION 27-19-56.342, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CALLAWAY HIGH SCHOOL; TO AMEND SECTION 27-19-56.365, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JIM HILL HIGH SCHOOL; TO AMEND SECTION 27-19-56.373, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MERIDIAN HIGH SCHOOL; TO AMEND SECTION 27-19-56.402, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CHILDREN'S ADVOCACY CENTERS OF MISSISSIPPI; TO AMEND SECTION 27-19-56.442, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MEMPHIS GRIZZLIES, TO LOWER THE ADDITIONAL FEE FOR THE TAGS FROM \$50.00 TO \$30.00, AND TO DESIGNATE THE PROCEEDS FOR ST. JUDE CHILDREN'S RESEARCH HOSPITAL IN MEMPHIS, TENNESSEE; TO AMEND SECTION 27-19-56.486, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI BOOK FESTIVAL; TO AMEND SECTION 27-19-56.524, MISSISSIPPI CODE OF 1972, TO REVISE THE TYPE OF EVIDENCE THAT A PERSON MAY PRESENT WHEN APPLYING FOR A DISTINCTIVE MOTOR VEHICLE OR MOTORCYCLE LICENSE PLATE OR TAG IDENTIFYING THE PERSON AS A VETERAN; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED FEMALE VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES IDENTIFYING THEM AS FEMALE VETERANS; TO AMEND SECTION 27-19-56.3, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS AND CERTAIN FORMER MEMBERS OF THE LEGISLATURE, TO AUTHORIZE THE ISSUANCE OF A REPLICIA OF SUCH DISTINCTIVE MOTOR VEHICLE LICENSE TAG TO SUCH PERSONS; TO AMEND SECTION 27-19-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, AS AN ALTERNATIVE TO A PERSONALIZED LICENSE TAG BEING OF THE SAME COLOR AS REGULAR LICENSE TAGS, AN OWNER OF A MOTOR VEHICLE OR NONCOMMERCIAL TRAILER MAY CHOOSE A PERSONALIZED TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1163:** AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, REGARDLESS OF WHETHER A COUNTY OR MUNICIPALITY HAS ADOPTED CERTAIN CONSTRUCTION CODES, A COUNTY OR MUNICIPALITY, AS THE CASE MAY BE, SHALL REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION, AND THAT SUCH PERMITS SHALL CONTAIN ON THEIR FACE THE CONTRACTOR'S MATERIAL PURCHASE CERTIFICATE NUMBER TO THE EXTENT FURNISHED BY THE DEPARTMENT OF REVENUE AND THE CONTRACTOR'S LICENSE OR CERTIFICATE OF RESPONSIBILITY NUMBER AS REQUIRED BY CERTAIN SECTIONS OF LAW; TO AMEND SECTIONS 73-59-1, 73-59-3, 73-59-9 AND 73-59-15, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS

OF LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS, TO DEFINE THE TERMS "CONSTRUCTION MANAGER" AND "RESIDENTIAL SOLAR CONTRACTOR" FOR PURPOSES OF SUCH SECTIONS OF LAW, TO REVISE THE PERSONS OR ENTITIES THAT MUST BE LICENSED BY THE STATE BOARD OF CONTRACTORS UNDER SUCH LAWS, TO REVISE CERTAIN PROVISIONS REGARDING PENALTIES FOR PERSONS WHO UNDERTAKE TO PERFORM THE BUSINESS OF RESIDENTIAL CONSTRUCTION OR IMPROVEMENT WITHOUT FIRST HAVING A LICENSE; TO REVISE THE TYPES OF REMEDIES AVAILABLE TO SUCH PERSONS OR ENTITIES AND TO REVISE THE TYPES OF RESIDENTIAL CONSTRUCTION TO WHICH SUCH SECTIONS OF LAWS DO NOT APPLY; AND FOR RELATED PURPOSES.

**H. B. No. 1730:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. RAY FERRELL OF HARRISON COUNTY, MISSISSIPPI.

**H. B. No. 1731:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DEBORAH LEDBETTER OF HINDS COUNTY, MISSISSIPPI.

**H. B. No. 1732:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. ANNIE MAE GRANT OF HINDS COUNTY, MISSISSIPPI.

**H. B. No. 1747:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate thereupon adjourned until 10:00 AM, Thursday, April 7, 2022.

Eugene S. Clarke, Secretary of the Senate

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NINETY-FOURTH DAY, THURSDAY, APRIL 7, 2022

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate convened at 10:00 A.M., a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2063:** AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2844, 2022 REGULAR SESSION, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

**S. B. No. 2430:** AN ACT TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND PROGRAM FOR THE PURPOSE OF IMPROVING

EDUCATIONAL FACILITIES IN THE STATE; TO CREATE THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND IN THE STATE TREASURY; TO AUTHORIZE PUBLIC SCHOOL DISTRICTS TO SUBMIT APPLICATIONS TO THE DEPARTMENT OF EDUCATION FOR LOANS FROM THE FUND; TO DESIGNATE THE PURPOSES FOR WHICH LOANS MAY BE USED AND THE PERCENTAGE OF THE REVOLVING LOAN FUND TO BE MADE AVAILABLE FOR LOANS TO DIFFERENT EDUCATIONAL INSTITUTIONS; TO PROVIDE THAT ALL AMOUNTS REMAINING IN THE STATE PUBLIC SCHOOL BUILDING FUND AS OF JULY 1, 2022, SHALL BE TRANSFERRED TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO SET CERTAIN MAXIMUM LOAN AMOUNTS PER DISTRICT AND PER PROJECT; TO REQUIRE LOANS MADE TO PUBLIC ENTITIES TO BE INTEREST FREE; TO REQUIRE LOANS TO BE REPAYED IN NO MORE THAN TEN YEARS; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROMULGATE RULES FOR PUBLIC EDUCATIONAL ENTITIES PARTICIPATING IN THE PROGRAM; TO ALLOW SCHOOLS TO USE FUNDS FROM THE PROGRAM TO PAY INDEBTEDNESS FROM BONDS OR OTHER NOTES USED FOR CAPITAL IMPROVEMENT IF CERTAIN REQUIREMENTS ARE MET; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO CHANGE THE ALLOCATION THAT WAS DIVERTED TO THE STATE PUBLIC SCHOOL BUILDING FUND TO BE ALLOCATED TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTION 37-47-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER ALL AMOUNTS REMAINING IN THE STATE PUBLIC SCHOOL BUILDING FUND AS OF JULY 1, 2022, TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 37-47-11, 37-47-13, 37-47-15, 37-47-17, 37-47-19, 37-47-21, 37-47-23 AND 37-47-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE STATE PUBLIC SCHOOL BUILDING FUND AND ITS ADMINISTRATION, TO STAND REPEALED ON JULY 1, 2023; AND FOR RELATED PURPOSES.

**S. B. No. 2781:** AN ACT TO AMEND SECTION 29, CHAPTER 102, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022 TO CLARIFY AND CORRECT NAMES AND PURPOSES OF VARIOUS PROJECTS FUNDED FROM THE CAPITAL EXPENSE FUND; TO AMEND SECTION 20, CHAPTER 100, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022 TO CLARIFY THE NAME OF A RECIPIENT OF FUNDS FROM THE GULF COAST RESTORATION FUND; TO AMEND SECTION 11, CHAPTER 82, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022 TO AUTHORIZE THE ADJUTANT GENERAL TO TRANSFER CAPITAL EXPENSE FUNDS WITHIN THE MILITARY DEPARTMENT TO FACILITATE FEDERAL GRANT MATCHING REQUIREMENTS; TO AMEND SECTION 2, CHAPTER 51, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2022 TO CORRECT THE NAME OF AN EVENT FOR WHICH THE DEPARTMENT MAY PROVIDE FINANCIAL SUPPORT; TO AMEND SECTION 8, CHAPTER 46, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022 TO CHANGE THE AMOUNT THAT IS AVAILABLE IN THE SUPPORT PROGRAMS BUDGET; TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ACCRUED PERSONAL, MEDICAL AND COMPENSATORY LEAVE BALANCES EARNED BY EMPLOYEES OF THE CAPITOL POLICE SHALL BE TRANSFERRED FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 25, CHAPTER 101, LAWS OF 2021, TO REVISE THE APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022 TO REMOVE CERTAIN HIGHWAYS DESIGNATED FOR GENERAL IMPROVEMENTS, WIDENING AND/OR OVERLAY; TO AMEND SECTION 4, CHAPTER 87, LAWS OF 2021, TO REVISE THE FISCAL YEAR 2022 APPROPRIATION TO THE DEPARTMENT OF MENTAL HEALTH TO AUTHORIZE THE DEPARTMENT TO GRANT TEMPORARY COVID-19 ADJUSTMENTS TO THE COMPENSATION FOR CERTAIN EMPLOYEES FOR FISCAL YEAR 2022; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO DESIGNATE DECEMBER 31 AS THE DATE FOR CALCULATING THE

EXPOSURE CRITERION FOR CALENDAR YEARS 2020 AND 2021; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 451:** AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES DERIVED FROM THE NONADMITTED POLICY FEE SHALL NOT BE CONSIDERED PUBLIC FUNDS; TO PROVIDE, AS LONG AS THE ASSOCIATION WILL RECEIVE AT LEAST SIXTY PERCENT OF THE FEES, AN ANNUAL DIVERSION OF \$500,000.00 FROM THE NONADMITTED POLICY FEE TO THE FIRST RESPONDER HEALTH AND SAFETY TRUST FUND; TO PROVIDE, AS LONG AS THE ASSOCIATION WILL RECEIVE AT LEAST SIXTY PERCENT OF THE FEES, AN ANNUAL DIVERSION OF \$3,500,000.00 FROM THE NONADMITTED POLICY FEE TO THE ANNUAL FIRE FUND; TO REMIT TO THE ASSOCIATION FIFTY PERCENT OF ANY AMOUNT REMAINING AFTER ANY DIVERSIONS OF THE NONADMITTED POLICY FEE AND FIFTY PERCENT TO THE ANNUAL FIRE FUND; TO PROVIDE THAT IN THE EVENT THE VALUE OF THE ASSOCIATION'S TOTAL ADMITTED ASSETS, AS DEFINED BY THE AUDITED FINANCIAL STATEMENT, IS LESS THAN \$250,000,000.00, THE MONIES DIVERTED AND NOT REMITTED TO THE ASSOCIATION DURING THAT FISCAL YEAR AND SUBSEQUENT FISCAL YEARS SHALL IMMEDIATELY BE DIVERTED TO THE ASSOCIATION AND SHALL NOT BE CONSIDERED PUBLIC FUNDS; TO AUTHORIZE THE ASSOCIATION TO USE EXCESS FUNDS TO PURCHASE REINSURANCE IN AN AMOUNT THAT MAY EXCEED THE TOTAL PREMIUMS COLLECTED FROM POLICYHOLDERS; TO DELETE THE REPEALER ON THE NONADMITTED POLICY FEE; TO CREATE A NEW SECTION OF LAW TO CREATE A SPECIAL FUND TO BE DESIGNATED AS THE "MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY TRUST FUND" TO BE ADMINISTERED BY THE COMMISSIONER OF INSURANCE TO ASSIST THE STATE, MUNICIPALITIES, COUNTIES AND FIRE PROTECTION DISTRICTS WITH PROVIDING BENEFITS REQUIRED BY THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; TO CREATE A NEW SECTION OF LAW TO CREATE A SPECIAL FUND TO BE DESIGNATED AS THE "ANNUAL FIRE FUND" TO BE ADMINISTERED BY THE COMMISSIONER OF INSURANCE TO REQUEST THE STATE FISCAL OFFICER TO TRANSFER FUNDS FROM THIS FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; AND FOR RELATED PURPOSES.

**H. B. No. 1006:** AN ACT TO ENACT THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATION AND FOR THE GRANT AWARDS; TO ESTABLISH THE MISSISSIPPI HEALTH SCIENCES TRAINING INFRASTRUCTURE GRANT PROGRAM; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE STATE CORONAVIRUS STATE FISCAL RECOVERY FUND; AND FOR RELATED PURPOSES.

**H. B. No. 1423:** AN ACT TO AMEND SECTION 25-3-35, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASE IN THE ANNUAL SALARIES OF THE JUSTICES OF THE SUPREME COURT, THE JUDGES OF THE COURT OF APPEALS, THE CHANCERY AND CIRCUIT COURT JUDGES, AND THE DISTRICT ATTORNEYS, EFFECTIVE ON JANUARY 1, 2023; TO AMEND SECTION 25-31-39, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISTRICT ATTORNEYS TO EMPLOY PART-TIME LEGAL ASSISTANTS; AND FOR RELATED PURPOSES.

**H. B. No. 1424:** AN ACT TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL COMPENSATION OF CRIMINAL INVESTIGATORS; AND FOR RELATED PURPOSES.

**H. B. No. 1427:** AN ACT TO CREATE THE "MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM" TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS AS PREMIUM PAY FOR THEIR EFFORTS DURING THE COVID-19 PANDEMIC; AND FOR RELATED PURPOSES.

**H. B. No. 1538:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO. 1421, 2022 REGULAR SESSION, FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT THROUGH JUNE 30, 2023.

**H. B. No. 1595:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2023.

**H. B. No. 1600:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2023.

**H. B. No. 1605:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2023.

**H. B. No. 1606:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1426:** AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF THE ELECTED STATE AND DISTRICT OFFICERS FROM AND AFTER JANUARY 1, 2024; TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO REVISE THE CEILING ESTABLISHED FOR SALARIES OF PUBLIC OFFICERS AND EMPLOYEES; TO AMEND SECTION 5-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARY OF THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE; TO AMEND SECTION 25-3-71, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPORTING REQUIREMENT ON SALARY INCREASES FOR COUNTY ELECTED OFFICIALS; TO AMEND SECTION 25-9-133, MISSISSIPPI CODE OF 1972, TO REMOVE AN INCORRECT STATUTORY REFERENCE; TO AMEND SECTION 37-3-13, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE STATE BOARD OF

EDUCATION TO SET THE SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTIONS 47-5-20 AND 47-5-28, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 57-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SET SALARIES OF CERTAIN PERSONNEL; TO AMEND SECTION 65-1-2, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT IS NO LONGER IN EFFECT GRANTING AN EXEMPTION FROM STATE PERSONNEL BOARD PROCEDURES FOR THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 81-1-69, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARY OF THE COMMISSIONER OF BANKING AND CONSUMER FINANCE SHALL BE FIXED BY THE GOVERNOR IN CONJUNCTION WITH THE STATE COMPENSATION PLAN; TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO DESIGNATE A NEW NAME FOR THE VARIABLE COMPENSATION PLAN; TO REPEAL SECTION 25-3-34, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EDUCATION BENCHMARK AWARDS FOR APPOINTIVE STATE AND DISTRICT OFFICIALS; AND FOR RELATED PURPOSES.

**H. B. No. 1517:** AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, TO BE DISTRIBUTED TO COMMUNITY COLLEGES, INSTITUTIONS OF HIGHER LEARNING, LOCAL SCHOOL DISTRICTS, AND INDUSTRY PARTNERS FOR SHORT-TERM TRAINING PROGRAMS, EQUIPMENT, SUPPLIES, AND BELATED EXPENSES NECESSARY TO SUPPORT SUCH SHORT-TERM TRAINING PROGRAMS AND TO INCREASE THE CAPACITY OF TRAINING PROGRAMS THAT ARE ALREADY IN PLACE, SO THAT EMPLOYEES AND OTHERS WHO HAVE BEEN DISPLACED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY CAN BE MORE COMPETITIVE AND TRAINED FOR THE JOB MARKET THAT EMERGES AFTER THE COVID-19 PUBLIC HEALTH EMERGENCY, FOR ON THE JOB TRAINING AND FOR CERTAIN ADMINISTRATIVE FEES; AND FOR RELATED PURPOSES.

**H. B. No. 1518:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES, PROVIDING ASSISTANCE TO NONPROFIT MUSEUMS, AND PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION, AS PROVIDED IN HOUSE BILL NO. 453, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1521:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF PROVIDING FUNDING FOR THE NURSING AND RESPIRATORY EDUCATION INCENTIVE PROGRAM CREATED IN HOUSE BILL NO. 1005, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1542:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM, AS CREATED IN HOUSE BILL NO. 1427, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

**H. B. No. 1593:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2023.

**H. B. No. 1594:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2023.

**H. B. No. 1598:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1617:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1625:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1601:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2023.

**H. B. No. 1612:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2023.

**H. B. No. 1630:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

**H. B. No. 1664:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF ADMINISTERING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1610:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2023.

**H. B. No. 1616:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1626:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1719:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANGELA PORTER-WILLIAMS OF AMITE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1758:** Title could not be found! - Contact DP!

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 46:** A CONCURRENT RESOLUTION DESIGNATING APRIL 11-17, 2022, AS "THE PHILLIP CAMERON HENDRY MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK" TO PROMOTE AWARENESS OF THE IMPORTANCE OF EFFECTIVELY MANAGING MOSQUITOES AND THE PREVENTION OF WEST NILE VIRUS.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1597:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1608:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2023.

**H. B. No. 1609:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1629:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1599:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2023.

**H. B. No. 1602:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2023.

**H. B. No. 1604:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1624:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2023.

**H. B. No. 1627:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1421:** AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ESTABLISH A GRANT PROGRAM TO BE KNOWN AS THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM TO ASSIST RURAL WATER ASSOCIATIONS IN THE CONSTRUCTION OF ELIGIBLE DRINKING WATER INFRASTRUCTURE PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT THE PROGRAM SHALL BE FUNDED FROM APPROPRIATIONS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT UPON THE APPROVAL OF AN APPLICATION FOR A GRANT UNDER THE PROGRAM, THE DEPARTMENT SHALL ENTER INTO A PROJECT GRANT AGREEMENT WITH EACH GRANTEE TO ESTABLISH THE TERMS OF THE GRANT FOR THE PROJECT, INCLUDING THE AMOUNT OF THE GRANT; TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY THE DEPARTMENT IN CARRYING OUT ITS RESPONSIBILITIES UNDER THE GRANT PROGRAM SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

**H. B. No. 1611:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2023.

**H. B. No. 1613:** AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2023.

**H. B. No. 1614:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2023.

**H. B. No. 1628:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION,

COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate thereupon adjourned until 10:00 AM, Friday, April 8, 2022.

Eugene S. Clarke, Secretary of the Senate

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NINETY-FIFTH DAY, FRIDAY, APRIL 8, 2022

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate convened at 10:00 A.M., a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3008:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2023.

**S. B. No. 3010:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2023.

**S. B. No. 3011:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2023.

**S. B. No. 3012:** AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2023.

**S. B. No. 3013:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2023.

**S. B. No. 3018:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2023.

**S. B. No. 3019:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2023.

**S. B. No. 3023:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2023.

**S. B. No. 3025:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2023.

**S. B. No. 3034:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2023.

**S. B. No. 3044:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3049:** AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2023.

**S. B. No. 3053:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2023.

**S. B. No. 3064:** AN ACT MAKING AN APPROPRIATION FROM THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022"; TO MAKE AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ADMINISTERING THE "INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM"; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3003:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2023; AND FOR RELATED PURPOSES.

**S. B. No. 3005:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2023.

**S. B. No. 3007:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2023.

**S. B. No. 3016:** AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS;

SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2023.

**S. B. No. 3020:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2023.

**S. B. No. 3029:** AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2023.

**S. B. No. 3038:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2023.

**S. B. No. 3043:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2023.

**S. B. No. 3045:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023.

**S. B. No. 3046:** AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2023.

**S. B. No. 3048:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3028:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2023.

**S. B. No. 3047:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2023.

**S. B. No. 3051:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2023.

**S. B. No. 3052:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2023.

**S. B. No. 3054:** AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2023, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2023.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3056:** AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" CREATED IN SENATE BILL NO. 2822, 2022 REGULAR SESSION.

**S. B. No. 3060:** AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM; TO MAKE AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM.

**S. B. No. 3062:** AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT.

Joseph Thomas, Chairman

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2865:** AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ASSISTING WITH BEHAVIORAL AND MENTAL HEALTH NEEDS EXACERBATED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, RESPONDING TO OTHER PUBLIC HEALTH IMPACTS, ASSISTING COMMUNITY MENTAL HEALTH CENTERS, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT.

**S. B. No. 3004:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2023.

**S. B. No. 3006:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2023.

**S. B. No. 3009:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2023.

**S. B. No. 3015:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2023.

**S. B. No. 3017:** AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2023.

**S. B. No. 3021:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2023.

**S. B. No. 3022:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2023.

**S. B. No. 3026:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2023.

**S. B. No. 3027:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2023.

**S. C. R. No. 545:** A CONCURRENT RESOLUTION RECOGNIZING THE PUBLIC SERVICE OF LONGTIME HINDS COUNTY CIRCUIT COURT JUDGE AND FORMER STATE REPRESENTATIVE TOMIE T. GREEN ON THE OCCASION OF HER RETIREMENT.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2780:** AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2023 FROM THE CAPITAL EXPENSE FUND, CORONAVIRUS STATE FISCAL RECOVERY FUND, CAPITAL EXPENSE FUND - ARCHIVES AND HISTORY, ALCOHOLIC BEVERAGE CONTROL SPECIAL FUND, DEPARTMENT OF REVENUE GENERAL ADMINISTRATION SPECIAL FUND, SECRETARY OF STATE HELP MISSISSIPPI VOTE FUND AND STATE GENERAL FUND TO OTHER FUNDS IN THE STATE TREASURY; TO CREATE THE "CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND" AS A SPECIAL FUND IN THE STATE TREASURY TO BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING GOVERNMENT SERVICES; TO CREATE THE 2022 MAINTENANCE PROJECT FUND, THE 2022 CAPACITY PROJECT FUND, THE 2022 INFRASTRUCTURE MATCH FUND AND THE 2022 EMERGENCY ROAD AND BRIDGE FUND AS SPECIAL FUNDS IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF TRANSPORTATION FOR VARIOUS PURPOSES; TO CREATE THE "INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION WITH FUNDS APPROPRIATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO ELIGIBLE INDEPENDENT SCHOOLS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO DIRECT THE DEPARTMENT TO PROMULGATE GRANT APPLICATION REGULATIONS; TO SET THE MAXIMUM AMOUNT OF GRANT FUNDS THAT MAY BE AWARDED TO ANY ELIGIBLE INDEPENDENT SCHOOL; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCEPTIONS TO LIMITATIONS ON COUNTY EXPENDITURES DURING THE LAST YEAR OF TERMS OF OFFICE OF THE BOARDS OF SUPERVISORS TO ALLOW EXPENDITURES FOR CERTAIN ROAD AND BRIDGE PROJECTS; TO AMEND SECTION 77-5-907, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN FEES DEPOSITED INTO THE PUBLIC UTILITIES STAFF REGULATION FUND SHALL BE TRANSFERRED TO THE BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI (BEAM) FUND; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO REVISE

DEFINITIONS FOR MAIN STREET GRANTS; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS FROM THE CAPITAL EXPENSE FUND TO THE RURAL FIRE TRUCK MATCHING ASSISTANCE FUND; AND FOR RELATED PURPOSES.

**S. B. No. 2822:** AN ACT TO ESTABLISH THE "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY UTILIZING CORONAVIRUS STATE FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA); TO PROVIDE THAT SUCH GRANTS SHALL BE MADE AVAILABLE TO MUNICIPALITIES, COUNTIES AND CERTAIN UTILITIES ON A ONE-TO-ONE MATCHING BASIS AND TO PROVIDE AN ADDITIONAL GRANT TO SMALLER MUNICIPALITIES BASED ON CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS; TO PRESCRIBE ELIGIBLE PROJECTS UNDER THE GRANT PROGRAM; TO AUTHORIZE MULTIPLE ROUNDS OF WATER, WASTEWATER, AND STORMWATER INFRASTRUCTURE GRANT PROJECTS; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROMULGATE GRANT APPLICATION REGULATIONS AND ENGINEERING ASSISTANCE; TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ADMINISTER THE MCWI GRANT PROGRAM AND RETAIN ADMINISTRATIVE COSTS; TO EXEMPT DEQ FROM THE ADMINISTRATIVE PROCEDURES LAW IN PROMULGATING REQUIREMENTS FOR GRANT APPLICATIONS AND FROM OVERSIGHT BY THE PUBLIC PROCUREMENT REVIEW BOARD WHEN ENTERING INTO NECESSARY CONTRACTS FOR PROFESSIONAL SERVICES; TO PROVIDE THAT A UTILITY MAY NOT DENY WATER SERVICE SOLELY ON THE BASIS THAT THE CUSTOMER IS A MEDICAL MARIJUANA LICENSEE; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

**S. B. No. 2844:** AN ACT TO DIRECT THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION IN THE JACKSON, MISSISSIPPI, METROPOLITAN AREA; TO PROVIDE THAT LAND ACQUISITION AND WAREHOUSE DESIGN AND CONSTRUCTION SHALL BE FUNDED WITH MONIES FROM THE ABC WAREHOUSE CONSTRUCTION FUND AND SUCH OTHER MONIES AS THE LEGISLATURE MAY MAKE AVAILABLE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE WAREHOUSE; TO DIRECT THE DEPARTMENT OF REVENUE TO CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO PROVIDE THAT THE DEPARTMENT SHALL PAY REGULAR MAINTENANCE EXPENSES AND SHALL REIMBURSE THE OPERATOR FOR SERVICES PERFORMED UNDER THE CONTRACT OUT OF MONIES APPROPRIATED BY THE LEGISLATURE; TO PROVIDE REQUIREMENTS FOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS; TO SET THE TERM OF THE CONTRACT AND PROVIDE UP TO TWO OPTIONAL RENEWALS BEFORE A REQUEST FOR PROPOSALS SHALL BE REQUIRED; TO REQUIRE THE COMMISSIONER OF REVENUE TO DEVELOP A PLAN DEMONSTRATING THE METHOD BY WHICH THE STATE WOULD RESUME CONTROL OF THE WAREHOUSE UPON TERMINATION OF THE CONTRACT; TO REQUIRE THAT THE PLAN BE SUBMITTED FOR REVIEW AND COMMENT TO THE GOVERNOR AND THE LEGISLATURE; TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL DESIGNATE AN EXISTING DEPARTMENT EMPLOYEE AS A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND SHALL ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; TO REQUIRE THE CONTRACT COMPLIANCE OFFICER TO REPORT AT LEAST ANNUALLY, OR AS REQUESTED, TO THE GOVERNOR AND THE LEGISLATURE; TO CREATE THE ABC WAREHOUSE CONSTRUCTION FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF, THE WAREHOUSE; TO CREATE THE ABC

WAREHOUSE IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO ASSIST THE DEPARTMENT OF REVENUE IN PAYING THE COSTS ASSOCIATED WITH OCCASIONAL MAINTENANCE, REPAIRS, UPGRADES AND OTHER IMPROVEMENTS FOR THE WAREHOUSE AND ITS EQUIPMENT; TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS IN THE AMOUNT OF \$55,000,000.00 FOR THE ABC WAREHOUSE CONSTRUCTION FUND; TO CREATE A SPECIAL BOND SINKING FUND FOR THE PURPOSE OF PAYING THE DEBT SERVICE OF BONDS ISSUED UNDER THIS ACT; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE, AND TO ADD A \$0.25 CHARGE TO THE COST OF EACH CASE OF ALCOHOLIC BEVERAGES SHIPPED BY THE DEPARTMENT OR ITS WAREHOUSE OPERATOR, TO BE DEPOSITED INTO THE ABC WAREHOUSE IMPROVEMENTS FUND; TO PERIODICALLY SUSPEND THE CHARGE WHEN THE AMOUNT IN THE ABC WAREHOUSE IMPROVEMENTS FUND REACHES CERTAIN THRESHOLDS; TO AMEND SECTIONS 27-65-5 AND 27-65-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX ON WHOLESALE PURCHASES OF ALCOHOLIC BEVERAGES; TO AMEND SECTIONS 67-1-5, 67-1-19, 67-1-33, 67-1-41 AND 67-1-43, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 918, 2022 REGULAR SESSION, IN CONFORMITY TO THE ABOVE, AND TO REVISE CERTAIN DISTANCE RESTRICTIONS; AND FOR RELATED PURPOSES.

**S. B. No. 3002:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2023.

**S. B. No. 3014:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023.

**S. B. No. 3024:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2023.

Joseph Thomas, Chairman

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Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate thereupon adjourned until 10:00 AM, Saturday, April 9, 2022.

Eugene S. Clarke, Secretary of the Senate

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NINETY-SIXTH DAY, SATURDAY, APRIL 9, 2022

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate convened at 10:00 A.M., a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate thereupon adjourned until 10:00 AM, Sunday, April 10, 2022.

Eugene S. Clarke, Secretary of the Senate

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NINETY-SEVENTH DAY, SUNDAY, APRIL 10, 2022

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate convened at 10:00 A.M., a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Tuesday, April 5, 2022, the Senate recessed until 12:00 midnight, at which time the journal will reflect that the Senate adjourned Sine Die at 12:00 midnight, Sunday, April 10, 2022.

Eugene S. Clarke, Secretary of the Senate

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In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following messages from the Governor and Reports of Committee on Enrolled Bills were received subsequent to the Sine Die adjournment:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2507:** AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1185, 2022 REGULAR SESSION, TO PROVIDE THAT REPAYMENTS TO A PUBLIC ENTITY THAT ADVANCES FUNDS TO THE MISSISSIPPI TRANSPORTATION COMMISSION MAY NOT INCLUDE INTEREST OR OTHER FEES, AND THE TOTAL AMOUNT REPAYED SHALL NOT EXCEED THE TOTAL AMOUNT OF FUNDS ADVANCED TO THE COMMISSION; TO SPECIFY THAT THIS PROVISION DOES NOT INVALIDATE ANY EXISTING AGREEMENTS AUTHORIZED BEFORE THE EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT THE COMMISSION SHALL RETAIN THE ABILITY TO SERVICE, REFINANCE OR RESTRUCTURE ANY INDEBTEDNESS INCURRED THROUGH ANY SUCH EXISTING AGREEMENTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1353:** AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 IHL CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 STATE AGENCIES

CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEM IMPROVEMENTS REVOLVING LOAN FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE WATER POLLUTION CONTROL REVOLVING FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI DAM SAFETY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 TATE COUNTY - EROSION CONTROL AND REPAIR FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE ACE FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI BUSINESS INVESTMENT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE ECONOMIC DEVELOPMENT HIGHWAY FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE STATE BP SETTLEMENT FUND TO THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" CREATED IN THIS ACT; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO A SPECIAL FUND CREATED IN THIS ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF PROVIDING ASSISTANCE FOR CERTAIN BUSINESSES; TO CREATE THE "2022 IHL CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR INSTITUTIONS OF HIGHER LEARNING CAPITAL IMPROVEMENTS; TO CREATE THE "2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS; TO CREATE THE "2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR STATE AGENCIES CAPITAL IMPROVEMENTS; TO CREATE THE "2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR STATE AGENCIES REPAIR AND RENOVATION PURPOSES; TO CREATE THE "2022 TATE COUNTY - EROSION CONTROL AND REPAIR FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH DITCH EROSION CONTROL, REPAIR AND REHABILITATION; TO CREATE THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSES OF PROVIDING FUNDS TO ASSIST WITH VARIOUS LOCAL PROJECTS ACROSS THE STATE; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM AMOUNT OF FUNDS IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND THAT MAY BE ALLOCATED FOR CERTAIN TYPES

OF PROJECTS; TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSES FOR WHICH MONIES IN THE BUILDING FUND FOR THE ARTS MAY BE USED; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO EXPAND THE CATEGORIES OF ELIGIBLE EXPENDITURES FROM THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE GOVERNOR  
April 11, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2512:** City of Southaven; extend repeal date on restaurant tax. (April 8, 2022, 4:07 PM)

**S. B. No. 2513:** City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. (April 8, 2022, 4:07 PM)

**S. B. No. 2980:** City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc. (April 8, 2022, 4:08 PM)

**S. B. No. 2981:** Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation. (April 8, 2022, 4:08 PM)

**S. B. No. 2998:** Town of Sardis; authorize the levy of a tax on hotel, motel and restaurant sales. (April 8, 2022, 4:10 PM)

**S. B. No. 2999:** City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals. (April 8, 2022, 4:11 PM)

**S. B. No. 3000:** Warren County; authorize contributions to various organizations. (April 8, 2022, 4:12 PM)

**S. B. No. 3065:** Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.). (April 8, 2022, 4:12 PM)

**S. B. No. 3066:** Jackson County; authorize contributions to Junior Auxilliary of Pascagoula-Moss Point. (April 8, 2022, 4:12 PM)

**S. B. No. 3067:** City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year. (April 8, 2022, 4:13 PM)

**S. B. No. 3068:** City of Vicksburg; authorize contribution to American Legion Boys State Program. (April 8, 2022, 4:14 PM)

**S. B. No. 3069:** Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute. (April 8, 2022, 4:15 PM)

**S. B. No. 3202:** City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority. (April 8, 2022, 4:17 PM)

**S. B. No. 3206:** Marshall County; authorize contributions to Byhalia Area Arts Council. (April 8, 2022, 4:17 PM)

**S. B. No. 3208:** Rankin County; authorize certain road project contracts extending more than 30 days after term of current board. (April 8, 2022, 4:18 PM)

**S. B. No. 3209:** City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation. (April 8, 2022, 4:19 PM)

**S. B. No. 3211:** Meridian Public School District; authorize transfer of former school property to Meridian Housing Authority. (April 8, 2022, 4:20 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 554:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MILLICENT GUNTER OF BAYOU VIEW ELEMENTARY SCHOOL IN GULFPORT FOR RECEIVING MISSISSIPPI'S 2020 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING, WHICH IS THE HIGHEST SUCH AWARD FROM THE UNITED STATES GOVERNMENT.

**S. C. R. No. 591:** A CONCURRENT RESOLUTION DESIGNATING APRIL 2, 2022, AS "WORLD AUTISM AWARENESS DAY IN MISSISSIPPI" AND ENCOURAGING RESIDENTS OF THE STATE TO SHOW SUPPORT FOR AUTISM AWARENESS.

**S. C. R. No. 596:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "CARDINALS" BOYS GOLF TEAM AND COACH JASON COKER FOR WINNING THEIR FIRST 2021 MHSAA 3A STATE CHAMPIONSHIP IN 15 YEARS.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2723:** AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO REVISE THE WAY IN WHICH MONIES IN THE MISSISSIPPI WORKS FUND MAY BE SPENT; TO PROVIDE A MINIMUM OF \$5,000.00 FOR APPLICABILITY OF THE REQUIREMENT THAT FUNDS EXPENDED FOR CONTRACTUAL SERVICES RENDERED TO THE OFFICE OF WORKFORCE DEVELOPMENT BE PAID ONLY TO SERVICE PROVIDERS WHO HAVE BEEN SELECTED ON A COMPETITIVE BASIS; TO REVISE REQUIREMENTS FOR CONTRACTS FOR SERVICES ENTERED INTO USING FUNDS FROM THE WORKFORCE INVESTMENT FUND BANK ACCOUNT; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "EXPOSURE CRITERION" BY DESIGNATING DECEMBER 31 AS THE DATE FOR DETERMINING THE CASH BALANCE OF THE UNEMPLOYMENT COMPENSATION FUND AVAILABLE FOR THE PAYMENT OF BENEFITS FOR CALENDAR YEARS 2020 AND 2021; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO

COLLABORATE WITH THE OFFICE OF WORKFORCE DEVELOPMENT ON TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAMS RELATED TO JOB PLACEMENT, JOB TRAINING AND JOB RETENTION; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 863, 2022 REGULAR SESSION, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 TO ESTABLISH EDUCATION, TRAINING AND WORKFORCE DEVELOPMENT PROGRAMS IN COLLABORATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT AND OTHER RELEVANT STATE AND FEDERAL AGENCIES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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April 13, 2022

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2336

I am returning Senate Bill 2336: "AN ACT TO AMEND SECTION 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO EXTEND THE REPEALER ON THE AUTHORITY OF THE BOARD TO COLLECT PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN; AND FOR RELATED PURPOSES."

The proposed amendments to Mississippi Code § 25-15-15 contained in Senate Bill 2336 are duplicative of the proposed amendments to this statute contained in House Bill 155. Today, I have signed House Bill 155 into law. Thus, I am vetoing Senate Bill 2336.

Respectfully submitted,

TATE REEVES  
GOVERNOR

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MESSAGE FROM THE GOVERNOR  
April 14, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2007:** Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture. (April 13, 2022, 3:56 PM)

**S. B. No. 2010:** Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. (April 13, 2022, 3:57 PM)

**S. B. No. 2029:** Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal. (April 13, 2022, 3:58 PM)

**S. B. No. 2034:** Intestacy; revise provisions for venue. (April 13, 2022, 3:59 PM)

**S. B. No. 2076:** Derelict vessels; provide certain requirements for the removal of. (April 13, 2022, 3:59 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 18, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2223:** Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs. (April 14, 2022, 3:11 PM)

**S. B. No. 2245:** Voyeurism; revise sentencing. (April 14, 2022, 3:13 PM)

**S. B. No. 2246:** Electronic search warrants; authorize issuance of in investigations of certain sex offenses against children. (April 14, 2022, 3:14 PM)

**S. B. No. 2263:** Chancery court; revise provisions concerning adoption and name change of incarcerated persons. (April 14, 2022, 3:18 PM)

**S. B. No. 2273:** Probation and parole; authorize an offender's employer to submit regular information in lieu of in-person meetings. (April 14, 2022, 3:22 PM)

**S. B. No. 2321:** Human trafficking; create civil cause of action for engaging in or benefitting from. (April 14, 2022, 3:25 PM)

**S. B. No. 2335:** State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year. (April 14, 2022, 3:32 PM)

**S. B. No. 2358:** Candidate filing fees; authorize the state executive committee of a party to determine. (April 14, 2022, 3:40 PM)

**S. B. No. 2422:** Education Enhancement Fund; revise date of issuance and distribution of procurement cards or digital solutions for classroom supplies. (April 14, 2022, 3:40 PM)

**S. B. No. 2424:** School district employee payroll; allow monthly or bimonthly payments. (April 14, 2022, 3:43 PM)

**S. B. No. 2476:** Shellfish aquaculture farms; authorize Department of Marine Resources to license. (April 14, 2022, 3:50 PM)

**S. B. No. 2511:** Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement. (April 14, 2022, 3:51 PM)

**S. B. No. 2519:** Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle. (April 14, 2022, 3:53 PM)

**S. B. No. 2725:** Medical records; require health care providers to provide within 30 days of patient's or their representative's request. (April 14, 2022, 3:58 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. C. R. No. 580:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE FOOTBALL TEAM AND COACH BENJY PARKER FOR WINNING CONSECUTIVE STATE CHAMPIONSHIP TITLES IN THE MISSISSIPPI ASSOCIATION OF COMMUNITY COLLEGES CONFERENCE.

Joseph Thomas, Chairman

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MESSAGE FROM THE GOVERNOR  
April 19, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2158:** Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. (April 18, 2022, 1:35 PM)

**S. B. No. 2159:** Mississippi Flexible Tax Incentive Act; create. (April 18, 2022, 1:43 PM)

**S. B. No. 2338:** DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor. (April 18, 2022, 1:22 PM)

**S. B. No. 2421:** Physician grant funding from Qualified Health Center Grant Program; extend date of funding. (April 18, 2022, 2:28 PM)

**S. B. No. 2505:** Hunting and fishing licenses; allow inclusion of organ donor registration. (April 18, 2022, 1:36 PM)

**S. B. No. 2508:** Personal delivery devices; regulate. (April 18, 2022, 10:00 AM)

**S. B. No. 2517:** Commercial motor vehicles; authorize voluntary inspection program. (April 18, 2022, 2:35 PM)

**S. B. No. 2525:** MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property. (April 18, 2022, 11:00 AM)

**S. B. No. 2545:** Scrap metal; revise provisions of and prescribe certain conditions for the purchase of detached catalytic converters. (April 18, 2022, 11:53 AM)

**S. B. No. 2600:** Recidivism; create study committee to review means to reduce through support, supervision and skills attainment. (April 18, 2022, 8:04 AM)

**S. B. No. 2620:** Public records; award attorney's fees for duplicative requests. (April 18, 2022, 2:50 PM)

**S. B. No. 2649:** Mississippi National Guard retired list; clarify placement of federally recognized officers or men on. (April 18, 2022, 1:34 PM)

**S. B. No. 2669:** Insurance company licenses; perpetual until revoked or forfeited. (April 18, 2022, 2:55 PM)

**S. B. No. 2690:** Mississippi Intercollegiate Athletics Compensation Act and Mississippi Uniform Agents act; revise various provisions of. (April 18, 2022, 12:00 PM)

**S. B. No. 2735:** Pilot freestanding emergency room; require the Department of Health to issue not more than five licenses. (April 18, 2022, 8:00 AM)

**S. B. No. 2738:** Health insurance; revise mandated coverage for telemedicine services. (April 18, 2022, 9:30 AM)

**S. B. No. 2747:** Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27-71-5(d). (April 18, 2022, 2:59 PM)

**S. B. No. 2770:** Income tax; extend repealer on job tax credit for certain water transportation enterprises. (April 18, 2022, 3:00 PM)

**S. B. No. 2887:** School Boards; allow to purchase electric vehicles for student transportation. (April 18, 2022, 11:21 AM)

**S. B. No. 2893:** Jackson State University; authorize public/private partnership to develop property owned by JSU Development Foundation. (April 18, 2022, 11:29 AM)

**S. B. No. 2899:** Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider. (April 18, 2022, 11:31 AM)

**S. B. No. 2913:** Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury. (April 18, 2022, 11:15 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 20, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2781:** Appropriations; make various corrections to FY2022 appropriations bills. (April 18, 2022, 12:01 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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SENATE JOURNAL  
SUNDAY, APRIL 10, 2022MESSAGE FROM THE GOVERNOR  
April 20, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2723:** Office of Workforce Development; revise how MS Works funds may be spent by and certain collaborations with. (April 20, 2022, 11:25 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

MESSAGE FROM THE GOVERNOR  
April 21, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2371:** Purchasing law; revise threshold for bid requirement and clarify use of reverse auction. (April 18, 2022, 3:45 PM)

**S. B. No. 2430:** Educational Facilities Revolving Loan Fund Program; create for purpose of improving educational facilities. (April 18, 2022, 11:56 AM)

**S. B. No. 2509:** Outdoor advertising signs; revise height limit provisions. (April 18, 2022, 1:32 PM)

**S. B. No. 2739:** Nonemergency medical transportation providers; require permit and set certain standards related to such service. (April 18, 2022, 3:56 PM)

**S. B. No. 2810:** State employees; provide the terms and conditions for state employees to engage in telework. (April 18, 2022, 11:34 AM)

**S. B. No. 3018:** Appropriation; Emergency Management Agency. (April 18, 2022, 4:05 PM)

**S. B. No. 3020:** Appropriation; Veterans Affairs Board and Homes. (April 18, 2022, 4:10 PM)

**S. B. No. 3021:** Appropriation; Ethics Commission. (April 18, 2022, 8:02 AM)

**S. B. No. 3043:** Appropriation; Audit, Department of. (April 18, 2022, 4:15 PM)

**S. B. No. 3046:** Appropriation; Governor's Office and Mansion. (April 18, 2022, 8:05 AM)

**S. B. No. 3047:** Appropriation; Information Technology Services, Department of. (April 18, 2022, 11:25 AM)

**S. B. No. 3052:** Appropriation; Secretary of State. (April 18, 2022, 3:55 PM)

**S. B. No. 3054:** Appropriation; Debt Service-Gen. Obli. (April 18, 2022, 8:03 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 21, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2063:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. (April 19, 2022, 10:36 AM)

**S. B. No. 2319:** Child support; authorize DHS to satisfy arrearages with unclaimed property. (April 19, 2022, 2:22 PM)

**S. B. No. 2507:** MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees. (April 19, 2022, 11:13 AM)

**S. B. No. 2543:** Department of Public Safety; revise provisions related to. (April 19, 2022, 10:33 AM)

**S. B. No. 2844:** Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permit. (April 19, 2022, 10:46 AM)

**S. B. No. 2865:** Appropriation; Mental Health, Department of-ARPA funds. (April 19, 2022, 10:50 AM)

**S. B. No. 2879:** Mississippi Voting Modernization Act; enact. (April 19, 2022, 10:35 AM)

**S. B. No. 3003:** Appropriation; IHL - Subsidiary programs. (April 19, 2022, 2:53 PM)

**S. B. No. 3004:** Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. (April 19, 2022, 2:54 PM)

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. (April 19, 2022, 2:55 PM)

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service. (April 19, 2022, 2:56 PM)

**S. B. No. 3007:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. (April 19, 2022, 2:57 PM)

**S. B. No. 3008:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. (April 19, 2022, 2:58 PM)

**S. B. No. 3009:** Appropriation; IHL - Student Financial Aid. (April 19, 2022, 3:00 PM)

**S. B. No. 3011:** Appropriation; Community and Junior Colleges Board - Administrative expenses. (April 19, 2022, 3:01 PM)

**S. B. No. 3012:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. (April 19, 2022, 3:03 PM)

**S. B. No. 3013:** Appropriation; Corrections, Department of. (April 19, 2022, 11:00 AM)

**S. B. No. 3014:** Appropriation; Public Safety, Department of. (April 19, 2022, 3:05 PM)

**S. B. No. 3016:** Appropriation; Fair and Coliseum Commission - Livestock shows. (April 19, 2022, 3:06 PM)

**S. B. No. 3017:** Appropriation; Animal Health, Board of. (April 19, 2022, 11:02 AM)

**S. B. No. 3019:** Appropriation; Military Department. (April 19, 2022, 3:07 PM)

**S. B. No. 3022:** Appropriation; Judicial Performance Commission. (April 19, 2022, 3:08 PM)

**S. B. No. 3023:** Appropriation; Employment Security, Department of. (April 19, 2022, 3:11 PM)

**S. B. No. 3024:** Appropriation; Revenue, Department of. (April 19, 2022, 3:12 PM)

**S. B. No. 3025:** Appropriation; Tax Appeals Board. (April 19, 2022, 3:16 PM)

**S. B. No. 3026:** Appropriation; Workers' Compensation Commission. (April 19, 2022, 3:17 PM)

**S. B. No. 3027:** Appropriation; Mental Health, Department of. (April 19, 2022, 11:07 AM)

**S. B. No. 3029:** Appropriation; Tennessee-Tombigbee Waterway Development Authority. (April 19, 2022, 11:08 AM)

**S. B. No. 3034:** Appropriation; Pharmacy, Board of. (April 19, 2022, 11:09 AM)

**S. B. No. 3038:** Appropriation; Gaming Commission. (April 19, 2022, 3:17 PM)

**S. B. No. 3044:** Appropriation; Banking and Consumer Finance, Department of. (April 19, 2022, 3:18 PM)

**S. B. No. 3053:** Appropriation; Treasurer's Office. (April 19, 2022, 3:19 PM)

**S. B. No. 3064:** Appropriation; to DFA for the MAICU and Ind K-12 Grant Program, - ARPA funds. (April 19, 2022, 10:40 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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April 21, 2022

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2306

I am returning Senate Bill 2306: "AN ACT TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO TRANSFER THE AUTHORITY OF THE MISSISSIPPI ETHICS COMMISSION TO ASSESS A CIVIL PENALTY AGAINST ANY CANDIDATE OR POLITICAL COMMITTEE FOR FAILURE TO FILE A REPORT TO THE SECRETARY OF STATE; TO DELETE THE PROVISIONS THAT PROVIDES FOR A HEARING FOR A CANDIDATE OR POLITICAL COMMITTEE BEFORE THE STATE BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR AN APPEAL PROCEDURE FOR THOSE CANDIDATES WHO ARE ASSESSED A CIVIL PENALTY BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR REPORTS THAT WOULD OTHERWISE BE DUE ON A WEEKEND OR LEGAL HOLIDAY SHALL BE DUE ON THE NEXT WORKING DAY AFTER THE DUE DATE; AND FOR RELATED PURPOSES."

Senate Bill 2306 amends Miss. Code § 23-15-813 to transfer from the Mississippi Ethics Commission to the Mississippi Secretary of State the power to assess civil penalties against any candidate or political committee that fails to timely file a required campaign finance disclosure report, or a report that does not substantially comply with statutory requirements. In addition, Senate Bill 2306 removes the statutory right of a candidate or political committee assessed a civil penalty to seek administrative review of the penalty by a hearing officer(s) appointed by the State Board of Election Commissioners prior to filing an appeal in the Circuit Court.

In 2017, a bipartisan group of Senators authored comprehensive legislation to reform Mississippi's campaign finance disclosure laws (Senate Bill 2689, Regular Session 2017). A key component of these reforms was transferring from the Mississippi Secretary of State, an elected official, to the Mississippi Ethics Commission, an appointed public body, the power to assess fines and evaluate the sufficiency of campaign finance disclosure reports. This legislation passed the full Senate 52-0.

I believed then, as I believe now, that the assessment of penalties for violations of campaign finance disclosure laws should be made by an appointed public body not subject to such laws, as opposed to a single elected official who is subject to such laws. The Mississippi Ethics Commission is comprised of eight members with staggered four-year terms, two of which are appointed by each of the following elected public officials: Governor, Lieutenant Governor, Speaker of the Mississippi House of Representatives and Chief Justice of the Mississippi Supreme Court. Thus, the members of the Mississippi Ethics Commission are insulated from the elections process. To be clear, this is not a reflection on any current officeholder. However, the potential for abuse of power by the eight member Ethics Commission is far less when juxtaposed with a single elected official who could seek to unscrupulously weaponize the power to further his political ambitions.

Additionally, I believe it is prudent to provide an administrative avenue to seek review of the assessment of a civil penalty prior to requiring the candidate or political committee to file an appeal in the Circuit Court. Such an administrative process provides a more timely and cost effective mechanism for an aggrieved party to seek review of the assessment of a penalty.

For these reasons, I am vetoing Senate Bill 2306.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 21, 2022, 1:09 PM)

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April 21, 2022

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2530

I am returning Senate Bill 2530: AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES, ATTORNEY GENERAL AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2022; TO PROVIDE THAT FROM AND AFTER JULY 1, 2022, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, ATTORNEY GENERAL, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; AND FOR RELATED PURPOSES.

Senate Bill 2530 amends Miss. Code Ann. § 25-53-201 to requires the Mississippi Department of Information Technology Services to compile and record incidences of demand for payment as result of ransomware attacks made against state agencies and other governing authorities and provide a report of same to various members of the Mississippi Legislature. Thereafter by November 1, 2022, the Mississippi Department of Information Technology Services must make a further yearly summary report of such incidences to the same members of the Mississippi Legislature.

It is certain that malicious cyber-attacks and other vulnerabilities such as ransomware are continually evolving and escalating. Enhanced cybersecurity mitigation strategies and solutions are therefore needed not only to protect and defend, but to prepare and equip, the state, its agencies and other governing authorities. I applaud and share the intent of Senate Bill 2530 and both its concern to prepare and protect state agencies and other governing authorities and their associated information systems as well

as the need to expand and enhance coordinated oversight over such cybersecurity events and threats.

The risk of publication or disclosure of the reports and related work on such potential vulnerabilities, even from inadvertent dissemination, can lead to further threats and exploitation of such vulnerabilities. For such work to continue, its confidentiality and protection is essential. Accordingly, it is essential to ensure that the security and confidentiality of the entire ransomware reporting contemplated by Senate Bill 2530 including ransomware and all other related cyber vulnerabilities submitted by agency reporting as well as the subsequent reports compiled and submitted by the Mississippi Department of Information Technology Services be clearly and statutorily protected as a matter of law under provisions such as Miss. Code Ann. § 25-61-11.2 and § 25-53-201(f).

Additionally, while collecting and reporting such events established in Senate Bill 2530 is an important step, cybersecurity is broader than statewide concerns. It is national and frequently international in scope, requiring additional coordination from other offices and stakeholders, such as the Mississippi Office of Homeland Security and the coordinated federal as well as other state resources they can bring to ensure wider cooperation and more effective assessment and implementation of cybersecurity measures.

Despite important goals and intent proposed by Senate Bill 2530, for the reasons above, I am compelled at this time to veto the bill. I encourage all stakeholders to come together to revisit this important issue of state-wide importance prior to the 2023 Legislative session and reach consensus on a unified approach that addresses these concerns with all resources and stakeholders engaged and with all appropriate security and confidentiality measures clearly established.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 21, 2022, 1:08 PM)

April 21, 2022

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2536

I am returning Senate Bill 2536: "AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO QUALIFIED ELECTORS; AND FOR RELATED PURPOSES."

As introduced, Senate Bill 2536 sought to create the "Mississippi Public Funds Offender Registry Act." The purpose of the bill was to create a publicly available online registry of offenders convicted of any felony in which public funds were unlawfully taken, obtained or misappropriated in the abuse or misuse of the person's office in order to enable state, county, municipal or other political subdivision to comply with Miss. Code Ann. § 25-1-113's prohibition on employing such offenders. Importantly, the bill sought to adopt a definition for "registrable offense" to enumerate the criminal offenses that are subject to registration and the disqualifying provisions of Miss. Code Ann. § 25-1-113. Following passage by the Senate, the House passed an amended version of Senate Bill 2536 and placed a revers repealer into the bill to ensure it would go to conference.

On March 28, 2022, the Conference Report was filed for Senate Bill 2536. In addition to creating the much-needed Public Funds Offender Registry and clarifying the related law, the final section of the conference report added a completely unrelated code section and proposed a significant change to Mississippi's voting laws--a change that is unsupported by and arguably inconsistent with express provisions of the Mississippi Constitution. Specifically, the conference report added Miss. Code Ann. § 99-19-71 and proposed "clarifying" amendments to this statute to automatically return voting rights to persons convicted of a disenfranchising crime (as defined by Section 241 of the Mississippi Constitution) upon the expungement of the conviction for such crime. Notably, such amendments to Miss. Code Ann. § 99-19-71 (and other statutes precluding such convicted felons from registering to vote) were proposed this Legislative session in House Bill 630 but died in a Senate Committee.

Felony disenfranchisement is an animating principle of the social contract at the heart of every great republic dating back to the founding of ancient Greece and Rome. In America, such laws date back to the colonies and the eventual founding of our Republic. Since statehood, in one form or another, Mississippi law has recognized felony disenfranchisement, both before and after the United States Constitution expressly authorized the practice. Section 241 of the Mississippi Constitution enumerates a series of disenfranchising crimes, including murder, rape, bribery, theft, arson and embezzlement.

The Mississippi Constitution provides two separate mechanisms for a person convicted of a disenfranchising crime to regain voting rights. First, Section 124 empowers the Governor to grant a pardon to a person convicted of a disenfranchising crime which relieves the person pardoned from the legal consequences of the crime. Second, Section 253 empowers the Legislature to return the right of suffrage to any disqualified person upon a two-thirds vote by both houses and approval by the Governor. No provision of the Mississippi Constitution authorizes a person convicted of a disenfranchising crime to regain the right to vote upon expungement of the conviction for such crime.

In recent years, attempts have been made to amend the Mississippi Constitution to add additional avenues to return suffrage to persons convicted of disenfranchising crimes. Each of these prior attempts to amend the Mississippi Constitution has failed. For example, this past session House Concurrent Resolution Number 20 was offered to amend Section 253 of the Mississippi Constitution to automatically restore suffrage to persons convicted of nonviolent disenfranchising crimes five year after completion of their sentence. In 2013, House Concurrent Resolution Number 32 proposed to amend Section 253 of the Mississippi Constitution to automatically restore suffrage to all first-time offenders convicted of any disenfranchising crime upon completion of their sentence, and to amend Section 241 to conform.

If the Mississippi Legislature wishes to create an additional avenue to return suffrage to persons convicted of disenfranchising crimes, the appropriate mechanism to

do so is by constitutional amendment pursuant to Section 273 of the Mississippi Constitution. Such a constitutional amendment would require approval by 2/3 of the members of each house and a majority vote of the people. I do not believe it is prudent or appropriate to utilize a general law, that may be passed by a bare majority of the members of each house and signed by the governor, to supplement the procedures established by the Mississippi Constitution for persons convicted of a disenfranchising crime to regain voting rights. Such a significant change in Mississippi's voting laws should require the approval of both a super majority of the members of the Legislature and a majority vote of the people.

With all due respect, Senate Bill 2536 is not an attempt to "clarify" existing law, but rather an attempt to affect a significant and unwise change to Mississippi's voting laws. Thus, I am compelled to veto Senate Bill 2536.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 21, 2022, 1:12 PM)

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MESSAGE FROM THE GOVERNOR  
April 22, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2437:** Central Mississippi Correctional Facility; authorize pilot work initiative. (April 21, 2022, 10:14 AM)

**S. B. No. 2461:** Landlord-tenant law; revise provisions of to create procedures and protection for evictions. (April 21, 2022, 8:48 PM)

**S. B. No. 2700:** IHL; extend repealer date and create the Mississippi Association of Independent Colleges and Universities Grant Program. (April 21, 2022, 3:55 PM)

**S. B. No. 2898:** Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date. (April 21, 2022, 10:11 PM)

**S. B. No. 3015:** Appropriation; Agriculture and Commerce, Department of. (April 21, 2022, 10:19 AM)

**S. B. No. 3028:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of. (April 21, 2022, 10:20 AM)

**S. B. No. 3055:** Appropriations; additional appropriations for various state agencies. (April 21, 2022, 10:01 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 22, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2120:** Department of Public Safety; revise salaries of officers. (April 22, 2022, 8:02 AM)

**S. B. No. 2357:** Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance. (April 22, 2022, 8:00 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

April 22, 2022

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

**S.B. No. 2077:** Mississippi Healthy Food Families Program; create.

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR

April 25, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2820:** COVID-19 Hospital Expanded Capacity Program; create and require MDOH to establish and administer. (April 25, 2022, 4:36 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR

April 26, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2780:** Budget; provide for various transfers, create several special funds, and create Independent Schools Infrastructure Grant Program. (April 19, 2022, 10:40 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 26, 2022

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2822:** "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022"; establish. (April 26, 2022, 1:42 PM)

**S. B. No. 3002:** Appropriation; IHL - General support. (April 26, 2022, 10:20 AM)

**S. B. No. 3045:** Appropriation; Finance and Administration, Department of. (April 26, 2022, 3:29 PM)

**S. B. No. 3048:** Appropriation; Development Authority, Mississippi. (April 26, 2022, 10:16 AM)

**S. B. No. 3049:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. (April 26, 2022, 9:48 AM)

**S. B. No. 3051:** Appropriation; Personnel Board. (April 26, 2022, 10:03 AM)

**S. B. No. 3056:** Appropriation; additional to Environmental Quality for the MS MCWI Grant Program-ARPA funds. (April 26, 2022, 1:27 PM)

**S. B. No. 3060:** Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds. (April 26, 2022, 3:28 PM)

**S. B. No. 3062:** Appropriation; additional to DFA-Bureau of Building,-ARPA Funds. (April 26, 2022, 1:25 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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April 26, 2022

TO THE MISSISSIPPI SENATE

GOVERNOR'S PARTIAL VETO MESSAGE FOR SENATE BILL 3010

I am returning Senate Bill 3010: "AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2023" partly approved and partly

not approved pursuant to Article IV, Section 73 of the Mississippi Constitution as an “exercise of the authority endowed the office of the Governor by the people of Mississippi in our Constitution.” *Governor Reeves v. Representative Gunn and Representative White*, 307 So.3d 436, 439-442 (Miss. 2020).

I am vetoing Section 24 (Lines 153-214) providing a \$50,000,000 appropriation to the University of Mississippi Medical Center for the purpose of capital improvements to the patient care facilities and operating suites of the Adult Hospital at the University of Mississippi Medical Center.

Article IV, Section 73 of the Mississippi Constitution states: “The Governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law.” The removal of this separate, distinct and complete appropriation does not affect any other appropriations in Senate Bill 3010. See *Reeves*, 307 So.3d at 442.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 26, 2022, 3:35 PM)

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. C. R. No. 501:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING PHILADELPHIA, MISSISSIPPI, AUTOMOBILE DEALER BILL GRIFFIS UPON HIS NOMINATION FOR THE PRESTIGIOUS 2022 TIME DEALER OF THE YEAR AWARD RECOGNIZING HIS COMMUNITY SERVICE AND INDUSTRY ACCOMPLISHMENTS.

Joseph Thomas, Chairman

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**PART I**

Senate Bill and Resolution Introduction by Number

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**PART III**A History of Actions on All Legislative  
Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

## EXPLANATION OF ABBREVIATIONS

ap - Approved by Governor	mrf - Motion to reconsider failed
ca - Conference committee appointed	mrp - Motion to reconsider prevailed
caa - Co-author added	mrt - Motion to reconsider tabled
caaw - Co-author withdrawn	msrp - Motion to suspend rules prevailed
car - Conferees resigned	nca - New conferee(s) appointed
cg - Conference granted	ph - Passed House
Ch. - Chapter of laws	po - Point of order
cr - Committee Report	pq - Previous question
cra - Conference report adopted	pv - Partial veto
crah - Conference report adopted by House	rbr - Request bill to be read
crf - Conference report failed	rc - Recommitted
cro - Conference report offered	rcc - Recommit conf.report for further conf.
csa - Committee substitute adopted	rco - Resumed consideration of
csf - Committee substitute failed	rf - Referred
cso - Committee substitute offered	rh - Received from House
cu - Called up for consideration	ru - Ruling
ev - Explanation of vote	s - Submitted
hc - House concurred in Senate amendment	sc - Senate concurred in House amendments
hdc - House declined to concur, invited conf., named conf.	sdcc - Senate declined to concur and invited conference
hrcc - House recommitted conf. report for further conference	sp - Signed by the President
i - Introduced and referred	uc - Unanimous consent
lp - Left pending	uco - Object to unanimous consent
lws - Law without signature	v - Yea and nay vote
mr - Motion to reconsider entered	vp - Paired vote
mrc - Motion to reconsider called up	vt - Vetoed

**A. SENATE BILLS**

## S. B. No.

- 2001 - (Rules) Mississippi congressional districts; reapportion. Kirby. cr21; i23; cu340; rc340.
- 2002 - (Agriculture) "Mississippi Grain Producer Indemnity Act"; enact. Younger, et al. i38; cr562; cu693; v693; caa693.
- 2003 - (Elections; Accountability, Efficiency, Transparency) Campaign finance reports; to be available on county and municipal websites. Hill. i39.
- 2004 - (Public Property) Public lands; extend repealer on section prescribing who may purchase. Turner-Ford, et al. i39; cr584; cu701; v702; caa702; ph1481; sp1796; ap2222.
- 2005 - (Public Property) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Hill. i39.
- 2006 - (Public Property) Columbia Training School property; DFA may transfer portion of to the Marion County Board of Supervisors. Hill. i39.
- 2007 - (Agriculture) Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture. McCaughn, et al. i39; cr562; cu693; v693; ph1799; sdc2429; ca3059; cg3124; crah3259; cro3474; cra3476; v3476; caa3476; sp3932; ap4606.
- 2008 - (Agriculture; Finance) Sales tax; require Department of Revenue certificate for commercial farmers to receive 1.5% sales tax rate. Younger, et al. i39.
- 2009 - (Highways and Transportation) Highways; include Old State Highways 6 and 9 in Pontotoc County in the state highway system. Chism. i40.
- 2010 - (Wildlife, Fisheries and Parks) Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. Blackwell. i40; cr551; cu628; v628; ph1680; sdc2246; ca3022; cg3136; cro3339; cra3339; v3339; crah3352; sp3612; ap4606.
- 2011 - (Judiciary, Division A) Child abuse or neglect; provide for civil liability false reports of. Hill. i40.
- 2012 - (Insurance) Mississippi Health Care Cost Transparency Act; enact. Hill. i40.
- 2013 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Practice of surveying; exclude certain activities from the definition of. Hill. i40.
- 2014 - (Judiciary, Division A) MS Public Records Act; prohibit confidentiality of settlement agreement. Hill. i40.
- 2015 - (Judiciary, Division A) Youth court records; provide that parents have right to redacted copies. Hill. i41; cr590.
- 2016 - (Judiciary, Division A) Guardianship; clarify a parent's right to nominate a guardian in TPR proceedings and clarify the fictive kin disposition alternative. Hill. i41.

- 2017 - (County Affairs; Judiciary, Division A) Counties; authorize civil debt for cost of cleaning real property. Hill. i41.
- 2018 - (Business and Financial Institutions) MS Department of Banking and Consumer Finance conduct periodic joint-bank examinations; extend repealer. Caughman. i41; cr338; cu606; csa606; v606; ph1481; sp1796; ap2222.
- 2019 - (Business and Financial Institutions) Mississippi Debt Management Services Act; extend repealer. Caughman. i41; cr338; cu670; v670.
- 2020 - (Insurance; Accountability, Efficiency, Transparency) Workers' Compensation; vaccine-related accidents or injuries shall be compensable. Hill. i41.
- 2021 - (Judiciary, Division A) Concealed-carry license; 18-year-old with instructor certification qualifies for enhanced. Hill. i42.
- 2022 - (Judiciary, Division A) Domestic abuse; allow protection of pets in a protection order. Hill. i42.
- 2023 - (Judiciary, Division A) Eminent domain; provide compensation for the loss of a business's goodwill. Hill. i42.
- 2024 - (Insurance) Travel Insurance Act of 2022; create. Blackwell, et al. i42; cr330; cu605; v605; caa605; ph1682.
- 2025 - (Municipalities) Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. Blackwell. i42.
- 2026 - (Judiciary, Division A) Guardian ad litem fees; failure to pay enforced as any other civil debt. Hill. i43.
- 2027 - (Highways and Transportation) Memorial highways; designate bridge on MS-590 in Covington County for deceased Vietnam veteran Sgt. Joseph Blackwell. Fillingane. i43.
- 2028 - (Highways and Transportation) Designated bridges; name in honor of Zack Stewart. Chism. i43; cr551; msrp628; cu629; v629.
- 2029 - (Agriculture) Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal. Younger. i43; cr562; cu675; v675; ph1680; sdc2246; ca3059; cg3124; crah3259; cro3476; cra3477; v3477; sp3935; ap4606.
- 2030 - (County Affairs) Cleaning private property; revise county procedures used to clean property adjudicated a menace to public health and safety. Blackwell. i43.
- 2031 - (Insurance) Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. Blackwell. i43.
- 2032 - (Judiciary, Division A) Justice court; revise jurisdictional amount. Jackson (11th). i44.
- 2033 - (Medicaid) Recipients of Medicaid; extend postpartum coverage up to 12 months. Blackwell, et al. i44; cr549; msrp617; cu617; v617; caa617; mr618; mrc669; mrt669.

- 2034 - (Judiciary, Division A) Intestacy; revise provisions for venue. McCaughn. i44; cr562; cu678; v678; ph1799; sdc3016; ca3056; cg3211; cro3477; cra3477; v3477; crah3573; sp4150; ap4607.
- 2035 - (Judiciary, Division A) Notaries public; revise maximum fee and residency requirements. McCaughn. i44.
- 2036 - (Judiciary, Division A; Accountability, Efficiency, Transparency) DA criminal investigators; revise allocation and compensation of. Fillingane. i44.
- 2037 - (Insurance) Genetic information; limit use of in certain insurance policies. Boyd, et al. i44.
- 2038 - (Municipalities; Energy) Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. Blount. i44.
- 2039 - (Business and Financial Institutions) Real estate appraisal management companies; extend repealer on registration provisions. Caughman. i45; cr338; cu670; v670; ph1481; sp1796; ap2222.
- 2040 - (Judiciary, Division B) Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator. Jackson (11th). i45.
- 2041 - (Judiciary, Division B) Suffrage; restore suffrage to Vedo Kyles. Thomas. i45.
- 2042 - (Judiciary, Division B) Firearms; clarify that possession of multiple firearms shall subject felon to multiple charges. McCaughn, et al. i45.
- 2043 - (Education) Local school board members; prescribe salary scale based on school district student enrollment. Blackwell. i45.
- 2044 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Shoplifting; provide that second offense within 5 years shall be a felony. Hill. i45.
- 2045 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Anti-Covid Vaccine Mandate Act; create. Fillingane. i45.
- 2046 - (Labor; Accountability, Efficiency, Transparency) Mississippi Pregnant Workers Fairness Act; create. Turner-Ford. i46.
- 2047 - (Education) Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. Blackwell. i46.
- 2048 - (Education) Local school board members; prescribe salary scale based on school district student enrollment. Blackwell. i46.
- 2049 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Vaccinations; disclose information statements upon request and create medical exemption. Hill. i46.
- 2050 - (Public Health and Welfare) Birth Certificates; require certain information be included. Hill. i46.
- 2051 - (Accountability, Efficiency, Transparency) Appointments to executive agency boards; to be made from current Mississippi congressional districts. Hill. i46.

- 2052 - (Accountability, Efficiency, Transparency) Occupational Licensing Review Commission; may review existing regulations to ensure compliance with state policy. Hill. i46.
- 2053 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Village of Eden for improvement of water and sewer system. Thomas. i47.
- 2054 - (Accountability, Efficiency, Transparency) Occupational Licensing Review Commission; require supervision of civil actions brought by occupational licensing boards. Hill. i47.
- 2055 - (Finance; Accountability, Efficiency, Transparency) Sales tax; create diversion to counties. Hill. i47.
- 2056 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Rolling Fork for improvement of water system. Thomas. i47.
- 2057 - (Appropriations) Appropriation FY2023; West Central Mississippi Incubator Grant Program. Thomas. i47.
- 2058 - (Accountability, Efficiency, Transparency) PERS; allow water authorities and MS Rural Water Association to join. Younger. i47.
- 2059 - (Accountability, Efficiency, Transparency) Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. Jackson (11th). i47.
- 2060 - (Appropriations) Appropriation FY 2023; to University of Mississippi Medical Center for fire protection. Blount. i47.
- 2061 - (Accountability, Efficiency, Transparency) State agencies; transfer MS Athletic Commission and Civil War Sesquicentennial Commission to Secretary of State. Boyd. i48.
- 2062 - (Finance) Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. Blount. i48.
- 2063 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. McCaughn. i48; cr556; cu667; v668; ph1799; sdc2430; ca3022; cg3086; hrcc3378; rcc3384; msrp3879; cro3879; cra3893; v3893; vp3893; uc3930; crah4038; uc4323; sp4587; ap4611.
- 2064 - (Accountability, Efficiency, Transparency) District attorneys; provide for the appointment of part-time legal assistants. Fillingane. i48; cr576; cu633; v633.
- 2065 - (Finance) Income tax; exempt individuals 100 years of age and older. Fillingane. i48.
- 2066 - (Accountability, Efficiency, Transparency) District attorneys and investigators; increase annual salaries of. Fillingane. i48; cr576; cu732; csa732; v732; ph1679; sdc2592; ca3022; cg3082; nca3127.
- 2067 - (Judiciary, Division A) Child support award; cost of health insurance coverage obtained by noncustodial parent considered in determining. McCaughn. i48.
- 2068 - (Forestry) State Forestry Commission Law Enforcement Officers; extend repealer on authority to appoint. McCaughn. i49; cr561; cu612; v612.

- 2069 - (Finance) Bonds; authorize issuance for Phase II of construction of a new headquarters building for the Department of Public Safety. Kirby. i49.
- 2070 - (Finance) Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. Thomas. i49.
- 2071 - (Agriculture; Judiciary, Division B) Pecan Harvesting Law; revise penalties for violating. Seymour, et al. i49.
- 2072 - (Finance) Ad valorem taxes; consider annexed business "new enterprise" for purposes of eligibility for certain municipal tax exemptions. Blackwell. i49.
- 2073 - (Judiciary, Division B) Fleeing or eluding a law enforcement officer; revise offense of. England, et al. i49; cr562; cu613; csa613; v613; caa613.
- 2074 - (Highways and Transportation) Memorial highways; designate segments of I-22 in Lee County as "Korean War Veterans Highway" and "Vietnam Veterans Way." McMahan. i58; cr551; msrp628; cu629; v629.
- 2075 - (Highways and Transportation) Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection." McMahan. i58; cr551; cu629; v629.
- 2076 - (Ports and Marine Resources) Derelict vessels; provide certain requirements for the removal of. Wiggins. i58; cr553; cu673; csa673; v673; ph1682; sdc2609; ca3056; cg3087; cro3478; cra3486; v3486; crah3573; sp3932; ap4607.
- 2077 - (Agriculture; Appropriations) Mississippi Healthy Food Families Program; create. Younger, et al. i58; cr586; cu737; v737; caa737; ph1681; sdc2298; ca3059; cg3124; crah3259; cro3491; cra3492; v3492; sp3933; lws4618.
- 2078 - (Finance) Capitol complex Improvement District; increase DFA's borrowing authority and divert use tax revenue for. Blount. i58.
- 2079 - (Accountability, Efficiency, Transparency) State agencies; notify Legislature of proposed rule adoption. Hill. i59.
- 2080 - (Accountability, Efficiency, Transparency) Mississippi resident bidder preference; provide 10% preference over vendors located outside of the United States. Hill. i59.
- 2081 - (Accountability, Efficiency, Transparency) Appointed state officers; provide for the removal of for certain forms of willful neglect. Blackwell. i59; cr569; cu631; csa631; v631; mr634; mrc889; mrt890.
- 2082 - (Finance) Ad valorem tax on inventory; phase in exemption for certain small businesses. Blackwell. i59.
- 2083 - (Accountability, Efficiency, Transparency) Open meetings; legislative advisory committee members must be invited to stay during executive session. Boyd, et al. i59; cr569; cu615; v615; caa615.
- 2084 - (Appropriations) State General Fund; FY 2023 appropriation to Dept. of Agriculture & Commerce to implement the Farms and Families Program. Younger. i59.
- 2085 - (Rules) Juneteenth Freedom Day; designate June 19 as. Barnett. i60.

- 2086 - (Accountability, Efficiency, Transparency; Appropriations) District attorney criminal investigators; revise salary of. Wiggins. i60.
- 2087 - (Accountability, Efficiency, Transparency; Judiciary, Division A) Open Meetings Law; require official meetings to be broadcast via video livestream applications, with exceptions. Boyd. i60; cr590; cu708; csa708; v708.
- 2088 - (Ethics; Accountability, Efficiency, Transparency) Economic interest statements; require local governing authorities to file with Ethics Commission. Hill. i60.
- 2089 - (Appropriations; Accountability, Efficiency, Transparency) State Superintendent of Education; provide limitation on salary. Hill. i60.
- 2090 - (Finance) Distinctive motor vehicle license tags; authorize for Mississippi Book Festival. Blount. i60; cr556; cu598; csa598; v598.
- 2091 - (Finance) Distinctive motor vehicle license tags; authorize for supporters of lung cancer awareness. McMahan. i60.
- 2092 - (Tourism; Accountability, Efficiency, Transparency) Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. Blackwell. i60; cr570; cu694; v694; ph1681.
- 2093 - (Finance) Bonds; authorize issuance for Local System Bridge Replacement and Rehabilitation Fund. Hill. i61.
- 2094 - (Appropriations) Appropriation; Rural Fire Truck Fund for additional round of trucks under Acquisition Assistance Program. Hill. i61.
- 2095 - (Public Health and Welfare) Mississippi Medical Cannabis Act; create. Blackwell, et al. i61; cr69; cu74; v75; po75; r75; po77; ru77; v77; v78; v139; v140; caa140; mr140; mrc163; mrt163; ph330; msrp346; sdc346; ca348; cg348; cro364; cra545; v545; crah557; sp557; ap620.
- 2096 - (Insurance; Appropriations) Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Hill. i64.
- 2097 - (Business and Financial Institutions) MS Real Estate Commission; require to establish program using administrative hearing officers. Sparks, et al. cr69; i70; cu74; v74; mr140; mrc320; mrt320; ph550; sp561; ap620.
- 2098 - (Education) School curriculum; require that schools teach civics and government before completion of twelfth grade. Wiggins. i70.
- 2099 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Jackson (11th). i70.
- 2100 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Death certificates; require medical examiners report COVID 19 as cause of death when applicable. Jackson (11th). i70.
- 2101 - (Education; Accountability, Efficiency, Transparency) Schools; require carbon monoxide detectors in all. Jackson (11th). i70.
- 2102 - (Education) Education Enhancement Fund; require schools to issue teachers credentials for a digital solution or procurement card. DeBar. i71.

- 2103 - (Education) School attendance officer; require to attend training for understanding children with disabilities. Boyd. i71.
- 2104 - (Education) Habitually disruptive students; require to be evaluated for disability under IDEA after disruptive behavior. Boyd. i71.
- 2105 - (Education; Appropriations) School board members; increase pay based on enrollment. Hopson, et al. i71; cr587; cu705; v706; caa706.
- 2106 - (Education) School boards; prohibit teaching of divisive concepts or the promotion of division between students based off of race. Fillingane. i71.
- 2107 - (Public Health and Welfare) School vaccinations; authorize exemption upon objection of parent on religious grounds. Hill. i71.
- 2108 - (Public Health and Welfare) Nurse practitioners; physician assistants and clinical nurse specialists; allow to prescribe home health services. Blackwell. i72.
- 2109 - (Public Health and Welfare) Nurse practitioners; authorize to dispense legend drugs to patients. Blackwell. i72.
- 2110 - (Public Health and Welfare) Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. Hill. i72.
- 2111 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Transgender 21 Act; enact. Hill. i72.
- 2112 - (Education) Teacher licenses; allow teachers with international teacher licenses reciprocity. Blount. i72.
- 2113 - (Education) Critical Race Theory; prohibit. McLendon, et al. i73; cr330; cu333; csa333; rbr333; v333; caa333; ph1481; sp1802; ap2588.
- 2114 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Jackson (11th), et al. i73.
- 2115 - (Public Health and Welfare) Podiatric medicine and podiatrists; revise definition of. Blackwell, et al. i73.
- 2116 - (Accountability, Efficiency, Transparency) Mississippi Department of Labor; create. Simmons (12th). i144.
- 2117 - (Appropriations) Capitol Police; provide that accrued personal, medical and compensatory leave balances shall transfer from DFA to DPS. Hopson. i145.
- 2118 - (Appropriations) Officers of the Mississippi Highway Safety Patrol and the Mississippi Bureau of Narcotics; revise salaries. Wiggins. i145.
- 2119 - (Economic and Workforce Development) Southern Growth Policies Agreement; repeal statutes regarding State of Mississippi's adherence to. Polk. i145.
- 2120 - (Appropriations) Department of Public Safety; revise salaries of officers. Hopson, et al. i145; cr331; cu758; csa758; v767; caa767; ph1679; sdc2236; ca3033; cg3082; cro3992; cra4001; v4001; uc4001; caa4001; crah4450; sp4582; ap4618.

- 2121 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Alcorn State University to improve water and sewer systems. Butler (36th), et al. i145.
- 2122 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Lorman Waterworks Association for improvement of water system. Butler (36th), et al. i145.
- 2123 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Sisters in Birth nonprofit charitable clinic. Butler (36th). i145.
- 2124 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Thomasville Water Association for improvement of water system. Caughman, et al. i145.
- 2125 - (Appropriations) General Funds; FY2023 appropriation to Alcorn State University to strengthen support of poultry science programs. Butler (36th), et al. i145.
- 2126 - (Appropriations) General Funds; FY2023 appropriation to IHL-Student Financial Aid for the Nursing Forgivable Loan program. Butler (36th). i146.
- 2127 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Alcorn State University to improve fiber optic broadband network. Butler (36th), et al. i146.
- 2128 - (Appropriations) General Funds; FY2023 appropriation to Alcorn State University for STEM-related programs. Butler (36th), et al. i146.
- 2129 - (Appropriations) General Funds; FY2023 appropriation to Alcorn State University to upgrade roadways and sidewalks. Butler (36th), et al. i146.
- 2130 - (Appropriations) General Funds; FY2023 appropriation to Alcorn State university for environmental science program. Butler (36th), et al. i146.
- 2131 - (Appropriations) Appropriation FY 2023; IHL-University of Mississippi Medical Center for Mississippi Rural Physicians Scholarship Program. McLendon. i146.
- 2132 - (Appropriations) Appropriation FY2023; Humphreys County for certain roadway, curb and gutter improvements. Thomas. i146.
- 2133 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the North Hinds Water Association for improvement of water system. Thomas. i146.
- 2134 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Central Yazoo Water Association for improvement of water system. Thomas. i147.
- 2135 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Town of Louise for improvement of sewer system. Thomas. i147.
- 2136 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Piney Woods Water Association to improve water and sewer systems. Hickman. i147.

- 2137 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Porterville Water Association to improve water system. Hickman. i147.
- 2138 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Yazoo City for improvement of water and sewer system. Thomas. i147.
- 2139 - (Appropriations) State General Funds; FY2023 appropriation to Clay County for renovation of Clay County Courthouse. Turner-Ford. i147.
- 2140 - (Appropriations) State General Funds; FY2023 appropriation to Clay County for road improvements in Supervisor District 2. Turner-Ford. i147.
- 2141 - (Appropriations) General Funds; FY 2023 appropriation to Department of Health for MAGnet Community Health Disparity Program. Jackson (11th). i147.
- 2142 - (Appropriations) State General Funds; FY2023 appropriation to Lowndes County for capital improvements in Supervisor District 5. Turner-Ford. i147.
- 2143 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Black Bayou Water Association for improvement of water system. Thomas, et al. i148.
- 2144 - (Appropriations) Capital Expense Fund; FY2023 appropriation to Jackson State University for renovation of university cafeteria. Simmons (12th). i148.
- 2145 - (Appropriations) General Funds; FY2023 appropriation to the Town of Rosedale for street repairs. Simmons (12th). i148.
- 2146 - (Appropriations) General Funds; FY2023 appropriation to Washington County for street repairs in Supervisor District 5. Simmons (12th). i148.
- 2147 - (Appropriations) General Funds; FY2023 appropriation to Washington County for street repairs in Supervisor District 4. Simmons (12th). i148.
- 2148 - (Appropriations) General Funds; FY2023 appropriation to Town of Friars Point for street repairs. Simmons (12th). i148.
- 2149 - (Appropriations) General Funds; FY2023 appropriation to Town of Coahoma for street repairs. Simmons (12th). i148.
- 2150 - (Appropriations) General Funds; FY2023 appropriation to Washington County for street repairs in Supervisor District 2. Simmons (12th). i148.
- 2151 - (Appropriations) General Funds; FY2023 appropriation to Washington County for street repairs in Supervisor District 3. Simmons (12th). i149.
- 2152 - (Appropriations) General Funds; FY2023 appropriation to Leland Public School District for improvements to its Early Head Start Facility. Simmons (12th). i149.
- 2153 - (Appropriations) State employee salaries; direct State Personnel Board to implement across-the-board increase. Simmons (12th). i149.
- 2154 - (Local and Private; Finance) Town of Monticello; authorize tourism tax on restaurants, hotels and motels. Barrett. i149; cr1108; cu1237; v1237.

- 2155 - (Local and Private; Finance) City of Laurel; authorize tax on hotels and motels to promote tourism. Barnett. i149; cr1108; cu1237; csa1237; v1237; ph3132; msrp3149; sc3149; v3151; sp3278; ap4040.
- 2156 - (Accountability, Efficiency, Transparency) Mississippi Industries for the Blind; define authority to enter into agreements with public or private entities. Boyd. i149.
- 2157 - (Accountability, Efficiency, Transparency) MS Industries for the Blind; authorize to enter into contracts and agree to certain terms and conditions when in its best interest. Boyd. i150.
- 2158 - (Environment Prot, Cons and Water Res; Appropriations) Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. McCaughn, et al. i150; cr587; cu705; v705; caa705; ph1681; sdc2609; ca3059; cg3124; msrp3486; cro3486; cra3491; v3491; crah3495; sp3933; ap4608.
- 2159 - (Finance; Economic and Workforce Development) Mississippi Flexible Tax Incentive Act; create. Parker. i150; cr583; cu626; csa626; v626; ph2580; sdc2912; ca3022; cg3087; rcc3249; hrcc3259; cro3298; cra3335; v3335; crah3495; sp4143; ap4608.
- 2160 - (Appropriations) Appropriation FY2023; replacement of Sartaria Holly Bluff Bridge over Lake George in Yazoo County. Thomas. i151.
- 2161 - (Accountability, Efficiency, Transparency) Disposal of certain municipal records after 20 years; authorize. Parker. i151.
- 2162 - (Accountability, Efficiency, Transparency) Regulatory Reduction Program; require certain pilot agencies to implement. Blackwell. i151.
- 2163 - (Accountability, Efficiency, Transparency) Public Procurement Review Board; extend repealer on exemption for DHS and CPS. Polk. i151.
- 2164 - (Accountability, Efficiency, Transparency) Department of Tourism; create. Thompson. i151; cr569; cu615; csa615; v615.
- 2165 - (Accountability, Efficiency, Transparency) State agencies; prohibit travel to any state, county or municipality that has banned employee travel to Mississippi. Polk. i152; cr569; cu795; cso795; rc795.
- 2166 - (Accountability, Efficiency, Transparency; Appropriations) Sheriffs; increase annual salaries of. Barrett, et al. i152.
- 2167 - (Accountability, Efficiency, Transparency) MS Public Records Act; exempt certain private information of federal law enforcement officers conducting an operation in this state. England. i152.
- 2168 - (Highways and Transportation; Appropriations) Highways; require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. Jackson (11th). i152.
- 2169 - (Highways and Transportation) Mississippi Motor Vehicle Safety Inspection Law; reinstate. Jackson (11th). i152.
- 2170 - (Public Health and Welfare) Immunization; require hospitals to offer immunization against the influenza virus to all inpatients 50 or older prior to discharge. Blackwell. i153.

- 2171 - (Education) "Critical race theory"; prohibit teaching of and expenditure of public funds for. McDaniel. i153.
- 2172 - (Education) Discrimination or affirmative action programs; prohibit in State of Mississippi. McDaniel. i153.
- 2173 - (Public Health and Welfare; Appropriations) Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. McLendon. i153.
- 2174 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Health Care Certificate of Need Law; repeal. Hill. i153.
- 2175 - (Public Health and Welfare) Child Protection Services social worker interviews with parents or children; require video and audio recordings. Hill. i154.
- 2176 - (Universities and Colleges; Appropriations) IHL; must allocate funding for nonresident students to student financial aid programs. Polk. i154.
- 2177 - (Education) School attendance location of students; allow students to transfer to other school districts subject to availability and approval. Johnson. i154.
- 2178 - (Public Health and Welfare) Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. Blackwell. i154.
- 2179 - (Public Health and Welfare) Audiology and Speech-Language Pathology Interstate Compact; create. Boyd. i155.
- 2180 - (Universities and Colleges; Accountability, Efficiency, Transparency) Protection of free speech and association at public universities; withhold state funds for unconstitutional policy. Hill. i155.
- 2181 - (Education) State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools. Johnson. i155.
- 2182 - (Education) Community schools planning grant program; establish fund. Simmons (12th). i155.
- 2183 - (Public Health and Welfare) Marijuana; legalize. Simmons (12th). i155.
- 2184 - (Labor; Accountability, Efficiency, Transparency) Temporary day workers; protect labor and employment rights of. Simmons (12th) (By Request). i156.
- 2185 - (Labor; Accountability, Efficiency, Transparency) State Workplace Safety and Health Office; establish under State Board of Health. Simmons (12th). i156.
- 2186 - (Education; Appropriations) Salary of State Superintendent of Education; shall not exceed salary of the Governor. McDaniel. i156.
- 2187 - (Finance) Sales tax; exempt sales of groceries. Simmons (12th). i156.
- 2188 - (Finance) Driver's license fees; waive for applicants in MDCPS custody. Simmons (12th), et al. i156; cr556; cu668; csa668; v668; caa668.
- 2189 - (Finance) Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. Simmons (12th). i156.

- 2190 - (Finance) Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. McLendon. i157.
- 2191 - (Finance) Sales tax; remove tax on wholesale sales of beer. Johnson. i157.
- 2192 - (Finance) Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. Johnson. i157.
- 2193 - (Finance) Sales taxation; exempt sales to Head Start programs. Jackson (11th). i157.
- 2194 - (Finance) Ad valorem tax; exempt property owned by a university foundation. Butler (36th), et al. i157.
- 2195 - (Finance) PERS; reduce vesting period for retirement benefits from eight years to four years. Jackson (11th). i157.
- 2196 - (Finance) Sales taxation; exempt sales to certain community action agencies exempted from federal income taxation. Jackson (11th). i157.
- 2197 - (Finance) Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. Jackson (11th). i158.
- 2198 - (Finance) Bonds; increase authorized bond amount for emergency response center for Chickasaw Trail Industrial Park in Marshall County. Blackwell, et al. i158.
- 2199 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Kirby, et al. i158.
- 2200 - (Finance) Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. Thomas. i158.
- 2201 - (Finance) Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. Thomas. i158.
- 2202 - (Finance) Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. Thomas. i159.
- 2203 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. Thomas. i159.
- 2204 - (Finance) Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. Thomas. i159.
- 2205 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. Thomas. i159.
- 2206 - (Finance) Bonds; authorize issuance of to assist Marks, MS, in the construction of a building to house a community center and its city hall. Jackson (11th). i159.
- 2207 - (Finance) Bonds; authorize issuance to assist Tunica County in paying costs of repair and renovation of historic county courthouse. Jackson (11th). i159.
- 2208 - (Finance) Bonds; authorize issuance to assist Tunica County in paying costs of improvements to local roads used by casino customers. Jackson (11th). i159.

- 2209 - (Finance) Bonds; authorize to assist Clay County in paying costs of repair and renovation of courthouse. Turner-Ford. i159.
- 2210 - (Finance) West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. Thomas. i160.
- 2211 - (Finance) Tax Payer Pay Raise Act; remove phase out of income & franchise tax & remove deduction of federal employment tax. Simmons (12th). i160.
- 2212 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of repair and renovation of city parks. Simmons (12th). i160.
- 2213 - (Finance) Bonds; authorize issuance to assist City of Rosedale in paying costs of repair and renovation of city park. Simmons (12th). i160.
- 2214 - (Finance) Bonds; authorize issuance to assist Town of Metcalfe in paying costs of repair and renovation of town park. Simmons (12th). i160.
- 2215 - (Finance) Bonds; authorize issuance to assist Town of Metcalfe in paying costs of improvements to its water and sewer systems. Simmons (12th). i160.
- 2216 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of improvements to its water and sewer systems. Simmons (12th). i160.
- 2217 - (Finance) Bonds; authorize issuance to assist in paying costs of construction of Mississippi River Museum in Greenville. Simmons (12th). i161.
- 2218 - (Finance) Bonds; authorize issuance for the E.E. Bass Cultural Arts Center in Greenville, Mississippi. Simmons (12th). i161.
- 2219 - (Finance) Bonds; authorize to assist Lawrence County in paying costs of pavement maintenance for N.A. Sandifer Highway. Barrett. i161.
- 2220 - (Finance) Bonds; authorize to assist Town of Monticello in paying costs of construction of frontage road and Atwood Water Park bathhouse. Barrett. i161.
- 2221 - (Finance) Bonds; authorize issuance to assist City of Leland in paying costs of repair and renovation of city park. Simmons (12th). i161.
- 2222 - (Finance) Bonds; authorize for West Jackson County Utility District construction of new water and sewer infrastructure at I-10 corridor. England. i161.
- 2223 - (Finance) Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs. Harkins, et al. i161; cr345; cu624; v624; caa624; ph1681; sdc2299; ca3022; cg3087; cro3250; cra3251; v3251; crah3495; sp3612; ap4607.
- 2224 - (Judiciary, Division B) Arrest warrants; authorize electronic signatures. Blackwell, et al. i166; cr562; cu694; v694; caa694.
- 2225 - (Corrections; Judiciary, Division B) The Juvenile Offender Parole and Rehabilitation Act; enact. Turner-Ford. i166.
- 2226 - (Judiciary, Division B; Corrections) Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. Turner-Ford. i166.

- 2227 - (Judiciary, Division B) Justice Court Judges; revise suspension authority consistent with municipal court. Hopson. i167; cr562.
- 2228 - (Judiciary, Division B) Conviction; clarify subsequent offense for certain crimes and post-conviction relief. Jordan. i167.
- 2229 - (Judiciary, Division B) Chemical endangerment of a child or fetus; criminalize. McCaughn. i167.
- 2230 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Wiretaps; authorize sheriffs to use. McCaughn. i167.
- 2231 - (Judiciary, Division B) DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request. Wiggins. i167; cr548; cu720; v720; mr749.
- 2232 - (Judiciary, Division B) Miranda warning; require disclosure in simple language to children. Fillingane. i168.
- 2233 - (Judiciary, Division B; Accountability, Efficiency, Transparency) "Service Canine Protection Act of 2022"; enact. Hill. i168.
- 2234 - (Judiciary, Division B) Statute of limitations; except sexual battery from. Blackwell. i168.
- 2235 - (Judiciary, Division B) Terroristic threats; revise elements of. Fillingane. i168; cr563; cu613; csa613; v614.
- 2236 - (Judiciary, Division B) Funeral processions; provide right-of-way and authorize law enforcement to escort. Fillingane. i168.
- 2237 - (Judiciary, Division B) Sentence suspension; prohibit for crimes involving the exploitation of children. Fillingane, et al. i168; cr591; cu740; csa740; v741; caa741.
- 2238 - (Judiciary, Division B) Trespass; criminalize offense on property other than a structure or conveyance. Hill. i169.
- 2239 - (Judiciary, Division B) Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. Hill. i169.
- 2240 - (Judiciary, Division B) DUI law; revise fourth offense of and require all expunctions to be confidentially registered. Parker. i169.
- 2241 - (Judiciary, Division B) Marijuana; legalize possession of certain amount. Turner-Ford. i169.
- 2242 - (Judiciary, Division B) Nonadjudication; revise courts' authority. McCaughn. i169.
- 2243 - (Judiciary, Division B) Sexual battery; conform statute of limitations to the statute of limitations for rape. Fillingane. i169.
- 2244 - (Judiciary, Division B) Juvenile offenders; provide alternative sentencing options. Fillingane. i169; cr591; cu742; csa742; v742.
- 2245 - (Judiciary, Division B) Voyeurism; revise sentencing. Fillingane, et al. i170; cr563; cu630; v630; caa630; ph1679; sdc1728; ca2586; cg3101; cro3580;

po3582; ru3582; cra3582; v3582; caa3582; mr3582; mrc3805; mrt3805; crah3934; sp4141; ap4607.

- 2246 - (Judiciary, Division B) Electronic search warrants; authorize issuance of in investigations of certain sex offenses against children. Fillingane, et al. i170; cr592; cu742; v742; caa743; ph1679; sdc1729; ca2586; cg3101; crah3573; cro3582; po3584; ru3585; rcc3585; hrcc3869; cro4007; cra4008; v4008; crah4450; sp4498; ap4607.
- 2247 - (Judiciary, Division B) Sex offenders; prohibit employment as first responders without DPS approval. Barrett. i170; cr592.
- 2248 - (Judiciary, Division B) Controlled substance offenses; revise enhanced penalties. Simmons (12th). i170.
- 2249 - (Judiciary, Division B) Simple possession of controlled substances; revise certain. Simmons (12th). i170.
- 2250 - (Judiciary, Division B) Youthful offenses; revise when may be tried in circuit court. Simmons (12th). i170.
- 2251 - (Judiciary, Division B) Habitual offender; crimes punishable by imprisonment for 5 years or less not considered. Simmons (12th). i170.
- 2252 - (Judiciary, Division A) Alienation of affection; abolish cause of action. McCaughn. i170.
- 2253 - (Judiciary, Division B) Habitual offender; crimes committed before 18 years of age not considered. Simmons (12th). i171.
- 2254 - (Judiciary, Division B) Habitual offender; revise. Simmons (12th). i171.
- 2255 - (Judiciary, Division B) Expunction; reduce waiting period for eligibility. Simmons (12th). i171.
- 2256 - (Judiciary, Division B) House burglary; create separate violent and nonviolent offenses. Simmons (12th). i171.
- 2257 - (Judiciary, Division B) Youth court; revise transfer to circuit court. Simmons (12th). i171.
- 2258 - (Judiciary, Division B) Habitual offender; revise sentencing under. Simmons (12th). i171.
- 2259 - (Judiciary, Division B) Violent habitual offender; require jury determination. Simmons (12th). i171.
- 2260 - (Judiciary, Division B) DUI; nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. Simmons (12th). i171.
- 2261 - (Judiciary, Division B) Buddy's Law; order psychiatric evaluations for children adjudicated delinquent for abuse of a domesticated dog or cat. Hill, et al. i171; cr592; cu744; csa744; v744; caa744.
- 2262 - (Judiciary, Division B) Hand-held mobile telephone; revise use of while driving. Butler (38th). i172.

- 2263 - (Judiciary, Division B) Chancery court; revise provisions concerning adoption and name change of incarcerated persons. Bryan, et al. i172; cr548; msrp676; cu676; v676; ph1794; sdc2372; ca3022; cg3101; crah3495; cro3585; cra3588; v3588; sp4141; ap4607.
- 2264 - (Judiciary, Division B) DPS; implement uniform reporting standards for jail census data and create a centralized database. Barnett, et al. i172; cr563; caa635; cu677; csa677; v677; caa678; caaw678; mr709.
- 2265 - (Judiciary, Division B; Appropriations) Mississippi Crime Victims' Compensation Act; remove certain limitations. Parker. i172.
- 2266 - (Judiciary, Division B) Shoplifting; revise jurisdictional amounts and penalties for. Fillingane. i172.
- 2267 - (Judiciary, Division B) Expungement; consolidate statutes concerning. Norwood. i172.
- 2268 - (Corrections; Accountability, Efficiency, Transparency) Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. Simmons (12th). i173.
- 2269 - (Corrections) Community Service Revolving Fund; extend repealer on authority to collect fees for deposit into. Barnett. i173; cr327; cu603; v603; ph1680.
- 2270 - (Corrections) Conditional medical release; revise authority of MDOC. Simmons (12th). i173.
- 2271 - (Corrections) Earned-release supervision; require Parole Board to approve release of offenders. Hill. i173.
- 2272 - (Corrections) Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. Barnett, et al. i174; cr327; cu603; v603; caa603; ph1680.
- 2273 - (Corrections) Probation and parole; authorize an offender's employer to submit regular information in lieu of in-person meetings. Barnett. i174; cr327; cu604; csa604; v604; ph1681; sdc2252; ca3022; cg3028; cro3140; cra3141; v3141; crah3352; uc3398; sp3612; ap4607.
- 2274 - (Corrections; Judiciary, Division B) "Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts. Barnett. i174.
- 2275 - (Corrections) Pilot Work Release Program; extend repealer. Barnett. i175; cr327; cu690; csa690; v690; mr709; mrc719; mrt719; ph1682; sdc2255; ca3022; cg3028.
- 2276 - (Corrections) State Parole Board; extend repealer on. Barnett. i175; cr327; cu604; v604; ph1682.
- 2277 - (Corrections) Prison Overcrowding Emergency Powers Act; extend repealer on. Barnett. i175; cr327; cu604; v604; ph1682.
- 2278 - (Corrections; Judiciary, Division B) Parole revocation; revise definition of technical violation. Hill. i175.
- 2279 - (Corrections; Judiciary, Division B) Probation and parole officers; limit number of cases that may be handled. Hill. i175.

- 2280 - (Corrections; Accountability, Efficiency, Transparency) Corrections; extend repealer on intensive supervision program and electronic home detention. Barnett. i175; cr577; cu616; v617; ph1682.
- 2281 - (Energy) Advanced recycling; decrease plastic waste. Carter, et al. i176; cr582; cu618; v618; caa618.
- 2282 - (Energy) Carbon dioxide geologic sequestration; revise laws regarding. Carter. i176; cr582; cu733; csa733; v733; mr734.
- 2283 - (Drug Policy; Judiciary, Division B) Uniform Controlled Substances Act; revise schedules. Jordan, et al. i176; cr593; cu746; v746; caa746.
- 2284 - (Drug Policy) Drug paraphernalia; except testing equipment used to detect fentanyl from definition of. Boyd. i177.
- 2285 - (Drug Policy; Judiciary, Division B) Marijuana; civil penalty for simple possession of 30 grams or less. Blackmon. i177.
- 2286 - (Drug Policy; Judiciary, Division B) Controlled substances; provide enhanced penalties for possession and distribution of. Jordan. i177.
- 2287 - (Elections) Early voting; authorize up to 10 days prior to any election. Turner-Ford. i177.
- 2288 - (Elections) Voting; require printed record of each vote. Hill. i177.
- 2289 - (Elections; Constitution) Voter registration; applicants must submit documentation proving U.S. citizenship. Hill. i177.
- 2290 - (Elections; Constitution) Civil rights; restore all to a person who has paid his or her debt to society. Jordan. i177.
- 2291 - (Elections) Nonpartisan elections; require for offices of chancery clerk, circuit clerk, tax assessor, tax collector, surveyor and coroner. DeBar. i178.
- 2292 - (Elections; Judiciary, Division A) Judicial Election Campaign Intervention Act of 2022; enact. Jackson (11th). i178.
- 2293 - (Elections) Mississippi Voter Identification Cards; delete references to constitutional amendment. Carter. i179.
- 2294 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence or placement on probation. Simmons (12th). i179.
- 2295 - (Elections) Early voting; authorize up to 20 days before any election. Simmons (12th), et al. i179.
- 2296 - (Elections; Accountability, Efficiency, Transparency) "Fair Access to Elections Act"; enact certain requirements regarding the conduct of elections. McDaniel. i180.
- 2297 - (Elections; Accountability, Efficiency, Transparency) Municipal clerk; authorize to certify the results of a municipal election under certain circumstances. Blackmon. i180.

- 2298 - (Elections) Municipal election officials; prohibit removal of except where good cause shown. Blackmon. i180.
- 2299 - (Elections) Municipal executive committee; prohibit members of from campaigning for candidates on the municipal primary election ballot. Blackmon. i181.
- 2300 - (Elections) Election Integrity Assurance Committee; may conduct primary elections under certain circumstances without compensation. Blackmon. i181.
- 2301 - (Elections) Online voter registration; implement. Blackmon. i181.
- 2302 - (Elections) Early voting; authorize up to 21 days before any election. Blackmon. i181.
- 2303 - (Elections) Municipal executive committees; require county executive committee to appoint. Chassaniol. i182.
- 2304 - (Elections) Elections; authorize online voter registration and preelection day voting. Blount. i182.
- 2305 - (Elections) Mississippi Recall Act of 2022; enact. England. i183.
- 2306 - (Elections) Campaign finance reports; amend provisions relating to. Tate. i183; cr581; cu799; v799; ph1794; sdc2377; ca3081; cg3124; crah3573; cro3588; cra3589; v3589; sp4151; vt4613.
- 2307 - (Judiciary, Division A) Juries; prohibit peremptory challenges based on certain factors. Simmons (12th). i183.
- 2308 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Landlord-tenant law; revise. Simmons (12th) (By Request). i184.
- 2309 - (Judiciary, Division A) Jurors; expand pool to citizens with driver's license who have filed state income taxes. Simmons (12th). i184.
- 2310 - (Judiciary, Division A) Mississippi Civil Rights Act; enact. Simmons (12th). i184.
- 2311 - (Business and Financial Institutions; Judiciary, Division A) Occupational license; revise judicial review related to suspension of. Blackmon. i184.
- 2312 - (Veterans and Military Affairs; Public Health and Welfare) Committee to Study Veteran Homelessness, Unemployment, PTSD and Human Services; make an annual report to the Legislature. Blackmon. i184.
- 2313 - (Medicaid; Appropriations) Medicaid reimbursement; authorize for substance abuse and mental health services for pregnant and postpartum women. Blackmon. i185.
- 2314 - (Medicaid; Appropriations) Medicaid reimbursement; extend for community-based home-visitation and pregnancy support services. Blackmon. i185.
- 2315 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Blackmon. i185.
- 2316 - (Medicaid; Appropriations) Medicaid eligibility; provide coverage Program of All-Inclusive Care for the Elderly. Blackmon. i185.

- 2317 - (Medicaid) Division of Medicaid; apply for necessary waivers to eliminate waiting period services. Blackmon. i185.
- 2318 - (Veterans and Military Affairs; Judiciary, Division B) Municipal courts; suspension of sentence for certain veterans receiving treatment. Jordan, et al. i185.
- 2319 - (Insurance) Child support; authorize DHS to satisfy arrearages with unclaimed property. Michel, et al. i186; cr344; cu671; v671; caa671; ph1681; sdc2987; ca3022; cg3126; crah3573; cro3589; cra3590; v3590; sp4144; ap4611.
- 2320 - (Judiciary, Division A; Appropriations) Statewide county court system; create. Wiggins. i186.
- 2321 - (Judiciary, Division A) Human trafficking; create civil cause of action for engaging in or benefitting from. McCaughn, et al. i187; cr590; cu707; csa707; v707; caa707; ph1680; sdc1686; ca2586; cg3126; nca3212; crah3573; cro3590; cra3598; v3598; sp4145; ap4607.
- 2322 - (Judiciary, Division A; Judiciary, Division B) Court reporters; require to provide transcript upon request of the court under certain circumstances. McDaniel. i187.
- 2323 - (Judiciary, Division A) Open meetings; revise accessibility to information on meeting times, agenda and minutes. Norwood. i187.
- 2324 - (Insurance) Health insurance; Commissioner of Insurance must approve rate filings containing an increase in premiums. Norwood. i187.
- 2325 - (Judiciary, Division A) Court reporters; require to provide transcript upon request of the court under certain circumstances. Fillingane. i187.
- 2326 - (Insurance) Mississippi Insurance E-Commerce Act; create. Michel. i187; cr330; cu669; v669.
- 2327 - (Public Property; Judiciary, Division A) Local government; prohibit ordinances authorizing camping on public property and sidewalks. Hill. i188.
- 2328 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Mississippi Companion Animal Abuser Registry Act; enact. Hill. i188.
- 2329 - (Judiciary, Division A) Paternity; clarify circumstances when putative father cannot contest. Turner-Ford. i188.
- 2330 - (Judiciary, Division A) Mississippi Consumer Data Privacy Act; enact. Turner-Ford. i188.
- 2331 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Turner-Ford. i189.
- 2332 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after age 21. Hill. i189.
- 2333 - (Judiciary, Division A) Youth court; prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. Hill. i189.

- 2334 - (Judiciary, Division A; Business and Financial Institutions) Nonprofit medical clinic; require financial statement filed with Secretary of State. Hill. i189.
- 2335 - (Insurance) State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year. Michel, et al. i189; cr330; cu605; v605; caa605; ph1682; sdc2988; ca3022; cg3087; hrcc3379; msrp3394; rcc3394; cro3599; cra3605; v3605; crah3934; sp4582; ap4607.
- 2336 - (Insurance) State and School Employees Health Insurance Management Board; extend repealer on premium authority/allow surcharge on tobacco use. Michel. i190; cr344; cu671; v671; ph1682; sdc2990; ca3022; cg3087; cro3339; cra3343; v3343; crah3573; sp4151; vt4606.
- 2337 - (Judiciary, Division A; Appropriations) District attorneys; revise number of additional legal assistants authorized. Fillingane. i190.
- 2338 - (Judiciary, Division A; Accountability, Efficiency, Transparency) DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor. Wiggins. i190; cr577; cu697; csa697; v697; ph1799; sdc3016; ca3056; cg3126; crah3573; cro3605; cra3606; v3606; sp4151; ap4608.
- 2339 - (Insurance) Health insurance policies; require coverage for hearing aids and services for children under 21. Chism, et al. i190.
- 2340 - (Medicaid) Medicaid Upper Payment Limits Program; provide payments to emergency ambulance transportation providers. Blackwell. i190.
- 2341 - (Judiciary, Division A) Child support; create presumption that support continues past the age of majority for a disabled child. Parker, et al. i190; cr562; cu614; v614; caa615; ph1681; sdc1698; ca2586; cg3126; hrcc3379; rcc3606.
- 2342 - (Veterans and Military Affairs; Public Health and Welfare) State Veterans Homes; require informed consent by residents prior to administering vaccinations. Seymour. i190.
- 2343 - (Judiciary, Division A) Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. Blount. i191.
- 2344 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Charitable solicitation; revise reporting period. Jackson (11th). i191.
- 2345 - (Medicaid) Medicaid program; revise reimbursement for telehealth services for community health centers. Jackson (11th). i191; cr548.
- 2346 - (Judiciary, Division A) Towing; limit charges. Jackson (11th). i191.
- 2347 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Juror qualifications; allow jurors to serve in contiguous counties. Jackson (11th). i191.
- 2348 - (Judiciary, Division A; Appropriations) Wrongful conviction; increase compensation award. Jackson (11th), et al. i191.
- 2349 - (Veterans and Military Affairs) State Veterans Home in Collins; name courtyard in honor of Chaplain James Carroll Sanford and Veterans Outreach Program. Seymour, et al. i191; cr584.

- 2350 - (Judiciary, Division A; Public Health and Welfare) Certificate of Foreign Birth; allow issuance by Bureau of Vital Statistics. Caughman. i192; cr578; cu798; v798.
- 2351 - (Judiciary, Division A; Appropriations) Chancery court; provide additional chancellor for 15th Chancery Court District. Barrett. i192.
- 2352 - (Insurance; Appropriations) State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. Polk. i192.
- 2353 - (Judiciary, Division A; Accountability, Efficiency, Transparency) State enforcement of federal regulations; require specific authorization by the Legislature. McDaniel. i192.
- 2354 - (Judiciary, Division A; Appropriations) Public Defenders Education Fund; establish education and training cost. Simmons (12th). i192.
- 2355 - (Judiciary, Division B; Judiciary, Division A) Firearms; prohibit state cooperation with federal effort to ban. McDaniel. i192.
- 2356 - (Judiciary, Division A) The Real You Act of 2022; enact. McMahan. i192; cr590.
- 2357 - (Insurance) Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance. Michel, et al. i193; cr330; cu670; v670; caa670; ph1680; sdc2986; ca3022; cg3087; cro3343; cra3343; v3343; caa3344; crah3573; sp3933; ap4618.
- 2358 - (Elections) Candidate filing fees; authorize the state executive committee of a party to determine. Chassaniol. i193; cr549; cu722; csf723; v729; mr749; mrc890; mrt890; ph1794; sdc2380; ca3081; cg3124; crah3573; cro3606; cra3612; v3612; sp4145; ap4607.
- 2359 - (Elections) Absentee voting; authorize every qualified elector. Simmons (12th), et al. i193.
- 2360 - (Education; Finance) Retired teachers; allow to draw retirement benefits and be reemployed as teachers if having 30 years of creditable service. Butler (38th). i193.
- 2361 - (Appropriations) General Funds; FY2023 appropriation to South Pike School District for renovations to its school buildings. Butler (38th). i194.
- 2362 - (Accountability, Efficiency, Transparency) Salary cap; exempt certain attorneys employed by Attorney General from. Branning. i194; cr589; cu858; v858.
- 2363 - (Accountability, Efficiency, Transparency) Public Procurement Review Board; exempt personal services contracts entered into by the Office of State Aid Road Construction. Branning. i194.
- 2364 - (Rules) Legal holidays; designate June 19 as Juneteenth Freedom Day. Blackmon. i194.
- 2365 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Lake City Water Association to improve the water system. Thomas. i194.

- 2366 - (Appropriations) General Funds; FY2023 appropriation to Alcorn State University to support animal science research and extension programs. Butler (36th), et al. i194.
- 2367 - (Appropriations) General Funds; FY2023 appropriation to Bolivar County for street repairs in Supervisor District 1. Simmons (12th). i194.
- 2368 - (Accountability, Efficiency, Transparency; Judiciary, Division A) Mandatory COVID-19 vaccination of Mississippi residents by the state or as condition of employment; prohibit. McDaniel. i194.
- 2369 - (Appropriations) General Funds; FY2023 appropriation to Washington County for street repairs in Supervisor District 1. Simmons (12th). i194.
- 2370 - (Finance) Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. Simmons (12th). i195.
- 2371 - (Accountability, Efficiency, Transparency) Purchasing law; revise threshold for bid requirement and clarify use of reverse auction. Kirby. i195; cr576; cu634; csa634; v634; ph1794; sdc2646; ca3024; cg3070; cro3647; cra3661; v3661; uc3661; crah3934; sp4582; ap4610.
- 2372 - (Finance) Bonds; authorize to assist City of Jackson in paying costs of repair and renovation of Thalia Mara Hall complex. Blount, et al. i195.
- 2373 - (Accountability, Efficiency, Transparency) Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees. Wiggins, et al. i195; cr569; cu616; v616; caa616; mr633; mrc889; mrt889.
- 2374 - (Finance) Distinctive motor vehicle license tags; change recipient of additional fee for breast cancer awareness tag. Wiggins, et al. i195.
- 2375 - (Finance) Sales tax; exempt sales of groceries. Norwood, et al. i195.
- 2376 - (Finance) Bonds; authorize to assist in paying for road improvements in Clay County Supervisor District 3. Turner-Ford. i195.
- 2377 - (Finance) Bonds; authorize to assist in paying for road improvements in Clay County Supervisor District 2. Turner-Ford. i196.
- 2378 - (Finance) Bonds; authorize to assist in paying for capital improvements for Lowndes County Supervisor District 5. Turner-Ford. i196.
- 2379 - (Finance) Bonds; authorize to assist in paying costs of renovating Margaret Martin Performing Arts Center in Natchez, Mississippi. Butler (38th). i196.
- 2380 - (Finance) Bonds; authorize issuance to assist City of Natchez in paying costs of Concord Avenue Drainage Improvement Project. Butler (38th). i196.
- 2381 - (Finance) Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. Butler (38th). i196.
- 2382 - (Finance) Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. Norwood. i196.

- 2383 - (Appropriations) State General Funds; FY2023 appropriation to Clay County for improvements to Pruitt Road and Mhoon Valley Road in Supervisor District 3. Turner-Ford. i197.
- 2384 - (Judiciary, Division B) Motorcycles and bicycles; allow to proceed through red light if green light is not triggered. Hill. i197.
- 2385 - (Finance) Sales tax; exempt sales of feminine hygiene products. Boyd, et al. i197.
- 2386 - (Judiciary, Division B) Habitual offender; prior felonies with completed sentences more than 10 years prior not considered. Simmons (12th). i197.
- 2387 - (Judiciary, Division B; Public Health and Welfare) Used mattresses; prohibit resale with certain exemptions. Frazier. i197.
- 2388 - (Elections; Accountability, Efficiency, Transparency) Marking election ballots; delete option of using indelible pencil to mark ballots. Blackwell. i197.
- 2389 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence and other conditions. Norwood. i197.
- 2390 - (Judiciary, Division B) Intervention court; amend criteria for participation in. Simmons (12th). i197.
- 2391 - (Corrections; Judiciary, Division B) Nonviolent habitual offender; revise sentencing. Simmons (12th). i198.
- 2392 - (Judiciary, Division B) Violent habitual offender; require both previous crimes to have been crimes of violence. Simmons (12th). i198.
- 2393 - (Corrections; Judiciary, Division B) Expunction; allow after 20 years of good behavior with certain exceptions. Simmons (12th). i198.
- 2394 - (Judiciary, Division B; Highways and Transportation) Commercial driver's license; authorize issuance to certain military-trained personnel. Sojourner, et al. i198.
- 2395 - (Judiciary, Division B) Firearms; interpose state law in place of any federal law confiscating firearms. Sojourner. i198.
- 2396 - (Elections) Early voting; authorize. Horhn. i198.
- 2397 - (Judiciary, Division B) Controlled substances; authorize automatic defense for charges brought within two years of a federal declassification. Bryan. i199; cr548; msrp676; cu676; csa676; v677.
- 2398 - (Labor; Judiciary, Division B) Fresh Start Act of 2019; expand. Horhn. i199.
- 2399 - (Elections) Municipal executive committee; revise procedure for filing vacancies of. Blackmon. i199.
- 2400 - (Elections) Municipal primary elections; revise procedure for nominating candidates during when only one candidate qualifies. Blackmon. i199.
- 2401 - (Labor; Economic and Workforce Development) Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. Horhn. i199.

- 2402 - (Corrections; Accountability, Efficiency, Transparency) Department of Corrections; create the Division of Parole to perform the administrative and fiscal functions of the Parole Board. Blackwell, et al. i200.
- 2403 - (Drug Policy; Judiciary, Division B) Kratom; authorize regulation of and prohibit certain products. Tate. i200.
- 2404 - (Corrections; Accountability, Efficiency, Transparency) MDOC; create Division of Reentry and Prison Industry within. Blackwell. i201.
- 2405 - (Corrections) MDOC; require to promulgate rules regarding use of technology portals by those on probation or parole. England. i201.
- 2406 - (Corrections; Accountability, Efficiency, Transparency) MDOC; exempt from regulations and law for a certain time to build buildings with inmate labor. Barnett. i201.
- 2407 - (Corrections; Appropriations) Inmate Incentive to Work Program; create. Barnett. i201.
- 2408 - (Corrections; Accountability, Efficiency, Transparency) Department of Corrections; authorize to exempt agricultural equipment from bid requirements. Barnett. i201.
- 2409 - (County Affairs) County jails; bring forward provision related to. Williams. i201.
- 2410 - (Elections; Constitution) Mississippi Elections Integrity Act of 2022; enact. McDaniel. i202.
- 2411 - (Elections) Elections; require to be conducted by paper ballot or with optical mark reading equipment. Tate, et al. i202.
- 2412 - (Elections) Electioneering; prohibit in any public area within a set distance of polling place. Tate. i202.
- 2413 - (Elections) Elections; prohibit spending of private money on communications to electors and other election aspects. Tate, et al. i202; cr549; cu691; csa691; v691; caa691.
- 2414 - (Elections) Voting systems; require the Secretary of State to promulgate certification standards. Tate. i203.
- 2415 - (Education; Appropriations) Mississippi Adequate Education Program; bring forward statutes for possible amendment. DeBar. i203; cr556; cu692; csa692; v692.
- 2416 - (Education) Unused leave accumulated by teacher who transfers to another school district; allow to be credited. DeBar, et al. i203; cr573; cu631; v631; caa631.
- 2417 - (Public Health and Welfare) "No Patient Left Alone Act; enact. McDaniel. i203.
- 2418 - (Universities and Colleges; Appropriations) Graduate Nursing Loan Repayment Program; establish. Parks. i203.

- 2419 - (Universities and Colleges; Appropriations) Hospital Nurse and Allied Health Professional Retention Loan Program; create. Parks, et al. i203; cr588; cu702; csa702; v702; caa703; ph1680; msrp1752; sdc1752; ca2583; cg3076; nca3082.
- 2420 - (Education; Appropriations) Required local revenue in support of the Mississippi Adequate Education Program; revise computation of fee in lieu of taxes. Younger. i204.
- 2421 - (Public Health and Welfare; Appropriations) Physician grant funding from Qualified Health Center Grant Program; extend date of funding. Bryan. i204; cr588; cu736; v737; ph1680; msrp2573; sdc2573; cg3101; ca3106; crah3573; cro3661; cra3662; v3662; sp4151; ap4608.
- 2422 - (Education) Education Enhancement Fund; revise date of issuance and distribution of procurement cards or digital solutions for classroom supplies. DeBar, et al. i204; cr330; cu553; v554; ph1794; sdc2386; ca2586; cg3082; cro4008; cra4013; v4013; caa4013; crah4450; sp4582; ap4607.
- 2423 - (Education) Teacher license; allow supplemental endorsement and revise provisions of issuance. DeBar, et al. i204; cr573; cu632; csa632; v632; caa632; ph1794; sdc2391; ca2586; cg3082.
- 2424 - (Education) School district employee payroll; allow monthly or bimonthly payments. DeBar, et al. i204; cr330; cu554; v554; ph1799; sdc2424; ca2587; cg3082; cro3662; cra3663; v3663; caa3663; crah3934; sp4393; ap4607.
- 2425 - (Education; Universities and Colleges) State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. DeBar, et al. i204; cr574; cu695; csa695; v696; caa696; mr709; mrc719; mrt720.
- 2426 - (Education) Alternative school; student placement not to exceed time limitation without first performing reassessment on placement. DeBar. i205.
- 2427 - (Universities and Colleges; Appropriations) Accelerate Mississippi Scholarship Program; create. DeBar. i205.
- 2428 - (Education) District of Innovation Task Force of 2022; create. DeBar. i205; cr573; cu696; v696.
- 2429 - (Education; Appropriations) School recognition program; bring forward for possible amendment to salary supplements. DeBar. i206.
- 2430 - (Education; Appropriations) Educational Facilities Revolving Loan Fund Program; create for purpose of improving educational facilities. DeBar, et al. i206; cr587; cu850; csa850; v850; ph1794; sdc2402; ca2587; cg3082; hrcc3574; rcc3663; cro4013; cra4026; v4026; caa4026; crah4450; sp4587; ap4610.
- 2431 - (Education) Procedure for the purchase of textbooks by the State Board of Education; revise provisions of. DeBar. i206; cr574; cu632; csa632; v632; ph1793; sp1803; ap2588.
- 2432 - (Education) School attendance officers; revise salary provisions. DeBar. i206; cr574.
- 2433 - (Universities and Colleges) College of Veterinary Medicine; admissions requirements. DeBar, et al. i206.
- 2434 - (Education) The Academic Transparency Act of 2022; enact. England. i207.

- 2435 - (Education) School enrollment; allow for children with documentation of a parent's pending military relocation to the state. DeLano. i207.
- 2436 - (Universities and Colleges) Legislative Internship Program; authorize IHL to administer under certain conditions. Butler (38th). i207.
- 2437 - (Corrections; Judiciary, Division B) Central Mississippi Correctional Facility; authorize pilot work initiative. Barnett. i207; cr592; cu745; csa745; v745; ph1680; sdc2246; ca3022; cg3028; cro3268; cra3273; v3273; crah3352; sp3613; ap4617.
- 2438 - (Education) Mississippi Financial Literacy Act; create. Williams, et al. i208.
- 2439 - (Education) Corporal punishment; prohibit administration of in public and charter schools for disciplinary matters. Norwood. i208.
- 2440 - (Labor; Judiciary, Division A) Ban-the-Box Act; enact. Butler (38th). i208.
- 2441 - (Education) Compulsory School Attendance Law; define" child with a disability" for purposes of creating exemption from unexcused absence. Boyd. i208.
- 2442 - (Education) Schools; provide for mental health services providers and mental-wellness training. Boyd. i209.
- 2443 - (Education; Appropriations) Nationally certified school employees; delete caps on nurses & speech pathologists, add athletic trainers for salary supplements. DeBar, et al. i209; cr587; cu851; v857; caa858.
- 2444 - (Education; Appropriations) Teachers' salaries; provide increase to minimum salary. DeBar, et al. i209; cr331; cu333; csa333; pq333; v333; caa334; ev334; mr341; msrp609; mrc609; mrp609; v609; caa610.
- 2445 - (Medicaid) Medicaid; bring forward provider assessment provisions. Blackwell. i209.
- 2446 - (Medicaid) Medicaid coverage; coverage for eligible women up to 12 months postpartum. Blackmon. i209.
- 2447 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Butler (38th). i209.
- 2448 - (Medicaid) Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. Wiggins. i210; cr581; cu618; v618; mr635; mrc669; mrt669.
- 2449 - (Insurance) Health insurance; authorize exemption from prior authorization requirements for physicians and other providers. Michel. i210.
- 2450 - (Insurance) MS Windstorm Underwriting Association; divert nonadmitted policy fee to the State and School Employees' Insurance Fund. Michel. i211; cr344; cu690; v690; ph1680.
- 2451 - (Judiciary, Division A) Mississippi Equal Pay Act; enact. Wiggins, et al. i211; cr562; cu730; v730; ph1681; sdc1701; ca2587; cg3211.

- 2452 - (Judiciary, Division A) Evelyn Gandy Fair Pay Act; prohibit discrimination based on sex, race or ethnicity. Turner-Ford. i211.
- 2453 - (Judiciary, Division A) Mississippi Pay Equity Act; prohibit wage discrimination based on gender. Butler (38th). i211.
- 2454 - (Medicaid) Medicaid coverage; provide up to 12 months of continuous postpartum care. Blount. i211.
- 2455 - (Business and Financial Institutions) MS Consumer Alternative Installment Loan Act; authorize finance charges in lieu of interest on certain loans. Caughman. i212.
- 2456 - (Judiciary, Division A) Secretary of State; authorize certain notices by electronic mail. Williams. i212.
- 2457 - (Municipalities; Judiciary, Division A) Garbage collection liens; expire after a certain number of years. Boyd, et al. i212.
- 2458 - (Public Health and Welfare) Anatomical gifts; prohibit discrimination against recipient based on disability. England, et al. i212.
- 2459 - (Insurance; Judiciary, Division A) Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. Simmons (12th). i212.
- 2460 - (Judiciary, Division A) Mississippi Domestic Law Task Force; reconstitute. Wiggins, et al. i212; cr348; cu606; v606; caa607.
- 2461 - (Judiciary, Division A) Landlord-tenant law; revise provisions of to create procedures and protection for evictions. Wiggins, et al. i213; cr590; cu738; csa739; v739; caa739; ph1681; sdc1704; ca2587; cg3126; crah3573; msrp3682; cro3682; cra3695; v3695; sp4145; ap4617.
- 2462 - (Gaming; Finance) Mississippi Mobile Sports Pool and Race Book Wagering Act; create. Moran. i213.
- 2463 - (Veterans and Military Affairs; Highways and Transportation) Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. McDaniel. i214.
- 2464 - (Judiciary, Division A) Open accounts; revise provision relating to. McCaughn. i214.
- 2465 - (Judiciary, Division A) Construction liens; failure to file notice within certain period of time shall invalidate claim of lien. McCaughn. i214; cr590; cu708; csa708; v708.
- 2466 - (Insurance) Wind pool; no more than one deductible per year from named storms. McDaniel. i214.
- 2467 - (Judiciary, Division B; Judiciary, Division A) Marijuana; simple possession of 30 grams or less a civil infraction. Simmons (12th). i215.
- 2468 - (Judiciary, Division A) Mental health courts; create. McCaughn, et al. i215.
- 2469 - (Judiciary, Division A) Justice courts; require to accept electronic filing. Boyd. i215.

- 2470 - (Insurance) Insurers and pharmacy benefits managers; must apply cost-sharing assistance to patients' cost-sharing obligations. Michel. i215.
- 2471 - (Judiciary, Division A) Eminent domain; codify constitutional amendment. England, et al. i215.
- 2472 - (Judiciary, Division A) Eminent domain; codify constitutional amendment. DeBar, et al. i216; cr590.
- 2473 - (Elections; Accountability, Efficiency, Transparency) Elections; prohibit acceptance of private money for conducting. Hill. i216.
- 2474 - (Energy; Municipalities) Municipally owned electric utilities; shall have same powers as electric power cooperatives. Bryan, et al. i216; cr556; cu612; v612; caa612.
- 2475 - (Highways and Transportation; Accountability, Efficiency, Transparency) Transportation commissioners; revise mandatory compensation language to make discretionary with commissioner. McLendon. i216.
- 2476 - (Ports and Marine Resources) Shellfish aquaculture farms; authorize Department of Marine Resources to license. Moran, et al. i216; cr553; cu674; v674; mr678; mrc690; mrt690; ph1682; sdc2616; ca3056; cg3087; msrp3492; cro3493; cra3493; v3493; crah3935; sp4394; ap4607.
- 2477 - (Ports and Marine Resources) Duties of Mississippi Department of Marine Resources; utilize resources of all state institutions of higher learning. Moran, et al. i216; cr553.
- 2478 - (Ports and Marine Resources) Combination seafood dealer and processor license; separate into two licenses. Moran, et al. i216; cr553; cu674; v674.
- 2479 - (Agriculture) Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license. Younger, et al. i217; cr562; cu693; csa693; v694; caa694; ph1680; sdc2257; ca3059; cg3124.
- 2480 - (Highways and Transportation) Highways; conform weight tolerance provision, and remove repealers relating to harvest permits and timber deed grantees. Branning, et al. i217; cr583; cu700; v700.
- 2481 - (Highways and Transportation) Memorial highways; designate segment of MS-488 in Leake County as Hunky Cross Highway in memory of Austin Morrow & others. Branning. i217; cr551; cu793; v795; ph1793; sp1801; ap2588.
- 2482 - (Highways and Transportation) Memorial highways; designate segment of MS-21 North in Neshoba County for Master Sergeant Bridgette R. Horn. Branning. i217.
- 2483 - (Highways and Transportation) Recreational off-highway vehicles; raise width and unladen dry weight limits. Branning. i217; cr551; cu628; v628.
- 2484 - (Housing; Appropriations) Mississippi Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. Blackmon. i217.
- 2485 - (Housing; Finance) Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. Blackmon. i218.

- 2486 - (Wildlife, Fisheries and Parks) Hunting; require tree stands to be tagged with name and address of owner. Butler (38th). i218.
- 2487 - (Agriculture; Judiciary, Division B) Fraudulent statements grain warehouse provisions; increase penalties for violation of. Fillingane. i218.
- 2488 - (Wildlife, Fisheries and Parks) Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. Seymour, et al. i218; cr584.
- 2489 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Hunting on streets and railroads; clarify prohibition on. Seymour, et al. i219.
- 2490 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. Seymour, et al. i219.
- 2491 - (Highways and Transportation; Finance) All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. Seymour, et al. i219.
- 2492 - (Wildlife, Fisheries and Parks) Wild hogs; require metallic tags to be affixed to the ear of one that is being transported. Seymour. i219.
- 2493 - (Highways and Transportation) State highway system; revise designation for Mississippi Highway 615 in Harrison County. DeLano. i219.
- 2494 - (Highways and Transportation) Highways; include certain entrances and exits to and from Interstate 55 in the state highway system. Horhn. i219.
- 2495 - (Wildlife, Fisheries and Parks) Mississippi Outdoor Stewardship Trust Fund; create. Whaley, et al. i219; cr551; cu611; csa611; v611; caa611; ph2577; sdc2659; ca3022; cg3101.
- 2496 - (Housing; Appropriations) Municipal services to individuals who are homeless or at risk of experiencing homelessness; MS Home Corporation program. Blackmon. i220.
- 2497 - (Housing; Appropriations) Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. Blackmon. i220.
- 2498 - (Wildlife, Fisheries and Parks) Water skiing; revise safety requirements. Sojourner. i220; cr551; cu610; v610.
- 2499 - (Environment Prot, Cons and Water Res; Business and Financial Institutions) Solid Waste Disposal Law; define advanced plastic recycling. McDaniel. i220; cr574; cu731; csa731; v731; ph1681; sdc3052; ca3105.
- 2500 - (Accountability, Efficiency, Transparency) Regulatory reduction program for Department of Environmental Quality; provide pilot program. McDaniel. i221.
- 2501 - (Wildlife, Fisheries and Parks) Deer hunting; prohibit use of dogs for. Turner-Ford (By Request). i221.

- 2502 - (Housing; Appropriations) Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. Simmons (12th). i221.
- 2503 - (Wildlife, Fisheries and Parks) Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office. Whaley, et al. i221; cr551; cu574; rc574; cr584; cu734; csa734; v734; caa734; ph1794; sdc2426; ca3022; cg3101.
- 2504 - (Wildlife, Fisheries and Parks) Department of Wildlife, Fisheries and Parks; set term of executive director and create Division of Parks and Recreation. Whaley, et al. i221; cr584; cu735; csa735; v735; caa735; mr749; mrc768; mpr768; v789.
- 2505 - (Wildlife, Fisheries and Parks) Hunting and fishing licenses; allow inclusion of organ donor registration. Whaley, et al. i222; cr551; cu611; v611; caa611; ph1679; sdc2244; ca3023; cg3101; cro3344; cra3344; v3344; caa3344; crah3352; sp3613; ap4608.
- 2506 - (Wildlife, Fisheries and Parks) Bow hunting; establish a three-day season the last weekend between September 10th and 20th for legal bucks. Whaley, et al. i222; cr584; cu735; csa735; v736; caa736; ph1679; sdc2245; ca3023; cg3101.
- 2507 - (Highways and Transportation; Finance) MS Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees. Harkins, et al. i222; cr557; cu675; v675; ph1682; sdc2318; ca3059; cg3125; crah3352; msrp3498; rcc3498; hrcc3502; cro3861; cra3866; v3866; caa3867; crah4038; sp4602; ap4611.
- 2508 - (Highways and Transportation) Personal delivery devices; regulate. Harkins, et al. i222; cr551; cu793; v793; ph1681; sdc2300; ca3059; cg3125; crah3352; cro3663; cra3682; v3682; sp4146; ap4608.
- 2509 - (Judiciary, Division A; Highways and Transportation) Outdoor advertising signs; revise height limit provisions. Harkins. i222; cr591; cu739; csa739; v739; ph1682; sdc1704; ca2587; cg3082; crah3212; cro3695; cra3695; v3695; sp4583; ap4610.
- 2510 - (Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency) Commission on Wildlife, Fisheries and Parks; convert into advisory commission. Seymour, et al. i222.
- 2511 - (Ports and Marine Resources) Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement. Moran, et al. i223; cr553; cu674; v674; ph1682; sdc2618; ca3056; cg3087; msrp3498; cro3498; cra3498; v3498; crah3573; sp3935; ap4607.
- 2512 - (Local and Private) City of Southaven; extend repeal date on restaurant tax. Parker, et al. i223; cr595; cu689; v689; caa690; ph3932; sp4151; ap4604.
- 2513 - (Local and Private) City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. Blackwell, et al. i223; cr896; cu999; csa999; v999; caa999; ph3932; sp4151; ap4604.
- 2514 - (Local and Private) City of Hattiesburg; extend repeal date on hotel, motel and restaurant tax. Johnson, et al. i223; cr896; cu958; v959; ph3018; sp3029; ap3213.

- 2515 - (Wildlife, Fisheries and Parks) State parks; transfer jurisdiction from WFP Department and Commission to Mississippi Department of Tourism. Whaley. i223; cr584.
- 2516 - (Appropriations; Agriculture) Grain producer compensation for financial loss in 2021; authorize Commissioner of Agriculture to pay. Seymour. i224.
- 2517 - (Highways and Transportation) Commercial motor vehicles; authorize voluntary inspection program. Sparks, et al. i224; cr583; cu701; csa701; v701; caa701; ph1682; sdc2324; ca3059; cg3125; crah3352; cro3696; cra3697; v3697; sp4151; ap4608.
- 2518 - (Wildlife, Fisheries and Parks) State parks; transfer jurisdiction from WFP Department and Commission to MDA Tourism Division. Whaley. i224; cr584.
- 2519 - (Forestry; Highways and Transportation) Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle. Sparks, et al. i224; cr583; cu701; csa701; v701; ph1682; sdc2325; ca2587; cg3082; cro3141; cra3142; v3142; crah3212; sp3570; ap4607.
- 2520 - (Highways and Transportation) Memorial highways; designate segment of Mississippi Highway 45 for Senator John White. Sparks, et al. i224; cr551; msrp628; cu629; v629; caa629; ph1793; sp1802; ap2588.
- 2521 - (Accountability, Efficiency, Transparency) Sale of tax-forfeited public land; Secretary of State is authorized to contract for online state tax sale. Turner-Ford. i224.
- 2522 - (County Affairs; Accountability, Efficiency, Transparency) Counties; require to participate in the ACT Work Ready Community Initiative. Simmons (12th). i224.
- 2523 - (Housing; Economic and Workforce Development) Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. Blackmon. i225.
- 2524 - (County Affairs) Counties, municipalities and school districts; require to publish their annual budget online. Simmons (12th). i225.
- 2525 - (Public Property) MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property. Turner-Ford, et al. i225; cr584; cu702; v702; caa702; ph1799; sdc2445; ca3033; cg3087; crah3259; cro3697; cra3707; v3707; sp4152; ap4608.
- 2526 - (County Affairs; Municipalities) Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. Williams, et al. i225.
- 2527 - (Public Property; Accountability, Efficiency, Transparency) USM Gulf Park property; authorize DFA to sell or lease certain parcel in Harrison County. Thompson, et al. i225.
- 2528 - (Technology; Judiciary, Division B) Breach of security of businesses; require notice to be given to the Attorney General in certain circumstances. DeLano. i226.
- 2529 - (Technology) Social media; require accountability, responsibility and transparency. Carter. i226.

- 2530 - (Technology) Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. DeLano, et al. i226; cr583; cu800; csa800; v800; ph1680; sdc2266; ca3033; cg3202; crah3495; cro3707; cra3711; v3711; sp4146; vt4614.
- 2531 - (Technology) Mississippi Emergency Communications Act; create. DeLano, et al. i226; cr583; cu800; csa800; v817.
- 2532 - (Public Property) State flag; require governmental entities, public colleges, universities and school districts to display or be subject to penalty. Seymour. i227.
- 2533 - (Public Property) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Seymour. i227.
- 2534 - (Municipalities; Energy) Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. Thomas. i227.
- 2535 - (Energy; Appropriations) Helping Mississippians Afford Broadband Act; create. Simmons (12th) (By Request), et al. i227.
- 2536 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Criminal convictions; create registry of certain offenders and clarify the effect of expungement. England. i228; cr577; cu732; csa732; v732; ph1794; sdc2374; ca3023; cg3101; nca3201; crah3573; cro3711; cra3715; v3715; sp4147; vt4615.
- 2537 - (Judiciary, Division B) Fireworks; reduce offense for violation of law from felony to misdemeanor. England, et al. i228; cr562; cu613; v613; caa613.
- 2538 - (Judiciary, Division B) Justifiable homicide; provide for criminal and civil immunity. England. i228.
- 2539 - (Judiciary, Division B) Mississippi Scrap Metal Act; create. Fillingane, et al. i228.
- 2540 - (Judiciary, Division B) Rape; revise the crime of. Fillingane. i229.
- 2541 - (Judiciary, Division B) Reckless endangerment; create offense and prescribe penalties. Fillingane. i229.
- 2542 - (Judiciary, Division B) Ignition-interlock device; bring forward provision related to. Fillingane. i229.
- 2543 - (Judiciary, Division B) Department of Public Safety; revise provisions related to. Fillingane, et al. i229; cr563; cu729; csa729; v730; caa730; ph1679; sdc1731; ca2587; cg3101; hrcc3357; msrp3498; rcc3498; cro3716; cra3725; v3725; caa3725; crah3934; sp4583; ap4611.
- 2544 - (Judiciary, Division B) Youth court; revise fines, fees and costs. Barnett. i230.
- 2545 - (Judiciary, Division B) Scrap metal; revise provisions of and prescribe certain conditions for the purchase of detached catalytic converters. Thompson, et al. i230; cr592; cu743; v743; ph1679; sdc1740; ca2587; cg3101; crah3574; cro3725; cra3736; v3736; sp4142; ap4608.
- 2546 - (Judiciary, Division B) Harvey Scott Haney; restore suffrage. Tate. i230.

- 2547 - (Judiciary, Division B) Firearms; criminalize discharge of within limits of or into municipality. Younger. i231.
- 2548 - (Judiciary, Division B) Organized retail theft; revise. Seymour. i231.
- 2549 - (Judiciary, Division B) Shoplifting; revise penalties. Seymour. i231.
- 2550 - (Judiciary, Division B) Sheriffs; may deputize tribal law enforcement officers. Branning. i231.
- 2551 - (Judiciary, Division B) Scrap metal; exclude nonfunctioning window units and stainless steel sinks. Seymour. i231.
- 2552 - (Judiciary, Division B) Crimes of violence; revise list of offenses designated as such. Simmons (12th). i231.
- 2553 - (Judiciary, Division B) Misdemeanants; may not possess a weapon under certain circumstances. Simmons (12th). i231.
- 2554 - (Judiciary, Division B; Corrections) Juvenile sentencing; provide criteria for determining parole eligibility and require hearing before imposing life without parole. Simmons (12th), et al. i231.
- 2555 - (Judiciary, Division B) Grocery items; prohibit cost-plus pricing without public notice. Norwood. i232.
- 2556 - (Judiciary, Division B) Motor vehicles; increase penalties for operating without insurance or license and for failing to stop at accidents. Tate. i232.
- 2557 - (Judiciary, Division B) Law enforcement communications; promote interoperability between agencies. Suber, et al. i232.
- 2558 - (Judiciary, Division B) Firearms; criminalize the discharge of within the limits of or into a public park. Tate. i232.
- 2559 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Vulnerable persons; make reports available to Secretary of State. Boyd. i232.
- 2560 - (Judiciary, Division B) Methamphetamine; revise penalty for simple possession of smaller amounts. Sparks. i232.
- 2561 - (Judiciary, Division B) Foster children; may sign certain rental agreements if over 18. Boyd. i232.
- 2562 - (Judiciary, Division B) DUI; allow expunction for first offense under certain circumstances. Sparks. i233.
- 2563 - (Judiciary, Division B) Mississippi Pill Press Law of 2022; enact. Sparks, et al. i233; cr592; cu745; csa745; v745; caa745.
- 2564 - (Judiciary, Division B) Habitual offenders; revise provisions for. Sparks. i233.
- 2565 - (Judiciary, Division B) Bail for indigent defendants; provide procedure. Sparks. i233.
- 2566 - (Elections; Judiciary, Division B) Voting rights; restore to people who have been released from incarceration. Blackmon. i233.

- 2567 - (Elections) Qualifying to run for public office; prohibit use of post office box and require physical address of residence. Norwood, et al. i234.
- 2568 - (Elections; Judiciary, Division B) Vote fraud; increase penalties. Seymour, et al. i234.
- 2569 - (Elections) Municipal primary elections; extend deadline in case of annexation. Turner-Ford. i234.
- 2570 - (Elections) Election Commissioners; revise to be a nonpartisan office. Tate. i234.
- 2571 - (Elections) Election contest; revise procedure concerning the date of examination of the ballot box. Tate. i234.
- 2572 - (Elections) Election commissioners; remove skills assessment requirement. Tate, et al. i234; cr549; cu791; csa791; v791; caa792.
- 2573 - (Elections; Judiciary, Division A) Social media companies; require to file a report for any restriction of a candidate or elected official. Tate. i235.
- 2574 - (Elections; Accountability, Efficiency, Transparency) Elections; require legislative approval of any new elections guidance or funds from the federal government before implementation. Fillingane. i235.
- 2575 - (Elections) Judicial candidates; revise political limitations on. Tate, et al. i235; cr549; cu792; v792; vp792; mr793; caa793; mrc890; mrt890.
- 2576 - (Elections; Accountability, Efficiency, Transparency) Judicial campaigns; revise provisions of. Tate. i235.
- 2577 - (Elections) Campaign contributions; revise disclosures of and require Attorney General to enforce. Tate. i235.
- 2578 - (Corrections; Accountability, Efficiency, Transparency) Correctional auditor; revise duties. Blackwell. i236.
- 2579 - (Corrections; Accountability, Efficiency, Transparency) Office of Ombudsman within the Department of Corrections; establish. Simmons (12th). i236.
- 2580 - (Corrections; Appropriations) State inmates; require MDOC to pay increased rate to house inmates in county jails. Sparks, et al. i236.
- 2581 - (Corrections; Judiciary, Division B) "Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts. Sparks. i236.
- 2582 - (Corrections; Judiciary, Division B) MDOC; authorize to establish work release program with any sheriff. Sparks. i237.
- 2583 - (Corrections; Appropriations) Mississippi Justice Reinvestment Act; enact. Barnett. i237.
- 2584 - (Corrections; Judiciary, Division B) "Reentry Court Act of 2022"; authorize pilot reentry courts in circuit court districts. Fillingane. i237; cr563; cu614; csa614; v614; ph1679; sdc3037; ca3105; cg3125.
- 2585 - (Labor; Judiciary, Division A) Mississippi Paid Family Leave Act; enact. Butler (38th). i238.

- 2586 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Simmons (12th), et al. i238.
- 2587 - (Judiciary, Division B) CDLs; treat certain moving violations as regular license holders. Sparks, et al. i238; cr548; cu607; v607; caa607; ph1679; sdc1749; ca2587; cg3102.
- 2588 - (Elections; Accountability, Efficiency, Transparency) Online voter registration; revise to allow for first-time voters to register through. Blackwell. i238.
- 2589 - (Elections; Accountability, Efficiency, Transparency) Ballots; require certain information on the front of and require watermark on absentee voter ballots. Blackwell. i238.
- 2590 - (Elections; Accountability, Efficiency, Transparency) Secretary of State Statewide Elections Management System; provide for voter's proof of citizenship. Blackwell. i239.
- 2591 - (Elections; Accountability, Efficiency, Transparency) Mississippi Election Reform Act of 2022; enact. Blackwell. i239.
- 2592 - (Elections; Accountability, Efficiency, Transparency) Legislative offices; define vacancy. Blackwell. i239.
- 2593 - (Elections; Accountability, Efficiency, Transparency) Elections; Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. Butler (38th). i239.
- 2594 - (Municipalities; Judiciary, Division A) Municipal annexation; require an election be held in the proposed annexation territory. McLendon. i240.
- 2595 - (Judiciary, Division B; Accountability, Efficiency, Transparency) County jail census data; facilitate availability of. Simmons (12th). i240.
- 2596 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to pre-release centers. Simmons (12th). i240.
- 2597 - (Corrections; Judiciary, Division B) Supervised prison release programs; revise terms and conditions. Simmons (12th). i241.
- 2598 - (Corrections; Judiciary, Division B) Restitution centers; transition to post-release reentry centers. Simmons (12th). i241.
- 2599 - (Judiciary, Division B; Constitution) Expunction and reenfranchisement; revise procedure for requesting. Norwood. i241.
- 2600 - (Corrections) Recidivism; create study committee to review means to reduce through support, supervision and skills attainment. Sparks. i242; cr547; cu790; csf790; v791; ph1680; sdc2251; ca3024; cg3028; cro3142; cra3143; v3143; crah3495; sp3802; ap4609.
- 2601 - (Judiciary, Division B) Mississippi Pink Alert System Act of 2022; create. McMahan. i242; cr592; cu743; csa743; uc744; v744.
- 2602 - (Labor; Judiciary, Division A) "Ban the Box Act"; enact. Horhn. i243.

- 2603 - (Labor; Judiciary, Division A) Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. Sparks, et al. i243.
- 2604 - (Energy) Mississippi Broadband Expansion Act; enact. Carter, et al. i243; cr582; cu698; csa698; v700; caa700; mr746; mpr746; v748.
- 2605 - (Elections) Absentee voting; establish electronic application procedure for college students. Blount. i243.
- 2606 - (Elections; Accountability, Efficiency, Transparency) Voter registration; provide for certain procedures upon application. Tate, et al. i243; cr589; cu706; csa706; v706; vp706; caa706; mr709; mrc719; mrt719.
- 2607 - (Elections) Mississippi Student Absentee Voter Act; enact. Blackwell. i244.
- 2608 - (Elections; Constitution) Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. Blackwell. i244.
- 2609 - (Elections; Accountability, Efficiency, Transparency) Voter Registration File fees; revise. Tate. i244.
- 2610 - (Elections; Accountability, Efficiency, Transparency) Election procedures; authorize audits. Tate. i244.
- 2611 - (Judiciary, Division A) Child support; prohibit standard amount for imputation of income in lieu of fact-gathering. Wiggins. i245.
- 2612 - (Judiciary, Division A) Mississippi Fair Housing Act; enact. Horhn. i245.
- 2613 - (Judiciary, Division A; Elections) Voter registration; require verification of an applicant's U.S. citizenship. Sojourner, et al. i245.
- 2614 - (Judiciary, Division A) Mississippi Statutory Thresholds for Settlements Involving Minors Law; create. Wiggins. i245.
- 2615 - (Judiciary, Division A) DHS; strengthen child support enforcement remedies. Fillingane. i246.
- 2616 - (Judiciary, Division A) Gaming; require winnings to be reported to MDHS for offsetting outstanding child-support obligations. Michel. i246; cr590.
- 2617 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). Sparks. i247.
- 2618 - (Judiciary, Division A) "Mississippi Residential Landlord and Tenant Act"; enact. Simmons (12th) (By Request), et al. i247.
- 2619 - (Judiciary, Division A) Child support; administratively suspend obligations for incarcerated individuals. Wiggins. i249.
- 2620 - (Judiciary, Division A) Public records; award attorney's fees for duplicative requests. Thompson. i249; cr590; cu708; v708; ph1683; sdc1705; ca2587; cg3126; nca3212; crah3574; cro3736; cra3737; v3737; sp4142; ap4609.
- 2621 - (Judiciary, Division A) Eminent domain; codify constitutional amendment. Sojourner. i249.

- 2622 - (Judiciary, Division A) Remote Online Notarization Act; enact. England. i249.
- 2623 - (Judiciary, Division A; County Affairs) Involuntary civil commitments; limit county's liability for costs of medical treatment. Thompson, et al. i250; cr580; cu697; v697; caa698; ph1680; sdc1694; ca2587; cg3126.
- 2624 - (Judiciary, Division A) Mississippi Architects and Engineers Good Samaritan Act; create. Thompson, et al. i250; cr562; cu630; csa630; v630; caa631.
- 2625 - (Judiciary, Division A) Mississippi Pay Equity Act; prohibit wage discrimination based on gender. Horhn. i250.
- 2626 - (Judiciary, Division A) Comprehensive Landlord and Tenant Act; enact. Johnson. i250; cr590; cu739; csa739; v739.
- 2627 - (Business and Financial Institutions) Banks; require to store identifying information for a certain period. Suber. i253.
- 2628 - (Judiciary, Division A) Anti-SLAPP law; create the Public Speech Protection Act. Carter. i254.
- 2629 - (Business and Financial Institutions) Commercial Financing Disclosure Law; create. England. i254.
- 2630 - (Business and Financial Institutions) Home Business Relief Act of 2022; create. Sparks. i254.
- 2631 - (Business and Financial Institutions) Mississippi Money Transmitters Act; exempt virtual currencies from. Harkins. i254.
- 2632 - (Business and Financial Institutions; Judiciary, Division A) Digital assets; establish legal nature of. Harkins. i254.
- 2633 - (Business and Financial Institutions) Securities laws; exempt blockchain tokens from. Harkins. i254.
- 2634 - (Business and Financial Institutions; Finance) Mississippi Savings Initiative; create. Horhn, et al. i255; cr582.
- 2635 - (Business and Financial Institutions; Finance) Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. Horhn. i255.
- 2636 - (Business and Financial Institutions; Municipalities) Contractors; allow to do business in any municipality or county without local license under certain conditions. Horhn. i255.
- 2637 - (Business and Financial Institutions) Public funds depositories; authorize certain credit unions to qualify as. Horhn. i255.
- 2638 - (Business and Financial Institutions) Funeral service license; revise qualifications to grandfather individuals with certain number of years experience. Jackson (11th). i256.
- 2639 - (Business and Financial Institutions) Consumer Finance Licensees; allow to work from a remote location under certain circumstances. Caughman. i256.

- 2640 - (Business and Financial Institutions) State-chartered banks; revise merger law to conform to the Mississippi Business Corporation Act. Caughman, et al. i256; cr338; cu606; v606.
- 2641 - (Judiciary, Division A) Solemnize marriage; authorize judges of military court to perform rites. Seymour. i256.
- 2642 - (Judiciary, Division A) Eminent domain; codify constitutional amendment. Seymour, et al. i256.
- 2643 - (Judiciary, Division A) Divorce; authorize where marriage is irretrievably broken. Wiggins, et al. i256; cr349; cu720; v720.
- 2644 - (Insurance) Health insurance policies; require coverage for hearing aids and services for deaf and hearing impaired. Simmons (13th), et al. i257.
- 2645 - (Veterans and Military Affairs; Appropriations) "Mississippi Veterans Home Perpetual Care Fund"; create. Seymour. i257.
- 2646 - (Veterans and Military Affairs; Appropriations) Veterans Resource Advisors; authorize State Veterans Affairs Board to certify. Seymour. i257.
- 2647 - (Accountability, Efficiency, Transparency) Board of Cosmetology and Barbering; create, and abolish Board of Barber Examiners. Blackwell, et al. i257; cr577; cu797; csa797; v797.
- 2648 - (Accountability, Efficiency, Transparency) Executive Director of the State of Veterans Affairs Board; to be appointed by the Governor subject to Senate confirmation. Seymour. i257.
- 2649 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) Mississippi National Guard retired list; clarify placement of federally recognized officers or men on. Seymour, et al. i258; cr589; cu707; v707; caa707; ph1680; sdc2269; ca3023; cg3126; crah3352; cro3737; cra3737; v3737; sp4152; ap4609.
- 2650 - (Veterans and Military Affairs; Appropriations) "Mississippi Veterans Cemetery Perpetual Care Fund"; create. Seymour. i258.
- 2651 - (Municipalities) Compatability of land-use development with Mississippi military installations; provided for. DeLano. i258.
- 2652 - (Gaming) Online betting, gaming and wagering; legalize under certain conditions. DeLano. i258.
- 2653 - (Gaming; Finance) Gaming; authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. Horhn. i258.
- 2654 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Mandatory COVID-19 vaccination of Mississippi residents as condition of employment; prohibit based on religious belief. Sojourner. i258.
- 2655 - (Judiciary, Division B) Death penalty; revise method of execution. Fillingane. i258.
- 2656 - (Insurance; Appropriations) Fire insurance rebate monies; increase funds provided to local governments and expand areas for use of. Michel. i259.

- 2657 - (Medicaid; Accountability, Efficiency, Transparency) Medicaid reimbursement for certain home services; impose moratorium on new providers. Horhn. i259.
- 2658 - (Medicaid) Mississippi Medicaid Program; make technical amendments to reimbursement and administration. Blackwell. i259; cr549; cu721; csa721; v722; mr858; mrc890; mrt890.
- 2659 - (Medicaid) Medicaid State Plan; allow to operate under previous plan if disapproved. Blackwell. i259; cr581; cu799; csa799; v800.
- 2660 - (Elections; Accountability, Efficiency, Transparency) Elections; public official's qualification as candidate deemed resignation of current office. Blackwell, et al. i259.
- 2661 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Simmons (12th), et al. i259.
- 2662 - (Medicaid; Appropriations) Medicaid reimbursement; allow for border city university-affiliated pediatric hospitals to be reimbursed. Blackwell, et al. i260.
- 2663 - (Insurance; Public Health and Welfare) Health insurance plans, prohibit from modifying insured's benefit level on renewal. DeLano. i260.
- 2664 - (Medicaid) Medicaid services; require Medicaid to reimburse licensed birthing centers and to seek necessary waivers. Blackwell. i260; cr581; cu733; v733.
- 2665 - (Insurance) Group insurance coverage; revise for certain public entities. DeLano. i260.
- 2666 - (Insurance) Health insurance policies; require coverage of colorectal cancer screening. Parker. i260.
- 2667 - (Veterans and Military Affairs; Public Property) Adjutant General; authorize to transfer real property that is in the best interest of the Military Department. Seymour. i261.
- 2668 - (Insurance) Non-Transport Emergency Medical Services Act; create. Michel. i261.
- 2669 - (Insurance) Insurance company licenses; perpetual until revoked or forfeited. Michel. i261; cr344; cu671; v672; ph1679; sdc2984; ca3023; cg3087; crah3574; cro3738; cra3738; v3738; sp4152; ap4609.
- 2670 - (Insurance) Automobile liability insurance coverage; require before receiving tag. Hill. i261.
- 2671 - (Veterans and Military Affairs; Highways and Transportation) Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. Seymour. i261.
- 2672 - (Insurance; Judiciary, Division A) Workers' Compensation; revise the exclusive remedy provision to provide certain exemptions. Sojourner. i261.
- 2673 - (Appropriations) "Mississippi Frontline Nurses and Health Care Workers Retention Grant Program"; establish in the Mississippi Department of Health. Bryan, et al. i261; cr586; caa709; rc768.

- 2674 - (Education) Licensed educators; provide appeal rights when license suspended or revoked. DeBar. i262.
- 2675 - (Education; Appropriations) Charter school funding; revise funding formula. Norwood, et al. i263.
- 2676 - (Judiciary, Division A; Appropriations) Armed educator; create Mississippi School Protection Act. Hill. i263.
- 2677 - (Education; Finance) Winona-Montgomery Consolidated School District; allow to construct school on sixteenth section land. DeBar, et al. i263.
- 2678 - (Education; Appropriations) Mental health days; allow limited leave for teachers. Simmons (13th), et al. i263.
- 2679 - (Education) "Transparency in Education Act"; prohibit certain curriculum in public schools without parental consent. Hill. i263.
- 2680 - (Education) High school graduation; end-of-course assessments required by federal law shall only be required. Sparks, et al. i264.
- 2681 - (Education; Technology) Local school district-issued computers; require content filtering. Hill. i264.
- 2682 - (Education; Appropriations) Prekindergarten programs; increase funding for second and third phase. Butler (38th). i264.
- 2683 - (Education) Compulsory school attendance law; require appliance to kindergarten age children. Norwood. i264.
- 2684 - (Education) Social studies high school graduation requirements; revise. McDaniel. i264.
- 2685 - (Education; Appropriations) Mississippi Year Round School Grant Program. DeBar. i264.
- 2686 - (Education; Appropriations) Assistant teachers; provide "C," "D" and "F" districts with additional. Blackmon. i265.
- 2687 - (Education; Appropriations) Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. Blackmon. i265.
- 2688 - (Education; Appropriations) Teachers' salaries; provide for increase and implement plan to fund at the southeastern average. Blackmon. i265.
- 2689 - (Education; Appropriations) Mid-year budget reductions; exempt MAEP funds. Horhn. i265.
- 2690 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Act and Mississippi Uniform Agents act; revise various provisions of. Parks. i265; cr557; cu692; v692; ph1683; sdc2275; ca3055; cg3126; cro3345; cra3350; v3350; crah3352; sp3613; ap4609.
- 2691 - (Universities and Colleges) University of Mississippi Medical Center; create Hospital Board to oversee the business operations of the hospital. Parks. i266.
- 2692 - (Universities and Colleges) Tenure programs for public university faculty; phase out. McDaniel. i266.

- 2693 - (Universities and Colleges; Appropriations) State Resident Forgivable Student Loan Program; provide student loan forgiveness to residents of five years. Blackmon. i266.
- 2694 - (Universities and Colleges; Appropriations) Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. Blackmon. i266.
- 2695 - (Universities and Colleges; Appropriations) Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. Blount. i267.
- 2696 - (Education) School employee leave days; allow seven additional for infectious disease quarantine. Hickman. i267.
- 2697 - (Universities and Colleges) State universities; require to develop mechanism for compiling data on state-funded projects and submit annual report. Blackwell, et al. i267.
- 2698 - (Universities and Colleges; Appropriations) Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. Thompson, et al. i267; cr588; cu703; v703; caa703; ph1681; sdc2270.
- 2699 - (Housing; Appropriations) Mississippi Home Corporation Down-Payment Assistance Program for university graduates who remain in Mississippi; establish. Blackmon. i267.
- 2700 - (Universities and Colleges) IHL; extend repealer date and create the Mississippi Association of Independent Colleges and Universities Grant Program. Harkins. i268; cr557; cu692; v692; ph1683; sdc2291; ca3056; cg3126; crah3352; cro3738; cra3746; v3746; sp4152; ap4617.
- 2701 - (Education) Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. Horhn. i268.
- 2702 - (Education; Appropriations) "Equal Opportunity for Students with Special Needs Act;" revise definition of "eligible student" and "eligible school." England. i268.
- 2703 - (Education) Kindergarten-age children; require compulsory school attendance for all. Butler (38th). i268.
- 2704 - (Education; Appropriations) Civic literacy requirement for high school students; require before enrolling in college or university in this state. McDaniel. i268.
- 2705 - (Public Health and Welfare) Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. Blackwell. i268.
- 2706 - (Education) Third-grade reading assessment for 2021-2022 school year; allow students who fail to be promoted to fourth grade with remediation. Boyd, et al. i269; cr573; msrp797; cu798; csa798; v798; caa798.
- 2707 - (Education; Appropriations) Mississippi Adequate Education Program; fully fund. Blackmon. i269.
- 2708 - (Public Health and Welfare) State Board of Medical Licensure; revise organization and membership of board. Wiggins. i269.

- 2709 - (Public Health and Welfare) Mississippi Medical Cannabis Compassion Act; create. Hill, et al. i269.
- 2710 - (Public Health and Welfare) COVID Vaccine; create religious exemption to mandates and prohibit certain discrimination related thereto. Wiggins. i270.
- 2711 - (Public Health and Welfare) Acute Care Nurse Practitioners; establish specific practice authority. England. i270.
- 2712 - (Public Health and Welfare; Appropriations) Rural Nurse Recruitment and Retention Incentive Grant Program Act; create. McMahan. i270.
- 2713 - (Public Health and Welfare) Nursing home care; authorize nursing home resident or representative to have monitoring device installed in room. Hill. i271.
- 2714 - (Public Health and Welfare) Physical therapy practice laws; revise various provisions of. Blackwell. i271.
- 2715 - (Medicaid; Accountability, Efficiency, Transparency) Women's Economic Security Act of 2021; enact. Butler (38th). i271.
- 2716 - (Economic and Workforce Development) RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify. Parker, et al. i272; cr548; cu626; v627; caa627; mr635; mrc690; mrt690.
- 2717 - (Economic and Workforce Development; Finance) Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. Horhn. i272.
- 2718 - (Economic and Workforce Development; Appropriations) "Partnerships for Growth" program grants; prescribe conditions for administration by the Mississippi Development Authority. Blackmon. i272.
- 2719 - (Economic and Workforce Development) Annual salaries of county boards of supervisors; revise. Parker. i273; cr548; cu627; csa627; v627; ph878; sp878; ap934.
- 2720 - (Economic and Workforce Development; Accountability, Efficiency, Transparency) State employees; provide the terms and conditions for state employees to engage in telework. Parker. i273.
- 2721 - (Economic and Workforce Development; Appropriations) American Rescue Plan Act (ARPA) Health/Science Workforce Development and Retention Act; create. Parker, et al. i273; cr586; msrp686; cu686; csa686; v686; caa686.
- 2722 - (Economic and Workforce Development; Appropriations) Back to Work Mississippi Act; create. Chism. i273.
- 2723 - (Economic and Workforce Development) Office of Workforce Development; revise how MS Works funds may be spent by and certain collaborations with. Parker, et al. i274; cr548; cu627; csa627; v627; ph1679; msrp1705; sdc1705; ca3054; cg3070; cro3746; cra3763; v3763; uc3763; caa3765; crah3934; sp4605; ap4610.
- 2724 - (Appropriations) "MS Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022"; establish. Parks, et al. i274; cr586; cu684; csa684; v684; caa685.

- 2725 - (Public Health and Welfare) Medical records; require health care providers to provide within 30 days of patient's or their representative's request. McMahan, et al. i274; cr578; cu732; v733; ph1683; sdc3096; ca3106; cg3125; crah3495; cro3765; cra3766; v3766; caa3766; sp4152; ap4608.
- 2726 - (Public Health and Welfare) Vaccines; prevent entities that receive state funding from requiring individuals to receive COVID vaccine. Tate, et al. i274.
- 2727 - (Public Health and Welfare; Appropriations) SNAP Healthy Food Incentive Program Act of 2022; create. Jackson (11th), et al. i275.
- 2728 - (Public Health and Welfare) Mississippi Save Adolescents from Experimentation Act; create. Younger. i275.
- 2729 - (Public Health and Welfare) Single or loose cigarettes; prohibit sale of and set certain penalties for violations. Barnett, et al. i275; cr349; cu789; rc790.
- 2730 - (Education; Appropriations) Board certified occupational therapist employed by schools; allow to be eligible for salary supplement. McLendon, et al. i275.
- 2731 - (Public Health and Welfare) Mississippi Department of Human Services; authorize to use a combined reporting system. Fillingane, et al. i275; cr349; cu672; v672; caa672.
- 2732 - (Public Health and Welfare) Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. Horhn. i276.
- 2733 - (Public Health and Welfare) Certificate of need; authorize nursing facility in any underserved minority zip code area. Horhn. i276.
- 2734 - (Public Health and Welfare) TANF; prohibit assistance to persons convicted of multiple felonies. Sojourner. i276.
- 2735 - (Public Health and Welfare; Appropriations) Pilot freestanding emergency room; require the Department of Health to issue not more than five licenses. Suber, et al. i276; cr588; cu818; v818; ph1681; msrp3063; sdc3063; ca3106; cg3125; crah3495; cro3766; cra3770; v3770; caa3770; sp4142; ap4609.
- 2736 - (Economic and Workforce Development; Appropriations) Unemployment benefits; provide eligibility for persons discharged for failure to comply with employer-required vaccine mandate. Seymour. i276.
- 2737 - (Public Health and Welfare) Physician billing for pathology services; prohibit fee division unless provided by the physician. England. i276.
- 2738 - (Insurance) Health insurance; revise mandated coverage for telemedicine services. Boyd, et al. i277; cr581; cu634; csa634; v634; ph1679; sdc2607; ca3023; cg3087; cro3351; cra3351; v3351; caa3351; crah3574; sp3935; ap4609.
- 2739 - (Medicaid) Nonemergency medical transportation providers; require permit and set certain standards related to such service. Parker, et al. i277; cr581; cu617; v617; ph1794; sdc2427; ca3023; cg3083; cro3770; cra3773; v3773; crah3934; sp4583; ap4610.
- 2740 - (Public Health and Welfare; Judiciary, Division B) The Maternal Health Reporting Act; enact. Fillingane. i277.

- 2741 - (Finance) Distinctive motor vehicle license tags; authorize for supporters of the Baptist Health Foundation. Blackwell. i278.
- 2742 - (Finance) Retailer Tax Fairness Act; create. Sparks, et al. i278.
- 2743 - (Finance) Alcoholic and tobacco; require scanning software to combat underage drinking and smoking. Harkins. i278.
- 2744 - (Finance) Bonds; authorize to assist Sunflower County Ministerial Alliance Counseling Services in constructing transitional shelter. Simmons (13th), et al. i278.
- 2745 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Polk. i279.
- 2746 - (Finance) Bonds; authorize for construction and relocation of State Veterans Home in Jackson. Seymour. i279.
- 2747 - (Finance) Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27-71-5(d). Chassaniol. i279; cr556; cu625; v625; ph1683; sdc2371; ca3024; cg3087; cro3252; cra3252; v3252; crah3495; sp3614; ap4609.
- 2748 - (Finance) Bonds; authorize to assist Clarke County in purchase and maintenance of equipment supporting voting by paper ballots. Tate. i279.
- 2749 - (Finance) Distinctive motor vehicle license tags; authorize for supporters of Pro-Life Billboard Initiative. Carter. i279.
- 2750 - (Finance) State income tax; phase out based on General Fund Revenue collections. McDaniel, et al. i279.
- 2751 - (Finance) Distinctive motor vehicle license tags; exempt Marty Wilson Foundation One Gulf One Goal from presale requirement. DeLano. i279.
- 2752 - (Finance) Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. Horhn. i280.
- 2753 - (Finance) Distinctive motor vehicle license tags; authorize for supporters of Mississippi Disc Golf. Michel. i280.
- 2754 - (Finance) Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. Horhn. i280.
- 2755 - (Finance) Sales tax; exempt sales of tangible personal property or services to Habitat for Humanity Mississippi Capital Area. Horhn. i280.
- 2756 - (Finance) Bonds; authorize to assist Hinds County pay for construction of mental and behavioral health court/collaborative facility. Horhn. i280.
- 2757 - (Finance) Tax amnesty; establish a program for tax liabilities that accrued after January 1, 2005, and before December 31, 2019. Horhn. i280.
- 2758 - (Finance) Bonds; authorize issuance to assist Hinds County in paying costs of construction of Byram-Clinton Parkway project. Horhn. i281.

- 2759 - (Finance) Tourism project sales tax incentive program; include certain hotel projects in. Horhn. i281.
- 2760 - (Finance) Emerging Crops Fund; increase amount that may be loaned to any one borrower to assist in financing minority economic development. Horhn. i281.
- 2761 - (Finance) Bonds; authorize issuance to assist in restoration and renovation of Scott Ford Midwife Houses in downtown Jackson. Norwood, et al. i281.
- 2762 - (Finance) PERS; give first responders four-year vesting period, regardless of when they joined the system. DeLano. i281.
- 2763 - (Finance) Personalized license tags; provide option of black background with white pinstripe border. DeLano. i281.
- 2764 - (Finance) Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. Harkins. i282; cr345; cu625; v625; ph1679.
- 2765 - (Finance) Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. Horhn. i282.
- 2766 - (Finance) Ad valorem tax; exempt one vehicle per teacher in shortage areas, and discount tax on one vehicle per teacher in other areas. Horhn. i282.
- 2767 - (Finance) Ad valorem taxation; exempt 20% of the assessed value of one motor vehicle owned by a full-time public school classroom teacher. Horhn. i282.
- 2768 - (Finance) Local option taxes; require renewal to be placed on ballot, instead of being subject to approval only by the Legislature. Sojourner. i282.
- 2769 - (Finance) Ad valorem tax; exempt property owned by a university or community college foundation or federally qualified health center. Harkins. i283; cr556; cu626; v626; ph948; sc2231; v2235; sp2975; ap3102.
- 2770 - (Finance) Income tax; extend repealer on job tax credit for certain water transportation enterprises. Harkins. i283; cr345; cu597; v597; ph1682; sdc2326; ca3023; cg3088; cro3252; cra3254; v3254; crah3496; sp3614; ap4609.
- 2771 - (Finance) Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. Harkins. i283; cr345; cu598; v598.
- 2772 - (Finance) State Small Business Credit Initiative; update citations to federal law. Harkins. i283; cr582; cu768; csa768; v768; ph1679; sdc2245; ca3023; cg3088.
- 2773 - (Finance) Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state. Harkins. i284; cr345; cu625; v625; ph1682; sc2619; v2628; sp3029; ap3213.
- 2774 - (Finance) First Responder Appreciation and Recruitment Act; create. Wiggins. i284.
- 2775 - (Appropriations) "Mississippi Economically Disadvantaged Community (EDC) Infrastructure Grant Program Act of 2022"; establish. Horhn. i284.
- 2776 - (Appropriations) Health Care Expendable Fund; extend date of repeal. Hopson. i284; cr555; cu595; v596; ph1682.

- 2777 - (Appropriations) District attorneys; authorize appointment of additional legal assistants and criminal investigators. Horhn. i285.
- 2778 - (Appropriations) Line-Item Appropriation Transparency Act; revise. Hopson, et al. i285; cr586; cu597; v597; caa597; ph1682.
- 2779 - (Appropriations) Mississippi Highway Patrol, MBN and CTED officers; increase salaries of. Tate. i285.
- 2780 - (Appropriations) Budget; provide for various transfers, create several special funds, and create Independent Schools Infrastructure Grant Program. Hopson. i285; cr586; cu623; v624; ph1682; msrp1775; sdc1775; ca3033; cg3076; hrcc4326; msrp4380; rcc4380; msrp4503; cro4503; cra4511; v4511; crah4581; sp4599; ap4619.
- 2781 - (Appropriations) Appropriations; make various corrections to FY2022 appropriations bills. Hopson. i285; cr555; cu683; csa683; v683; ph1682; sdc2328; ca3033; cg3076; cro3541; cra3561; v3561; crah3934; sp4588; ap4609.
- 2782 - (Appropriations) Law Enforcement Officers Death Benefits Trust Fund; include presumption of eligibility for officers with COVID-19. Frazier, et al. i285; cr586; cu685; v685; caa685; ph1683.
- 2783 - (Appropriations) Community Development Block Grant Coronavirus Funds (CDBE-CV-PPR); direct MDA to draw down federal funds. Horhn. i286.
- 2784 - (Appropriations) Capital Expense Fund; appropriation to Secretary of State for implementation of the Voter Modernization Grant Program. Tate. i286.
- 2785 - (Appropriations) State General Funds; FY2023 appropriation to Village of Pachuta for veterans memorial. Tate. i286.
- 2786 - (Appropriations) State General Funds; FY2023 Appropriation to Clarke County for purchase/maintenance of equipment that supports voting by paper ballots. Tate. i286.
- 2787 - (Appropriations) Line-item Appropriation Transparency Act; revise conditions by which a state agency may provide pass-through funding. Blackwell, et al. i286.
- 2788 - (Appropriations) State Fire Marshal and Fire Academy; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Michel. i286.
- 2789 - (Appropriations) Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Parks. i286.
- 2790 - (Appropriations) Highway Patrol and Bureau of Narcotics; revise compensation. Hill. i287.
- 2791 - (Appropriations) Salaries of public officers; bring forward various laws relating to. Hopson. i287; cr586; cu683; csa683; v684; ph1683.
- 2792 - (Accountability, Efficiency, Transparency) Construction manager at-risk program; exempt under public bidding laws. Horhn. i287.

- 2793 - (Accountability, Efficiency, Transparency) Legal service contracts; clarify exemption from Public Procurement Review Board. Blackwell, et al. i287; cr589; cu737; v737; caa738.
- 2794 - (Appropriations) Legislators; allow office expense allowance for every month of the term. Jordan. i288; cr586; cu684; csa684; v684; mr735.
- 2795 - (Accountability, Efficiency, Transparency; Appropriations) Circuit clerks; increase compensation for election duties. Hill. i288.
- 2796 - (Accountability, Efficiency, Transparency) Mississippi Emergency Management Agency; authorize Q-risq Analytics pilot program providing live storm impact data. Moran. i288.
- 2797 - (Accountability, Efficiency, Transparency) Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. Polk, et al. i288; cr569; cu616; v616; caa633.
- 2798 - (Accountability, Efficiency, Transparency) University of Mississippi Medical Center; create joint committee to study the organization of. Thompson, et al. i288.
- 2799 - (Accountability, Efficiency, Transparency) "Mississippi Coastal Master Plan Act of 2022"; enact. Thompson, et al. i288.
- 2800 - (Accountability, Efficiency, Transparency) Public Bid Law; clarify that reverse auction requirement shall not apply to certain term contract purchases. Polk. i288; cr569.
- 2801 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; revise boundaries to include Battlefield Park. Blount. i289.
- 2802 - (Accountability, Efficiency, Transparency) Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2022. Horhn. i289.
- 2803 - (Accountability, Efficiency, Transparency) Sheriffs; increase annual salaries of. Carter, et al. i289; cr576; cu796; csa796; v796; caa797; ph1683; sdc2344; ca3024; cg3083.
- 2804 - (Accountability, Efficiency, Transparency) Public purchasing; clarify that reverse auction shall not be used for term contracts for road maintenance commodities. Tate. i289.
- 2805 - (Accountability, Efficiency, Transparency) American Rescue Plan Act (ARPA) Ombudsman; establish in DFA. Simmons (12th), et al. i289.
- 2806 - (Accountability, Efficiency, Transparency) Public purchases; prohibit reverse auctions for repair and remodeling of public facilities. Harkins. i289; cr589; cu738; csa738; v738; ph1043; sp1058; ap1439.
- 2807 - (Technology; Accountability, Efficiency, Transparency) Emergency procurements; revise certain provisions relating to. Blackwell, et al. i289.
- 2808 - (Accountability, Efficiency, Transparency) Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. Horhn. i290.

- 2809 - (Accountability, Efficiency, Transparency) Governmental entities; prohibit discrimination and preferential treatment in public employment, education or contracting. Sojourner. i290.
- 2810 - (Accountability, Efficiency, Transparency) State employees; provide the terms and conditions for state employees to engage in telework. Blackwell, et al. i290; cr569; cu731; csa731; v731; caa731; ph1683; sdc2349; ca3023; cg3083; cro3773; cra3775; v3775; crah3934; sp4584; ap4610.
- 2811 - (Universities and Colleges) Internal audits; revise requirements for universities, community or junior colleges and certain state agencies. Blackwell, et al. i290.
- 2812 - (Accountability, Efficiency, Transparency) Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; revise definition of "cause of death." England. i290.
- 2813 - (Accountability, Efficiency, Transparency) County officials; increase the salaries of certain. Moran. i291.
- 2814 - (Accountability, Efficiency, Transparency) Mississippi Water Quality Commission; create for the purpose of providing oversight of certain water and sewer systems. Harkins, et al. i291; cr576; cu795; csa795; v795; caa795.
- 2815 - (Accountability, Efficiency, Transparency) Reverse auction and bidding requirements; allow schools to use alternative methods for products not typically resold. DeBar. i291.
- 2816 - (Accountability, Efficiency, Transparency) Personal and medical leave; law enforcement and firefighters can buy back after work related injury. McDaniel. i291.
- 2817 - (Corrections) Department of Corrections; authorize the provision of hospice care services to inmates with a terminal illness. Barnett, et al. i291; cr547; cu610; v610; caa610.
- 2818 - (Public Health and Welfare; Appropriations) MS Department of Health and MS Department of Revenue; provide certain exemptions for operation required under Medical Cannabis Act. Parks. i292; cr588; cu819; csa819; v849; ph1794; msrp3067; sc3067; v3067; mr3067; mrc3096; mrt3096; sp3108; ap3615.
- 2819 - (Finance) Unemployment compensation; MDES Unemployment Data Fraud Prevention Program. Branning. i292.
- 2820 - (Public Health and Welfare; Appropriations) COVID-19 Hospital Expanded Capacity Program; create and require MDOH to establish and administer. Butler (36th), et al. i292; cr588; cu736; csa736; v736; ph1681; msrp1753; sdc1753; ca3106; cg3125; msrp3377; rcc3377; hrcc3382; msrp3893; cro3893; cra3913; v3913; caa3913; crah4038; sp4584; ap4618.
- 2821 - (Economic and Workforce Development; Appropriations) Mississippi Nurse/Health Science Training and Retention Act; establish. Parker, et al. i292.
- 2822 - (Appropriations) "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022"; establish. Michel, et al. i293; cr586; cu685; csa685; v685; caa686; ph1683; msrp1781; sdc1781; ca3034; cg3076; msrp4418; rcc4418; hrcc4449; cro4485; cra4496; v4496; crah4581; sp4600; ap4619.
- 2823 - (Finance) First Responders Retirement Incentive; create. DeLano. i293.

- 2824 - (Rules) Official Mississippi state song; authorize "Mississippi Beautiful." Horhn. i293.
- 2825 - (Rules) State Truth Commission; establish. Horhn. i293.
- 2826 - (Rules) Mississippi congressional districts; reapportion. Simmons (12th), et al. i294.
- 2827 - (Rules) Legal holidays; remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. Simmons (12th), et al. i294.
- 2828 - (Finance; Accountability, Efficiency, Transparency) Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. Horhn. i294.
- 2829 - (Finance) Fuel taxes; bring forward section of law providing for the apportionment of. Branning. i294; cr582.
- 2830 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Wiggins. i294.
- 2831 - (Finance) Taxation of Remote and internet-based Computer Software Products and Services Study Committee; create. Harkins. i294; cr582; cu713; csa713; v713; ph1683; sc2349; v2350; sp3091; ap3286.
- 2832 - (Finance) Bonds; revise uses of IHL bond proceeds for Mississippi State University College of Architecture, Art and Design. Harkins. i294; cr582; cu599; v599; ph1481; sp1796; ap2222.
- 2833 - (Finance) Distinctive motor vehicle license tags; add each branch of Armed Forces to 100% permanent service-connected disability tag. Jordan, et al. i295.
- 2834 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of improvements on downtown green space. Simmons (12th). i295.
- 2835 - (Finance) Bonds; authorize to assist Jackson State University in paying costs of construction or renovation of cafeteria. Simmons (12th). i295.
- 2836 - (Finance) Motor vehicle dealership license requirements; revise certain provisions of. Harkins. i295.
- 2837 - (Finance) Sales tax; extend repealer on exemption of sales to Mississippi's Toughest Kids Foundation for Camp Kamassa. Harkins. i295.
- 2838 - (Finance) Motor vehicle ad valorem taxes; assess based on actual purchase price of vehicle. Sojourner. i295.
- 2839 - (Finance) PERS; increase total book value limit for certain investments from 10% to 20% of total book value of all investments. Harkins. i296; cr556; cu668; v668.
- 2840 - (Finance) Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. Carter. i296.
- 2841 - (Finance) State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds. Harkins. i296; cr582; cu669; v669; ph1683; sc2628; v2645; sp3029; ap3213.

- 2842 - (Finance) Mississippi Health Care Industry Zone Act and related ad valorem tax and sales tax exemptions; extend repeal date. Harkins. i296; cr582; cu687; v687; ph1683; sdc2993; ca3107.
- 2843 - (Finance) Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. Hopson. i297.
- 2844 - (Finance) Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permit. Johnson. i297; cr556; cu686; v687; ph1683; sdc2351; ca3023; cg3088; rcc3384; hrcc3502; msrp4289; cro4289; cra4323; v4323; uc4323; crah4577; sp4600; ap4611.
- 2845 - (Public Health and Welfare) Right to Visit Act; create. McMahan. i298.
- 2846 - (Finance) Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects. Harkins. i299; cr556; cu599; v599; ph1681; msrp2692; sc2692; v2710; sp3030; ap3213.
- 2847 - (Judiciary, Division A) Rivers McGraw Mental Health Treatment Court Act; enact. Fillingane. i299.
- 2848 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) State Veterans Affairs Board; enter into agreements with American Legion to provide transportation for veterans. Jordan, et al. i299.
- 2849 - (Tourism; Appropriations) COVID-19 Destination Marketing Organization Grant Program Fund; create. Williams, et al. i299; cr588; cu704; csa704; v704; caa704; ph1681; msrp1771; sdc1771; ca2587.
- 2850 - (Accountability, Efficiency, Transparency; Education) School districts and political subdivisions; prohibit from implementing mask and Covid vaccine mandates. Sojourner, et al. i300.
- 2851 - (Accountability, Efficiency, Transparency) Pearl River Valley Water Supply District; add two board members from the City of Jackson. Horhn. i300.
- 2852 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Charitable organizations; revise religious institution exemption and clarify service of process. Branning. i300.
- 2853 - (Judiciary, Division A; Judiciary, Division B) Cyberstalking; authorize injunction when criminal charges filed. Norwood. i300.
- 2854 - (Public Health and Welfare) Practice of cosmetology; revise. Boyd. i300.
- 2855 - (Judiciary, Division A) State Intervention Courts Advisory Committee; require to promulgate rules to create funding formula for intervention courts. Wiggins. i301.
- 2856 - (Insurance) Mississippi Electronic Protection Licensing Act; revise definitions to include a battery-charged security fence. Michel, et al. i301; cr344; cu691; v691.
- 2857 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Simmons (12th). i302.

- 2858 - (Accountability, Efficiency, Transparency; Public Health and Welfare) Vaccines; provide civil remedy for employees against corporations that enforce vaccine mandates. Wiggins. i302.
- 2859 - (Gaming) Gaming; permit airport authorities to authorize slot machines in airports offering passenger service. Polk. i302.
- 2860 - (Accountability, Efficiency, Transparency) Law Enforcement and Firefighters Death Benefits Act of 2022; create. Wiggins. i302.
- 2861 - (Insurance) Mississippi Professional Employer Organization Recognition and Registration Act; create. McLendon. i302.
- 2862 - (Appropriations) Appropriation; Child Protective Services, Department of-ARPA funds. Hopson, et al. i303; cr331; cu338; v338; caa338; mr344; mrc602; mrt603; ph2580; sdc2935; ca3034; cg3076; rcc3237; hrcc3255.
- 2863 - (Appropriations) Appropriation; Mississippi Emergency Management Agency-ARPA funds. Hopson, et al. i303; cr331; cu338; v338; caa339; ph2580; sdc2935; ca3034; cg3076; rcc3237; hrcc3255.
- 2864 - (Appropriations) Appropriation; National Guard,-ARPA funds. Hopson, et al. i303; cr331; cu339; v339; caa339; ph2580; sdc2936; ca3034; cg3076; rcc3237; hrcc3255.
- 2865 - (Appropriations) Appropriation; Mental Health, Department of-ARPA funds. Hopson, et al. i303; cr331; cu339; v339; caa340; mr345; mrc603; mrt603; ph2580; sdc2936; ca3034; cg3076; rcc3237; hrcc3255; msrp4347; cro4347; cra4349; v4349; crah4581; sp4598; ap4611.
- 2866 - (Finance) Mississippi Telecommunication Conference and Training Facility funds; delete certain restrictions on expenditures. Horhn. i303.
- 2867 - (County Affairs; Insurance) Local governmental entities; authorize to offer supplemental compensation to employees who decline group insurance coverage. Hill. i303.
- 2868 - (Judiciary, Division B; Finance) Radar; authorize limited use of by sheriffs. McLendon, et al. i304.
- 2869 - (Judiciary, Division B; Finance) Radar; authorize limited use of by sheriffs. Boyd. i304.
- 2870 - (Municipalities; Accountability, Efficiency, Transparency) Municipal officials; provide mandatory education and training requirements. Chassaniol. i304.
- 2871 - (Municipalities) Mississippi Electronic Protection Licensing Act; revise definitions to include a battery-charged security fence. Williams. i304.
- 2872 - (Appropriations) Mississippi Tourism Recovery Fund - Round 2; create. Chassaniol. i304.
- 2873 - (Tourism; Appropriations) Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Chassaniol, et al. i305.

- 2874 - (Tourism; Appropriations) Mississippi Arts and Entertainment Center; revise lease or contract requirements for the operation of. Tate, et al. i305; cr588; cu704; v704; caa704.
- 2875 - (Finance) Alcoholic beverages; revise definition of beer. Chassaniol, et al. i305; cr582; cu689; csa689; v689.
- 2876 - (Tourism; Accountability, Efficiency, Transparency) Mississippi Hotel and Lodging Review Board; create. Chassaniol. i305.
- 2877 - (County Affairs; Insurance) Election commissioners; require board of supervisors to provide insurance coverage for. Tate. i305.
- 2878 - (Tourism; Appropriations) Mississippi Freedom Trail Commission; establish. Chassaniol, et al. i306.
- 2879 - (Elections; Appropriations) Mississippi Voting Modernization Act; enact. Tate. i306; cr587; cu849; csa849; v850; ph1794; msrp2570; sdc2570; ca3081; cg3125; hrcc3377; msrp3486; rcc3486; cro3775; cra3778; v3778; crah3934; sp4498; ap4611.
- 2880 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Mississippi Athlete Agent Act; revise. Harkins. i306.
- 2881 - (Public Health and Welfare; Education) Parents' Bill of Rights; enact. McDaniel. i307.
- 2882 - (Education) Standard teacher license; revise certain provisions of. DeBar. i307.
- 2883 - (Education) Exceptional students with significant developmental disabilities and complex communication needs; clarify pathways. Johnson. i307.
- 2884 - (Education; Appropriations) Equity in Distance Learning Act; revise certain provisions of. DeBar. i308.
- 2885 - (Education; Appropriations) Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on. DeBar. i309; cr555; cu629; v630; ph1802; sdc2451; mr2589; msrp2589; mrp2589; sc2589; v2592; sp3030; ap3213.
- 2886 - (Education) Public school option; allow parent of a student to enroll student in school with certified academic language therapist. Boyd. i309.
- 2887 - (Education) School Boards; allow to purchase electric vehicles for student transportation. DeLano. i309; cr574; cu632; csa633; v633; ph1794; sdc2423; ca2587; cg3083; cro3782; cra3784; v3784; crah3934; sp4498; ap4609.
- 2888 - (Public Health and Welfare) Pharmacy Benefit Prompt Pay Act; revise certain provisions of. Harkins. i309.
- 2889 - (Public Health and Welfare) Certificate of need; direct issuance for an existing ambulatory surgical center. Blackmon. i309.
- 2890 - (Public Health and Welfare) No Patient Left Alone Act; enact. Hill. i310.
- 2891 - (Public Health and Welfare) State Board of Medical Licensure; revise certain provisions relating to licensure. Wiggins. i310.

- 2892 - (Education; Appropriations) Charter schools; amend certain provisions of law relating to. Blackwell, et al. i311.
- 2893 - (Universities and Colleges; Appropriations) Jackson State University; authorize public/private partnership to develop property owned by JSU Development Foundation. Horhn, et al. i311; cr588; cu703; csa703; v703; caa704; ph1683; sdc2270; ca3145; cg3147; msrp3377; rcc3377; hrcc3383; cro3784; cra3789; v3789; crah3934; sp4498; ap4609.
- 2894 - (Public Health and Welfare) Pharmacy Benefit Prompt Pay Act; revise. Parks. i312.
- 2895 - (Public Health and Welfare; Accountability, Efficiency, Transparency) South Mississippi Regional Health Care Authority Act of 2022; create. Fillingane. i312.
- 2896 - (Municipalities; Accountability, Efficiency, Transparency) Municipal program to address delinquent water accounts; extend repealer. Simmons (12th). i313.
- 2897 - (Public Health and Welfare; Appropriations) Health care program; create for special needs patients. Frazier. i313.
- 2898 - (Municipalities; Accountability, Efficiency, Transparency) Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date. Blount, et al. i313; cr589; cu738; csa738; v738; ph1794; sdc3097; ca3104; cg3135; crah3259; cro3274; cra3274; v3274; sp3570; ap4617.
- 2899 - (Public Health and Welfare) Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider. Boyd, et al. i313; cr349; cu672; v672; ph1679; msrp3063; sdc3063; ca3107; cg3125; cro3789; cra3791; v3791; caa3791; crah3935; sp4498; ap4609.
- 2900 - (Public Health and Welfare) Newborn screening program; revise certain provisions of. Johnson. i313; cr349; cu673; v673.
- 2901 - (Accountability, Efficiency, Transparency) Cosmetology Board and State Personnel Board; revise certain provisions of. Blackwell, et al. i313.
- 2902 - (Appropriations) "Hazard Pay for Essential Health Care Workers" Grant Program; establish in State Department of Health. Simmons (12th), et al. i314.
- 2903 - (Public Health and Welfare) Personal care homes; require licensure and regulation of those providing living arrangements for one or more persons. Norwood. i314.
- 2904 - (Public Health and Welfare) Regional commissions for facilities for individuals with mental illness; revise commission members. Wiggins. i314.
- 2905 - (Public Health and Welfare) Home health agencies; delete moratorium on establishment or expansion. England. i314.
- 2906 - (Accountability, Efficiency, Transparency; Elections) Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. Blount. i314.
- 2907 - (Insurance) "Health Care Contracting Simplification Act"; create. Sparks. i315.

- 2908 - (Insurance) MS Rating Bureau & MS Windstorm Underwriting Association; transfer powers and duties and bring forward sections. Michel (By Request). i315.
- 2909 - (Finance) Bonds; authorize issuance to assist Quitman County in paying costs of renovation of county jail. Jackson (11th). i315.
- 2910 - (Finance) Bonds; authorize to assist City of Marks pay costs of planning and construction of Civil Rights Rhythm & Blues Hall of Fame. Jackson (11th). i315.
- 2911 - (Finance) Bonds; authorize issuance to assist Quitman County in paying costs of restoration of county courthouse. Jackson (11th). i315.
- 2912 - (Appropriations) State General Fund; FY2023 appropriation to the City of Clarksdale to address regional food desert. Jackson (11th). i316.
- 2913 - (County Affairs; Judiciary, Division B) Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury. Wiggins, et al. i316; cr592; cu746; v746; caa746; ph1680; sc3051; v3051; mr3111; msrp3111; mpr3111; sdc3111; ca3130; cg3277; nca3285; crah3574; cro3791; cra3792; v3792; sp4142; ap4609.
- 2914 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Co-Lin Wesson campus for Educational, Performing Arts & Athletic Cntr. Barrett. i316.
- 2915 - (Finance) Bonds; authorize issuance to assist Walthall County in paying costs of construction of new sheriff's office facilities. Barrett. i316.
- 2916 - (Public Health and Welfare) Professional Counseling Compact; enact. Blount. i316.
- 2917 - (Judiciary, Division B) Suffrage; restore to Edward Carter. Butler (36th), et al. i359.
- 2918 - (Finance) Bonds; authorize issuance to assist in paying costs of improvements to certain city street in Greenville, Mississippi. Simmons (12th). i359.
- 2919 - (Finance) Bonds; authorize to assist City of Brookhaven in paying costs associated with various infrastructure projects. Barrett. i359.
- 2920 - (Finance) Bonds; authorize issuance to assist Greene County in paying costs associated with construction of MSU Extension Service. DeBar. i359.
- 2921 - (Finance) Bonds; authorize issuance to assist Greene County in paying costs associated with design and construction of voting precinct. DeBar. i359.
- 2922 - (Finance) 2022 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. Hopson. i360.
- 2923 - (Finance) Bonds; authorize to assist City of Pearl in paying costs of completion of Pearl-Richland Intermodal Connector Project. Kirby. i360.
- 2924 - (Finance) Bonds; authorize to assist Madison County in paying costs of completion of Bozeman Road Project. Michel, et al. i360.
- 2925 - (Appropriations) General Funds; FY2023 appropriation to Claiborne County to resurface Russum-Westside Road. Butler (36th), et al. i360.

- 2926 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Hinds County for water wells and towers. Frazier. i360.
- 2927 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Hinds County for youth mental health program in response to pandemic. Frazier. i360.
- 2928 - (Appropriations) General Funds; FY2023 appropriation to Jackson State University to revise entry and exit points to campus. Frazier. i360.
- 2929 - (Appropriations) General Funds; FY2023 appropriation to Children's Advocacy Centers Fund administered by the AG for Children's Advocacy Centers of MS. Branning. i361.
- 2930 - (Appropriations) General Funds; FY2023 appropriation to Capitol Complex Improvement District completion of certain street projects. Blount. i361.
- 2931 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY23 Appropriation to Department of Health for Magnet Community Health Disparity Program. Jackson (11th), et al. i361.
- 2932 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 build new community health center in Greenville. Simmons (12th). i361.
- 2933 - (Appropriations) General Funds; FY2023 appropriation to Sustainable Energy Partnership Program. Simmons (12th). i361.
- 2934 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Lula for water and sewer improvement project. Simmons (12th). i361.
- 2935 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Coahoma and Coahoma County for water and sewer projects. Simmons (12th). i361.
- 2936 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Rosedale for water and sewer improvement project. Simmons (12th). i361.
- 2937 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Greenville for water system improvements. Simmons (12th). i362.
- 2938 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Gunnison for water and sewer improvement project. Simmons (12th). i362.
- 2939 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Farrell for water and sewer improvement project. Simmons (12th). i362.
- 2940 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Friars Point for water and sewer improvement project. Simmons (12th). i362.

- 2941 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Benoit for water and sewer improvement project. Simmons (12th). i362.
- 2942 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Metcalfe for water and sewer improvement project. Simmons (12th). i362.
- 2943 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Beulah for water and sewer improvement project. Simmons (12th). i362.
- 2944 - (Judiciary, Division B) Suffrage; restore to Antonio S'Avalas Simpson. Jackson (11th). i563.
- 2945 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to South Central Water Association in Hinds County. Blount, et al. i570.
- 2946 - (Appropriations) General Funds; FY2023 appropriation to Yazoo County for drainage project. Thomas. i570.
- 2947 - (Finance) Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. Horhn, et al. i570.
- 2948 - (Finance) Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. Thomas. i570.
- 2949 - (Finance) Bonds; authorize issuance to assist Jackson State University in paying costs associated with repairs and renovations. Norwood, et al. i571.
- 2950 - (Finance) Bonds; authorize to assist Hinds County in paying costs associated with repair and renovation of detention center. Norwood, et al. i571.
- 2951 - (Finance) Bonds; authorize issuance to assist Gulf Coast Housing Partnership in paying costs of The Pearl for low-income seniors. Norwood, et al. i571.
- 2952 - (Finance) Bonds; authorize to assist City of Jackson in paying costs associated with various projects. Norwood, et al. i571.
- 2953 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Rome Water System in Sunflower County. Simmons (13th). i579.
- 2954 - (Finance) Bonds; authorize issuance to assist Mississippi Delta Community College in paying for construction of dormitory. Simmons (13th), et al. i579.
- 2955 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Cascilla Water Association for water system improvements. Simmons (13th). i579.
- 2956 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the City of Charleston for water and sewer system improvements. Simmons (13th). i579.

- 2957 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Blue Cane Water Association for water system improvements. Simmons (13th). i579.
- 2958 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Doddsville to repair or replace water-supply wells. Simmons (13th). i579.
- 2959 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Town of Tutwiler for water and sewer system improvements. Simmons (13th). i579.
- 2960 - (Appropriations) General Funds; FY2023 appropriation to assist Jackson Municipal Airport Authority to purchase & house fire service equipment. Horhn. i593.
- 2961 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to West Tallahatchie Utilities Association. Simmons (13th). i593.
- 2962 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Moorhead for water and sewer improvement projects. Simmons (13th). i593.
- 2963 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to North Tallahatchie Water Association in Tallahatchie County. Simmons (13th). i593.
- 2964 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Paynes Water Association for water system improvements. Simmons (13th). i593.
- 2965 - (Finance) Bonds; authorize issuance to assist the Jackson Municipal Airport Authority with purchasing fire service equipment. Horhn. i593.
- 2966 - (Appropriations) Appropriation; additional to the Revenue, Dep of-MS Medical Cannabis Act. Hopson. cr585; i594; cu596; v596; ph929; sp950; ap1029.
- 2967 - (Appropriations) Appropriation; additional to the Health, Dep of-MS Medical Cannabis Act. Hopson. cr586; i594; cu596; v596; ph929; sp950; ap1029.
- 2968 - (Finance) Bonds; authorize to assist City of Laurel in paying costs associated with Sandy Creek Erosion Project. Barnett. i621.
- 2969 - (Finance) Bonds; authorize to assist Lincoln County in paying costs associated with various projects. Barrett. i621.
- 2970 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation City of Mendenhall for water and sewer infrastructure projects. Caughman. i621.
- 2971 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Carthage, assist with wastewater treatment system projects. Blackmon. i621.
- 2972 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Canton Municipal Utilities for water/sewer improvements. Blackmon. i621.

- 2973 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Carthage to assist with water system improvements. Blackmon. i621.
- 2974 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 South Holmes Water Association water improvement project. Blackmon. i621.
- 2975 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 Town of Goodman water and sewer improvement projects. Blackmon. i621.
- 2976 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 East Mississippi Water Association for water system improvement projects. Blackmon. i622.
- 2977 - (Appropriations) State General Funds; FY2023 Holmes County road paving. Blackmon. i622.
- 2978 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 Town of Tchula water and sewer improvement projects. Blackmon. i622.
- 2979 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Carthage for Boyd Street water and sewer improvements. Blackmon. i622.
- 2980 - (Local and Private) City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc. Norwood, et al. i636; cr3128; msrp3157; cu3157; v3157; mr3170; mrc3288; mrt3288; ph3933; sp4153; ap4604.
- 2981 - (Local and Private) Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation. Simmons (13th), et al. i636; cr966; cu999; v999; caa999; ph3021; sdc3052; ca3105; cg3171; cro3265; cra3266; v3266; crah3352; sp3570; ap4604.
- 2982 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Carthage for sewer system improvements. Blackmon. i636.
- 2983 - (Finance) Bonds; authorize issuance for various Mississippi Development Authority programs. Harkins. i637; cr967; cu975; csa975; v975.
- 2984 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of North Carrollton for stormwater infrastructure repair. Chassaniol. i637.
- 2985 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Mound Bayou for flood control and drainage project. Simmons (13th). i637.
- 2986 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Sunflower for water well and sewer improvements. Simmons (13th). i637.
- 2987 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Town of Sumner for wastewater lagoon upgrade. Simmons (13th). i637.

- 2988 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Doddsville for water well construction and rehabilitation. Simmons (13th). i638.
- 2989 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the City of Moorhead for water and sewer system improvements. Simmons (13th). i638.
- 2990 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the City of Drew for water and sewer system improvements. Simmons (13th). i638.
- 2991 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the City of Indianola for water and sewer system improvements. Simmons (13th). i638.
- 2992 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to the Town of Inverness for wastewater lagoon upgrade. Simmons (13th). i638.
- 2993 - (Local and Private) City of Starkville; extend repeal date on economic development, tourism/convention tax on restaurant sales. Turner-Ford, et al. i638; cr2219; cu2229; v2229.
- 2994 - (Appropriations) State General Fund; FY2022 appropriation for outside counsel in MIRA et al. v. Michael Watson et al. Wiggins. i660.
- 2995 - (Finance) Bonds; authorize to assist City of Hattiesburg in paying costs of Midtown infrastructure improvements. Johnson. i660.
- 2996 - (Finance) Bonds; authorize to assist City of Gluckstadt in paying costs of land acquisition for and construction of police headquarters. Michel. i660.
- 2997 - (Local and Private) City of Batesville; extend repealer on restaurant, hotel and motel tax for tourism. Boyd, et al. i886; cr896; cu959; v959.
- 2998 - (Local and Private) Town of Sardis; authorize the levy of a tax on hotel, motel and restaurant sales. Jackson (11th), et al. i886; cr2219; cu2229; csa2229; v2229; ph3932; sp4153; ap4604.
- 2999 - (Local and Private) City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals. Parker, et al. i886; cr896; cu959; v959; ph3932; sp4153; ap4604.
- 3000 - (Local and Private) Warren County; authorize contributions to various organizations. Hopson. i886; cr896; cu959; v960; ph2577; sdc2710; ca3033; cg3083; msrp3164; cro3164; cra3165; v3165; crah3212; sp3571; ap4604.
- 3001 - (Local and Private; Finance) City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism. Moran. i887; cr1108; cu1237; v1239; mr1678; mrc2230; mrt2230.
- 3002 - (Appropriations) Appropriation; IHL - General support. Hopson, et al. i900; cr911; cu922; v922; ph2577; sdc2711; ca3034; cg3070; rcc3237; hrcc3255; rcc4219; hrcc4326; msrp4466; cro4466; cra4474; v4474; crah4581; sp4601; ap4619.

- 3003 - (Appropriations) Appropriation; IHL - Subsidiary programs. Hopson, et al. i900; cr911; msrp920; cu920; v921; ph2577; sdc2717; ca3034; cg3070; rcc3237; hrcc3255; cro4219; cra4224; v4224; crah4577; sp4596; ap4611.
- 3004 - (Appropriations) Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2580; sdc2936; ca3034; cg3070; rcc3237; hrcc3255; cro4079; cra4080; v4080; crah4577; sp4598; ap4611.
- 3005 - (Appropriations) Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2721; ca3034; cg3070; rcc3237; hrcc3255; cro4080; cra4083; v4083; crah4577; sp4596; ap4611.
- 3006 - (Appropriations) Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2722; ca3034; cg3071; rcc3237; hrcc3255; cro4083; cra4086; v4086; crah4577; sp4598; ap4611.
- 3007 - (Appropriations) Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2725; ca3034; cg3071; rcc3237; hrcc3255; cro4086; cra4088; v4088; crah4577; sp4596; ap4611.
- 3008 - (Appropriations) Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2726; ca3034; cg3071; rcc3237; hrcc3255; cro4088; cra4091; v4091; crah4577; sp4595; ap4611.
- 3009 - (Appropriations) Appropriation; IHL - Student Financial Aid. Hopson, et al. i901; cr911; cu922; v923; ph2577; sdc2728; ca3034; cg3071; rcc3237; hrcc3255; cro4224; cra4227; v4227; crah4578; sp4598; ap4611.
- 3010 - (Appropriations) Appropriation; IHL - University of Mississippi Medical Center. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2730; ca3034; cg3071; rcc3237; hrcc3255; msrp4349; cro4350; cra4354; v4354; crah4578; sp4595; pv4619.
- 3011 - (Appropriations) Appropriation; Community and Junior Colleges Board - Administrative expenses. Hopson, et al. i901; cr911; cu923; v923; ph2577; sdc2733; ca3034; cg3071; rcc3237; hrcc3255; cro4227; cra4230; v4230; crah4578; sp4595; ap4611.
- 3012 - (Appropriations) Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Hopson, et al. i901; cr911; msrp920; cu920; v921; ph2577; sdc2735; ca3034; cg3071; rcc3237; hrcc3255; cro4230; cra4237; v4237; crah4578; sp4595; ap4612.
- 3013 - (Appropriations) Appropriation; Corrections, Department of. Hopson, et al. i902; cr911; cu923; v923; ph2577; sdc2741; ca3035; cg3071; rcc3237; hrcc3255; cro4237; cra4247; v4247; crah4578; sp4595; ap4612.
- 3014 - (Appropriations) Appropriation; Public Safety, Department of. Hopson, et al. i902; cr911; cu924; v924; ph2577; sdc2749; ca3035; cg3076; rcc3237; hrcc3255; msrp4354; cro4354; cra4366; v4366; crah4578; sp4601; ap4612.
- 3015 - (Appropriations) Appropriation; Agriculture and Commerce, Department of. Hopson, et al. i902; cr911; msrp920; cu920; v921; ph2577; sdc2759; ca3035;

cg3077; rcc3237; hrcc3255; msrp4437; cro4437; cra4442; v4442; uc4443; crah4578; sp4598; ap4617.

- 3016 - (Appropriations) Appropriation; Fair and Coliseum Commission - Livestock shows. Hopson, et al. i902; cr911; msrp920; cu920; v921; ph2578; sdc2764; ca3035; cg3077; rcc3237; hrcc3255; cro4091; cra4094; v4094; crah4578; sp4596; ap4612.
- 3017 - (Appropriations) Appropriation; Animal Health, Board of. Hopson, et al. i902; cr911; msrp920; cu920; v921; ph2578; sdc2766; ca3035; cg3077; rcc3237; hrcc3255; cro4094; cra4096; v4096; crah4578; sp4599; ap4612.
- 3018 - (Appropriations) Appropriation; Emergency Management Agency. Hopson, et al. i902; cr912; msrp920; cu920; v921; ph2578; sdc2768; ca3035; cg3077; rcc3237; hrcc3256; msrp4366; cro4366; cra4372; v4372; crah4578; sp4595; ap4610.
- 3019 - (Appropriations) Appropriation; Military Department. Hopson, et al. i902; cr912; cu924; v924; ph2580; sdc2937; ca3035; cg3077; rcc3237; hrcc3256; msrp4372; cro4372; cra4375; v4375; crah4578; sp4595; ap4612.
- 3020 - (Appropriations) Appropriation; Veterans Affairs Board and Homes. Hopson, et al. i902; cr912; msrp920; cu920; v921; ph2580; sdc2939; ca3035; cg3077; rcc3237; hrcc3256; cro4096; cra4099; v4099; crah4578; sp4597; ap4610.
- 3021 - (Appropriations) Appropriation; Ethics Commission. Hopson, et al. i902; cr912; msrp920; cu920; v921; ph2578; sdc2772; ca3035; cg3077; rcc3237; hrcc3256; cro4100; cra4101; v4101; crah4578; sp4599; ap4610.
- 3022 - (Appropriations) Appropriation; Judicial Performance Commission. Hopson, et al. i903; cr912; msrp920; cu920; v921; ph2578; sdc2774; ca3035; cg3077; rcc3237; hrcc3256; cro4102; cra4103; v4103; crah4578; sp4599; ap4612.
- 3023 - (Appropriations) Appropriation; Employment Security, Department of. Hopson, et al. i903; cr912; msrp920; cu920; v921; ph2580; sdc2942; ca3035; cg3077; rcc3237; hrcc3256; cro4247; cra4250; v4250; msrp4443; uc4443; crah4578; sp4595; ap4612.
- 3024 - (Appropriations) Appropriation; Revenue, Department of. Hopson, et al. i903; cr912; cu924; v924; ph2578; sdc2775; ca3035; cg3077; rcc3237; hrcc3256; rcc4103; hrcc4157; msrp4479; cro4479; cra4485; v4485; crah4581; sp4601; ap4612.
- 3025 - (Appropriations) Appropriation; Tax Appeals Board. Hopson, et al. i903; cr912; msrp920; cu920; v921; ph2578; sdc2780; ca3035; cg3077; rcc3237; hrcc3256; cro4103; cra4105; v4105; crah4578; sp4595; ap4612.
- 3026 - (Appropriations) Appropriation; Workers' Compensation Commission. Hopson, et al. i903; cr912; msrp920; cu922; v922; ph2580; sdc2944; ca3035; cg3077; rcc3237; hrcc3256; cro4106; cra4109; v4109; crah4578; sp4599; ap4612.
- 3027 - (Appropriations) Appropriation; Mental Health, Department of. Hopson, et al. i903; cr912; cu925; v925; ph2578; sdc2781; ca3035; cg3077; rcc3237; hrcc3256; cro4250; cra4259; v4259; crah4578; sp4599; ap4612.
- 3028 - (Appropriations) Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Hopson, et al. i903; cr912; msrp920; cu921; v921; ph2578; sdc2789; ca3035; cg3077; rcc3237; hrcc3256; msrp4388; cro4388; cra4392; v4392; crah4578; sp4597; ap4617.

- 3029 - (Appropriations) Appropriation; Tennessee-Tombigbee Waterway Development Authority. Hopson, et al. i903; cr912; msrp920; cu921; v921; ph2580; sdc2947; ca3035; cg3078; rcc3237; hrcc3256; cro4109; cra4111; v4111; crah4578; sp4597; ap4612.
- 3030 - (Appropriations) Appropriation; Chiropractic Examiners, Board of. Hopson, et al. i903; cr912; msrp920; cu921; v921; ph2574; sp2977; ap3102.
- 3031 - (Appropriations) Appropriation; Dental Examiners, Board of. Hopson, et al. i903; cr912; msrp920; cu921; v921; ph2580; sc2948; v2950; sp3030; ap3213.
- 3032 - (Appropriations) Appropriation; Funeral Services Board. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2578; sc2793; v2794; sp3030; ap3214.
- 3033 - (Appropriations) Appropriation; Massage Therapy, Board of. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sc2950; v2951; sp3030; ap3214.
- 3034 - (Appropriations) Appropriation; Pharmacy, Board of. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sdc2951; ca3035; cg3078; rcc3237; hrcc3256; cro4111; cra4114; v4114; crah4578; sp4596; ap4612.
- 3035 - (Appropriations) Appropriation; Counselors, Board of Examiners for Licensed Professional. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sc2954; v2955; sp3030; ap3214.
- 3036 - (Appropriations) Appropriation; Veterinary Examiners, Board of. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sc2955; v2956; sp3030; ap3214.
- 3037 - (Appropriations) Appropriation; Architecture, Board of. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sc2956; v2957; sp3030; ap3214.
- 3038 - (Appropriations) Appropriation; Gaming Commission. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2578; sdc2794; ca3035; cg3078; rcc3237; hrcc3256; cro4114; cra4117; v4117; crah4578; sp4597; ap4612.
- 3039 - (Appropriations) Appropriation; Geologists, Board of Registered Professional. Hopson, et al. i904; cr912; msrp920; cu921; v921; ph2580; sc2958; v2959; sp3030; ap3214.
- 3040 - (Appropriations) Appropriation; Motor Vehicle Commission. Hopson, et al. i904; cr913; msrp920; cu921; v921; ph2580; sc2959; v2960; sp3031; ap3214.
- 3041 - (Appropriations) Appropriation; Accountancy, Board of Public. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2579; sc2814; v2815; sp3031; ap3214.
- 3042 - (Appropriations) Appropriation; Contractors, Board of. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2579; sc2815; v2817; sp3031; ap3214.
- 3043 - (Appropriations) Appropriation; Audit, Department of. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2579; sdc2817; ca3036; cg3078; rcc3237; hrcc3256; cro4117; rcc4121; msrp4137; mrp4137; cro4137; cra4141; v4141; crah4578; sp4597; ap4610.
- 3044 - (Appropriations) Appropriation; Banking and Consumer Finance, Department of. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2579; sdc2820; ca3036; cg3078; rcc3237; hrcc3256; cro4121; cra4123; v4123; crah4578; sp4596; ap4612.

- 3045 - (Appropriations) Appropriation; Finance and Administration, Department of. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2579; sdc2822; ca3036; cg3078; rcc3237; hrcc3256; msrp4514; cro4514; cra4521; v4521; msrp4533; uc4533; crah4581; sp4597; ap4619.
- 3046 - (Appropriations) Appropriation; Governor's Office and Mansion. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2578; sdc2797; ca3036; cg3078; rcc3237; hrcc3256; cro4123; cra4125; v4125; crah4578; sp4597; ap4610.
- 3047 - (Appropriations) Appropriation; Information Technology Services, Department of. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2578; sdc2798; ca3036; cg3078; rcc3237; hrcc3256; cro4125; cra4129; v4129; crah4578; sp4597; ap4610.
- 3048 - (Appropriations) Appropriation; Development Authority, Mississippi. Hopson, et al. i905; cr913; cu925; v925; ph2578; sdc2801; ca3036; cg3078; rcc3237; hrcc3256; cro4259; cra4264; v4264; crah4579; sp4597; ap4619.
- 3049 - (Appropriations) Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Hopson, et al. i905; cr913; cu925; v925; caa926; ph2579; sdc2827; ca3036; cg3078; rcc3237; hrcc3256; cro4265; cra4270; v4270; crah4579; sp4596; ap4619.
- 3050 - (Appropriations) Appropriation; Department of Tourism. Hopson, et al. i905; cr913; cu926; v926; ph2578; sdc2805; ca3036; cg3078.
- 3051 - (Appropriations) Appropriation; Personnel Board. Hopson, et al. i905; cr913; msrp920; cu921; v921; ph2578; sdc2806; ca3036; cg3078; rcc3237; hrcc3256; cro4129; cra4131; v4131; crah4579; sp4597; ap4619.
- 3052 - (Appropriations) Appropriation; Secretary of State. Hopson, et al. i906; cr913; msrp920; cu921; v921; ph2579; sdc2832; ca3036; cg3078; rcc3237; hrcc3256; cro4131; cra4135; v4135; caa4135; crah4579; sp4597; ap4610.
- 3053 - (Appropriations) Appropriation; Treasurer's Office. Hopson, et al. i906; cr913; msrp920; cu921; v921; ph2579; sdc2835; ca3036; cg3078; rcc3237; hrcc3256; cro4270; cra4273; v4273; crah4579; sp4596; ap4612.
- 3054 - (Appropriations) Appropriation; Debt Service-Gen. Obli. Hopson, et al. i906; cr913; msrp920; cu921; v921; ph2579; sdc2837; ca3036; cg3079; rcc3237; hrcc3256; cro4135; cra4137; v4137; crah4579; sp4597; ap4610.
- 3055 - (Appropriations) Appropriations; additional appropriations for various state agencies. Hopson. i906; cr913; cu926; v926; ph2578; sdc2808; ca3036; cg3079; cro3239; cra3242; v3242; crah3352; sp3614; ap4617.
- 3056 - (Appropriations) Appropriation; additional to Environmental Quality for the MS MCWI Grant Program-ARPA funds. Hopson, et al. i906; cr913; msrp926; cu926; v927; caa927; ph2579; sdc2838; ca3036; cg3079; rcc3243; hrcc3256; cro4453; cra4455; v4455; crah4579; sp4598; ap4619.
- 3057 - (Appropriations) Appropriation; additional to Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds. Hopson, et al. i906; cr913; msrp926; cu927; v927; caa927; ph2579; sdc2838; ca3036; cg3079; rcc3243; hrcc3256.

- 3058 - (Appropriations) Appropriation; additional to IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds. Hopson, et al. i907; cr913; msrp926; cu927; v927; caa927; ph2579; sdc2838; ca3036; cg3079; rcc3243; hrcc3257.
- 3059 - (Appropriations) Appropriation; additional to DFA for the COVID-19 DMO Grant Program, -ARPA. Hopson, et al. i907; cr913; msrp926; cu927; v927; caa927; ph2579; sdc2838; ca3036; cg3079; rcc3243; hrcc3257.
- 3060 - (Appropriations) Appropriation; additional to Health Department for the Covid-19 Hospital Capacity Program and operations-ARPA funds. Hopson, et al. i907; cr913; msrp926; cu927; v927; caa927; ph2579; sdc2839; ca3036; cg3079; rcc3243; hrcc3257; msrp4376; cro4376; cra4378; v4378; crah4579; sp4598; ap4619.
- 3061 - (Appropriations) Appropriation; additional to Public Safety, Department of; Coronavirus Death Benefits-ARPA funds. Hopson, et al. i907; cr913; msrp926; cu927; v927; caa927; ph2579; sdc2839; ca3037; cg3102; rcc3243; hrcc3257.
- 3062 - (Appropriations) Appropriation; additional to DFA-Bureau of Building,-ARPA Funds. Hopson, et al. i907; cr914; cu927; v928; caa928; ph2579; sdc2839; ca3037; cg3079; rcc3243; hrcc3257; hrcc4326; msrp4376; rcc4376; cro4455; cra4459; v4459; crah4581; sp4598; ap4619.
- 3063 - (Appropriations) Appropriation; Additional to Public Safety, Department of; for operations-ARPA funds. Hopson, et al. i907; cr914; msrp926; cu927; v927; caa927; ph2579; sdc2839; ca3037; cg3079; rcc3243; hrcc3257.
- 3064 - (Appropriations) Appropriation; to DFA for the MAICU and Ind K-12 Grant Program, - ARPA funds. Hopson, et al. i908; cr914; msrp926; cu927; v927; caa927; ph2579; sdc2840; ca3037; cg3079; rcc3243; hrcc3257; cro4459; po4461; ru4461; rcc4461; hrcc4501; msrp4511; cro4511; po4513; ru4513; crf4513; v4513; vp4513; mr4533; mrp4533; cra4533; v4533; vp4533; crah4581; sp4596; ap4612.
- 3065 - (Local and Private) Jackson County; authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.). Wiggins, et al. i908; cr966; cu999; v999; caa1000; ph2578; sdc2810; ca3033; cg3083; msrp3167; cro3167; cra3168; v3168; mr3170; crah3212; mrc3288; mrt3288; sp3570; ap4604.
- 3066 - (Local and Private) Jackson County; authorize contributions to Junior Auxiliary of Pascagoula-Moss Point. Wiggins, et al. i908; cr966; cu1000; v1000; caa1000; ph2578; sdc2810; ca3033; cg3083; msrp3168; cro3168; cra3169; v3169; mr3170; crah3212; mrc3288; mrt3289; sp3570; ap4604.
- 3067 - (Local and Private) City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year. Tate, et al. i908; cr966; cu1000; v1000; caa1001; ph2578; sdc2811; ca3033; cg3083; msrp3165; cro3165; cra3166; v3166; crah3212; sp3570; ap4604.
- 3068 - (Local and Private) City of Vicksburg; authorize contribution to American Legion Boys State Program. Hopson. i908; cr966; cu1001; csa1001; v1001; ph2578; sdc2813; ca3033; cg3083; msrp3166; cro3166; cra3167; v3167; crah3213; sp3570; ap4604.
- 3069 - (Local and Private) Marshall County; add Care Now Food Pantry as a 501(c)(3) qualified charitable organization to which county may contribute. Whaley. i934;

cr966; cu1001; v1001; ph2579; sdc3011; ca3105; cg3125; cro3266; cra3266; v3266; crah3353; sp3570; ap4604.

- 3070 - (Finance) Bonds; authorize issuance to assist Perry County in paying the costs of widening Cochran Road. Johnson. i934.
- 3071 - (Finance) Bonds; authorize issuance to assist Simpson County in paying costs of LED lighting and other energy efficiency measures. Caughman. i934.
- 3072 - (Finance) Bonds; authorize issuance to assist City of West Point in paying costs of water supply system repairs and upgrades. Turner-Ford. i934.
- 3073 - (Finance) Bonds; authorize issuance to assist City of West Point in paying costs of street paving. Turner-Ford. i934.
- 3074 - (Finance) Bonds; authorize to assist in paying for road paving and bridge repairs in Clay County Supervisor District 4. Turner-Ford. i935.
- 3075 - (Finance) Bonds; authorize to assist Wilkinson County in paying the costs of road and bridge repairs and abandoned hospital removal. Butler (38th). i935.
- 3076 - (Finance) Bonds; increase authorized amount to assist Noxubee County in paying costs of emergency operation center. Turner-Ford. i935.
- 3077 - (Finance) Bonds; authorize issuance to assist City of Pearl in paying costs of bridge construction. Kirby. i935.
- 3078 - (Finance) Bonds; authorize to assist Montgomery County in paying the costs of road improvements. Chassaniol. i935.
- 3079 - (Finance) Bonds; authorize issuance to assist Sand Creek Wastewater Authority in paying costs of upgrade to North Lee County facility. McMahan. i935.
- 3080 - (Finance) Bonds; authorize to assist City of Tupelo in paying costs of various improvements. McMahan. i935.
- 3081 - (Finance) Bonds; authorize issuance to assist City of Slatton in paying costs of construction of public tennis court complex. McMahan. i936.
- 3082 - (Finance) Bonds; authorize issuance to assist the City of Baldwin in paying costs of improvements to Latimer Park. McMahan. i936.
- 3083 - (Finance) Bonds; authorize issuance to assist City of Guntown in paying costs of road and stormwater improvements. McMahan. i936.
- 3084 - (Finance) Bonds; authorize issuance to assist Itawamba County in paying costs of purchasing fire engine for Houston Fire Department. McMahan. i936.
- 3085 - (Finance) City of Jackson hotel/motel occupancy tax; increase from 75¢ to \$2.00 per day for each occupied room. Norwood, et al. i936.
- 3086 - (Finance) Bonds; authorize to assist City of Flowood in paying costs of extending Lakeland Drive to Mississippi Highway 471. Kirby. i936.
- 3087 - (Finance) Bonds; authorize to assist City of Richland in paying costs of construction of walkway over U.S. Highway 49. Kirby. i936.

- 3088 - (Finance) Bonds; authorize to assist Jackson County Utility Authority pay costs of apple snail eradication and habitat restoration. Seymour. i936.
- 3089 - (Finance) Bonds; authorize issuance to assist Pearl River County in paying costs of industrial park project. Seymour. i937.
- 3090 - (Finance) Bonds; authorize issuance to assist City of Oxford in paying costs of repair and renovation of building for police department. Boyd. i937.
- 3091 - (Finance) Bonds; authorize issuance to assist Columbus Redevelopment Authority in paying costs of Columbus Revitalization Project. Younger. i937.
- 3092 - (Appropriations) State General Funds; FY2023 appropriation to City of Carthage for coliseum renovations. Blackmon. i937.
- 3093 - (Finance) Bonds; authorize issuance to assist City of Carthage in paying costs of water, wastewater and sewer improvements. Blackmon. i937.
- 3094 - (Finance) Bonds; authorize issuance to assist South Holmes Water Association in paying costs of distribution system upgrades. Blackmon. i937.
- 3095 - (Finance) Bonds; authorize to assist East Madison Water Association in paying costs of various improvements. Blackmon. i938.
- 3096 - (Finance) Bonds; authorize issuance to assist Town of Tchula in paying costs of improvements to water and sewer systems. Blackmon. i938.
- 3097 - (Finance) Bonds; authorize to assist Canton Municipal Utilities in paying for electricity, water and wastewater services to Canton. Blackmon. i938.
- 3098 - (Finance) Bonds; authorize issuance to assist Town of Goodman in paying costs of improvements to water and sewer systems. Blackmon. i938.
- 3099 - (Finance) Bonds; authorize to assist Holmes County in paying costs of road repairs and improvements. Blackmon. i938.
- 3100 - (Finance) Bonds; authorize issuance to assist in paying for road improvements in Attala County Supervisor District 4. Blackmon. i938.
- 3101 - (Finance) Bonds; authorize issuance to assist in paying for road improvements in Attala County Supervisor District 2. Blackmon. i938.
- 3102 - (Finance) Bonds; increase authorized bonded indebtedness to assist City of Carthage in paying costs of coliseum repair and renovation. Blackmon. i938.
- 3103 - (Finance) Bonds; authorize to assist Lee County in paying costs of various improvements. McMahan. i939.
- 3104 - (Finance) Bonds; authorize issuance to assist City of Southaven in paying costs of traffic signal installation. Blackwell. i939.
- 3105 - (Finance) Bonds; authorize issuance to assist Noxubee County in paying costs of roof replacement for county courthouse. Hickman. i939.
- 3106 - (Finance) Ad valorem tax; authorize fee-in-lieu of taxes for owner-occupied or rental housing, whether single-family or multifamily. Turner-Ford. i939.

- 3107 - (Finance) Bonds; authorize issuance to assist Noxubee County in paying costs of providing communication tower coverage throughout county. Hickman. i939.
- 3108 - (Finance) Bonds; authorize issuance to assist Town of Benoit in paying costs of repairs and renovations to town park. Simmons (12th). i939.
- 3109 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of redevelopment of Hangar 173 at airport. Simmons (12th). i939.
- 3110 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Pearl to improve sewer infrastructure. Kirby. i940.
- 3111 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Pearl to improve stormwater and drinking water infrastructure. Kirby. i940.
- 3112 - (Appropriations) General Funds; FY2022 appropriation to Attala County for street repairs in Supervisor District 2. Blackmon. i940.
- 3113 - (Appropriations) General Funds; FY2022 appropriation to Attala County for street repairs in Supervisor District 4. Blackmon. i940.
- 3114 - (Appropriations) General Funds; FY2023 appropriation to Clay County for road and bridge repair in Supervisor District 4. Turner-Ford. i940.
- 3115 - (Appropriations) State General Fund; FY2023 appropriation to City of West Point for street paving. Turner-Ford. i940.
- 3116 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of West Point for water supply system repairs and upgrades. Turner-Ford. i940.
- 3117 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Wiggins to improve sewer infrastructure. Seymour. i951.
- 3118 - (Appropriations) State General Funds; FY2023 approp. to State Aid Road Fund to reimburse for monies expended to counties due to HB 779 (2019). Branning, et al. i951.
- 3119 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Poplarville to improve water infrastructure. Seymour, et al. i951.
- 3120 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 approp. to City of Poplarville for city's fire and police departments. Seymour, et al. i951.
- 3121 - (Appropriations) State General Fund; FY2023 appropriation to Town of Sunflower for renovation of city library. Simmons (13th). i952.
- 3122 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Houston to assist with water and sewer projects. Suber. i952.
- 3123 - (Appropriations) State General Fund; FY2023 appropriation to Department of Mental Health for additional beds for alcohol and drug intervention treatment. Turner-Ford. i952.

- 3124 - (Appropriations) State General Fund; FY2023 appropriation to Department of Human Services to defray expenses for the Meals on Wheels Program. Turner-Ford. i952.
- 3125 - (Appropriations) State General Fund; FY2023 appropriation to Department of Employment Security for the On the Job Nurse (LPN) Training Program. Turner-Ford. i952.
- 3126 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Brooksville for improvements to water infrastructure. Turner-Ford. i952.
- 3127 - (Appropriations) State General Fund; FY2023 appropriation to Department of Employment Security for the Summer Youth Jobs Program. Turner-Ford. i952.
- 3128 - (Appropriations) State General Fund; FY2023 appropriation to Emergency Road and Bridge Repair Fund to be utilized by MDOT. Branning, et al. i952.
- 3129 - (Appropriations) State General Fund; FY2023 approp. to Marshall County for Red Banks Road Improvement Project. Whaley, et al. i952.
- 3130 - (Appropriations) State General Fund; FY2023 approp. to Marshall County for Byhalia Railroad Bridge Project. Whaley, et al. i952.
- 3131 - (Appropriations) State General Fund; FY2023 approp. to Marshall County for Potts Camp Railroad Bridge and Bypass Project. Whaley. i953.
- 3132 - (Appropriations) State General Fund; FY2023 appropriation to Marshall County for Blackwater Road Bridge Project. Whaley. i953.
- 3133 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 approp. to Jackson Co. Utility Auth. for wastewater/stormwater infrastructure. Seymour. i953.
- 3134 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Stone County Utility Authority to improve sewer infrastructure. Seymour. i953.
- 3135 - (Finance) Bonds; authorize issuance to assist Yalobusha County in paying costs of rebuilding CR 221 bridge over Skuna River. Suber, et al. i953.
- 3136 - (Finance) Mississippi Income Tax Holiday Act of 2022; create. Michel. i953.
- 3137 - (Finance) Bonds; authorize issuance to assist Humphreys County in paying costs of construction of bridge over Wolf Lake. Thomas, et al. i953.
- 3138 - (Finance) Bonds; authorize issuance to assist City of Cleveland in paying costs of Airport Terminal Road extension. Simmons (13th). i954.
- 3139 - (Finance) Bonds; authorize to assist City of Charleston in paying costs of various improvements. Simmons (13th). i954.
- 3140 - (Finance) Bonds; authorize issuance to assist City of Houston in paying costs of renovating historic Houston Theater. Suber. i954.
- 3141 - (Finance) Bonds; authorize issuance to assist City of Houston in paying costs of repairs to city streets. Suber. i954.

- 3142 - (Finance) Bonds; authorize to assist Town of Shannon in paying costs of community center. Suber. i954.
- 3143 - (Finance) Bonds; authorize issuance to assist City of Pontotoc in paying costs of relocating main fire station. Suber, et al. i954.
- 3144 - (Finance) Bonds; authorize issuance to assist Town of Calhoun City in paying costs of street improvements. Suber. i954.
- 3145 - (Finance) Bonds; authorize to assist in paying costs of improvements in Yalobusha, Calhoun, Chickasaw, Pontotoc and other counties. Suber. i954.
- 3146 - (Finance) Ad valorem tax; authorize partial exemption for nonresidential use land that is converted to residential use. Whaley. i955.
- 3147 - (Finance) Bonds; authorize issuance to assist in paying costs of emergency water storage near medical facilities in Meridian. Tate. i955.
- 3148 - (Finance) Bonds; authorize issuance to assist in paying costs of improvements to North Hills Street in Meridian. Tate. i955.
- 3149 - (Local and Private) City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission. Carter. i961.
- 3150 - (Finance) Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements. Frazier, et al. i962; cr967; cu976; v976; ph2574; sp2977; ap3102.
- 3151 - (Finance) Bonds; authorize issuance to assist in paying costs of various projects in Alcorn and Tippah Counties. Parks. i962.
- 3152 - (Finance) Bonds; authorize issuance to assist in paying costs of Yellow Creek Port Project in Tishomingo County. Parks. i962.
- 3153 - (Finance) Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements. Harkins. i962; cr967; cu975; csa975; v975; ph2579; sdc2840; ca3023; cg3088.
- 3154 - (Appropriations) State General Funds; appropriation to Jackson State University for construction of athletic stadium. Horhn. i962.
- 3155 - (Appropriations) State General Funds; FY2023 appropriation to County of Lafayette for purchase of fire trucks and equipment. Boyd. i962.
- 3156 - (Appropriations) State General Fund; approp. to MDOT for replacement of bridges impacted by harvest permit allowable weight. Branning. i962.
- 3157 - (Appropriations) State General Funds; FY2023 appropriation to City of Blue Mountain for improvements to the Blue Mountain Children's Park. Parks. i963.
- 3158 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to City of Walnut for the Walnut Drainage Project. Parks. i963.
- 3159 - (Appropriations) State General Funds; FY2023 appropriation to City of Corinth for veterans honor memorial on Old Highway 45/72. Parks. i963.
- 3160 - (Appropriations) State General Funds; FY2023 appropriation to City of Corinth for EFLAP Bridge Replacement Project. Parks. i963.

- 3161 - (Appropriations) State General Funds; FY2023 appropriation to City of Farmington for computer equipment upgrade. Parks. i963.
- 3162 - (Appropriations) State General Funds; FY2023 appropriation to Alcorn County for improvements to Getwell Road-Harper Road intersection. Parks. i963.
- 3163 - (Finance) Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure. Harkins, et al. i963; cr967; cu974; v975; caa975; ph2577; sdc2672; ca3023; cg3088.
- 3164 - (Finance) Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate. Harkins, et al. i963; cr967; cu976; csa976; v987; caa987; mr987; mrc1001; mrt1002; ph2219; sdc2453; ca3023; cg3088.
- 3165 - (Finance) Bonds; authorize issuance to assist in paying costs of various projects in Scott and Newton Counties. McCaughn. i969.
- 3166 - (Finance) Bonds; authorize issuance to assist MDEQ in paying costs of administration of Water Infrastructure Grant Program Act of 2022. Bryan. i970.
- 3167 - (Appropriations) Capital Expense Funds; FY2023 appropriation to MDOT for the Emergency Road and Bridge Repair Fund. Hopson, et al. cr969; i970; cu974; v974; caa974.
- 3168 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Olivet Water Association for improvements to infrastructure. Chassaniol. i992.
- 3169 - (Appropriations) State General Funds; FY2023 appropriation to City of Magnolia for street overlay project. Butler (38th). i992.
- 3170 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 approp. to City of Magnolia for sewer and stormwater infrastructure improvements. Butler (38th). i992.
- 3171 - (Appropriations) State General Funds; FY2023 appropriation to Claiborne County for improvement and construction of community facilities. Butler (36th). i992.
- 3172 - (Appropriations) State General Funds; FY2023 appropriation to Claiborne County for repairs and improvements to historical structures in the county. Butler (36th). i993.
- 3173 - (Appropriations) State General Funds; FY2023 appropriation to Claiborne County for renovation of county library. Butler (36th). i993.
- 3174 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Town of Summit for improvements to water and sewer infrastructure. Butler (38th). i993.
- 3175 - (Appropriations) State General Funds; FY2023 appropriation to Claiborne County for replacement of an air conditioning/heating system in the county jail. Butler (36th). i993.
- 3176 - (Appropriations) State General Funds; FY2023 appropriation to Claiborne County for the completion of road improvements. Butler (36th). i993.

- 3177 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY 2023 approp. to Claiborne County for a Stormwater Management Program. Butler (36th). i993.
- 3178 - (Local and Private) City of Jackson; extend repeal date on 1% restaurant, hotel and motel tax for Convention and Visitors Bureau. Horhn, et al. i1044.
- 3179 - (Local and Private; Finance) City of Jackson; extend repeal date on Convention & Visitors Bureau and tourism tax, and increase hotel/motel tax rate. Norwood, et al. i1044.
- 3180 - (Local and Private) City of Oxford; authorize expansion of water system within a certain distance outside corporate limits. Boyd. i1148.
- 3181 - (Local and Private) City of Grenada; extend repealer on tourism tax. Chassaniol. i1148; cr2219; msrp2229; cu2229; v2230; ph3121; msrp3159; sc3159; v3164; sp3278; ap4040.
- 3182 - (Finance) Bonds; increase authorized issuance to assist in paying costs of restoration of historic Tougaloo College Freedom Riders site. Blackmon. i993.
- 3183 - (Finance) Bonds; increase authorized amount to General Missionary Baptist Convention to complete Natchez Seminary renovations. Blackmon. i993.
- 3184 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to Rankin County to improve stormwater infrastructure. Kirby. i994.
- 3185 - (Finance) Bonds; authorize issuance for improvements at Alcorn State University, Jackson State University and MS Valley State University. Blackmon. i994.
- 3186 - (Appropriations) General Funds; FY2023 appropriation to City of Durant for street repairs. Blackmon. i994.
- 3187 - (Appropriations) General Funds; FY2023 appropriation to City of Canton for repairs, resurfacing and making other improvements to streets. Blackmon. i994.
- 3188 - (Appropriations) General Funds; FY2023 appropriation to Holmes County for street repairs in the Ebenezer community. Blackmon. i994.
- 3189 - (Appropriations) General Funds; FY2023 appropriation to City of Carthage for street repairs. Blackmon. i994.
- 3190 - (Appropriations) General Funds; FY2023 appropriation to General Baptist Convention for renovations to Natchez Seminary Property. Blackmon. i994.
- 3191 - (Appropriations) General Funds; FY2023 appropriation to Tougaloo College for the completion of restoration to historic Freedom Riders site. Blackmon. i994.
- 3192 - (Appropriations) General Funds; FY2023 appropriation to Attala County for street repairs in Supervisor District 4. Blackmon. i995.
- 3193 - (Appropriations) General Funds; FY2023 appropriation to City of Carthage for the repair and renovation of its coliseum. Blackmon. i995.
- 3194 - (Appropriations) General Funds; FY2023 appropriation to City of Canton for improvements to the city's parks. Blackmon. i995.

- 3195 - (Appropriations) General Funds; FY2023 appropriation to City of Canton for construction of governmental complex. Blackmon. i995.
- 3196 - (Appropriations) General Funds; FY2023 appropriation to City of Tchula for street repairs. Blackmon. i995.
- 3197 - (Appropriations) General Funds; FY2023 appropriation to Attala County for street repairs in Supervisor District 2. Blackmon. i995.
- 3198 - (Appropriations) General Funds; FY2023 appropriation to Holmes County for the purchase of a fire truck for the Ebenezer community. Blackmon. i995.
- 3199 - (Finance) Bonds; authorize for projects for Holmes County, Town of Tchula, and Cities of Durant, Carthage and Canton. Blackmon. i995.
- 3200 - (Local and Private) Washington County; extend the repeal date on the hotel and motel tax supporting a sports complex. Simmons (12th). i1439; cr2219; msrp2229; cu2229; v2230.
- 3201 - (Local and Private) Jackson County; repurpose and extend repeal date on tourism tax on hotels and motels. England. i1439.
- 3202 - (Local and Private) City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority. Michel. i1684; cr3128; msrp3158; cu3158; v3158; ph3574; sp4143; ap4604.
- 3203 - (Local and Private) Rankin County; authorize contributions to nonprofit organizations that provide recreational/sports activities for county youth. Kirby. i1810.
- 3204 - (Judiciary, Division B; Local and Private) City of Oxford; authorize electronic signatures for warrant applications for violations of Implied Consent Law. Boyd. i2220.
- 3205 - (Local and Private; Energy) City of New Albany; authorize to expand natural gas distribution system to serve area in Tippah and Union Counties. Chism. i2220.
- 3206 - (Local and Private) Marshall County; authorize contributions to Byhalia Area Arts Council. Whaley, et al. i2220; cr3129; msrp3159; cu3159; v3159; ph3574; sp4153; ap4605.
- 3207 - (Local and Private) Town of Shuqualak; authorize expansion of water system within 15 miles of corporate limits. Hickman. i2585.
- 3208 - (Local and Private) Rankin County; authorize certain road project contracts extending more than 30 days after term of current board. Kirby. i2585; cr3129; msrp3158; cu3158; v3158; ph3574; sp4153; ap4605.
- 3209 - (Local and Private; Finance) City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation. McLendon, et al. i3058; cr3133; msrp3148; cu3148; v3148; caa3149; ph3932; sp4153; ap4605.
- 3210 - (Local and Private) Cities of Clinton and Raymond and Town of Bolton; authorize to create joint wastewater authority. Frazier. i3092.

- 3211 - (Local and Private) Meridian Public School District; authorize transfer of former school property to Meridian Housing Authority. Tate. i3107; cr3129; msrp3158; cu3158; v3158; ph3574; sp4153; ap4605.
- 3212 - (Agriculture) Eminent domain; codify constitutional amendment. McCaughn, et al. i3172.

#### B. SENATE CONCURRENT RESOLUTIONS

##### S. C. No.

- 501 - (Rules) Commend Philadelphia Automobile Dealer Bill Griffis for his nomination for the 2022 TIME Dealer of the Year Award. Branning, et al. i49; cr342; msrp599; cu599; v600; caa601; ph688; sp4620.
- 502 - (Rules) Commend former Mississippi Representative Honorable Fred Banks on his receipt of "2021 Lifetime Achievement Award" by MS BAR. Frazier, et al. i50; cr342; msrp599; cu599; v600; caa601; ph688; sp957.
- 503 - (Rules) Mourn the passing of former Senator Joseph Stogner of Sandy Hook, Mississippi, and commend his public and charitable service. Hill, et al. i50; cr342; cu602; v602; caa602; ph688; sp2977.
- 504 - (Rules) Commend Columbia High School "Wildcats" Football Team for first State Championship since 1982. Hill, et al. i50; cr342; msrp599; cu600; v600; caa601; ph688; sp873.
- 505 - (Rules) Recognize legacy of NFL Hall of Fame Running Back Walter Payton and dedication of "Walter Payton Field" in Columbia, Mississippi. Hill, et al. i50; cr342; msrp599; cu600; v600; caa601; ph688; sp942.
- 506 - (Rules) Commend Mississippi Humanities Council on the occasion of its 50th Anniversary. Blount, et al. i50; cr342; msrp599; cu600; v600; caa601; ph688; sp894.
- 507 - (Rules) Extending the deepest sympathy on the passing of former Mississippi First Lady and community activist Elise Winter. Blount, et al. i50; cr342; msrp599; cu600; v600; caa601; ph688; sp894.
- 508 - (Rules) Paying tribute to public health career and contributions of respected state health officer and first Medicaid Director Dr. Alton Cobb. Blount, et al. i50; cr342; msrp599; cu600; v600; caa601; ph688; sp894.
- 509 - (Rules) Commend State Parole Board Chairman Steven Pickett on the occasion of his retirement. Blount, et al. i50; cr343; msrp599; cu600; v600; caa601; ph688; sp873.
- 510 - (Rules) Commend Mississippi "Braves" Baseball Team for winning the Double A South Championship. Kirby, et al. i51; cr343; msrp599; cu600; v600; caa601; ph688; sp942.
- 511 - (Rules) Article V Constitutional Convention; provide for selection and authority of commissioners. Hill. i64.
- 512 - (Rules) Remember legacy of former POW and Retired Air Force Colonel Carlyle "Smitty" Harris at U.S. Post Office dedication in his honor. McMahan, et al. i65; cr680; msrp714; cu714; v716; caa716; ph916; sp957.

- 513 - (Rules) Commend William (Bill) Bynum CEO of HOPE in Jackson, Mississippi, as recipient of 26th Heinz Award for the Economy. Jackson (11th), et al. i161; cr680; msrp714; cu714; v716; caa717; ph916; sp943.
- 514 - (Rules) Congratulate MSU 2021 Baseball Team on National Championship. Harkins, et al. i162; cr343; msrp599; cu600; v600; caa601; ph688; sp957.
- 515 - (Rules) Commend Mississippi-Alabama Sea Grant Consortium on its 50th Anniversary and recognize its achievements. Seymour, et al. i162; cr680; msrp714; cu714; v716; caa717; ph916; sp943.
- 516 - (Rules) Recognize March 2022 as "Kidney Disease Awareness Month." Kirby, et al. i162; cr680; msrp714; cu714; v716; caa717; ph916; sp942.
- 517 - (Rules) Extend sympathy of Legislature to surviving family of former Mayor, attorney, and blues promoter Bill Luckett of Clarksdale. Jackson (11th), et al. i162; cr680; msrp714; cu714; v716; caa717; ph916; sp958.
- 518 - (Constitution) Constitution; place term limits on legislators. McDaniel. i316.
- 519 - (Rules) Public safety telecommunicators; recognize as first responders. Williams. i316.
- 520 - (Constitution; Elections) Constitution; amend to allow felons to vote upon meeting certain conditions. Blount. i316.
- 521 - (Accountability, Efficiency, Transparency; Constitution) Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. Seymour. i317.
- 522 - (Rules) Celebrating the legendary Mississippi basketball Coach Lafayette Stribling and extending the sympathy of Legislature. Norwood, et al. i317; cr680; msrp714; cu714; v716; caa717; ph916; sp958.
- 523 - (Rules) Emmett Till murder; issue apology for state's role in killers' acquittals. Norwood, et al. i317.
- 524 - (Rules) Resolution; urge Congress to propose and submit to states for ratification an amendment relating to the federal debt limit. Wiggins. i317.
- 525 - (Rules) Commend James A. Barber on the occasion of his retirement as Executive Director of PEER. Blackwell, et al. i317; cr681; msrp714; cu714; v716; caa717; ph916; sp958.
- 526 - (Rules) Express sympathy and remember the legacy of Lusia (Lucy) Harris of Minter City, Mississippi, "The Queen of Basketball." Jordan, et al. i317; cr578; msrp599; cu600; v600; caa602; ph688; sp942.
- 527 - (Rules) Commend University of Mississippi Women's Golf Team and Coach Kory Henkes for winning their first National Title in school history. Michel, et al. i318; cr336; cu340; v340; ph585; sp595.
- 528 - (Accountability, Efficiency, Transparency; Constitution) Constitution; amend Section 273 to provide initiative procedure for new law or constitutional amendment. McDaniel. i318.
- 529 - (Accountability, Efficiency, Transparency; Constitution) Constitution; amend Section 33 to authorize initiative procedure for new law. Blount. i318.

- 530 - (Rules) Celebrate life and commend military service of Bridgette Rochelle Horn. Branning, et al. i362; cr681; msrp714; cu714; v716; caa717; ph916; sp943.
- 531 - (Rules) Suspend rules; introduction of a bill to revise definition of hate crimes. Blount. i363.
- 532 - (Rules) Commend University of Mississippi Quarterback Matt Corral for leading team to best regular season in program history. Michel, et al. i363; cr681; msrp714; cu714; v716; caa717; ph916; sp958.
- 533 - (Rules) Resolution; urge Congress to propose and submit to states for ratification an amendment providing for a balanced budget. Wiggins. i363.
- 534 - (Rules) Congratulate Jackson State University "Tigers" Football Team and Coach Deion "Coach Prime" Sanders for remarkable season. Norwood, et al. i552; cr578; msrp599; cu600; v600; caa602; ph688; sp873.
- 535 - (Rules) Recognize The Williams Brothers as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Music. Horhn, et al. i571; cr681; msrp714; cu714; v716; caa717; ph916; sp942.
- 536 - (Rules) Recognize Larry Gordon as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Motion Pictures/Television. Horhn, et al. i571; cr681; msrp714; cu714; v716; caa717; ph916; sp942.
- 537 - (Rules) Recognize Holly Lange as the recipient of the 2022 Governor's Arts Award Governor's Choice. Horhn, et al. i571; cr681; msrp714; cu714; v716; caa717; ph916; sp942.
- 538 - (Rules) Recognize Mary Lovelace O'Neal as the recipient of the 2022 Governor's Arts Award for Excellence in Visual Art. Horhn, et al. i571; cr681; msrp714; cu714; v716; caa717; ph917; sp942.
- 539 - (Rules) Recognize Alcorn State University Jazz Festival as the recipient of the 2022 Governor's Arts Award for Arts in Community. Horhn, et al. i571; cr681; msrp714; cu714; v716; caa718; ph917; sp942.
- 540 - (Rules) Recognize Myrna Colley-Lee as the recipient of the 2022 Governor's Arts Award for Costume Design and Arts Patron. Horhn, et al. i572; cr681; msrp714; cu714; v716; caa718; ph917; sp943.
- 541 - (Rules) Recognize January 2022 as "Cervical Health Awareness Month in Mississippi." Blackwell, et al. i594; cr681; msrp714; cu715; v716; caa718; ph917; sp958.
- 542 - (Rules) Recognize the legacy of former Northern District Transportation Commissioner Zack Stewart. Chism, et al. i594; cr681; msrp714; cu715; v716; caa718; ph917; sp958.
- 543 - (Rules) Extend sympathy of the Legislature on the passing of Third District Circuit Court Judge Robert "Ken" Coleman of New Albany, MS. Chism, et al. i638; cr681; msrp714; cu715; v716; caa718; ph917; sp1059.
- 544 - (Rules) Commend Olympian Cory McGee of Pass Christian for Track and Field accomplishments at 2020 Tokyo Olympics. Thompson, et al. i660; cr681; msrp714; cu715; v716; caa718; ph917; sp958.

- 545 - (Rules) Recognize public service of longtime Hinds County Circuit Court Judge and former State Representative Tomie T. Green. Norwood, et al. i754; cr1033; msrp1233; cu1233; v1234; caa1235; ph2972; sp4599.
- 546 - (Rules) Encouraging further economic activity between Mississippi and Taiwan. Chassaniol, et al. i754; cr1814; cu2224; v2224; caa2224; ph3120; sp3134.
- 547 - (Rules) Recognize service of WWII Hero and POW Olin Pickens of Nesbit, Mississippi, and extend best wishes on his 100th Birthday. McLendon, et al. i754; cr1033; cu1046; v1046; caa1047; ph1240; sp1797.
- 548 - (Rules) Mourn the passing of former Senator George Smith of Wiggins, Mississippi, and commend his public and charitable service. Seymour, et al. i754; cr1034; cu2222; v2222; caa2223; ph3120; sp3279.
- 549 - (Rules) Commemorate the 150th Anniversary of the founding of The Carthaginian Newspaper (1872-2022) and recognize its contributions. Branning, et al. i876; cr1033; msrp1233; cu1233; v1234; caa1235; ph2972; sp3031.
- 550 - (Rules) Recognize the 100th Anniversary of the Mississippi Farm Bureau Federation. McCaughn, et al. i908; cr1033; msrp1233; cu1233; v1234; caa1235; ph3200; sp3279.
- 551 - (Rules) Mourn the passing of former Representative and Senator Delma Furniss of Rena Lara, MS, and commend his public and charitable service. Simmons (12th), et al. i919; cr1034; cu2223; v2223; caa2223; ph3120; sp3933.
- 552 - (Rules) Recognize United States District Judge Debra Brown as Mississippi's first African American female Chief Federal Judge. Simmons (12th), et al. i919; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp3031.
- 553 - (Rules) Congratulate the "Pride of DeSoto Central High School Marching Band" for winning the 2021 Class 6A Marching Band Championship. McLendon, et al. i940; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp3109.
- 554 - (Rules) Commend Millicent Gunter for receiving Mississippi's Presidential Award for Excellence in Math and Science. Carter, et al. i941; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp4605.
- 555 - (Rules) Commend Stone County High School "Lady Cats" Girls Soccer Team for first State Championship. Seymour, et al. i955; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp3175.
- 556 - (Rules) Recognize February 2022 as "Self-Care Month in Mississippi." Fillingane, et al. i955; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp3134.
- 557 - (Rules) Commend Laura Bivins for receiving Mississippi's Presidential Award for Excellence in Math and Science Teaching. Michel, et al. i956; cr1033; msrp1233; cu1233; v1234; caa1235; ph3200; sp3279.
- 558 - (Rules) Commend Dia Chawla of Pillow Academy in Greenwood for winning National High School Heisman Trophy. Jordan, et al. i956; cr1033; cu1046; v1046; caa1046; ph1240; sp1481.
- 559 - (Rules) Recognize outstanding public service of former U.S. Marshal and State Parole Board Member Nehemiah Flowers, Jr. Blount, et al. i964; cr1033; msrp1233; cu1233; v1234; caa1235; ph2973; sp3031.

- 560 - (Rules) Commend Bay Springs High School "Bulldogs" Football Team for first State Championship. Barnett, et al. i964; cr1033; msrp1233; cu1233; v1234; caa1236; ph2973; sp3031.
- 561 - (Rules) Commend Simpson Academy "Cougars" Boys Basketball Team for winning 5A State Championship. Caughman, et al. i1106; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3175.
- 562 - (Rules) Designate April 2022 as the "Month of the Military Child" and April 20 as "Purple Up! for Military Kids Day" in Mississippi. Younger, et al. i1106; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3175.
- 563 - (Rules) Condemn the invasion of Ukraine and sever all connections with the Russian Federation. Kirby, et al. i1106; cr1814; cu2224; v2225; caa2225; ph3120; sp3134.
- 564 - (Rules) Recognize 30th Anniversary Celebration of Parents for Public Schools (PPS). Blount, et al. i1148; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3175.
- 565 - (Rules) Commend Jackson Prep "Patriots" Boys Basketball Team for winning MAIS State Championship. Kirby, et al. i1440; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3279.
- 566 - (Rules) Commend Dean of Mississippi College School of Law Patricia Bennett on retirement. Frazier, et al. i1440; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3175.
- 567 - (Rules) Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning MAIS 5A State Championship. Branning, et al. i1440; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3571.
- 568 - (Rules) Recognize legacy of Dr. James Oliver, M.D., as the first African American to graduate from University of Mississippi School of Medicine. Jackson (11th), et al. i1440; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3175.
- 569 - (Rules) Commend Meridian High School "Lady Wildcats" Girls Basketball Team for winning first State Championship in school history. Hickman, et al. i1440; cr1814; msrp2225; cu2225; v2226; caa2227; ph3120; sp3134.
- 570 - (Rules) Commend Jackson Prep "Lady Patriots" Girls Basketball Team for winning MAIS Overall State Championship. Kirby, et al. i1440; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3279.
- 571 - (Rules) Commend Northwest Rankin "Lady Cougars" Girls Soccer Team for Class 6A State Championship. Harkins, et al. i1441; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3175.
- 572 - (Rules) Commend Biggersville Girls and Boys Basketball Teams and Coach Cliff Little for two State Championships on same day. Parks, et al. i1441; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3279.
- 573 - (Rules) Commend Lake High School "Lady Hornets" Girls Basketball Team and Coach Maurice Bowie for winning the MHSAA 2A State Championship. McCaughn, et al. i1684; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3279.

- 574 - (Rules) Commend Choctaw Central "Lady Warriors" Basketball Team for winning Class 4A State Championship. Branning, et al. i1684; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp4499.
- 575 - (Rules) Commend Clinton High School "Arrows" Boys Basketball Team for consecutive 6A State Championships. Frazier, et al. i1685; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3134.
- 576 - (Rules) Commend CCC Women's Basketball Coach Stephanie Murphy as MACCC "Coach of the Year." Jackson (11th), et al. i1798; cr1814; msrp2225; cu2226; v2226; caa2228; ph3120; sp3175.
- 577 - (Rules) Commend Raymond High School "Rangers" Boys Basketball Team for winning 4A State Championship. Butler (36th), et al. i1798; cr1814; msrp2225; cu2226; v2226; caa2228; ph3121; sp3134.
- 578 - (Rules) Commend Northwest Community College Cheer Team for National Titles. Boyd, et al. i1804; cr1815; msrp2225; cu2226; v2226; caa2228; ph3121; sp3279.
- 579 - (Rules) Declare that March 21, 2022, is "World Down Syndrome Day in Mississippi." Boyd, et al. i1804; cr1815; msrp2225; cu2226; v2226; caa2228; ph3121; sp3175.
- 580 - (Rules) Commend Northwest Community College Football Team for consecutive State Championships. Boyd, et al. i1804; cr1815; msrp2225; cu2226; v2226; caa2228; ph3121; sp4608.
- 581 - (Rules) Commend Jackson State University "Lady Tigers" Basketball Team for back-to-back SWAC Tournament Championships. Norwood, et al. i2220; cr3060; msrp3114; cu3114; v3114; caa3114; ph3287; sp3571.
- 582 - (Rules) Commend Manchester Academy "Lady Mavericks" Basketball Team for back-to-back State Championships. Thomas, et al. i2585; cr3060; msrp3114; cu3114; v3114; caa3115; ph3287; sp3571.
- 583 - (Rules) Suspend rules for introduction; codify constitutional provisions of eminent domain. McCaughn, et al. cr2581; i2585; cu2589; v2589; caa2589; ph3118; sp3134.
- 584 - (Rules) Commemorate the 100th Anniversary of the founding of The Columbus Commercial Dispatch Newspaper (1921-2022). Younger, et al. i2979; cr3060; msrp3114; cu3114; v3114; caa3115; ph3287; sp3571.
- 585 - (Rules) Suspend rules for drafting, etc.; codify "Mississippi Stop Eminent Domain Abuse Act." McDaniel, et al. i3026.
- 586 - (Rules) Designate April 14, 2022, as "Reman Day" in Mississippi. Parks, et al. i3026; cr3060; msrp3114; cu3114; v3114; caa3115; ph3287; sp3571.
- 587 - (Rules) Suspend rules for drafting, introduction, etc; revise zoning provisions of the Mississippi Medical Cannabis Act. Blackwell. i3092; cr3145.
- 588 - (Rules) Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months. Blackwell. i3092; cr3145; msrp3497; cu3497; v3497; vp3497; mr3499; msrp3527; mrc3527; mrt3527.

- 589 - (Rules) Commend Summer Field Program at USM Gulf Coast Research Laboratory on its 75th Anniversary. Wiggins, et al. i3093; cr3146; msrp3522; cu3523; v3523; caa3524; ph4035; sp4147.
- 590 - (Rules) Commemorate the 150th Anniversary of the City of McComb. Butler (38th), et al. i3107; cr3146; msrp3522; cu3523; v3523; ph4035; sp4394.
- 591 - (Rules) Designate April 2, 2022, as "World Autism Awareness Day in Mississippi." England, et al. i3107; cr3146; msrp3522; cu3523; v3523; caa3524; ph4035; sp4605.
- 592 - (Rules) Commend State Parole Board member Betty Lou Jones on the occasion of her retirement. Tate. i3107; cr3146; msrp3522; cu3523; v3523; ph4035; sp4394.
- 593 - (Rules) Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi. Fillingane, et al. i3172; cr3277; msrp3524; cu3524; v3525; caa3525; ph4036; sp4394.
- 594 - (Rules) Commend Booneville High School "Lady Blue Devils" for winning 2022 MHSAA Class 3A Girls Basketball Championship. Sparks, et al. i3172; cr3277; msrp3524; cu3524; v3525; caa3525; ph4036; sp4394.
- 595 - (Rules) Commend Booneville High School "Blue Devils" Baseball Team for winning the 2021 Class 3A State Championship. Sparks, et al. i3172; cr3277; msrp3524; cu3524; v3525; caa3525; ph4036; sp4394.
- 596 - (Rules) Commend Belmont High School "Cardinals" Boys Golf Team for winning 2021 MHSAA 3A State Championship. Sparks, et al. i3173; cr3277; msrp3524; cu3524; v3525; caa3525; ph4036; sp4605.
- 597 - (Rules) Commend Booneville High School "Blue Devils" Boys Basketball Team for winning 2022 Class 3A State Championship. Sparks, et al. i3173; cr3277; msrp3524; cu3524; v3525; caa3526; ph4036; sp4394.
- 598 - (Rules) Commend Booneville "Lady Blue Devils" Girls Fast-Pitch Softball Team for winning 2021 3A State Championship. Sparks, et al. i3173; cr3277; msrp3524; cu3524; v3525; caa3526; ph4036; sp4394.
- 599 - (Rules) Commend Belmont High School "Lady Cardinals" Volleyball Team for winning first State Championship in program history. Sparks, et al. i3173; cr3277; msrp3524; cu3524; v3525; caa3526; ph4036; sp4395.
- 600 - (Rules) Commend Booneville High School "Blue Devil" Marching Band for winning 3A State Championship. Sparks, et al. i3214; cr3277; msrp3524; cu3524; v3525; caa3526; ph4036; sp4395.
- 601 - (Rules) Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships. Moran, et al. i3214; cr3277; msrp3524; cu3524; v3525; caa3526; ph4036; sp4394.
- 602 - (Rules) Commend Pearl River Community College "Wildcats" Women's Basketball Team for MACCC Championship. Hill, et al. i3215; cr3278; msrp3524; cu3524; v3525; caa3526; ph4036; sp4394.

- 603 - (Rules) Commend Pearl River Community College "Wildcats" Men's Basketball Team for third consecutive MACCC title. Hill, et al. i3215; cr3278; msrp3524; cu3524; v3525; caa3526; ph4036; sp4394.
- 604 - (Rules) Paying tribute to United States Army Korean War casualty PFC Jimmy Rowland of Baldwyn, Mississippi, finally laid to rest. Sparks, et al. i3282; cr3575; msrp3804; cu3804; v3804; caa3805; ph4393; sp4584.
- 605 - (Rules) Suspend rules for further consideration of HB 451; delete repealer on the nonadmitted policy fee. Michel. cr4037; msrp4037; cu4037; v4037; i4041; ph4393; sp4499.

### C. SENATE RESOLUTIONS

#### S. R. No.

- 1 - (Rules) Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. Blackwell. i51.
- 2 - (Rules) Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. Blackwell. i51.
- 3 - (Rules) Commend Jackson Prep "Patriots" Baseball Team for winning MAIS 5A State Baseball Championship for 4th consecutive season. Kirby, et al. i162; cr681; msrp714; cu715; v716; caa718.
- 4 - (Rules) Commend Mississippi Insurance Department employee Nancy Cross for 63 years of service. Kirby, et al. i162; cr681; msrp714; cu715; v716; caa718.
- 5 - (Rules) Commend Brandon High School "Lady Bulldogs" Volleyball Team for winning 6A State Championship. Kirby, et al. i318; cr681; msrp714; cu715; v716; caa718.
- 6 - (Rules) Mourn the loss and commend the life of Mrs. Mary Elizabeth Daniel. Blackmon, et al. i318; cr336; msrp599; cu599; v600; caa601.
- 7 - (Rules) Congratulate Nakobe Dean, Outside Linebacker for National Champion Georgia "Bulldogs" Football Team from Horn Lake High. Jackson (11th), et al. i318; cr681; msrp714; cu715; v716; caa718.
- 8 - (Rules) Commend Brookhaven High School "Panthers" Boys Cross-Country Team for third consecutive State Championship. Barrett, et al. i319; cr681; msrp714; cu715; v716; caa718.
- 9 - (Rules) Commend Pearl High School "Pirates" Boys Track Team for winning MHSAA State 6A Championship. Kirby, et al. i319; cr682; msrp714; cu715; v716; caa718.
- 10 - (Rules) Recognize sports and civic legacy of Coach L.D. Ready, Sr., of Richton, Mississippi. Johnson, et al. i319; cr682; msrp714; cu715; v716; caa718.
- 11 - (Rules) Commend Brookhaven Academy "Lady Cougars" Softball Team for MAIS 5A State Championship. Barrett, et al. i319; cr682; msrp714; cu715; v716; caa719.
- 12 - (Rules) Commend Loyd Star High School "Hornets" Golf Team for winning MHSAA Class 1 State Championship. Barrett, et al. i319; cr682; msrp714; cu715; v716; caa719.

- 13 - (Rules) Pay tribute to the Civil Rights legacy of Rev. Dr. Charles Johnson, Sr., of Meridian, MS, and extend the condolences of Senate. Hickman, et al. i363; cr682; msrp714; cu715; v716; caa719.
- 14 - (Rules) Celebrate the life and commend civic service of Marvin Hogan of Jackson, Mississippi, and extend condolences. Horhn, et al. i363; cr682; msrp714; cu715; v716; caa719.
- 15 - (Rules) Celebrate the life and commend civic and business leadership of Carroll V. Hood of Hazlehurst, Mississippi, and extend condolences. Butler (36th), et al. i363; cr682; msrp714; cu715; v716; caa719.
- 16 - (Rules) Congratulate Jackson State University "Tigers" Football Coach Deion "Coach Prime" Sanders for remarkable season. Norwood, et al. i572; cr577; msrp599; cu600; v600; caa602.
- 17 - (Rules) Commend Jackson State University "Tigers" Football Team for winning 2021 SWAC Championship. Norwood, et al. i572; cr578; msrp599; cu600; v600; caa602.
- 18 - (Rules) Express sympathy and remember the legacy of Lusia "Lucy" Harris of Minter City, Mississippi, "The Queen of Basketball." Jordan, et al. i572; cr578; msrp599; cu600; v600; caa602.
- 19 - (Rules) Mourn the passing and commend service of Randy Tate, Executive Director of Boys & Girls Club of Pike County. Butler (38th), et al. i572; cr682; msrp714; cu715; v716; caa719.
- 20 - (Rules) Congratulate South Panola High School Cheerleading Team for second consecutive National Championship. Jackson (11th), et al. i572; cr682; msrp714; cu715; v716; caa719.
- 21 - (Rules) Congratulate Brandon High School Cheerleading Team for National Championship. Kirby, et al. i622; cr682; msrp714; cu715; v716; caa719.
- 22 - (Rules) Recognize Bishop James Edward Swanson, Sr., on his tenure as Resident Bishop of the MS Conference of The United Methodist Church. Williams, et al. i660; cr682; msrp714; cu715; v716; caa719.
- 23 - (Rules) Recognize legacy and service of Linda Ross Aldy upon her retirement as Executive Director of MS Optometric Association (MOA). Parker, et al. i712; cr756; cu889; v889; caa889.
- 24 - (Rules) Commemorate the celebration of St. Patrick's Day in Mississippi and the American-Irish State Legislators Caucus. McCaughn, et al. i754; cr1033; msrp1233; cu1233; v1234; caa1236.
- 25 - (Rules) Congratulate Lake High School "Lady Hornets" Fast-Pitch Softball Team for winning the 2021 2A State Championship. McCaughn, et al. i754; cr1033; msrp1233; cu1233; v1234; caa1236.
- 26 - (Rules) Commend Richland High School "Rangers" Boys Soccer Team for second State Championship in four years. Caughman, et al. i755; cr1033; msrp1233; cu1233; v1234; caa1236.

- 27 - (Rules) Commend Florence High School Girls Soccer Team for Class 5A State Championship. Caughman, et al. i755; cr1033; msrp1233; cu1234; v1234; caa1236.
- 28 - (Rules) Recognize Pat Thomasson of Philadelphia as the first female Chair of the Board of Directors of the MMA. Branning, et al. i755; cr1034; msrp1233; cu1234; v1234; caa1236.
- 29 - (Rules) Extend condolences of the Mississippi Senate to family of Veteran Canton Law Enforcement Officer Carl Larry Saxton, Sr. Harkins, et al. i876; cr1034; msrp1233; cu1234; v1234; caa1236.
- 30 - (Rules) Commend Pearl River Community College "Wildcats" Cheer Squad for first National Championship. Hill, et al. i941; cr1034; msrp1233; cu1234; v1234; caa1236.
- 31 - (Rules) Recognize Hinds County Chancellor Denise Owens on the occasion of her retirement. Norwood, et al. i956; cr1034; msrp1233; cu1234; v1234; caa1236.
- 32 - (Rules) Commend students of East Central High School in Jackson County for receiving MIT Technology Invention Grant. England, et al. i956; cr1034; msrp1233; cu1234; v1234; caa1236.
- 33 - (Rules) Commend Picayune High School "Maroon Tide" Football Team for MHSAA 5A State Championship. Hill, et al. i956; cr1034; msrp1233; cu1234; v1234; caa1236.
- 34 - (Rules) Commend Cleveland High School "Wolves" Boys Bowling Team for first State Championship. Simmons (13th), et al. i956; cr1034; msrp1233; cu1234; v1234; caa1236.
- 35 - (Rules) Commend Holly Brand of Meridian, Mississippi, as Miss Mississippi 2021. Tate, et al. i956; cr1034; msrp1233; cu1234; v1234; caa1236.
- 36 - (Rules) Commemorate service of Alpha Phi Alpha Fraternity in the Mississippi Delta. Jackson (11th), et al. i996; cr1034; msrp1233; cu1234; v1234; caa1237.
- 37 - (Rules) Recognize D'Iberville Chief of Police Wayne H. Payne for his law enforcement service and retirement. DeLano, et al. i1149; cr1815; msrp2225; cu2226; v2226; caa2228.
- 38 - (Rules) Paying tribute to the life and legacy of Dr. Gustavus Adolphus "Sonny" Rush III. Tate, et al. i1441; cr1815; msrp2225; cu2226; v2226; caa2228.
- 39 - (Rules) Celebrate the Quadrennial service of Bishop C. James King, Jr., Christian Methodist Episcopal Church. Frazier, et al. i1810; cr3060; msrp3115; cu3115; v3115; caa3116.
- 40 - (Rules) Commend service of Dr. Mike McGrevey on his retirement from MDA. McCaughn, et al. i1810; cr3060; msrp3115; cu3115; v3115; caa3116.
- 41 - (Rules) Commend Mississippi High School Activities Association on its 100th Anniversary. DeBar, et al. i2220; cr3060; msrp3115; cu3115; v3115; caa3116.
- 42 - (Rules) Commend judicial career of Honorable Norman L. Gillespie of Oxford and extend sympathy on his passing. Boyd, et al. i2220; cr3060; msrp3115; cu3115; v3115; caa3116.

- 43 - (Rules) Commend Sister Paula Blouin upon retirement from Assisi Early Learning Center. Michel, et al. i2221; cr3060; msrp3115; cu3115; v3115; caa3116.
- 44 - (Rules) Commend Sharicka Gray, Fairview Elementary in Columbus, Mississippi, Extraordinary Educator Award. Younger, et al. i2979; cr3061; msrp3115; cu3115; v3115; caa3116.
- 45 - (Rules) Commend Becki Cope, Pleasant Hill Elementary in Olive Branch, Extraordinary Educator Award. Parker, et al. i2979; cr3061; msrp3115; cu3115; v3115; caa3116.
- 46 - (Rules) Commend Matthew Lambert of Bell Academy in Boyle, Mississippi, Extraordinary Educator Award. Simmons (13th), et al. i3026; cr3061; msrp3115; cu3115; v3115; caa3116.
- 47 - (Rules) Extend best wishes to former Senator Nevin Sledge on his 100th Birthday and commend his public service. Simmons (13th), et al. i3026; cr3061; msrp3115; cu3115; v3115; caa3116.
- 48 - (Rules) Mourn the passing of longtime Oxford Alderman Dr. William Clair "Bill" Baker and recognizing his civic contributions. Boyd, et al. i3026; cr3061; msrp3115; cu3115; v3115; caa3116.
- 49 - (Rules) Recognize Award-Winning Country Singer, Songwriter and Musician Charlie Worsham. Chassaniol, et al. i3058; cr3146; msrp3522; cu3523; v3523; caa3524.
- 50 - (Rules) Recognize 45th Anniversary of the founding of Mu Xi Chapter of Alpha Phi Alpha Fraternity at The University of Southern Mississippi. Jackson (11th), et al. i3058; cr3146; msrp3522; cu3523; v3523.
- 51 - (Rules) Recognize Dr. Ailean Stingley as the recipient of USA Today's Women of the Year - Mississippi Honoree. Horhn. i3093; cr3146; msrp3522; cu3523; v3523.
- 52 - (Rules) Recognize Tara Denevan as Mississippi Department of Education 2022 "Parent of the Year". Boyd, et al. i3173; cr3278; msrp3524; cu3524; v3525; caa3526.
- 53 - (Rules) Commend Vancleave High School "Lady Bulldogs" Girls Volleyball Team for fifth consecutive State Championship. England, et al. i3215; cr3278; msrp3524; cu3525; v3525; caa3526.
- 54 - (Rules) Commend Alcorn State University Women's Cross Country Team for winning SWAC. Butler (36th), et al. i3215; cr3278; msrp3524; cu3525; v3525; caa3526.
- 55 - (Rules) Commend Alcorn State University Men's Basketball Team for winning the SWAC Regular Season. Butler (36th), et al. i3215; cr3278; msrp3524; cu3525; v3525; caa3526.
- 56 - (Rules) Commend the life of Ruth Antoninette Batton Campbell. Horhn, et al. i3355; cr3575; msrp3804; cu3804; v3804; caa3805.
- 57 - (Rules) Recognize athletic and professional educator legacy of Coach Leon Campbell. Horhn, et al. i3355; cr3575; msrp3804; cu3804; v3804; caa3805.

- 58 - (Rules) Commend Pascagoula High School Navy JROTC Air Rifle Team for winning State and Regional Titles and for All-Service Competition. Wiggins, et al. i3355; cr3575; msrp3804; cu3804; v3804; caa3805.
- 59 - (Rules) Recognize service and legacy of WWII Veteran Howard Bennett of Sumrall, Mississippi. Fillingane, et al. i3500; cr3575; msrp3804; cu3804; v3804; caa3805.
- 60 - (Rules) Recognize career and public health leadership of State Health Officer Thomas Dobbs, MD, MPH. Blount, et al. i3500; cr3575; msrp3804; cu3804; v3804; caa3805.
- 61 - (Rules) Commend service of Michele Blocker ITS on her retirement. DeLano, et al. i3500; cr3575; msrp3804; cu3804; v3804; caa3805.
- 62 - (Rules) Commend Hancock High School "Lady Hawks" Girls Bowling Team for three consecutive State Championships. Moran. cr3932; i3936; cu3940; v3940.
- 63 - (Rules) Recognize Jeff Rosamond for distinguished and outstanding legal service to the Mississippi Senate as Director of Legislative Services. Kirby, et al. i3936; cr4157; msrp4497; cu4497; v4497; caa4497.

#### D. HOUSE BILLS

##### H. B. No.

- 20 - (Public Health and Welfare) Anatomical gifts; prohibit discrimination against recipient based on disability. Yancey, et al. rh650; rf879; cr992; cu1002; v1003; sp1032.
- 33 - (Elections; Accountability, Efficiency, Transparency) Campaign finance reports; require those filed by all candidates to be available online. Ladner, et al. rh864; rf930.
- 43 - (Education; Appropriations) Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. Read, et al. rh661; rf951.
- 127 - (Highways and Transportation; Judiciary, Division B) CDL; prohibit for persons convicted of certain trafficking crimes. Porter, et al. rh654; rf879; cr1059.
- 155 - (Insurance) State Health Plan; delete prohibition on covering hearing aids. Massengill, et al. rh864; rf879; cr965; cu1061; v1065; hdc2582; ca3021; crah3213; cro3335; cra3336; v3336; sp3571.
- 158 - (Highways and Transportation) Off-road vehicles; revise definitions of. Massengill. rh654; rf879; cr990; cu1154; v1155; sp1794.
- 160 - (Insurance) Travel Insurance Act of 2022; create. Zuber. rh864; rf879; cr1043; cu1361; v1361; sp1811.
- 172 - (Judiciary, Division A) Mississippi Architects and Engineers Good Samaritan Act; create. Bennett, et al. rh864; rf879; cr1056.

- 175 - (Finance) Bonds; revise purposes for which bonds authorized for City of Hazlehurst may be used. Holloway, et al. rh639; rf930; cr1026; msrp1246; cu1246; v1246; sp1800.
- 180 - (Highways and Transportation) Headlights; require to be used whenever windshield wipers necessitated. Holloway, et al. rh650; rf879.
- 192 - (Finance) License plate; revise disability requirement for disabled veterans tag. Mickens, et al. rh661; rf930; cr1026; msrp1247; cu1247; v1247; sp1803.
- 232 - (Public Health and Welfare) Uniform Controlled Substances Act; revise schedules. Yancey. rh335; rf364; cr992; cu1003; v1024; mr1040; msrp1040; mrp1040; v1041; hc1149; sp1241.
- 242 - (Finance) Sales tax; create sales tax diversion to the Pearl River Valley Water Supply District. Powell, et al. rh639; rf930.
- 252 - (Finance) PERS; increase maximum percentage of investments of system that are in certain types of investments. Oliver, et al. rh640; rf930; cr1026; msrp1247; cu1247; v1247; sp1801.
- 256 - (Finance) Manufactured and mobile homes; require certain notice to tax collector when relocated to another county. Morgan. rh640; rf930; cr1049; cu1469; v1471; hc3018; sp3031.
- 258 - (Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency) Harvest reporting program; require the Department of Wildlife, Fisheries and Parks to create for white-tailed deer and wild turkey. Morgan, et al. rh661; rf879.
- 260 - (Agriculture) Inventory of livestock; repeal provision requiring state institutions of higher learning to file quarterly inventory report. Pigott. rh640; rf880.
- 261 - (Agriculture) Foundation herds of certain livestock; repeal authority of IHL Board relating to purchase, breeding and maintenance of. Pigott. rh640; rf880.
- 262 - (Agriculture) 4-H Club Demonstration Camps; repeal authority of MSU Extension Service to create and maintain in Panola and Madison Counties. Pigott. rh640; rf880.
- 360 - (Judiciary, Division B) State Public Defender; revise certain powers and duties of. Bain. rh661; rf880.
- 363 - (Public Health and Welfare) Home health services; authorize nurse practitioners and physician assistants to order and certify. Currie, et al. rh650; rf880.
- 365 - (Public Health and Welfare; Appropriations) MS Rural Hospital Loan Program; establish in State Department of Health. Mims. rh654; rf880; cr1052; cu1218; v1218; sp1795.
- 370 - (Judiciary, Division B) Bail bond; require release when judge approves participation in intervention program. Newman, et al. rh650; rf880.
- 372 - (Public Property; Accountability, Efficiency, Transparency) Sixteenth section land; authorize leasing of certain classified land to cities/counties for less than 5% of market value. Barton. rh549; rf899.

- 379 - (Judiciary, Division A) Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. Reynolds. rh865; rf880.
- 384 - (Rules) Mississippi Congressional district; reapportion. Beckett. rh53; rf53; cr57; cu65; mrf68; v68; sp163.
- 400 - (Judiciary, Division B; Appropriations) Riding bailiffs; revise salary of. Wright. rh654; rf880; cr1052; cu1217; v1218; hdc2582; ca3056; crah3353; cro3393; cra3394; v3394; sp3922.
- 416 - (Public Health and Welfare; Judiciary, Division B) Public records; exempt the booking information of certain mentally ill patients from. Bain, et al. rh565; rf659.
- 422 - (Appropriations; Accountability, Efficiency, Transparency) State assessments; deposit certain into designated special funds instead of General Fund. Bain. rh662; rf880.
- 424 - (Public Health and Welfare) Audiology and speech-language pathology interstate compact; create. Mims. rh654; rf896; cr1054; cu1561; v1586; hc2575; sp2584.
- 425 - (Rules) Gary Hemphill Commercial Aviation Month; declare the month of April as. Criswell, et al. rh608; rf609.
- 426 - (Appropriations) Sales tax; exempt sales of coins, currency and bullion. Ford (73rd), et al. rh943; rf971.
- 446 - (Finance) Distinctive motor vehicle license tag; authorize for supporters of various organizations. Scoggin, et al. rh648; rf930; cr1026; msrp1249; cu1249; v1252; hdc3088; ca3122; cro3941; cra3988; v3988; crah4449; sp4584.
- 451 - (Insurance) Nonadmitted policy fee; revise distributions of and delete repealer on. Zuber, et al. rh865; rf880; cr1053; cu1218; v1220; hdc3088; ca3100; hrcc3378; msrp3394; rcc3394; msrp4392; rcc4392; hrcc4393; msrp4396; cro4396; cra4398; v4398; crah4579; sp4589.
- 452 - (Insurance) Health insurance; revise mandated coverage for telemedicine services. Ford (54th), et al. rh865; rf880.
- 453 - (Tourism; Appropriations) Tourism; establish programs for certain assistance, designate "One Mississippi" as contemporary music genre official State Song. Currie, et al. rh865; rf899; cr1053; msrp1133; cu1142; v1145; hdc3080; ca3081; hrcc3378; rcc3394; msrp3925; cro3925; cra3929; v3929; mr3930; mrc3941; mrt3941; crah4039; sp4446.
- 464 - (Universities and Colleges; Appropriations) "College Sticker Price Act of 2022"; enact to provide students and families certain program and cost information. Bell (21st), et al. rh650; rf896.
- 470 - (Finance) Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County. Roberson, et al. rh640; rf931; cr1027; cu1467; v1467; hdc3088; ca3123; cro3383; cra3383; v3383; crah3575; sp4032.
- 472 - (Finance) Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to Mississippi. Roberson. rh640; rf931; cr1027; msrp1247; cu1247; v1248.

- 473 - (Finance) State Bond Commission; extend reverter on statute prescribing powers and duties of. Roberson. rh641; rf931; cr1027; msrp1252; cu1252; v1269.
- 474 - (Finance) Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives. Roberson. rh641; rf931; cr1027; cu1468; v1469; hdc3088; ca3123; msrp3394; cro3394; cra3395; v3395; crah3575; sp4446.
- 475 - (Universities and Colleges) IHL Board; extend repealer on authority to oversee certain construction projects funded by state general obligation bonds. Roberson. rh751; rf880; cr1028; cu1343; v1343; sp1801.
- 477 - (Public Health and Welfare) Mississippi Qualified Health Center Grant Program; extend expiration date for Department of Health to make physician grants. Roberson, et al. rh651; rf880.
- 478 - (Forestry) Mississippi Forestry Commission; extend repealer on authority to hire law enforcement officers to investigate woods arson. Roberson. rh751; rf880; cr961; cu1335; v1335; mr1438.
- 481 - (Business and Financial Institutions) Commissioner of Banking and Consumer Finance; extend repealer on authority to join certain examinations with Federal Reserve Bank. Roberson, et al. rh862; rf880.
- 482 - (Insurance) Property Insurance Clarity Act; extend repealer on. Roberson. rh865; rf880.
- 483 - (Appropriations) Local Governments Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. Roberson, et al. rh641; rf931; cr1050; msrp1431; cu1431; v1431; sp1801.
- 492 - (Appropriations) Health Care Expendable Fund; extend repealer on. Roberson. rh641; rf931; cr1050; msrp1431; cu1431; v1431; sp1801.
- 502 - (Accountability, Efficiency, Transparency) School board purchasing agent; increase amount of required surety bond. Boyd. rh641; rf931; cr1026.
- 503 - (Highways and Transportation) Memorial intersection; designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray Presley Memorial Intersection." Boyd, et al. rh752; rf880; cr1045; msrp1364; cu1364; v1364; sp1801.
- 504 - (Highways and Transportation) Memorial highway; designate segment of I-22 in Lee County as the "Korean War Veterans Highway." Boyd, et al. rh752; rf880; cr1045; msrp1364; cu1364; v1364; sp1801.
- 505 - (Highways and Transportation) Memorial highway; designate segment of I-22 in Lee County as the "Vietnam Veterans Way." Boyd, et al. rh752; rf881; cr1045; msrp1364; cu1364; v1364; sp1801.
- 512 - (Finance) Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Lamar, et al. rh641; rf931; cr1027; msrp1270; cu1270; v1313; hdc3089; ca3123.
- 514 - (Corrections) Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. Roberson, et al. rh565; rf659; cr967; cu1066; v1066; sp1151.

- 515 - (Corrections) Prison Overcrowding Emergency Powers Act; extend repealer on. Roberson. rh565; rf659; cr967; cu1066; v1066; sp1151.
- 516 - (Finance) Mississippi Business Finance Corporation; extend repealer on authority to issue bonds to finance economic development projects. Roberson. rh642; rf931; cr1027; msrp1313; cu1314; v1332.
- 521 - (Labor) Mississippi Public Records Act of 1983; exempt certain records of Workers' Compensation Commission from definition of public records. Lamar, et al. rh892; rf918.
- 522 - (Education) Nonpublic schools; authorize those accredited by a regional agency to use criminal background check procedures as used by public schools. Lamar, et al. rh865; rf881.
- 526 - (Education; Appropriations) "Equal Opportunity for Students with Special Needs Act"; revise definition of "eligible student" and "eligible school" to include students with a dyslexia diagnosis. Byrd, et al. rh866; rf896.
- 527 - (Economic and Workforce Development) Annual salaries of county boards of supervisors; revise. Byrd, et al. rh648; rf899.
- 530 - (Education; Appropriations) The "Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022"; create. Bennett, et al. rh143; rf331; cr1059; msrp1085; cu1085; v1097; hdc1150; nca1150; ca1152; cro2961; cra2971; v2971; crah3099; sp3124.
- 531 - (Finance) Mississippi Tax Freedom Act of 2022; create. Gunn, et al. rh321; rf570; cr1806; cu2010; mrf2072; v2072; vp2072; mr2573; mrc2589; mrt2589; hdc3089; ca3123; cro3243; cra3246; v3246; vp3246; crah3353; sp3494.
- 534 - (Corrections) Corrections; extend repealer on intensive supervision program and electronic home detention. Roberson. rh565; rf659; cr967; cu1067; mrp1067; v1067; sp1151.
- 555 - (Agriculture; Appropriations) "Mississippi Healthy Food and Families Program"; create. Mangold, et al. rh649; rf881.
- 567 - (Highways and Transportation) Radar; revise population threshold for municipal law enforcement to use on public streets of municipality. Harness. rh654; rf881; cr991; cu1002; v1002; sp1032.
- 586 - (Corrections) Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; extend repealer on. Newman. rh565; rf659; cr968; cu1067; v1069; hdc2980; ca3057; cro3395; cra3398; v3398; crah3575; sp3922.
- 589 - (Universities and Colleges; Appropriations) The Sexual Assault Response for College Students Act; create. Cockerham, et al. rh651; rf951.
- 590 - (Judiciary, Division A) Charitable solicitations; revise provisions relating to notice, demand and service of process. Cockerham. rh642; rf659; cr1056; cu1651; v1651; sp1811.
- 591 - (Education) Community schools; authorize implementation under the administration of a District Innovation. Cockerham, et al. rh866; rf881.

- 592 - (Judiciary, Division A) Child support; suspend for incarcerated persons under certain conditions. Cockerham, et al. rh887; rf918; cr1057.
- 604 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Roberson. rh866; rf881; cr998; cu1160; v1179; hdc2582; ca3057; hrcc3378; rcc3398.
- 606 - (Wildlife, Fisheries and Parks) Mississippi Outdoor Stewardship Trust Fund; create. Lamar, et al. rh642; rf897; cr1058; cu1664; v1670; hdc3089; ca3202; nca3286; cro3398; rcc3404; hrcc3569; cro3806; cra3812; v3812; ev3812; crah4039; sp4499.
- 607 - (Judiciary, Division B) "Parker's Law"; create crime of "fentanyl delivery resulting in death". Lamar, et al. rh564; rf659; cr1048; cu1366; v1367; hdc2582; ca3057; crah3353; cro3404; cra3406; v3406; sp3922.
- 611 - (Judiciary, Division A) Corporations and limited liability companies; authorize notice from Secretary of State to be served by electronic mail. Deweese. rh643; rf659.
- 616 - (Municipalities) Menaced property; authorize municipalities to secure abandoned or dilapidated buildings on such property. McGee, et al. rh749; rf899; cr1043; cu1547; v1547; sp1812.
- 617 - (Municipalities) Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. McGee, et al. rh752; rf899.
- 620 - (Judiciary, Division B; Appropriations) Dept. of Public Safety; revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws. Bain. rh654; rf881; cr1060; cu1422; v1430; hdc2582; ca3057.
- 621 - (Judiciary, Division B) Fleeing law enforcement; increase penalties for the crime of. Bain, et al. rh662; rf896.
- 626 - (Judiciary, Division B) Scrap metal; revise various provisions that regulate. Felsher, et al. rh655; rf896; cr1059; cu1413; v1422; mr1438.
- 629 - (Judiciary, Division B) Expungement; clarify procedures in all courts. Yates, et al. rh566; rf659.
- 630 - (Elections; Judiciary, Division B) Expungement; clarify for qualified electors. Bain. rh655; rf886.
- 657 - (Medicaid) Medicaid; delete freeze on provider reimbursement rates and make various technical amendments to services section. Hood. rh877; rf881; cr1054; cu1586; v1640; hdc3028; ca3057; hrcc3379; rcc3406; cro3812; cra3860; v3860; crah3870; sp4153.
- 658 - (Medicaid) Medicaid; delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes. Hood. rh898; rf918; cr1054; cu1376; v1396; hdc3029; ca3060.
- 660 - (Appropriations) Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities. Barton, et al. rh643; rf931; cr1050; cu1442; v1444; hdc3083; ca3085; crah3353; cro3527; cra3530; v3530; sp4147.

- 672 - (Public Health and Welfare; Judiciary, Division B) Sexual assault kit; regulate processing of. Cockerham, et al. rh713; rf881; cr1048; cu1185; v1186; hdc3127; ca3201.
- 677 - (Veterans and Military Affairs) County veteran service officers; revise certain provisions regarding certification. Carpenter, et al. rh643; rf659; cr1044; msrp1547; cu1547; v1549; hdc2980; ca3106; crah3260; cro3406; cra3407; v3407; sp3923.
- 679 - (Judiciary, Division B) The Victoria Huggins Mississippi Pill Press Act of 2022; create. Yancey, et al. rh662; rf881; cr998; cu1159; v1160; hdc2582; ca3057; cro3407; cra3408; v3408; crah3575; sp3923.
- 681 - (Drug Policy; Judiciary, Division B) Kratom; include in Schedule I controlled substances list. Yancey. rh651; rf881.
- 683 - (Accountability, Efficiency, Transparency) State Parole Board; extend repealer on. Roberson. rh566; rf881; cr1026; cu1525; v1525; sp1812.
- 684 - (Finance) Small Business and Grocer Investment Act; extend repealer on. Roberson, et al. rh649; rf931; cr1049; cu1471; v1472; hc3018; sp3031.
- 686 - (Business and Financial Institutions) Appraisal Management Companies; extend repealer on registration requirements under Mississippi Appraisal Company Act. Roberson, et al. rh860; rf881.
- 687 - (Business and Financial Institutions) Mississippi Debt Management Services Act; extend repealer on. Roberson, et al. rh862; rf881; cr966; cu1065; v1065; sp1151.
- 688 - (Public Property) Public lands; extend repealer on statute prohibiting corporations and nonresident aliens from purchasing. Roberson, et al. rh752; rf899; cr1047.
- 689 - (Corrections) Community Service Revolving Fund; extend repealer on authority to collect fees from paroled offenders for deposit into. Roberson. rh651; rf881; cr967; cu1069; v1070; sp1151.
- 695 - (Judiciary, Division B) Intervention courts; revise regulations that govern and add drug abuse prevention to statewide education component. Creekmore IV, et al. rh662; rf881.
- 698 - (Judiciary, Division A) Rivers McGraw Mental Health Diversion Program; revise to create mental health treatment courts. Reynolds, et al. rh710; rf881; cr1057; cu1656; v1663; hdc3127; ca3171; crah3575.
- 718 - (Judiciary, Division B) Crime of promoting prostitution; clarify and revise where certain monies are deposited. Gunn. rh711; rf882.
- 719 - (Accountability, Efficiency, Transparency) Compensation for certain county officials; increase. Barton, et al. rh643; rf899; cr1026; cu1525; v1540; hdc2582; ca3021; nca3090; crah3353; msrp3615; cro3615; cra3646; v3646; sp4501.
- 720 - (Economic and Workforce Development) Mississippi Department of Employment Security; provide requirements related to fraud prevention, detection and recovery. Bell (21st), et al. rh651; rf882; cr998; cu1158; v1158; sp1795.

- 732 - (Public Health and Welfare) State Commission on the 9-8-8 Comprehensive Behavioral Health Crisis Response System; create. Felsher, et al. rh652; rf882; cr1054; cu1561; v1561; sp1812.
- 733 - (Public Health and Welfare) Pharmacy Benefit Prompt Pay Act; revise various provisions of. Mims, et al. rh749; rf1032.
- 764 - (Appropriations) "Mississippi Health Care Workers Retention Act of 2022"; create. Gunn, et al. rh663; rf896; cr1809; cu1996; v2000; hdc3080; ca3085; rcc3216; hrcc3257.
- 768 - (Universities and Colleges; Appropriations) Rural Physicians Scholarship Program; expand to include a loan repayment program for graduates who practice in rural areas. Mims, et al. rh663; rf951.
- 769 - (Public Health and Welfare; Appropriations) COVID-19 Mississippi Local Provider Innovation Grant Program; create to be administered by Department of Health. Mims, et al. rh664; rf931.
- 770 - (Judiciary, Division A) Mississippi Equal Pay for Equal Work Act; create. Cockerham, et al. rh336; rf659; cr1057; cu1652; po1655; ru1655; v1656; hdc3127; ca3171; hrcc3377; rcc3408; cro3562; cra3564; v3564; crah3934; sp4446.
- 778 - (Appropriations) Appropriation; additional to DPS from Death Benefits Trust Fund to pay benefits covered under First Responder Act. Gunn, et al. rh948; rf971; cr1809; cu1985; v1986; hdc3102; ca3103; rcc3216; hrcc3257.
- 779 - (Appropriations) Law Enforcement Death Benefits Trust Fund; include cause of death covered under First Responders Act of 2020. Gunn, et al. rh652; rf931; cr1051; cu1108; v1108; sp1151.
- 784 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Weathersby, et al. rh644; rf931.
- 799 - (Judiciary, Division B) Arrest warrants for sex offenses against children; authorize upon oral testimony by person requesting. Sanford, et al. rh644; rf660; cr1059; cu1671; v1673; hdc2582; ca3057.
- 811 - (Highways and Transportation) Memorial highways; designate in Rankin County, Mississippi. Weathersby, et al. rh878; rf897; cr1045; msrp1365; cu1365; v1365; hdc2582; ca3060; crah3353; cro3408; cra3409; v3409; sp3923.
- 813 - (Public Health and Welfare) Mississippi Study on the Affordability of Insulin Act; create. Yancey. rh336; rf660.
- 818 - (Education) MS Computer Science and Cyber Education Equality Act; authorize certified or classified staff to provide instruction under. Zuber, et al. rh866; rf882; cr1050.
- 819 - (Insurance; Appropriations) Fire Protection Funds; increase and expand purposes for. Zuber. rh878; rf918.
- 821 - (Insurance) Nontransport emergency medical services; develop coordinated entity to provide statewide system for. Zuber, et al. rh866; rf882; cr965; cu1339; v1342; hdc3089; ca3100; cro3136; cra3140; v3140; crah3213; sp3280.

- 823 - (Insurance) Mississippi Electronic Protection Licensing Act; revise regarding battery-charged security fences. Zuber. rh867; rf882; cr965; cu1061; v1061; sp1151.
- 832 - (Education; Appropriations) Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. Cockerham, et al. rh878; rf882.
- 833 - (Finance) Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided. Lamar, et al. rh664; rf931; cr1049; cu1472; v1480; hdc3089; ca3123; car3171; nca3171; rcc3502; hrcc3577.
- 840 - (Appropriations) State budget; revise provisions of several FY22 appropriation bills. Read, et al. rh652; rf931; cr1050.
- 842 - (Appropriations) Rural Fire Truck Acquisition Assistance Program; authorize two additional rounds for counties and municipalities. Byrd, et al. rh649; rf931; cr1050; cu1444; v1448; hdc3089; ca3091; cro3530; cra3534; v3534; crah3575; sp4499.
- 843 - (County Affairs) County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation. Byrd, et al. rh550; rf899; cr990; cu1152; v1154; hc1793; sp1803.
- 860 - (Public Health and Welfare) Autopsies; create "Jenna's Law" to require autopsies to include inquiring about whether death was result of seizure or epilepsy. Hood, et al. rh652; rf882.
- 863 - (Corrections; Accountability, Efficiency, Transparency) "Mississippi Prison Industries Act of 1990"; revise composition of board of directors of corporation. Horan. rh756; rf882; cr1055; cu1400; v1402; hdc2980; ca3057; hrcc3259; rcc3267; cro3409; cra3414; v3414; crah3575; sp3923.
- 876 - (Appropriations) Mississippi Employment Security Law; revise to exclude services of petroleum landman from definition of "employment." Beckett. rh644; rf931.
- 879 - (Education; Appropriations) Education Enhancement Fund; revise date of issuance of classroom supply procurement cards. Bennett, et al. rh867; rf882; cr1052.
- 881 - (Education; Appropriations) University-based programs of education for children with developmental disabilities; revise certain provisions. McGee, et al. rh867; rf882; cr1052; msrp1673; cu1673; v1676; hdc3084; ca3104; msrp3778; cro3778; cra3781; v3781; mr3801; crah3934; mrc3940; mrt3940; sp4447.
- 883 - (Universities and Colleges) Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. Bain. rh862; rf882.
- 884 - (Education; Appropriations) "Accelerate Mississippi Scholarship Program"; establish to provide student with financial assistance for advanced education courses. McCarty, et al. rh868; rf882.
- 885 - (Education; Appropriations) Education Enhancement Fund; authorize DFA to issue digital solutions and credentials for use for classroom supply allotments. McCarty. rh868; rf882.

- 906 - (Corrections; Accountability, Efficiency, Transparency) State offenders serving sentences in county jail; may serve sentences in any county jail. Horan. rh566; rf886; cr1055; cu1402; v1408; hdc2980; ca3057; cro3414; cra3415; v3415; crah3576; sp4032.
- 907 - (Corrections; Judiciary, Division B) "Reentry Court Act of 2022"; establish. Horan, et al. rh569; rf660; cr998.
- 917 - (Finance; Accountability, Efficiency, Transparency) "Home-based Opportunity Freedom Act of 2022"; create. Owen, et al. rh664; rf931.
- 918 - (Finance) Alcoholic beverages; authorize issuance of food truck permit, revise distance restrictions for certain locations. McGee, et al. rh644; rf931; cr1049; cu1482; v1495; hdc3089; ca3123; msrp3437; cro3437; cra3449; v3449; crah3576; sp4033.
- 919 - (Corrections) MDOC; require to establish a certain leasing policy with DFA for agricultural equipment. Horan. rh568; rf882; cr1026; cu1179; v1180; mr1437; mrc1686; mrt1686; hdc3029; ca3057; cro3267; cra3268; v3268; crah3353; sp3494.
- 920 - (Corrections; Appropriations) Inmate Welfare Fund; authorize portion of fund to be used to fund Inmate Incentive to Work Program. Horan, et al. rh752; rf882; cr1051; cu1218; v1218; sp1795.
- 927 - (Public Health and Welfare) Newborn screening program; include those conditions listed on the Recommended Uniform Screening Panel within three years after listing. McGee. rh652; rf883; cr1054; cu1220; v1220; sp1795.
- 928 - (Public Health and Welfare; Appropriations) Hospitals; establish grant program for expansions of hospital facilities that increase capacity as needed to treat more COVID-19 patients. McGee, et al. rh644; rf932.
- 929 - (Tourism; Appropriations) Mississippi Freedom Trail Commission; establish. Currie, et al. rh868; rf899.
- 933 - (Business and Financial Institutions) Homeowners' associations; regulate managing agents of and provide certain requirements for. Yancey. rh756; rf883; cr966; cu1515; v1515; sp1812.
- 935 - (Judiciary, Division B) Nonadjudication; authorize completion of workforce training or similar training as an option for. Horan. rh568; rf660.
- 936 - (Corrections; Medicaid) Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction. Horan, et al. rh860; rf883; cr1054; cu1221; lp1231; msrp1676; rco1676; mpr1677; v1677; hdc2981; ca3057; cro3416; cra3426; v3426; crah3576; sp4033.
- 939 - (Municipalities; Accountability, Efficiency, Transparency) Municipalities, certain; extend repealer on authority to create program addressing delinquent customer water bills. Stamps, et al. rh753; rf899.
- 942 - (Wildlife, Fisheries and Parks) Hunting and fishing; allow online applicants for a license to elect to be an organ donor. Kinkade, et al. rh550; rf883; cr991; cu1515; v1522; hdc2582; ca3057.

- 961 - (Judiciary, Division A) Personal delivery devices; provide for the regulation of the use of in pedestrian areas. Deweese. rh645; rf932; cr1056.
- 971 - (Highways and Transportation; Judiciary, Division A) Driver's license; increase time period to renew expired license without examination. McKnight, et al. rh656; rf883; cr1057; cu1664; v1664; mr1677; msrp1677; mpr1678; v1678; hdc2581; ca3060; crah3353; cro3426; cra3430; v3430; sp3923.
- 972 - (Ports and Marine Resources) Bottom land leasing for oyster production; create a pilot program for. Ladner. rh877; rf897; cr991; cu1156; v1157; hc1793; sp1812.
- 974 - (Insurance) Airport authorities; authorize to provide dependent health insurance coverage as employment benefit. Zuber. rh868; rf883; cr1043; cu1361; v1363; hc2972; sp3024.
- 976 - (Public Health and Welfare; Finance) Sellers of alternative nicotine products and package retailers; require to have a third-party age verification service. Bain, et al. rh664; rf883.
- 979 - (Forestry) Foresters; liable for cost of timber for failure to provide scale tickets to landowners if logger fails to remit payment to forester for timber. Hood, et al. rh879; rf897.
- 980 - (Judiciary, Division B) Controlled substances; provide automatic defense to prosecution for charge that is brought within two years of a federal declassification of. Bain. rh665; rf883; cr1048; cu1367; v1368; sp1801; vetoed.
- 990 - (Highways and Transportation) Memorial highway and bridge; designate in Warren County for Margaret Gilmer. Ford (54th). rh863; rf883; cr1046; msrp1364; cu1364; v1364; sp1813.
- 1001 - (Finance) Alcoholic beverage, beer, light spirit product and light wine; allow any municipality to hold election to permit or prohibit. Scoggin. rh665; rf932.
- 1002 - (Highways and Transportation) Memorial Highway; designate segment in Copiah County as the "Carroll V. Hood Memorial Highway". Holloway, et al. rh877; rf897; cr1046; msrp1364; cu1364; v1364; sp1803.
- 1005 - (Universities and Colleges; Appropriations) Nursing and Respiratory Therapy Education Incentive Program; create. White, et al. rh653; rf883; cr1053; msrp1133; cu1145; v1147; hdc2582; ca3055; cro3564; cra3566; v3566; crah3576; sp4500.
- 1006 - (Economic and Workforce Development; Appropriations) ARPA Workforce Development and Retention Act; create. White, et al. rh752; rf951; cr1052; msrp1133; cu1134; v1141; hdc3080; ca3085; cro4002; cra4006; v4006; crah4579; sp4589.
- 1010 - (Judiciary, Division B) Firearms in possession of a felon; revise regulations for. Barnett. rh656; rf886.
- 1013 - (Forestry; Accountability, Efficiency, Transparency) Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Bounds. rh757; rf899.
- 1015 - (Municipalities; Finance) "Property Clean-up Revolving Fund"; establish. Rushing, et al. rh752; rf900.

- 1017 - (County Affairs) Justice court clerk; authorize two or more counties to enter into an agreement for the appointment of a. Horan. rh645; rf900; cr990; cu1154; v1154; sp1795.
- 1021 - (Judiciary, Division B) Bail; revise procedures to determine for indigent defendants. Newman, et al. rh665; rf883; cr1048.
- 1028 - (Energy; Accountability, Efficiency, Transparency) Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Bounds, et al. rh877; rf883.
- 1029 - (Energy) Mississippi Broadband Accessibility Act; create. Bounds, et al. rh887; rf896; cr1053; msrp1098; cu1098; v1105; hdc2582; ca3060; nca3090; nca3106; crah3576; msrp3792; cro3792; cra3797; v3797; sp4500.
- 1031 - (Appropriations) Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects. Yates, et al. rh665; rf932; cr1051; msrp1108; cu1129; v1131; hdc3089; ca3091; nca3127; cro3535; cra3537; v3537; crah3576; sp4447.
- 1035 - (Wildlife, Fisheries and Parks) Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish. Bounds. rh887; rf897; cr991; cu1522; v1524; hdc2583; ca3057; cro3336; cra3338; v3338; crah3353; sp3572.
- 1036 - (Universities and Colleges; Appropriations) Community colleges; authorize to assess student fees to offset cost of fire protection services by local governing authorities. Evans (45th). rh757; rf883.
- 1052 - (Corrections; Economic and Workforce Development) MS Department of Corrections; provide for Deputy Commissioner for Workforce Development. Horan. rh863; rf883; cr1042; cu1181; v1185; hdc2981; ca3057; cro3431; cra3437; v3437; crah3576; sp3923.
- 1056 - (Public Health and Welfare) Professional Counseling Compact; create. Felsher. rh656; rf896; cr1054; cu1220; v1220; sp1795.
- 1057 - (Ports and Marine Resources) Department of Marine Resources; revise acreage of bottom authorized to be leased by. Felsher. rh877; rf897; cr991; cu1158; v1158; mr1438; mrc1686; mrt1686; sp1813.
- 1059 - (Education) Teacher licensure and certification; revise qualifications for receipt of and entry into educator preparation programs. Felsher. rh888; rf951.
- 1061 - (Judiciary, Division A) Residential Landlord Tenant Act; revise evictions procedures of the. Bain, et al. rh665; rf883; cr1057.
- 1064 - (Wildlife, Fisheries and Parks) Mississippi Outdoor Stewardship Trust Fund; create. Bounds, et al. rh649; rf897.
- 1065 - (Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency) Nuisance animals; prohibit the transportation, importation and release of wild hogs. Pigott, et al. rh645; rf883; cr1056; cu1642; v1651; mr1678; mrc1686; mrt1686; hdc2583; ca3057; cro3456; cra3458; v3458; mr3801; mrc3805; mrt3805; crah3870; sp4034.
- 1067 - (Judiciary, Division A) Child support; provide for imputation guidelines. Cockerham, et al. rh711; rf883; cr1057; cu1409; v1409; sp1813.

- 1068 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward. Deweese, et al. rh752; rf883; cr1029; cu1343; v1359; hdc2981; ca3144.
- 1069 - (Judiciary, Division A) Liens for delinquent county garbage fees; require chancery to keep certain record of. Deweese. rh860; rf900; cr1057.
- 1073 - (Highways and Transportation) Bridges and culverts; revise laws regarding. Busby. rh656; rf884; cr991; cu1155; v1155; sp1795.
- 1076 - (Ports and Marine Resources) Derelict vessels; provide certain requirements for the removal of. Ladner. rh877; rf897; cr991.
- 1077 - (Ports and Marine Resources) Molluscan shellfish aquaculture operations; revise licensing of vessels used for. Ladner. rh877; rf897; cr992.
- 1080 - (Judiciary, Division B) Rape trials; revise evidentiary procedures for spousal rape. McLean. rh666; rf884.
- 1093 - (Tourism) PEER Committee; require to review effectiveness of the Mississippi Development Authority Tourism Advertising Fund. Currie. rh868; rf900; cr974; cu1152; v1152; sp1796.
- 1097 - (County Affairs; Municipalities) Counties and municipalities; authorize to lease facilities that are to be utilized as fire stations. Byrd, et al. rh561; rf909; cr1044; cu1364; v1364; sp1800.
- 1098 - (County Affairs; Finance) Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for. Byrd, et al. rh666; rf951; cr1049; cu1186; v1188; hc1793; sp1800.
- 1099 - (Judiciary, Division A) Incarcerated offenders; prohibit from petitioning to change name and/or gender. Hale, et al. rh656; rf884; cr1057.
- 1101 - (Appropriations) Trip optimizer system; provide moratorium on the application of to state agencies. Beckett. rh863; rf932; cr1051; cu1448; v1451; hdc3084; ca3085; crah3353; cro3537; cra3540; v3540; sp4500.
- 1105 - (Judiciary, Division A) Notaries; revise residency requirements of. Aguirre. rh868; rf932; cr1057.
- 1108 - (Finance) Taxation; authorize income tax credit for certain railroad expenditures, allow ad valorem tax exemption for certain property. Steverson, et al. rh1029; rf1032; cr1806; cu2072; v2087; hdc3089; ca3123; rcc3246; hrcc3259; hrcc3287; rcc3290; msrp3872; cro3872; cra3879; v3879; crah3935; sp4500.
- 1113 - (Highways and Transportation) Memorial intersection; designate intersection in Clarke County as the "PFC Damian Laquasha Heidelberg Memorial Intersection." Smith. rh753; rf884; cr1046; msrp1364; cu1364; v1364; sp1800.
- 1128 - (Tourism; Appropriations) Mississippi Arts and Entertainment Center lease contract; remove requirement that the leasing nonprofit organization shall be responsible for utility payments. Calvert. rh869; rf900.
- 1130 - (Ports and Marine Resources) Department of Marine Resources; revise license issued for seafood dealers and seafood processors. Ladner. rh877; rf897; cr992; cu1158; v1158; sp1796.

- 1131 - (Public Property) Secretary of State; authorize to enter into agreements with online providers to conduct online auctions of state-forfeited tax land. Weathersby. rh645; rf932; cr1048; cu1558; v1558; sp1803.
- 1132 - (Public Property) Private food service; authorize Department of Finance and Administration to solicit proposals for certain state properties. Weathersby, et al. rh753; rf951; cr1047; cu1549; v1549; sp1813.
- 1135 - (Energy) Advanced plastic recycling; define terms relating to. Powell, et al. rh879; rf896; cr1035; cu1359; v1359; sp1803.
- 1137 - (Public Health and Welfare) Regional mental health commissions; increase number of commissioners appointed by board of supervisors for certain counties. Barton. rh656; rf884; cr1054.
- 1139 - (Judiciary, Division B) Warrant applications or signature; authorize for violations of implied consent laws. Deweese. rh863; rf896.
- 1159 - (Public Property; Accountability, Efficiency, Transparency) Sixteenth section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. Pigott, et al. rh645; rf900.
- 1160 - (Accountability, Efficiency, Transparency) Public Procurement Review Board; revise the qualifications of members on. Turner. rh879; rf932; cr1026.
- 1162 - (Finance) Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. Lamar. rh645; rf932; cr1049; cu1495; v1498; hdc3089; ca3123; msrp3449; cro3449; cra3453; v3453; crah3576; sp4033.
- 1163 - (Finance) Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. Lamar. rh656; rf932; cr1049; cu1498; v1505; hdc3089; ca3123; cro3988; cra3989; v3989; crah4039; sp4586.
- 1164 - (Finance) Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010. Lamar. rh666; rf932; cr1049; cu1506; v1507; hc3018; sp3032.
- 1168 - (Education; Appropriations) Gifted education; require school districts to provide for students in Grades 7 and 8. Bennett, et al. rh869; rf897; cr1059; cu1670; v1671; hdc3084; ca3105.
- 1169 - (Finance) Sales tax; exempt sales of tangible personal property or services to the Mississippi Aquarium. Bennett, et al. rh666; rf932.
- 1170 - (Education; Appropriations) Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT); to provide dyslexia therapy services. Bennett, et al. rh869; rf884.
- 1173 - (Accountability, Efficiency, Transparency) Public purchasing law; revise to provide that reverse auction shall be used by certain schools and districts. McCarty. rh869; rf897; cr1055.
- 1177 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department. Carpenter, et al. rh879; rf918; cr1056; cu1640; v1641; hdc2981; ca3106; crah3260; cro3459; cra3459; v3459; sp3924.

- 1179 - (Accountability, Efficiency, Transparency) Civil Air Patrol members; authorize granting of leave of absence to for certain emergency services. Carpenter. rh757; rf884; cr1055.
- 1180 - (Veterans and Military Affairs) Mississippi National Guard; revise conditions under which members will be placed on retired list. Carpenter, et al. rh646; rf660.
- 1185 - (Highways and Transportation; County Affairs) State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Ford (54th). rh653; rf884; cr1043; cu1360; v1361; hdc2583; ca3060; nca3098; crah3353; cro3460; cra3461; v3461; sp4034.
- 1187 - (Insurance) Mississippi Insurance E-Commerce Model Act; enact. Ford (54th). rh869; rf884; cr965; cu1335; v1339; hc2972; sp3024.
- 1196 - (Judiciary, Division B) Barbers, nurses and social workers; revise certain qualifications for the purpose of licensing of. Bain, et al. rh888; rf918.
- 1198 - (Universities and Colleges) "Uniform Athlete Agents Act"; revise to align agency requirement with provisions of the "MS Intercollegiate Athletics Compensation Rights Act." Bounds, et al. rh869; rf884.
- 1207 - (Judiciary, Division B) Penalties for electronic crimes by minors; clarify. Darnell. rh657; rf884.
- 1213 - (Education; Finance) School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. Burnett, et al. rh646; rf932.
- 1214 - (Energy) Carbon dioxide geologic sequestration; revise laws regarding. Powell. rh870; rf884; cr1035; cu1540; v1547; hc2575; sp2584.
- 1222 - (Appropriations) Line-Item Appropriation Transparency Act; make certain technical amendments to. Currie, et al. rh646; rf932; cr1051; cu1452; v1454; hc2972; sp3024.
- 1239 - (Education) School security guard/resource officer; must have required peace officer training to exercise peace officer powers. McKnight, et al. rh871; rf884.
- 1240 - (Education) MCOPS programs; authorize training for to provide at any approved training academy in the state. McKnight, et al. rh871; rf884; cr1050; cu1558; v1559; hdc3084; ca3105.
- 1246 - (Education; Appropriations) "Early Learning Collaborative Act of 2013"; revise funding for. McCarty, et al. rh879; rf884; cr1052.
- 1247 - (Public Property) Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. Bennett. rh863; rf900; cr1047; cu1549; v1550; hdc2981; ca3106; cro3461; cra3464; v3464; crah3496; sp4034.
- 1310 - (Judiciary, Division B) Subpoenas; authorize attorneys who have entered an appearance to issue. Bain. rh568; rf660.
- 1312 - (Education; Appropriations) "Equity in Distance Learning Act"; revise certain provisions of. Bennett, et al. rh871; rf884.

- 1313 - (Universities and Colleges; Appropriations) "Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create. Bennett, et al. rh667; rf885; cr1053; cu1368; v1376; hdc3084; ca3144; msrp3914; cro3914; cra3922; v3922; crah3935; sp4447.
- 1320 - (Ports and Marine Resources) Cat Island; prohibit the use of a purse seine within two miles of. Busby. rh888; rf897.
- 1323 - (Economic and Workforce Development) Tallahatchie River Authority; create. Creekmore IV, et al. rh888; rf956; cr998; cu1159; v1159; mr1430; msrp1430; mpr1430; v1431; hdc2981; ca3055; cro3464; cra3466; v3466; crah3496; sp3924.
- 1328 - (Accountability, Efficiency, Transparency) Mississippi Industries for the Blind; revise authority to enter into certain agreements and contracts. Deweese. rh871; rf932; cr1026; cu1540; v1540; sp1813.
- 1331 - (Elections; Accountability, Efficiency, Transparency) Election commissioners; require skills assessment for every four years instead of every year. Goodin, et al. rh711; rf885; cr1055; cu1397; v1397; sp1800.
- 1334 - (Environment Prot, Cons and Water Res; Accountability, Efficiency, Transparency) Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. Hood. rh872; rf885.
- 1340 - (Education; Appropriations) Family Engagement Kindergarten Readiness Pilot Program; require MDE to establish as a component of the ELC Act of 2013. McCarty, et al. rh872; rf885.
- 1341 - (Elections; Accountability, Efficiency, Transparency) Municipal candidates; clarify residency requirements of certain. McGee. rh711; rf885; cr1056; cu1397; v1397; sp1800.
- 1343 - (Public Property) Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District. Morgan, et al. rh657; rf900; cr1047; cu1551; v1557; hdc2981; ca3106; cro3466; cra3470; v3470; crah3576; sp3924.
- 1344 - (Appropriations) Highway Patrol and MBN officers; increase salaries of. Oliver, et al. rh653; rf932.
- 1351 - (Judiciary, Division A) Affidavit of Scrivener's Error; revise recording of. Owen, et al. rh872; rf885; cr1057; cu1664; v1664; hdc3172; ca3201; cro3566; cra3569; v3569; crah3576; sp4501.
- 1353 - (Appropriations) Budget; provide for various transfers of funds, create various special funds. Read, et al. rh667; rf932; cr1051; msrp1432; cu1432; v1437; hdc3080; ca3085; msrp4534; cro4534; cra4573; v4573; crah4581; sp4602; partial veto.
- 1360 - (Business and Financial Institutions) Banks and savings associations; align merger approval with the Mississippi Business Corporation Act. Turner, et al. rh753; rf885; cr966; cu1065; v1065; sp1151.
- 1361 - (Business and Financial Institutions; Appropriations) Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. Turner, et al. rh861; rf918.

- 1365 - (Elections) Elections; prohibit state and local officials from soliciting and/or accepting private funds for. Gunn. rh888; rf897; cr1035; cu1180; v1181; hdc3084; ca3085; cro3111; cra3112; v3112; crah3213; sp3280.
- 1367 - (Judiciary, Division A) Real property; establish process to remove discriminatory language from recorded instruments of conveyance. Owen, et al. rh898; rf918; cr1056.
- 1376 - (Judiciary, Division A) MS Consumer Privacy Act; create to prohibit any agency, department or institution from releasing any personal information. Turner, et al. rh758; rf885.
- 1378 - (Highways and Transportation) Memorial highways; designate in Prentiss County. Arnold. rh758; rf885; cr1046; cu1365; v1366; hc2972; sp3024.
- 1388 - (Economic and Workforce Development; Education) Comprehensive Career and Technical Reform Act; create. Gunn, et al. rh657; rf957; cr1050; cu1188; v1217; hc2575; sp2976.
- 1389 - (Agriculture) "Mississippi Grain Indemnity Act"; enact. Gunn, et al. rh646; rf885; cr988; cu1070; po1085; ru1085; v1085.
- 1394 - (Education; Appropriations) Dual Credit Community College Scholarship Program; create. Barton, et al. rh753; rf885.
- 1408 - (Local and Private) Sheriffs' salaries; increase. Currie, et al. rh873; rf957; cr1028; cu1035; v1040; hdc3084; ca3100; cro3260; rcc3265; hrcc3285; cro3384; cra3393; v3393; crah3935; sp4155.
- 1416 - (Education) Students in public schools; allow to participate in political activities with certain restrictions. McCarty, et al. rh872; rf885; cr1050; cu1560; v1561; hc3134; sp3174.
- 1418 - (Judiciary, Division B) Second Amendment Preservation Act; authorize with exclusion for universities and colleges. Oliver, et al. rh658; rf918.
- 1421 - (Appropriations) ARPA Rural Water Associations Infrastructure Grant Programs; establish under Department of Health. Read, et al. rh863; rf933; cr1051; msrp1108; cu1121; v1129; hdc3080; ca3085; rcc3806; hrcc3869; msrp4428; cro4428; cra4436; v4436; crah4579; sp4594.
- 1422 - (Appropriations) Highway Patrol officers and Narcotics Bureau officers; revise the salaries of. Read, et al. rh653; rf933; cr1051.
- 1423 - (Appropriations) State Appellate and trial judges and District Attorneys; increase salaries of. Read, et al. rh861; rf933; cr1051; cu1454; v1457; hdc3084; ca3085; msrp4384; cro4384; cra4388; v4388; vp4388; crah4579; sp4590.
- 1424 - (Appropriations) Criminal investigators; increase salaries of and provide for additional appointments of. Read, et al. rh863; rf933; cr1051; cu1457; v1459; hdc3084; ca3085; msrp4378; cro4378; cra4380; v4380; crah4579; sp4590.
- 1425 - (Appropriations) ARPA Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health. Read, et al. rh861; rf933; cr1051; msrp1108; cu1108; v1120; hdc3080; ca3086.

- 1426 - (Appropriations) Salary statutes; revise certain provisions relating to salaries of state employees and officials. Read, et al. rh861; rf933; cr1051; cu1459; v1467; hdc3084; ca3085; msrp4418; cro4418; cra4428; v4428; crah4579; sp4590.
- 1427 - (Appropriations) Mississippi Law Enforcement and Fire Fighters Premium Pay Program; create. Read. rh864; rf933; cr1051; msrp1108; cu1132; v1133; hdc3080; ca3086; msrp4380; cro4380; cra4382; v4382; crah4579; sp4590.
- 1430 - (Finance) Motor vehicle title; authorize beneficiary designation. Sanford. rh647; rf933; cr1027; msrp1332; cu1332; v1334; hdc3089; ca3123; msrp3453; cro3453; cra3456; v3456; crah3576; sp3924.
- 1440 - (Local and Private) City of Natchez and Adams County; authorize contributions to Natchez, Incorporated. Johnson, et al. rh561; rf573; cr595; msrp597; cu597; v597; mr619; mrc626; mrt626; sp659.
- 1441 - (Local and Private; Finance) Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants and prepared food at convenience stores. Reynolds. rh929; rf957; cr3203; msrp3204; cu3204; v3204; sp3280.
- 1469 - (Judiciary, Division A) Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. McLean. rh879; rf918; cr1057.
- 1475 - (Accountability, Efficiency, Transparency) Reverse auction; revise method of receiving bids through for agencies and governing authorities. Bell (21st), et al. rh647; rf933.
- 1476 - (Elections; Accountability, Efficiency, Transparency) Campaign finance reports; revise the time for filing electronically. Sanford. rh711; rf885.
- 1477 - (Accountability, Efficiency, Transparency) Public purchasing laws; revise certain provisions relating to reverse auctions. Steverson. rh648; rf933.
- 1479 - (Judiciary, Division B) Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty. Bain. rh653; rf885; cr1059; cu1409; v1413; hdc2583; ca3058; crah3353; cro3470; cra3474; v3474; sp3924.
- 1485 - (Highways and Transportation) Harvest permits; extend repealer on provisions establishing maximum weight and approved routes of vehicles. Roberson. rh653; rf885; cr991; cu1002; v1002; sp1032.
- 1486 - (Highways and Transportation) CDLs; require Commissioner of DPS to provide for waivers of certain tests. Oliver. rh889; rf897; cr991; cu1155; v1155; sp1796.
- 1487 - (Rules) State song; designate "One Mississippi" as official. Gunn, et al. rh878; rf951; cr1058; cu1510; v1515; hdc3029; ca3106.
- 1509 - (Rules) COVID-19 vaccine mandate; prohibit state and local government from imposing. Gunn. rh576; rf1026; cr1035; cu1507; po1509; ru1509; v1509; v1510; mr1750; msrp1751; mrt1751; hdc2583; ca2982; crah3576; msrp3797; cro3798; cra3800; v3800; sp4448.
- 1510 - (Elections; Accountability, Efficiency, Transparency) Elections; revise procedures regarding voter roll maintenance. Powell, et al. rh898; rf918; cr1056; cu1397; v1399; hdc3084; ca3085; crah3576; cro3577; cra3580; v3580; sp4448.

- 1517 - (Appropriations) Appropriation; Office of Workforce Development for various activities and programs. Read, et al. rh948; rf971; cr1809; cu1990; v1993; hdc3080; ca3086; rcc3216; hrcc3257; rcc4042; hrcc4156; cro4399; cra4402; v4402; crah4579; sp4591.
- 1518 - (Appropriations) Appropriation; DFA for providing funds to destination marketing organizations, nonprofit museums and MS Main Street Association. Read, et al. rh948; rf971; cr1809; cu2002; v2004; hdc3080; ca3086; rcc3216; hrcc3257; msrp4326; cro4326; cra4328; v4328; crah4579; sp4591.
- 1520 - (Insurance) Professional employer organizations; provide for registration and regulation by the Insurance Department. Ford (54th). rh889; rf918.
- 1521 - (Appropriations) Appropriation; IHL for funding Nursing and Respiratory Therapy Education Incentive Program. White, et al. rh943; rf972; cr1809; cu1995; v1996; hdc3080; ca3086; rcc3216; hrcc3257; msrp4328; cro4328; cra4330; v4330; crah4580; sp4591.
- 1522 - (Appropriations) Appropriation; Community College Board for Community and Junior College Nursing Supplemental Funding Program. White, et al. rh948; rf971; cr1809; cu1993; v1994; hdc3080; ca3086; rcc3216; hrcc3257.
- 1523 - (Local and Private; Finance) City of Salltillo; authorize tourism tax on hotels, motels and restaurants. Turner. rh929; rf957; cr1049; cu1061; v1061; sp1151.
- 1525 - (Local and Private) City of Richland; extend repealer on bar and restaurant tourism tax. Weathersby. rh929; rf957; cr2219; msrp2229; cu2230; v2230; sp3024.
- 1526 - (Local and Private) City of Richland; extend date of repeal on hotel/motel; tourism tax. Weathersby. rh930; rf957; cr2219; msrp2229; cu2230; v2230; sp3024.
- 1529 - (Finance) Income tax; revise definition of gross income and authorize deduction for certain expenses. Lamar. rh648; rf933; cr1751; msrp1751; cu1751; v1751; sp1804.
- 1530 - (Finance) Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Lamar, et al. rh988; rf997; cr1806; cu2087; v2096; hdc3090; ca3123.
- 1533 - (Local and Private) Town of Byhalia; reenact hotel and motel tax and extend repeal date until July 1, 2026. Kinkade, et al. rh2575; rf2583; cr3128; msrp3153; cu3153; v3154; sp3280.
- 1534 - (Local and Private) Sunflower County; authorize contributions to the Sunflower County Ministerial Alliance Counseling Service, Inc. Anthony, et al. rh2575; rf2583; cr3128; msrp3154; cu3154; v3154; sp3280.
- 1535 - (Local and Private) Sunflower County; authorize contribution to Delta Advantage Center. Anthony, et al. rh2575; rf2583; cr3128; msrp3154; cu3154; v3154; sp3280.
- 1536 - (Local and Private) Sunflower County; authorize contributions to the Fannie Lou Hamer Cancer Foundation. Anthony, et al. rh2575; rf2583; cr3128; msrp3154; cu3154; v3154; sp3280.

- 1537 - (Appropriations) Appropriation; DEQ for ARPA Wastewater Infrastructure Grant Program. Read, et al. rh997; rf1032; cr1809; cu1986; v1988; hdc3080; ca3086; rcc3216; hrcc3257.
- 1538 - (Appropriations) Appropriation; Department of Health for ARPA Rural Water Associations Infrastructure Grant Program. Read, et al. rh949; rf971; cr1809; cu1989; v1990; hdc3081; ca3086; rcc3216; hrcc3257; cro4451; cra4453; v4453; crah4580; sp4590.
- 1542 - (Appropriations) Appropriation; additional to DPS for the Mississippi Law Enforcement and Fire Fighters Premium Pay Program. Read, et al. rh997; rf1032; cr1809; cu2001; v2002; hdc3081; ca3086; rcc3216; hrcc3257; msrp4330; cro4330; cra4332; v4332; crah4580; sp4591.
- 1547 - (Local and Private) City of Starkville; extend repeal date on economic development, tourism/convention tax. Roberson. rh930; rf957; cr2219; msrp2229; cu2230; v2230; sp3025.
- 1548 - (Finance) Trailers and semitrailers; revise alternative highway privilege tax for. Busby. rh1027; rf1032.
- 1549 - (Local and Private) City of Charleston; authorize expenditure for asphalt to be used on certain county roads damaged due to needed city sewer repairs. Reynolds. rh930; rf957; cr2220; cu2230; v2230; sp3025.
- 1550 - (Appropriations) Appropriation; add'l to DFA for phased construction of new DPS headquarters; add'l to DOH for Office Against Interpersonal Violence. Read, et al. rh943; rf972; cr1809; cu1983; v1984; hc3018; sp3032.
- 1564 - (Finance) Ad valorem tax; authorize partial exemption for nonresidential use land that is converted to residential use. Kinkade, et al. rh989; rf997.
- 1565 - (Local and Private) City of Jackson; extend repeal date on convention and visitors bureau. Gibbs (72nd), et al. rh2575; rf2583; cr3128; msrp3154; cu3154; v3154; sp3280.
- 1581 - (Appropriations) Appropriation; Athletic Commission. Read, et al. rh944; rf971; cr1808; cu1961; v1963; hc3018; sp3032.
- 1582 - (Appropriations) Appropriation; Auctioneers Commission. Read, et al. rh944; rf971; cr1808; cu1963; v1963; sp2584.
- 1583 - (Appropriations) Appropriation; Barber Examiners, Board of. Read, et al. rh944; rf971; cr1808; cu1941; v1943; hc3018; sp3032.
- 1584 - (Appropriations) Appropriation; Cosmetology, Board of. Read, et al. rh944; rf971; cr1808; cu1943; v1946; hc3018; sp3091.
- 1585 - (Appropriations) Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Read, et al. rh944; rf972; cr1808; cu1959; v1961; hc3018; sp3091.
- 1586 - (Appropriations) Appropriation; Medical Licensure, Board of. Read, et al. rh944; rf972; cr1808; cu1946; v1949; hdc3071; ca3074; cro3217; cra3219; v3219; crah3353; sp3494.

- 1587 - (Appropriations) Appropriation; Nursing, Board of. Read, et al. rh944; rf972; cr1808; cu1949; v1951; hdc3071; ca3074; cro3220; cra3222; v3222; crah3353; sp3494.
- 1588 - (Appropriations) Appropriation; Nursing Home Administrators, Board of. Read, et al. rh944; rf972; cr1808; cu1951; v1953; hc3019; sp3091.
- 1589 - (Appropriations) Appropriation; Optometry, Board of. Read, et al. rh944; rf972; cr1808; cu1953; v1955; hdc3072; ca3092; cro3222; cra3224; v3224; crah3353; sp3494.
- 1590 - (Appropriations) Appropriation; Physical Therapy Board. Read, et al. rh944; rf972; cr1808; cu1955; v1957; hc3019; sp3032.
- 1591 - (Appropriations) Appropriation; Psychology, Board of. Read, et al. rh944; rf972; cr1808; cu1957; v1959; hc3019; sp3032.
- 1592 - (Appropriations) Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Read, et al. rh944; rf972; cr1808; cu1964; v1966; hc3019; sp3032.
- 1593 - (Appropriations) Appropriation; Insurance, Department of. Read, et al. rh944; rf972; cr1807; cu1846; v1850; hdc3072; ca3074; rcc3224; hrcc3257; msrp4273; cro4273; cra4278; v4278; hrcc4395; msrp4399; mrp4399; rcc4399; msrp4474; cro4474; cra4478; v4478; crah4581; sp4591.
- 1594 - (Appropriations) Appropriation; Fire Academy. Read, et al. rh945; rf972; cr1807; cu1850; v1852; hdc3072; ca3074; rcc3224; hrcc3258; cro4042; cra4045; v4045; crah4580; sp4591.
- 1595 - (Appropriations) Appropriation; Public Employees' Retirement System. Read, et al. rh945; rf972; cr1809; cu1979; v1981; hdc3072; ca3074; rcc3224; hrcc3258; cro4045; cra4047; v4047; crah4580; sp4590.
- 1596 - (Appropriations) Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board. Read, et al. rh945; rf972; cr1807; cu1872; v1875; hc3019; sp3032.
- 1597 - (Appropriations) Appropriation; Legislative expenses. Read, et al. rh945; rf972; cr1809; cu1976; v1978; hdc3072; ca3074; rcc3224; hrcc3258; msrp4278; cro4278; cra4282; v4282; crah4580; sp4593.
- 1598 - (Appropriations) Appropriation; Arts Commission. Read, et al. rh945; rf972; cr1807; cu1905; v1907; hdc3072; ca3074; rcc3224; hrcc3258; cro4048; cra4050; v4050; crah4580; sp4591.
- 1599 - (Appropriations) Appropriation; Archives and History, Department of. Read, et al. rh945; rf972; cr1807; cu1901; v1904; hdc3072; ca3074; rcc3224; hrcc3258; cro4157; cra4161; v4161; msrp4399; mrp4399; rcc4399; hrcc4449; msrp4462; cro4462; cra4465; v4465; crah4581; sp4594.
- 1600 - (Appropriations) Appropriation; Education, Department of. Read, et al. rh945; rf972; cr1806; cu1815; v1827; hdc3072; ca3074; rcc3224; hrcc3258; msrp4332; cro4332; cra4345; v4345; crah4580; sp4590.
- 1601 - (Appropriations) Appropriation; Educational Television, Authority for. Read, et al. rh945; rf973; cr1806; msrp1852; cu1852; v1856; hdc3072; ca3074; rcc3224; hrcc3258; cro4161; cra4166; v4166; crah4580; sp4592.

- 1602 - (Appropriations) Appropriation; Library Commission. Read, et al. rh945; rf973; cr1806; msrp1857; cu1857; v1860; hdc3072; ca3074; rcc3224; hrcc3258; hrcc4042; rcc4050; cro4166; cra4169; v4169; crah4580; sp4594.
- 1603 - (Appropriations) Appropriation; reappropriation, DFA - Bureau of Building - FY22. Read, et al. rh945; rf973; cr1809; cu1973; v1976; hdc3102; ca3103; cro3225; cra3228; v3228; crah3353; sp3494.
- 1604 - (Appropriations) Appropriation; Environmental Quality, Department of. Read, et al. rh945; rf973; cr1807; cu1907; v1912; hdc3072; ca3074; rcc3228; hrcc3258; hrcc4042; rcc4051; cro4169; cra4175; v4175; crah4580; sp4594.
- 1605 - (Appropriations) Appropriation; Wildlife, Fisheries and Parks, Department of. Read, et al. rh946; rf973; cr1807; msrp1860; cu1860; v1867; hdc3072; ca3075; rcc3228; hrcc3258; cro4175; cra4182; v4182; crah4580; sp4590.
- 1606 - (Appropriations) Appropriation; Grand Gulf Military Monument Commission. Read, et al. rh946; rf973; cr1807; cu1912; v1914; hdc3072; ca3075; rcc3228; hrcc3258; hrcc4042; rcc4051; cro4183; cra4185; v4185; crah4580; sp4590.
- 1607 - (Appropriations) Appropriation; Mississippi Broadband Commission. Read, et al. rh946; rf973; cr1806; cu1828; v1829; hdc3072; ca3075; rcc3228; hrcc3258.
- 1608 - (Appropriations) Appropriation; Oil and Gas Board. Read, et al. rh946; rf973; cr1809; cu1971; v1973; hdc3072; ca3075; rcc3228; hrcc3258; cro4051; cra4053; v4053; crah4580; sp4593.
- 1609 - (Appropriations) Appropriation; Public Service Commission. Read, et al. rh946; rf973; cr1806; cu1829; v1833; hdc3073; ca3075; rcc3228; hrcc3258; cro4053; cra4057; v4057; crah4580; sp4593.
- 1610 - (Appropriations) Appropriation; Public Utilities Staff. Read, et al. rh946; rf973; cr1806; cu1833; v1835; hdc3073; ca3075; rcc3228; hrcc3258; cro4185; cra4187; v4187; crah4580; sp4592.
- 1611 - (Appropriations) Appropriation; Human Services, Department of. Read, et al. rh946; rf973; cr1807; cu1881; v1889; hdc3073; ca3075; rcc3228; hrcc3258; cro4187; cra4197; v4197; msrp4502; mpr4502; rcc4503; hrcc4523; msrp4523; cro4523; cra4532; v4532; crah4581; sp4594.
- 1612 - (Appropriations) Appropriation; Rehabilitation Services, Department of. Read, et al. rh946; rf973; cr1807; cu1890; v1893; hdc3073; ca3075; rcc3228; hrcc3258; cro4057; cra4061; v4061; crah4580; sp4592.
- 1613 - (Appropriations) Appropriation; Medicaid, Division of. Read, et al. rh946; rf973; cr1807; cu1875; v1881; hdc3073; ca3075; rcc3228; hrcc3258; msrp4282; cro4282; cra4289; v4289; crah4580; sp4594.
- 1614 - (Appropriations) Appropriation; Health, Department of. Read, et al. rh946; rf973; cr1807; cu1894; v1901; hdc3073; ca3075; rcc3228; hrcc3258; cro4197; cra4207; v4207; crah4580; sp4594.
- 1615 - (Appropriations) Appropriation; Foresters, Board of Registration for. Read, et al. rh997; rf1032; cr1808; cu1966; v1967; hc3019; sp3091.

- 1616 - (Appropriations) Appropriation; Forestry Commission. Read, et al. rh946; rf973; cr1809; cu1967; v1971; hdc3073; ca3075; rcc3228; hrcc3258; cro4061; cra4065; v4065; crah4580; sp4592.
- 1617 - (Appropriations) Appropriation; Soil and Water Conservation Commission. Read, et al. rh946; rf973; cr1807; cu1922; v1924; hdc3073; ca3075; rcc3228; hrcc3258; cro4065; cra4068; v4068; crah4580; sp4592.
- 1618 - (Appropriations) Appropriation; Pat Harrison Waterway District. Read, et al. rh946; rf973; cr1808; cu1926; v1928; hc3019; sp3032.
- 1619 - (Appropriations) Appropriation; Pearl River Valley Water Supply District. Read, et al. rh946; rf973; cr1808; cu1928; v1930; hdc3073; ca3075; cro3229; cra3232; v3232; crah3353; sp3494.
- 1620 - (Appropriations) Appropriation; Port Authority, State. Read, et al. rh947; rf973; cr1808; cu1924; v1925; hc3019; sp3032.
- 1621 - (Appropriations) Appropriation; Tombigbee River Valley Water Management District. Read, et al. rh947; rf973; cr1808; cu1930; v1932; hdc3073; ca3075; cro3232; cra3234; v3234; crah3354; sp3494.
- 1622 - (Appropriations) Appropriation; Yellow Creek State Inland Port Authority. Read, et al. rh947; rf973; cr1808; cu1933; v1934; hc3019; sp3091.
- 1623 - (Appropriations) Appropriation; Veterans' Home Purchase Board. Read, et al. rh947; rf973; cr1807; cu1835; v1837; hdc3073; ca3075; cro3234; cra3236; v3236; crah3354; sp3494.
- 1624 - (Appropriations) Appropriation; Marine Resources, Department of. Read, et al. rh947; rf973; cr1807; cu1915; v1921; hdc3073; ca3075; rcc3237; hrcc3258; cro4068; cra4078; v4078; crah4580; sp4594.
- 1625 - (Appropriations) Appropriation; District attorneys and staff. Read, et al. rh947; rf973; cr1807; cu1839; v1840; hdc3073; ca3075; rcc3237; hrcc3258; cro4208; cra4210; v4210; crah4580; sp4592.
- 1626 - (Appropriations) Appropriation; Capital Post-Conviction Counsel, Office of. Read, et al. rh947; rf974; cr1807; cu1837; v1838; hdc3073; ca3075; rcc3237; hrcc3258; msrp4382; cro4382; cra4384; v4384; crah4580; sp4592.
- 1627 - (Appropriations) Appropriation; State Public Defender, Office of. Read, et al. rh947; rf974; cr1807; cu1840; v1842; hdc3074; ca3075; rcc3237; hrcc3258; cro4210; cra4213; v4213; crah4580; sp4594.
- 1628 - (Appropriations) Appropriation; Supreme Court, Court of Appeals and trial judges services. Read, et al. rh947; rf974; cr1807; cu1842; v1846; hdc3074; ca3076; rcc3237; hrcc3258; cro4402; cra4408; v4408; crah4580; sp4594.
- 1629 - (Appropriations) Appropriation; Attorney General. Read, et al. rh947; rf974; cr1807; msrp1867; cu1867; v1872; hdc3074; ca3076; rcc3237; hrcc3258; cro4213; cra4219; v4219; crah4580; sp4593.
- 1630 - (Appropriations) Appropriation; Transportation, Department of. Read, et al. rh947; rf974; cr1808; cu1934; v1941; hdc3074; ca3076; rcc3237; hrcc3258; cro4408; cra4416; v4416; crah4581; sp4592.

- 1631 - (Appropriations) Appropriation; additional for various state agencies for FY22 & FY23. Read. rh949; rf972; cr1809; cu1981; v1983; hdc3081; ca3086.
- 1639 - (Appropriations) Alternative-fuel fueling station; impose tax on motor vehicles charged at. Newman, et al. rh989; rf1032.
- 1662 - (Finance) Bonds; authorize issuance for construction of a new Mississippi Armed Forces Museum. Lamar. rh947; rf972.
- 1663 - (Finance) Bonds; authorize issuance for various purposes. Lamar, et al. rh949; rf972; cr1806; cu2096; v2165; hdc3090; ca3123; rcc3246; hrcc3259; cro3291; cra3298; v3298; mr3352; crah3496; mrc4042; mrp4042; rcc4042; msrp4148; cro4148; cra4150; v4150.
- 1664 - (Appropriations) Appropriation; DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan. Read, et al. rh989; rf997; cr1809; cu2004; v2006; hdc3081; ca3086; rcc3237; hrcc3258; msrp4345; cro4345; cra4347; v4347; crah4581; sp4592.
- 1665 - (Appropriations) Appropriation; DFA - Bureau of Building for projects at agencies, institutions and colleges. Read, et al. rh998; rf1032; cr1809; cu2006; v2009; hdc3081; ca3086; rcc3237; hrcc3259.
- 1671 - (Local and Private) Jackson County; extend repeal date on county's hotel/motel tourism tax and authorize to make certain designation of the use of the tax. Barton. rh2575; rf2584; cr3145; msrp3206; cu3206; v3209; vp3209; v3209; uco3209; mr3209; mrc3290; mrp3290; v3290; sp3379.
- 1674 - (Local and Private; Finance) Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and recreation. Tullos. rh2576; rf2584; cr3133; msrp3147; cu3147; v3147; sp3280.
- 1675 - (Finance) Bonds; authorize issuance for capital improvements for state agencies. Lamar. rh989; rf997.
- 1684 - (Finance) Income tax; authorize a tax credit for qualified wood energy products and forest maintenance projects. Horan, et al. rh1029; rf1032.
- 1685 - (Finance) Pregnancy Resource Act; create. Gunn, et al. rh989; rf997; cr1806; cu2166; v2184; hdc3090; ca3123; rcc3246; hrcc3259; hrcc3287; rcc3298; cro3502; cra3522; v3522; mr3801; crah3935; mrc3941; mrt3941; sp4448.
- 1686 - (Finance) Bonds; authorize issuance for defeasing bonds issued for the purpose of accelerating certain highway projects. Lamar, et al. rh990; rf997.
- 1687 - (Finance) Children's Promise Act; revise certain provisions. Lamar, et al. rh990; rf997; cr1806; cu2184; v2201; hdc3090; ca3123; hrcc3287; rcc3298.
- 1691 - (Finance) Income tax; revise certain provisions relating pass-through entities. Busby. rh1027; rf1032; cr1806; cu2202; v2218; hdc3090; ca3123; cro3247; cra3249; v3249; crah3496; sp3572.
- 1694 - (Local and Private) City of Gulfport; authorize to contribute funds to a motor vehicle transportation system commission. Bennett, et al. rh2576; rf2584; cr3128; msrp3155; cu3155; v3155; mr3170; mrc3289; mrt3289; sp3379.
- 1719 - (Judiciary, Division B) Suffrage; restore to Angela Porter-Williams of Amite County. Hines. rh3118; rf3129; cr4502; msrp4522; cu4522; v4522; sp4593.

- 1721 - (Judiciary, Division B) Suffrage; restore to Gerald O. Laird of Jefferson Davis County. Bell (65th). rh3119; rf3129.
- 1729 - (Judiciary, Division B) Suffrage; restore to Anthony Leroy Wallace of Harrison County. Williams-Barnes. rh3119; rf3129.
- 1730 - (Judiciary, Division B) Suffrage; restore to Ray Ferrell of Harrison County. Williams-Barnes. rh3119; rf3129; cr3502; msrp4031; cu4031; v4031; sp4587.
- 1731 - (Judiciary, Division B) Suffrage; restore to Deborah Ledbetter of Hinds County. Summers. rh3119; rf3129; cr3502; msrp4031; cu4031; v4031; sp4587.
- 1732 - (Judiciary, Division B) Suffrage; restore to Annie Mae Grant of Hinds County. Summers. rh3119; rf3129; cr3502; msrp4031; cu4031; v4031; sp4587.
- 1735 - (Local and Private) City of Oxford; authorize expansion of water system for a certain distance outside of city to serve Punkin Water Association. Deweese, et al. rh2576; rf2584; cr3128; msrp3155; cu3155; v3155; sp3281.
- 1737 - (Judiciary, Division B) Suffrage; restore to Kenny Pritchard of Rankin County. Summers. rh3119; rf3129.
- 1738 - (Judiciary, Division B) Suffrage; restore to Charles Harris of Harrison County. Summers. rh3119; rf3129.
- 1740 - (Local and Private; Finance) City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation. Bell (21st). rh2576; rf2584; cr3133; msrp3147; cu3147; v3148; sp3281.
- 1742 - (Local and Private) City of Hattiesburg; extend repealer on tourism commission and hotel/motel tax. McGee, et al. rh3019; rf3027; cr3128; msrp3156; cu3156; v3156; sp3281.
- 1743 - (Local and Private; Finance) City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation. White. rh3019; rf3033; cr3133; msrp3148; cu3148; v3148; sp3281.
- 1744 - (Local and Private) Rankin County; authorize contributions to nonprofit organizations that provide recreational/sports activities for county youth. Wallace, et al. rh3019; rf3027; cr3128; msrp3156; cu3156; v3156; sp3281.
- 1745 - (Local and Private) George County; authorize the repair of certain parking lot located in. McLeod. rh3019; rf3027; cr3128; msrp3156; cu3156; v3156; sp3281.
- 1747 - (Local and Private; Finance) City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation. Gunn. rh3020; rf3033; cr3203; msrp3204; cu3204; v3206; hdc3354; ca3355; hrcc3494; msrp3913; rcc3914; cro3989; cra3991; v3991; crah4449; sp4587.
- 1748 - (Local and Private) Town of Shuqualak; authorize expansion of water services provided by. Mickens. rh3020; rf3027; cr3128; msrp3157; cu3157; v3157; sp3281.
- 1752 - (Local and Private) Marshall County; authorize contributions to the Byhalia Area Arts Council. Kinkade. rh3020; rf3027; cr3128.

- 1754 - (Local and Private; Finance) City of Jackson; authorize increase hotel/motel tax to provide funding for Jackson Convention Center. Bell (65th), et al. rh3020; rf3029.
- 1755 - (Local and Private) City of Moss Point; extend date of repeal on city's restaurant tax. Anderson (110th). rh3020; rf3028; cr3128; msrp3151; cu3151; v3152; sp3281.
- 1756 - (Local and Private) City of New Albany; authorize expansion of its gas system within a certain area outside its corporate limits. Creekmore IV. rh3020; rf3028; cr3128; msrp3152; cu3152; v3152; sp3282.
- 1757 - (Local and Private) Harrison County; clarify hotel/motel tax for Coast Coliseum and Convention Center shall solely be applied to overnight room rentals. Felsher, et al. rh3020; rf3028; cr3128; cu3175; v3178; mr3203; mrc3289; mrt3289; hc3576; sp3870.
- 1758 - (Judiciary, Division B) Suffrage; restore to LaTonya Woodson of Warren County. Denton. rh3260; rf3279; cr4502; msrp4522; cu4522; v4522; sp4593.
- 1759 - (Local and Private) Holmes County; authorize to provide certain compensation for county patrol officers. Clark. rh3021; rf3028; cr3128; msrp3152; cu3152; v3153; hc3496; sp3572.
- 1760 - (Local and Private) Holmes County; authorize contributions to the Durant Foundation. Clark. rh3021; rf3028; cr3128; msrp3153; cu3153; v3153; sp3282.
- 1762 - (Local and Private) Clinton/Raymond/Bolton Wastewater Authority Act; create. Foster, et al. rh3122; rf3129; cr3145; cu3179; v3192; mr3204; mrc3289; mrp3289; v3289; sp3380.
- 1763 - (Local and Private) Kemper County; authorize to enter into certain contracts to fund capital costs to extend natural gas services in. Evans (45th). rh3122; rf3129; cr3145; cu3192; v3193; sp3282.
- 1767 - (Local and Private) Harrison County; authorize certain tax proceeds to be designated for use by Gulf Coast Regional Convention and Visitors Bureau or for tourism solely in. Bennett, et al. rh3122; rf3129; cr3145; cu3193; v3200; mr3204; mrc3289; mrt3289; hc3576; sp3870.
- 1769 - (Agriculture) Eminent domain; prohibit transfer of property acquired by for 10 years after acquisition. White, et al. rh3121; rf3129; cr3147; msrp3284; cu3285; v3285; sp3572.

#### E. HOUSE CONCURRENT RESOLUTIONS

##### H. C. No.

- 1 - (Rules) Gary Jude Harkins; commend life and legacy upon his passing. Yancey. rh607; rf609; cr682; msrp714; cu716; v716; sp895.
- 8 - (Rules) Mississippi State University Bulldogs Baseball Team; commend for winning the 2021 NCAA Baseball National Championship. Roberson, et al. rh330; rf337; cr343; msrp599; cu600; v600; sp659.
- 11 - (Rules) Lieutenant Toby Johnson; commend for service during Hurricane Ida. Summers. rh607; rf609; cr682; msrp714; cu716; v716; sp895.

- 12 - (Rules) Firefighter Linc Tucker; commend for meritorious service. Summers, et al. rh607; rf609; cr682; msrp714; cu716; v716; sp895.
- 13 - (Rules) Samuel Larry Richey; commend his life upon his passing. Turner. rh607; rf609; cr682; msrp714; cu716; v716; sp895.
- 14 - (Rules) Vietnam War Veterans; recognize and honor those exposed to Agent Orange. Steverson, et al. rh623; rf623; cr682; msrp714; cu716; v716; sp895.
- 15 - (Rules) Mr. George Smith; commend his life and legacy upon his passing. Zuber, et al. rh608; rf609; cr682; msrp714; cu716; v716; sp895.
- 17 - (Rules) Carroll V. Hood; commend life and legacy upon his passing. Holloway. rh608; rf609; cr682; msrp714; cu716; v716; sp895.
- 21 - (Rules) State of the State; authorize joint session for January 25, 2022, at 4:00 p.m. Roberson. rh331; rf337; cr340; msrp340; cu340; v340; sp549.
- 33 - (Rules) James A. Barber; commend service as Executive Director of PEER upon his retirement. Currie. rh608; rf609; cr682; msrp714; cu716; v716; sp895.
- 37 - (Rules) Tardive Dyskinesia Awareness Week; recognize May 1-7, 2022, as week of observance in Mississippi. Currie. rh635; rf636; cr1034; msrp1233; cu1234; v1234; sp1799.
- 38 - (Rules) MS Funeral Directors Association; commend and express gratitude to funeral service professionals for selfless work during COVID-19 pandemic. Oliver. rh608; rf609; cr3061; msrp3115; cu3115; v3115; sp3202.
- 39 - (Accountability, Efficiency, Transparency) Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes. Gunn, et al. rh750; rf933; cr1055; msrp1241; cu1241; v1246; hdc3135; ca3136; nca3171.
- 43 - (Rules) Scott Central High School Football Team; commend and congratulate upon winning Class 2A State Championship. Miles, et al. rh608; rf609; cr683; msrp714; cu716; v716; sp895.
- 44 - (Rules) Ole Miss Rebels All Girl Cheerleading Team; commend and congratulate on winning 2022 UCA Division 1A Game Day National Championship. Deweese. rh585; rf585; cr683; msrp714; cu716; v716; sp895.
- 45 - (Rules) Ole Miss Rebels Women's Golf Team; commend and congratulate upon winning 2021 NCAA Division I National Championship. Deweese. rh585; rf585; cr683; msrp714; cu716; v716; sp895.
- 46 - (Rules) "Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 11-17, 2022, as. Tullos. rh917; rf933; cr4157; msrp4497; cu4497; v4497; sp4593.
- 47 - (Rules) Retired Brigadier General Martha Jo Leslie; commend her life upon her passing. Carpenter. rh689; rf933; cr1034; msrp1233; cu1234; v1234; sp1799.
- 48 - (Rules) Chief M.E. "Gene" Waldrop; commend upon his 50 years of police service in the State of Mississippi. Ford (73rd). rh917; rf933; cr1034; msrp1233; cu1234; v1234; sp1799.

- 49 - (Rules) Northwest Mississippi Community College Football Team; commend on winning MACCC State Championship. Lamar. rh917; rf933; cr1034; msrp1233; cu1234; v1234; sp1799.
- 50 - (Rules) Brittney Reese; commend and congratulate successes as an Olympic medalist. Williams-Barnes. rh917; rf933; cr1034; msrp1233; cu1234; v1234; sp1799.
- 51 - (Rules) Northwest Mississippi Community College Cheer Team; commend upon winning the 2022 Open Small Co-Ed National Championship. Lamar. rh969; rf969; cr1034; msrp1233; cu1234; v1234; sp1800.
- 53 - (Rules) Dr. Sam Polles; recognize upon occasion of his retirement as Executive Director of MDWFP. Kinkade. rh969; rf969; cr1034; msrp1233; cu1234; v1234; sp1800.
- 54 - (Rules) Raleigh High School Lions Football Team; commend upon winning South State MHSAA Class 3A Championship. Tullos. rh1106; rf1108; cr1815; msrp2225; cu2226; v2226; sp3025.
- 55 - (Rules) Former Representative Michael Weston Janus; commend laudable career and public service of upon his passing. Roberson. rh1240; rf1439; cr1815; msrp2225; cu2226; v2226; sp3025.
- 57 - (Rules) Ole Miss Rebels All Girl Cheerleading Team; commend team and coaching staff on winning 2022 UCA Division 1A. Deweese, et al. rh1480; rf1684; cr1815; msrp2225; cu2226; v2226; sp3025.
- 58 - (Rules) Colonel Stanley A. Martin; commend service upon retirement. Weathersby. rh1240; rf1439; cr1815; msrp2225; cu2226; v2226; sp3025.
- 59 - (Rules) Roger "Big John" Earl Robinson; mourn loss and commemorate life and service of upon his passing. Smith, et al. rh1480; rf1684; cr1815; msrp2225; cu2226; v2226; sp3025.
- 60 - (Rules) Simpson Academy Cougars Boys Basketball Team; commend for winning the MHSAA Class 5A State Championship. Wallace, et al. rh1481; rf1684; cr1815; msrp2225; cu2226; v2226; sp3025.
- 61 - (Rules) Hunter Luis Melendez; commend upon being named 2021 MS State Games - Male Athlete of the Year. Calvert. rh2973; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.
- 62 - (Rules) Cooper Conner; commend and upon being named 2021 MS State Games - Youth Athlete of the Year. Calvert. rh2973; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.
- 63 - (Rules) Tere Turner; commend upon being named 2021 MS State Games - Female Athlete of the Year. Calvert. rh2973; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.
- 64 - (Rules) Laura Bivins; commend and congratulate upon winning the U.S. Presidential Award for Excellence in Mathematics and Science. Gunn. rh2973; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.
- 65 - (Rules) Madeline Zimmerman; commend for being selected as Instructor of the Year at the Jackson County Campus of MGCCC. Busby. rh2973; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.

- 66 - (Rules) Jo Anne Daniels; commend for being selected as Instructor of the Year at the Jefferson Davis Campus of MGCCC. Busby. rh2974; rf2977; cr3061; msrp3283; cu3283; v3284; sp3380.
- 67 - (Rules) Monica Donohue; commend for being selected as Instructor of the Year at the Harrison County Campus of MGCCC. Busby. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3380.
- 68 - (Rules) Mandy Withrow; commend for being selected as Instructor of the Year at the George County Center of MGCCC. Busby. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3381.
- 69 - (Rules) Darlene Bush; commend for being selected as Instructor of the Year at the Perkinson Campus of MGCCC. Busby. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3381.
- 70 - (Rules) Angela Butler; commend for being selected as Instructor of the Year at the Perkinson Campus of the MGCCC. Busby. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3381.
- 71 - (Rules) International Women's Month; designate month of March 2022 as for statewide observance. Gibbs (72nd), et al. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3381.
- 72 - (Rules) Judge Tomie Turner Green; commend distinguished career upon her retirement. Gibbs (72nd), et al. rh2974; rf3105.
- 73 - (Rules) John Girard Guthrie; commend life and legacy upon his passing. McLeod, et al. rh2974; rf2978; cr3061; msrp3283; cu3284; v3284; sp3381.
- 74 - (Rules) Zeb Andrews Hughes and Jameson Med Gunner Palmer; commend lives and legacies of and encourage boating safety awareness. Holloway. rh2974; rf2978; cr3062; msrp3283; cu3284; v3284; sp3381.
- 75 - (Rules) Hilda Louise Smith Casin; commend life, service and accomplishments of. Porter. rh2974; rf2978; cr3062; msrp3283; cu3284; v3284; sp3381.
- 76 - (Rules) Mississippi High School Activities Association; commend and congratulate upon its centennial anniversary. Bennett. rh2974; rf2978; cr3062; msrp3283; cu3284; v3284; sp3381.
- 77 - (Rules) Russian invasion of Ukraine; condemn. McLean, et al. rh2576; rf3021; cr3575; msrp3804; cu3804; v3804; sp4148.
- 78 - (Rules) Mississippi Farm Bureau Federation; commend upon 100th anniversary of. Gunn. rh2974; rf2978; cr3062; msrp3283; cu3284; v3284; sp3381.
- 79 - (Rules) Millicent "Mandy" Gunter; commend for receiving the 2020 Presidential Award for Excellence in Math and Science Teaching. Haney, et al. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.
- 80 - (Rules) Bobbie Gentry; commend Chickasaw County native, legendary and renowned singer-songwriter. Creekmore IV, et al. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.

- 81 - (Rules) Global Reman Day; designate April 14, 2022, as period of observation in the State of Mississippi. Carpenter. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.
- 82 - (Rules) Mississippi Export Railroad; commend upon occasion of 100th anniversary. Barton. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.
- 83 - (Rules) Pine Grove High School Boys Basketball Team; commend for winning MHSAA Class 2A Boys Basketball State Championship. Steverson. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.
- 84 - (Rules) City of McComb; commend upon the 150th anniversary of its founding. Mims, et al. rh3100; rf3105; cr3146; msrp3522; cu3523; v3523; sp4155.
- 85 - (Rules) Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 20, 2022. Blackmon. rh3135; rf3174; cr3278; msrp3524; cu3525; v3525; sp4155.
- 86 - (Rules) Poised Pearls of Laurel of Alpha Kappa Alpha Sorority; Inc.; congratulate upon the charter of a graduate chapter. Scott. rh3135; rf3174; cr3278; msrp3524; cu3525; v3525; sp4156.
- 87 - (Rules) The Commercial Dispatch; commend and congratulate on 100th anniversary. McLean, et al. rh3200; rf3201; cr3278; msrp3524; cu3525; v3525; sp4156.
- 88 - (Rules) Bob Tyler; commend life of service to Yalobusha County and State of Mississippi. Reynolds. rh3201; rf3201; cr3278; msrp3524; cu3525; v3525; sp4156.
- 89 - (Rules) Legislature; extend 2022 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. White. rh3495; rf3495; cr3496; msrp3497; cu3497; v3497; sp3572.
- 90 - (Rules) Legislature; change date of sine die adjournment of the 2022 Regular Session. Gunn. rh4035; rf4036; cr4037; msrp4037; cu4037; v4037; sp4148.

#### **F. EXECUTIVE MATTERS**

Alexander, Christa L., Information Technology Services Authority, Accountability, Efficiency, Transparency. s31; rf35; cr3144; msrp3930; cu3930; v3931.

Anderson, ElBrascian Antoine (Antoine), Mississippi Business Finance Corporation as a member associated with banking or small business, Finance. s29; rf34; cr2975; cu2982; v2982.

Barrett, Ph.D., Gwendolyn Gayle (Wendi), State Board of Education as the Schoolteacher representative, Education. s55; rf55; cr2581; msrp3053; cu3053; v3053.

Baughn, Robert Leonard (Bob), Mississippi Prison Industries Board of Directors to represent the labor industry, Corrections. s32; rf37; cr3099; msrp3117; cu3117; v3117; mr3169; mrc3526; mrt3526.

Baughn, Robert Leonard (Bob), Mississippi Prison Industries Board of Directors to represent the labor industry, Corrections. s32; rf37; cr3099; msrp3117; cu3117; v3117; mr3169; mrc3526; mrt3527.

Beckham, Ronald Len (Ron), Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, Veterans and Military Affairs. s325; rf326; cr2972; cu3015; v3015.

Belk, Jeffery Blanton, State Parole Board to serve as Chairman, Corrections. s55; rf55; cr3099; msrp3117; cu3117; v3117.

Bentz, II, Leonard Leon, Commission on Wildlife, Fisheries and Parks, Wildlife, Fisheries and Parks. s33; rf38; cr1686; msrp2574; cu2574; v2574.

Bertucci, Sr., Jeffrey Ward (Jeff), Board of Directors of the College Savings Plan of Mississippi, Universities and Colleges. s914; rf915; cr3069; msrp3274; cu3275; v3275.

Birmingham, RDH, Haley Harrison, Mississippi State Board of Dental Examiners as the Dental Hygienist member, Public Health and Welfare. s30; rf34; cr4040; msrp4324; cu4325; v4325.

Blakeney, Sr., Samuel Kevin (Sam), Mississippi Board of Animal Health, Agriculture. s1031; rf1031; cr3095; msrp3800; cu3800; v3800.

Bonner, Terrance D., Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, Public Health and Welfare. s546; rf547; cr4040; msrp4324; cu4325; v4325.

Bourn, PT, DPT., Billy Crisler (Cris), Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, Public Health and Welfare. s32; rf37; cr3130; msrp4028; cu4028; v4028.

Brashier, Anne Hall (Anne Hall), Mississippi Commission on the Status of Women representing an At-Large appointment, Rules. s55; rf56; cr1035; cu2224; v2224.

Brown, Donald Geaty (Don), Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, Universities and Colleges. s914; rf915; cr3069; msrp3274; cu3275; v3275.

Brown, Ralph Kipp (Kipp), Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, Agriculture. s29; rf33; cr3094; msrp3800; cu3800; v3800.

Bryan, Virginia Jones (Jenny), Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, Public Health and Welfare. s32; rf37; cr4040; msrp4324; cu4325; v4325.

Buffington, Jr., Charles Phillip (Phil), Mississippi Tort Claims Board as Chairman, Judiciary, Division A. s55; rf56; cr1057; cu1409; v1409.

Burns, Julius Carter (Carter), Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s1805; rf1805; cr3145; msrp3930; cu3931; v3931.

Campbell, Charles Bradley (Brad), State Board of Registration for Foresters to represent the East Central Forestry Commission District, Forestry. s30; rf35.

Campbell, Charles Bradley (Brad), State Board of Registration for Foresters to represent the East Central Forestry Commission District, Forestry. s546; rf547; cr1797; cu3013; v3013.

Campbell, Kimberly L., Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s1804; rf1805; cr3144; msrp3930; cu3931; v3931.

Chaney, MD, James Patrick (Pat), State Board of Health as a Licensed Physician, Public Health and Welfare. s874; rf874; cr3130; cu4026; v4026.

Clanton, RN, Jane M. (Janie), Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, Public Health and Welfare. s32; rf36; cr3501; cu4031; v4031.

Cloyd, Joe E., Mississippi Business Finance Corporation, Finance. s3286; rf3286; cr3382; cu3939; v3939.

Cloyd, Joe E., Mississippi Business Finance Corporation, Finance. s3286; rf3286; cr3382; cu3939; v3939.

Cothran, Michael Jackson (Mike), State Board of Barber Examiners, Public Health and Welfare. s29; rf34; cr4039; msrp4324; cu4324; v4325.

Crutcher, John Nicholas (Nick), Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, Business and Financial Institutions. s32; rf37; cr3118; msrp3276; cu3276; v3276.

Cummings, Ph.D., Ormella, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, Universities and Colleges. s31; rf36; cr3069; msrp3274; cu3275; v3275.

Cummins, LPN, Jeremy Lester, Mississippi Board of Nursing as a Licensed Practical Nurse, Public Health and Welfare. s32; rf36; cr4039; msrp4324; cu4324; v4325.

Dampier, Jr., O.D, Arthur Reginald (Reggie), Mississippi State Board of Optometry to represent the Third Congressional District as it existed in 1980, Public Health and Welfare. s325; rf326.

Daniels, Noel Everett, Mississippi Business Finance Corporation as a member involved in banking or small business, Finance. s29; rf34; cr3070; cu3095; v3095.

Dews, Jr., Dr., Robert Carrington, Mississippi State Board of Physical Therapy as the representative of physicians, Public Health and Welfare. s915; rf916; cr4040; msrp4324; cu4325; v4325.

Durrett, Lee Alexander, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, Education. s545; rf546; cr2581; cu3054; v3054.

Edmiston, PT, Elizabeth Ewaldsen (Beth), State Board of Health as an individual with an interest in public health, Public Health and Welfare. s31; rf35; cr3133; cu4029; v4029.

Elam, Dr., Karen J. Morgan (Karen), State Board of Education, Education. s30; rf35; cr2581; cu3053; v3053.

Feltenstein, Guy Brad, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, Business and Financial Institutions. s1031; rf1031; cr2588; cu3015; v3015.

Feltenstein, Guy Brad, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, Business and Financial Institutions. s33; rf37.

Fenn, Jr., USA, SFC, James Max, State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, Veterans and Military Affairs. s55; rf55; cr3055; msrp3062; cu3062; v3063.

Flowers, Merle Glenn, Mississippi Business Finance Corporation, Finance. s1107; rf1107; cr3382; cu3938; v3938.

Fox, Ph.D., Dr., Robert Edward (Bobby), Crime Stoppers Advisory Council, Judiciary, Division B. s545; rf546; cr3094; msrp3113; cu3113; v3113.

Foxworth, III, Jerome Marvin (Jerry), State Board of Registration for Foresters to represent the Southeast Forestry Commission District, Forestry. s30; rf35.

Foxworth, III, Jerome Marvin (Jerry), State Board of Registration for Foresters to represent the Southeast Forestry Commission District, Forestry. s546; rf547; cr1797; cu3013; v3013.

Freeze, Christopher Wade (Chris), Crime Stoppers Advisory Council, Judiciary, Division B. s325; rf326; cr3094; msrp3113; cu3113; v3113.

Gandy, Thomas Ford, Commercial Mobile Radio Service Board, Energy. s29; rf34; cr3098; cu3801; v3801.

Gentry, MSN, APR, Lacey Melissa T., Mississippi Board of Nursing as an Educator, Public Health and Welfare. s32; rf36; cr4039; msrp4324; cu4324; v4325.

Gleason, Dr., Sara Jane H., Board of Mental Health, Public Health and Welfare. s31; rf36; cr3130; cu4027; v4027.

Goldberg, Theresa Brady, State Board of Banking Review to represent the Third Supreme Court District, Business and Financial Institutions. s55; rf55; cr3118; msrp3276; cu3276; v3276.

Graham, Christopher Thomas, Commissioner, Mississippi Department of Revenue, Finance. s874; rf875; cr2975; cu2983; v2983.

Graham, Jeremy Dwayne, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, Agriculture. s1031; rf1031; cr3095; msrp3800; cu3800; v3800.

Green, Willie James, Mississippi Prison Industries Board of Directors to represent the state at large, Corrections. s915; rf916; cr3099; msrp3117; cu3117; v3117; mr3170; mrc3527; mrt3527.

Griffin, Pharm.D., Lee Ann Harper, State Board of Health as an individual with an interest in public health, Public Health and Welfare. s55; rf55; cr3130; cu4027; v4027; vp4027.

Grubbs, DMD, Marion Lewis (Lewis), Mississippi State Board of Dental Examiners to represent Dental District Four, Public Health and Welfare. s30; rf35; cr4040; msrp4324; cu4325; v4325.

Hamilton, Elizabeth (Betsey), Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s1805; rf1805; cr3144; msrp3930; cu3931; v3931.

Hamrick, RN, LNH, George Anthony (Tony), Mississippi State Board of Nursing Home Administrators as the Registered Nurse, Public Health and Welfare. s31; rf36; cr4040; msrp4324; cu4325; v4325.

Havard, Gregory K. (Greg), MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, Finance. s914; rf915; cr3382; msrp3937; cu3937; v3938.

Havard, Gregory K. (Greg), MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, Finance. s914; rf915; cr3382; msrp3937; cu3938; v3938.

Hebert, Curtis Leon (Curt), Mississippi Motor Vehicle Commission, Highways and Transportation. s2978; rf2979; cr3288; msrp3867; cu3867; v3867.

Hebert, Jr., Curtis Leon (Curt), Mississippi Motor Vehicle Commission, Highways and Transportation. s2978; rf2979; cr3288; msrp3867; cu3867; v3867.

Hendon, Ph.D., Joseph Read, Gulf States Marine Commission as the Mississippi citizen representative, Ports and Marine Resources. s31; rf35; cr2222; cu3052; v3052.

Hill, MD, John Edward (Ed), State Board of Health as a Licensed Physician, Public Health and Welfare. s31; rf35; cr4040; msrp4324; cu4325; v4325.

Hoda, D.C., Desmond Wayne, State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, Public Health and Welfare. s873; rf874; cr4395; msrp4417; cu4417; v4417.

Hopkins, Sr., MG, Alben Norris (Al), Gaming Commission as Chairman, Gaming. s31; rf35; cr4395; msrp4522; cu4522; v4522; vp4522; ev4523.

Hortman, Jr., BG (Ret.), Norman Gene (Gene), Veterans Home Purchase Board to represent the state at large, Veterans and Military Affairs. s33; rf38; cr3357; cu3868; v3868.

Host, Olivia Ann (Olivia), Mississippi Business Finance Corporation, Finance. s27; rf28; cr2975; cu2982; v2982.

Hubbard, Teresa Aven, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, Universities and Colleges. s31; rf36; cr3069; msrp3274; cu3275; v3275.

Jackson, David A., MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, Finance. s914; rf915; cr3070; cu3109; v3110.

Jacobs, William O. (Bill), State Board of Education, Education. s28; rf28; cr2581; msrp3053; cu3053; v3053.

James, Jr., Bobby Milton, Mississippi Business Finance Corporation as a member involved in banking or small business, Finance. s29; rf34; cr2975; cu3037; v3037.

Johnson, Herbert Randall (Randall), Mississippi Prison Industries Board of Directors to represent the state at large, Corrections. s546; rf547; cr3099; msrp3117; cu3117; v3117; mr3169; mrc3527; mrt3527.

Joiner, DSW, LCS, Valerie Cascile, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, Public Health and Welfare. s33; rf37; cr3130; msrp4028; cu4028; v4028.

Jones, III, Howard Lee, State Board of Registration for Foresters to represent the state at large, Forestry. s30; rf35; cr1797; cu3012; v3012.

Jordan, Colby Ryan (Colby), Mississippi Business Finance Corporation as a member associated with small business, Finance. s29; rf34; cr2975; cu2983; v2983.

Katool, Norman Paul, Public Procurement Review Board, Accountability, Efficiency, Transparency. s679; rf679; cr3144; msrp3930; cu3930; v3931.

King, RN, NP, DNP, Melissa Henry (Melissa), Mississippi Board of Nursing as the Registered Nurse Practitioner, Public Health and Welfare. s32; rf36; cr4039; msrp4324; cu4324; v4325.

Kline, Sr., Thomas Henry (Tommy), State Board of Contractors as the Plumbing or Heating and AC Contractor, Business and Financial Institutions. s3104; rf3104; cr3118; msrp3276; cu3276; v3276.

LaRosa, Kimberly Leigh (Kim), Mississippi Lottery Corporation Board of Directors, Finance. s1031; rf1031; cr3070; cu3110; v3110.

Landrum, Robert Sylvester, Board of Mental Health, Public Health and Welfare. s31; rf36; cr3133; cu4030; v4030.

Lasseter, Jr., Michael Wayne (Michael), Director of the State Fairgrounds Complex, Agriculture. s28; rf28; cr3094; msrp3800; cu3800; v3800.

Legear, Clayton Lamar, State Board of Banking Review to represent the state at large, Business and Financial Institutions. s29; rf34; cr2588; cu3014; v3014.

Lewis, PT, DPT, Leonard Cooper, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, Public Health and Welfare. s32; rf37; cr3130; msrp4028; cu4028; v4028.

Lipscomb, Whitney Holliday, Mississippi Commission on the Status of Women, Rules. s3056; rf3056; cr3146; msrp3522; cu3522; v3522.

Machado, David John, Mississippi Business Finance Corporation, Finance. s345; rf346; cr3381; cu3803; v3803.

Mallard, Nicholas L. (Nick), State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, Business and Financial Institutions. s30; rf35; cr2588; cu3015; v3015.

Marshall, Jr., Everett, Mississippi Business Finance Corporation as a member associated with banking or small business, Finance. s325; rf326.

Massey, Lori Leigh, Crime Stoppers Advisory Council, Judiciary, Division B. s546; rf547; cr3094; msrp3113; cu3113; v3113.

Massey, Lori Leigh, Crime Stoppers Advisory Council, Judiciary, Division B. s545; rf546; cr3094; msrp3113; cu3113; v3113.

McBunch, Michael Lee (Mike), State Board of Barber Examiners, Public Health and Welfare. s29; rf34; cr4039; msrp4324; cu4325; v4325.

McDaniel, II, Colonel, Clifford Allen (Allen), State Veterans Affairs Board to represent the state at large, Veterans and Military Affairs. s33; rf37; cr3055; msrp3062; cu3062; v3063.

McElreath, Myrtis Elizabeth S. (Leisa), Crime Stoppers Advisory Council, Judiciary, Division B. s914; rf915; cr3094; msrp3113; cu3113; v3113.

McElreath, Myrtis Elizabeth S. (Leisa), Crime Stoppers Advisory Council, Judiciary, Division B. s914; rf915; cr3094; msrp3113; cu3113; v3113.

McRight, John Peter (Johnny Pete), Mississippi Community College Board, Universities and Colleges. s30; rf34; cr3068; msrp3274; cu3274; v3275.

Miller, Matthew David (Matt), State Board of Education, Education. s30; rf35; cr2581; msrp3053; cu3053; v3053.

Mitchell, Sr., John Beecher, State Board of Registration for Foresters to represent the Northeast Forestry Commission District, Forestry. s30; rf35; cr1797; cu3012; v3013.

Montgomery, Anthony Conrad, Prison Industries Board, representing the Banking and Finance position, Corrections. s546; rf547; cr3357; msrp3868; cu3868; v3868; msrp3871; mpr3871; rc3871; cr3872; msrp4031; cu4031; v4032.

Montgomery, Anthony Conrad, Prison Industries Board, representing the Banking and Finance position, Corrections. s546; rf547; cr3357; msrp3868; cu3868; v3868; msrp3871; mpr3871; rc3871; cr3872; msrp4031; cu4032; v4032.

Montgomery, Luke Crane, Mississippi Community College Board, Universities and Colleges. s30; rf34; cr3068; msrp3274; cu3274; v3275.

Mosley, Teresa Ann, Board of Mental Health, Public Health and Welfare. s31; rf36; cr3130; cu4028; v4028.

Nelson, Michael Barrie, Mississippi Commission on the Status of Women representing an At-Large appointment, Rules. s33; rf38; cr1035; cu2223; v2223.

Nicaud, Kent Gerard, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, Finance. s874; rf875; cr3871; cu3940; v3940.

Nobile, Krissy Casey, Director of the Mississippi Office of Capital Post-Conviction Counsel, Judiciary, Division A. s325; rf326; cr3085; cu3276; v3276.

Norman, Tyler, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, Universities and Colleges. s914; rf915; cr3069; msrp3274; cu3275; v3275.

Norman, Tyler, State Board of Contractors as the Roofing Contractor, Business and Financial Institutions. s1031; rf1031; cr3118; msrp3276; cu3276; v3276.

Norris-Johnson, LPN, Nancy Carol, Mississippi Board of Nursing as a Licensed Practical Nurse, Public Health and Welfare. s32; rf36; cr3501; cu4030; v4030.

Odom, Mark Alan, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, Public Health and Welfare. s325; rf326.

Parker, Jr., Roy Hal, Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, Universities and Colleges. s31; rf36; cr3069; msrp3274; cu3275; v3275.

Phillips, Max Alton, Mississippi Prison Industries Board of Directors to represent Agriculture, Corrections. s546; rf547; cr3099; msrp3117; cu3117; v3117; mr3170, mrc3527; mrt3527.

Pierce, (Ret.), BG, Billy Lamar, State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, Veterans and Military Affairs. s33; rf37; cr3055; msrp3062; cu3062; v3063.

Pittman, LSW, Erin Poole, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, Public Health and Welfare. s33; rf37; cr3130; msrp4028; cu4028; v4028.

Rader, Gregory Charles (Gregg), Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, Universities and Colleges. s31; rf36; cr3069; msrp3274; cu3275; v3275.

Raff, Matthew Michael, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, Forestry. s546; rf547; cr1797; cu3014; v3014.

Raff, Matthew Michael, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, Forestry. s30; rf35.

Raff, Matthew Michael, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, Forestry. s546; rf547; cr1797; cu3014; v3014.

Rasberry, James Shelton (James), Mississippi Board of Animal Health as the Horse Breeder and Producer representative, Agriculture. s29; rf34; cr3095; msrp3800; cu3800; v3800.

Remak, Kimberly, Mississippi Charter School Authorizer Board, Education. s3131; rf3131; cr3356; msrp3867; cu3868; v3868.

Rhoads, Gary Lee, Commission on Wildlife, Fisheries and Parks, Wildlife, Fisheries and Parks. s33; rf38; cr1685; msrp2573; cu2573; v2573.

Rice, Lisa Renee, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, Finance. s914; rf915; cr3070; cu3096; v3096.

Richards, Jr., James Morris (Jim), Commercial Transportation Appeals Board, Highways and Transportation. s875; rf875; cr3288; msrp3867; cu3867; v3867.

Richards, Jr., James Morris (Jim), Commercial Transportation Appeals Board, Highways and Transportation. s875; rf875; cr3288; msrp3867; cu3867; v3867.

Robertson, Patti S. (Pat), MS Hospital Equipment and Facilities Authority as the at-large member, Finance. s874; rf875; cr3382; msrp3937; cu3937; v3937.

Robertson, Patti S. (Pat), MS Hospital Equipment and Facilities Authority as the at-large member, Finance. s874; rf875; cr3382; msrp3937; cu3937; v3937.

Rollins, Ph.D., Pamela Gail (Pam), Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, Public Health and Welfare. s33; rf37; cr3130; msrp4028; cu4028; v4028.

Rouse, III, Douglas Wesley (Wes), MS Industries for the Blind as rep. with at least 5 years experience in finance or related field, Public Health and Welfare. s3104; rf3104; cr4395; msrp4417; cu4417; v4417.

Sanders, Kristopher Daniel (Kris), MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, Finance. s1031; rf1031; cr3382; cu3804; v3804.

Shaw, RN, NP, William Alton, Mississippi Board of Nursing as the Registered Nurse at large, Public Health and Welfare. s32; rf36; cr4039; msrp4324; cu4324; v4325.

Simmons, Jennie, Mississippi Business Finance Corporation, Finance. s1148; rf1148; cr3382; cu3938; v3938.

Singley, Jr., DMD, Dan Henry (Hank), Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, Veterans and Military Affairs. s325; rf326; cr3055; msrp3062; cu3062; v3063.

Smith, Sherri Carr (Sherri), Mississippi Commission on the Status of Women, Rules. s2978; rf2979; cr3062; msrp3113; cu3114; v3114.

Starks, Lamonica Patrice, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, Public Health and Welfare. s915; rf916.

Stevens, Richard D. (Dickie), Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, Veterans and Military Affairs. s325; rf326; cr3055; msrp3062; cu3062; v3063.

Stewart, Marlow, State Parole Board, Corrections. s32; rf37; cr3099; msrp3117; cu3117; v3117.

Stockstill, Chris Anthony, Veterans Home Purchase Board, Veterans and Military Affairs. s873; rf874; cr3055; msrp3062; cu3063; v3063.

Stockstill, Chris Anthony, Veterans Home Purchase Board, Veterans and Military Affairs. s33; rf38.

Stockstill, Chris Anthony, Veterans Home Purchase Board, Veterans and Military Affairs. s873; rf874; cr3055; msrp3062; cu3063; v3063.

Stringer, Taylor Patten, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, Corrections. s325; rf326; cr3099; msrp3117; cu3117; v3117; mr3169; mrc3527; mrt3527.

Sukmann, Anna Ward, Crime Stoppers Advisory Council, Judiciary, Division B. s874; rf874; cr3094; msrp3113; cu3113; v3113.

Sukmann, Anna Ward, Crime Stoppers Advisory Council, Judiciary, Division B. s873; rf874; cr3094; msrp3113; cu3113; v3113.

Symmes, William Poe (Will), Mississippi Community College Board, Universities and Colleges. s30; rf34; cr3068; msrp3274; cu3275; v3275.

Symmes, William Poe (Will), Mississippi Community College Board, Universities and Colleges. s30; rf34; cr3069; msrp3274; cu3275; v3275.

Tice, Alicia Ann Drury, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, Public Health and Welfare. s874; rf875; cr3131; cu4029; v4029.

Tipton, David, Mississippi Business Finance Corporation, Finance. s1240; rf1240; cr3382; cu3939; v3939.

Tucker, Jr., George Edward (Ed), MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, Finance. s914; rf916; cr3070; cu3110; v3110.

Van Devender, Jr., William J., Commercial Transportation Enforcement Division Appeals Board, Highways and Transportation. s27; rf27; cr552; cu673; v673.

Waites, MD, MACC, Thad Fulton, State Board of Health as a Licensed Physician, Public Health and Welfare. s31; rf35; cr3133; cu4030; v4030.

Watkins, Lisa Carol, State Board of Barber Examiners, Public Health and Welfare. s29; rf34; cr4040; msrp4324; cu4325; v4325.

Watts, Thomas Henry, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, Veterans and Military Affairs. s325; rf326; cr2972; cu3016; v3016.

Werner, Mary C., State Board of Education, Education. s3119; rf3119.

Werner, Mary C., State Board of Education, Education. s2981; rf2981.

Werner, Mary C., State Board of Education, Education. s3202; rf3202; cr3356; msrp3867; cu3867; v3868.

White, Bradley R. (Brad), Executive Director of the Mississippi Department of Transportation, Highways and Transportation. s143; rf143; cr991; cu1154; v1154.

Whittier, Jennifer Jackson, Mississippi Charter School Authorizer Board, Education. s3131; rf3131; cr3356; msrp3867; cu3867; v3868.

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Wiggins, Mark Timothy, Mississippi Business Finance Corporation, Finance. s325; rf326; cr3069; cu3095; v3095.

Williams, Jr., James Taylor, Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, Public Health and Welfare. s31; rf36; cr3130; msrp4028; cu4028; v4028.

Williams, Jr., Keith Allen, Mississippi Business Finance Corporation as a member associated with small business, Finance. s29; rf34; cr2975; cu2983; v2983.

Williams, LMFT, Dr., Jamie Leigh, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, Public Health and Welfare. s27; rf28; cr3130; msrp4028; cu4028; v4028.

Wray, Rita Theresa, Public Procurement Review Board, Accountability, Efficiency, Transparency. s32; rf37; cr3144; msrp3930; cu3930; v3931.

Zimmerman, DDS, Jeff Michael, Mississippi State Board of Dental Examiners to represent Dental District Five, Public Health and Welfare. s30; rf35; cr4040; msrp4324; cu4325; v4325.

**G. JOINT RESOLUTIONS**

J. R. No.

- 1 - (Rules) Mississippi House of Representatives; reapportion. Beckett. rh3378; rf3378; cr3575; msrp3860; cu3860; v3860; vp3860; sp4032.
- 201 - (Rules) Mississippi State Senate; redistrict. Kirby. cr3277; i3282.
- 202 - (Rules) Mississippi Senate; reapportion. Kirby. cr3288; i3355; cu3357; pq3377; v3377; ph3869; sp3932.

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## PART VI

Subject matter of Senate and House Bills  
and Resolutions by Committee

(bold print indicates bill became law)

## A. APPROPRIATIONS COMMITTEE

## APPROPRIATIONS

Accelerate Mississippi Scholarship Program; create. HB884, SB2427.  
Accountancy, Board of Public. **SB3041**.  
Additional appropriations for various state agencies. HB1631, **SB3055**.  
Adequate Education Program. SB2415, SB2707.  
Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. SB2484.  
Agriculture and Commerce, Dept. of. **SB3015**.  
Alternative-fuel fueling station; impose tax on motor vehicles charged at. HB1639.  
American Rescue Plan Act (ARPA):  
    Accelerate MS for the ARPA Nurse/Health Science Workforce Programs-ARPA funds. SB3057.  
    Environmental Quality for the MS MCWI Grant Program-ARPA funds. HB1537, **SB3056**.  
    Health, Dept of; for ARPA Rural Water Associations Infrastructure Grant Program. **HB1538**.  
    Health, Dept. of; Covid-19 Hospital Capacity Program and operations-ARPA funds. **SB3060**.  
    Health/Science Workforce Development and Retention Act; create. SB2721.  
    IHL SFA for the Nurse and Allied Health Loan Repayment Program-ARPA funds. SB3058.  
    Public Safety, Dept. of; Coronavirus Death Benefits-ARPA funds. SB3061.  
    Public Safety, Dept. of; for operations-ARPA funds. SB3063.  
    Rural Water Associations Infrastructure Grant Programs; establish under Department of Health. **HB1421**.  
    Wastewater and Drinking Water Infrastructure Grant Programs; establish under DEQ and Department of Health. HB1425.  
    Workforce Development and Retention Act; create. **HB1006**.  
Animal Health, Board of. **SB3017**.  
Appellate and trial judges and District Attorneys; increase salaries of. **HB1423**.  
Architecture, Board of. **SB3037**.  
Archives and History, Dept. of. **HB1599**.  
Armed educator; create Mississippi School Protection Act. SB2676.  
Arts and Entertainment Center; revise lease or contract requirements for the operation of. HB1128, SB2874.  
Arts Commission. **HB1598**.  
Assistant teachers; provide "C," "D" and "F" districts with additional. SB2686.  
Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022; establish. SB2724.  
Athletic Commission. **HB1581**.  
Attorney General. **HB1629**.  
Auctioneers Commission. **HB1582**.  
Audit, Dept. of. **SB3043**.  
Back to Work Mississippi Act; create. SB2722.  
Banking and Consumer Finance, Dept. of. **SB3044**.  
Barber Examiners, Board of. **HB1583**.  
Board certified occupational therapist employed by schools; allow to be eligible for salary supplement. SB2730.

Budget; provide for various transfers of funds, create various special funds. **HB1353 (Partially Vetoed), SB2780.**

COVID-19:

- Destination Marketing Organization Grant Program Fund; create. SB2849.
- Hospital Expanded Capacity Program; create and require MDOH to establish and administer. **SB2820.**
- Local Provider Innovation Grant Program; create to be administered by Department of Health. HB769.

Capital City Water/Sewer Projects Fund; create and require DFA to develop plan for improvements projects. **HB1031.**

Capital Expense Fund; appropriation:

- Capital Post-Conviction Counsel, Office of. **HB1626.**
- Capitol Police; provide that accrued personal, medical and compensatory leave balances shall transfer from DFA to DPS. SB2117.
- Chancery court; provide additional chancellor for 15th Chancery Court District. SB2351.

Charter school:

- Amend certain provisions of law relating to. SB2892.
- Funding; revise funding formula. SB2675.

Child Protective Services, Dept. of-ARPA funds. SB2862.

Chiropractic Examiners, Board of. **SB3030.**

Circuit clerks; increase compensation for election duties. SB2795.

Civic literacy requirement for high school students; require before enrolling in college or university in this state. SB2704.

College Sticker Price Act of 2022; enact to provide students and families certain program and cost information. HB464.

Community and Junior Colleges Board:

- Administrative expenses. **SB3011.**
- Support for community and junior colleges. **SB3012.**

Community College Board for Community and Junior College Nursing Supplemental Funding Program. HB1522.

Community Colleges; authorize to assess student fees to offset cost of fire protection services by local governing authorities. HB1036.

Community Development Block Grant Coronavirus Funds (CDBE-CV-PPR); direct MDA to draw down federal funds. SB2783.

Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. SB2694.

Contractors, Board of. **SB3042.**

Coronavirus State Fiscal Recovery Funds; FY2023 appropriation to:

- Alcorn State University to improve fiber optic broadband network. SB2127.
- Alcorn State University to improve water and sewer systems. SB2121.
- Benoit, Town of; for water and sewer improvement project. SB2941.
- Beulah, Town of; for water and sewer improvement project. SB2943.
- Black Bayou Water Association for improvement of water system. SB2143.
- Blue Cane Water Association for water system improvements. SB2957.
- Brooksville, Town of; for improvements to water infrastructure. SB3126.
- Canton Municipal Utilities for water/sewer improvements. SB2972.
- Carthage, City of; wastewater treatment system projects. SB2971, SB 2973, SB 2979, SB2982.
- Cascilla Water Association for water system improvements. SB2955.
- Central Yazoo Water Association for improvement of water system. SB2134.
- Charleston, City of; for water and sewer system improvements. SB2956.
- Claiborne County for a Stormwater Management Program. SB3177.
- Co-Lin Wesson campus for Educational, Performing Arts & Athletic Cntr. SB2914.
- Coahoma, Town of; and Coahoma County for water and sewer projects. SB2935.
- Doddsville, Town of, to repair or replace water-supply wells. SB2958, SB2988.
- Drew, City of; for water and sewer system improvements. SB2990.

East Mississippi Water Association for water system improvement projects. SB2976.

Eden, Village of; for improvement of water and sewer system. SB2053.

Farrell, Town of; for water and sewer improvement project. SB2939.

Friars Point, Town of; for water and sewer improvement project. SB2940.

Goodman, Town of; water and sewer improvement projects. SB2975.

Greenville, City of; build new community health center. SB2932.

Greenville, City of; for water system improvements. SB2937.

Gunnison, Town of; for water and sewer improvement project. SB2938.

Health, Dept. of; for Magnet Community Health Disparity Program. SB2931.

Hinds County for water wells and towers. SB2926.

Hinds County for youth mental health program in response to pandemic. SB2927.

Houston, City of; to assist with water and sewer projects. SB3122.

Indianola, City of; for water and sewer system improvements. SB2991.

Inverness, Town of; for wastewater lagoon upgrade. SB2992.

Jackson Co. Utility Auth. for wastewater/stormwater infrastructure. SB3133.

Lake City Water Association to improve the water system. SB2365.

Lorman Waterworks Association for improvement of water system. SB2122.

Louise, Town of; for improvement of sewer system. SB2135.

Lula, Town of; for water and sewer improvement project. SB2934.

Magnolia, City of; for sewer and stormwater infrastructure improvements. SB3170.

Mendenhall, City of; for water and sewer infrastructure projects. SB2970.

Moorhead, City of; for water and sewer improvement projects. SB2962, SB2989.

Mound Bayou, City of; for flood control and drainage project. SB2985.

North Carrollton, Town of; for stormwater infrastructure repair. SB2984.

North Hinds Water Association for improvement of water system. SB2133.

North Tallahatchie Water Association in Tallahatchie County. SB2963.

Olivet Water Association for improvements to infrastructure. SB3168.

Paynes Water Association for water system improvements. SB2964.

Pearl, City of; to improve stormwater and drinking water infrastructure. SB3110, SB3111.

Piney Woods Water Association to improve water and sewer systems. SB2136.

Poplarville, City of; for city's fire and police departments. SB3120.

Poplarville, City of; to improve water infrastructure. SB3119.

Porterville Water Association to improve water system. SB2137.

Rankin County to improve stormwater infrastructure. SB3184.

Rolling Fork, City of; for improvement of water system. SB2056.

Rome Water System in Sunflower County. SB2953.

Rosedale, Town of; for water and sewer improvement project. SB2936.

Sisters in Birth nonprofit charitable clinic. SB2123.

South Central Water Association in Hinds County. SB2945.

South Holmes Water Association water improvement project. SB2974.

Stone County Utility Authority to improve sewer infrastructure. SB3134.

Summit, Town of; for improvements to water and sewer infrastructure. SB3174.

Sumner, Town of; for wastewater lagoon upgrade. SB2987.

Sunflower, Town of; for water well and sewer improvements. SB2986.

Tchula, Town of; water and sewer improvement projects. SB2978.

Thomasville Water Association for improvement of water system. SB2124.

Tutwiler, Town of; for water and sewer system improvements. SB2959.

Walnut, City of; for the Walnut Drainage Project. SB3158.

West Point, City of; for water supply system repairs and upgrades. SB3116.

West Tallahatchie Utilities Association. SB2961.

Wiggins, City of; to improve sewer infrastructure. SB3117.

Yazoo City for improvement of water and sewer system. SB2138.

Corrections to FY2022 appropriations bills. **SB2781.**

Corrections, Dept. of. **SB3013.**

Cosmetology, Board of. **HB1584.**  
 Counselors, Board of Examiners for Licensed Professional. **SB3035.**  
 Crime Victims' Compensation Act; remove certain limitations. SB2265.  
 Criminal investigators; increase salaries of and provide for additional appointments of.  
**HB1424.**  
 Debt Service-Gen. Obli. **SB3054.**  
 Dental Examiners, Board of. **SB3031.**  
 Development Authority, Mississippi. **SB3048.**  
 District attorney criminal investigators; revise salary of. SB2086.  
 District attorneys and staff. **HB1625.**  
 District attorneys; authorize appointment of additional legal assistants and criminal  
 investigators. SB2337, SB2777.  
 Dual Credit Community College Scholarship Program; create. HB1394.  
 Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow  
 certified academic language therapists (CALT); to provide dyslexia therapy  
 services. HB1170.  
 Early Learning Collaborative Act of 2013; revise funding for. HB1246.  
 Economically Disadvantaged Community (EDC) Infrastructure Grant Program Act of  
 2022. SB2775.  
 Education, Dept. of. **HB1600.**  
 Education Enhancement Fund:  
     Authorize DFA to issue digital solutions and credentials for use for classroom  
     supply allotments. HB885.  
     Revise date of issuance of classroom supply procurement cards. HB879.  
 Educational Facilities Revolving Loan Fund Program; create for purpose of improving  
 educational facilities. **SB2430.**  
 Educational Television, Authority for. **HB1601.**  
 Emergency Management Agency. **SB3018.**  
 Employment Security, Dept. of. **SB3023.**  
 Employment Security Law; revise to exclude services of petroleum landman from  
 definition of "employment." HB876.  
 Engineers and Land Surveyors, Board of Registration for Professional. **HB1592.**  
 Environmental Quality, Dept. of. **HB1604.**  
 Equal Opportunity for Students with Special Needs Act; revise definition of "eligible  
 student" and "eligible school" to include students with a dyslexia diagnosis.  
 HB526, SB2702.  
 Equity in Distance Learning Act; revise certain provisions of. HB1312, SB2884.  
 Ethics Commission. **SB3021.**  
 Fair and Coliseum Commission - Livestock shows. **SB3016.**  
 Family Engagement Kindergarten Readiness Pilot Program; require MDE to establish  
 as a component of the ELC Act of 2013. HB1340.  
 Finance and Administration, Department of. **SB3045.**  
     Finance & Administration, Dept of (DFA):  
     Bureau of Building,-ARPA Funds. **SB3062.**  
     Bureau of Building for projects at agencies, institutions and colleges.  
     HB1665.  
     COVID-19 DMO Grant Program, -ARPA. SB3059.  
     DPS headquarters; add'l to DOH for Office Against Interpersonal Violence.  
     **HB1550.**  
     Destination marketing organizations, nonprofit museums and MS Main  
     Street Association. **HB1518.**  
     MAICU and Ind K-12 Grant Program, - ARPA funds. **SB3064.**  
     Office of Insurance for State and School Employees' Life and Health  
     Insurance Plan. **HB1664.**  
     Reappropriation, - Bureau of Building - FY22. **HB1603.**  
 Fire Academy. **HB1594.**  
 Fire Insurance rebate monies; increase funds provided to local governments and  
 expand areas for use of. SB2656.  
 Fire Marshal and Fire Academy; remove from the provisions of the Mississippi Budget  
 Transparency and Simplification Act. SB2788.  
 Fire Protection Funds; increase and expand purposes for. HB819.

Foresters, Board of Registration for. **HB1615**.

Forestry Commission. **HB1616**.

Freedom Trail Commission; establish. HB929, SB2878.

Frontline Nurses and Health Care Workers Retention Grant Program; establish in the Mississippi Department of Health. SB2673.

Funeral Services Board. **SB3032**.

Gaming Commission. **SB3038**.

General Fund:

Agriculture & Commerce, Dept of, to implement the Farms and Families Program. SB2084.

Alcorn County for improvements to Getwell Road-Harper Road intersection. SB3162.

Alcorn State University for environmental science program. SB2130.

Alcorn State University for STEM-related programs. SB2128.

Alcorn State University to strengthen support of poultry science programs. SB2125.

Alcorn State University to support animal science research and extension programs. SB2366.

Alcorn State University to upgrade roadways and sidewalks. SB2129.

Attala County for street repairs. SB3112, SB3113, SB3192, SB3197.

Blue Mountain, City of; for improvements to the Blue Mountain Children's Park. SB3157.

Bolivar County for street repairs in Supervisor District 1. SB2367.

Canton, City of; for construction of governmental complex. SB3195.

Canton, City of; for improvements to the city's parks. SB3194.

Canton, City of; for repairs, resurfacing and making other improvements to streets. SB3187.

Capitol Complex Improvement District completion of certain street projects. SB2930.

Carthage, City of, for coliseum renovations. SB3092.

Carthage, City of; for repair and renovation of its coliseum. SB3193.

Carthage, City of; for street repairs. SB3189.

Children's Advocacy Centers Fund administered by the AG. SB2929.

Claiborne County for completion of road improvements. SB3176.

Claiborne County for improvement and construction of community facilities. SB3171.

Claiborne County for renovation of county library. SB3173.

Claiborne County for repairs and improvements to historical structures in the county. SB3172.

Claiborne County for replacement of air conditioning/heating system in the county jail. SB3175.

Claiborne County to resurface Russum-Westside Road. SB2925.

Clarke County for purchase/maint. of equipment that supports voting by paper ballots. SB2786.

Clarksdale, City of; to address regional food desert. SB2912.

Clay County for improvements to Pruitt Road and Mhoon Valley Road. SB2383.

Clay County for renovation of Clay County Courthouse. SB2139.

Clay County for road and bridge repair. SB2140, SB3114.

Coahoma, Town of; for street repairs. SB2149.

Corinth, City of; for EFLAP Bridge Replacement Project. SB3160.

Corinth, City of; for Veterans Honor Memorial on Old Highway 45/72. SB3159.

Durant, City of; for street repairs. SB3186.

Emergency Road and Bridge Repair Fund to be utilized by MDOT. SB3128.

Employment Security, Dept. of; for the On the Job Nurse (LPN) Training Program. SB3125.

Employment Security, Dept. of; for the Summer Youth Jobs Program. SB3127.

Farmington, City of; for computer equipment upgrade. SB3161.

Friars, Town of; Point for street repairs. SB2148.

General Baptist Convention for renovations to Natchez Seminary Property. SB3190.

Health, Dept. of; for MAGnet Community Health Disparity Program. SB2141.

Holmes County purchase of a fire truck for the Ebenezer community. SB3198.

Holmes County road paving. SB2977.

Holmes County street repairs in the Ebenezer community. SB3188.

Human Services, Dept. of; to defray expenses for the Meals on Wheels Program. SB3124.

IHL-Student Financial Aid for the Nursing Forgivable Loan program. SB2126.

Jackson Municipal Airport Authority to purchase & house fire service equipment. SB2960.

Jackson State University for construction of athletic stadium. SB3154.

Jackson State University to revise entry and exit points to campus. SB2928.

Lafayette, County of; for purchase of fire trucks and equipment. SB3155.

Leland Public School District for improvements to its Early Head Start Facility. SB2152.

Lowndes County for capital improvements in Supervisor District 5. SB2142.

Magnolia, City of; for street overlay project. SB3169.

Marshall County for Blackwater Road Bridge Project. SB3132.

Marshall County for Byhalia Railroad Bridge Project. SB3130.

Marshall County for Potts Camp Railroad Bridge and Bypass Project. SB3131.

Marshall County for Red Banks Road Improvement Project. SB3129.

Mental Health, Dept. of; for additional beds for alcohol and drug intervention treatment. SB3123.

Outside counsel in MIRA et al. v. Michael Watson et al. SB2994.

Pachuta, Village of; for veterans memorial. SB2785.

Replacement of bridges impacted by harvest permit allowable weight. SB3156.

Rosedale, Town of; for street repairs. SB2145.

South Pike School District for renovations to its school buildings. SB2361.

State Aid Road Fund to reimburse monies expended to counties due to HB 779 (2019). SB3118.

Sunflower, Town of; for renovation of city library. SB3121.

Sustainable Energy Partnership Program. SB2933.

Tchula, City of; for street repairs. SB3196.

Tougaloo College for the completion of restoration to historic Freedom Riders site. SB3191.

Washington County for street repairs. SB2146, SB2147, SB2150, SB2151, SB2369.

West Point, City of; for street paving. SB3115.

Yazoo County for drainage project. SB2946.

Geologists, Board of Registered Professional. **SB3039.**

Gifted education; require school districts to provide for students in Grades 7 and 8. HB1168.

Governor's Office and Mansion. **SB3046.**

Graduate Nursing Loan Repayment Program; establish. SB2418.

Grain producer compensation for financial loss in 2021; authorize Commissioner of Ag. to pay. SB2516.

Grand Gulf Military Monument Commission. **HB1606.**

Groundwater Protection Trust Fund; authorize payment of administrative costs. **SB2158.**

Gulf Coast Restoration Fund; limitation on assistance for any one project not applicable to certain public entities. **HB660.**

Gulf Coast Restoration Funds to the Mississippi Development Authority. **SB3049.**

Hazard Pay for Essential Health Care Workers Grant Program; State Dept. of Health. SB2902.

Health, Dept. of. **HB1614.**

Health, Dept. of-MS Medical Cannabis Act. **SB2818, SB2967.**  
Health Care Expendable Fund; extend repealer on. **HB492, SB2776.**  
Health Care program; create for special needs patients. SB2897.  
Health Care Workers Retention Act of 2022; create. HB764.  
Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2352.  
Healthy Food and Families Program; create. HB555, **SB2077.**  
Helping Mississippians Afford Broadband Act; create. SB2535.  
Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. SB2695.  
Highway Patrol and Bureau of Narcotics; revise compensation. HB1422, SB2118, SB2790.  
Highway Patrol and MBN officers; increase salaries of. HB1344, SB2779.  
Highways; require four-laning of portions of Hwy. 6 in Coahoma, Panola and Quitman Counties. SB2168.  
Home Corporation Down-Payment Assistance Program for university graduates who remain in Mississippi; establish. SB2699.  
Hospital Nurse and Allied Health Professional Retention Loan Program; create. SB2419.  
Hospitals; establish grant program for expansions of hospital facilities that increase capacity as needed to treat more COVID-19 patients. HB928.  
Human Services, Dept. of. **HB1611.**  
Humphreys County for certain roadway, curb and gutter improvements. SB2132.  
Information Technology Services, Dept. of. **SB3047.**  
Inmate Incentive to Work Program; create. SB2407.  
Inmate Welfare Fund; authorize to fund Inmate Incentive to Work Program. **HB920.**  
Institutions of Higher Learning (IHL):  
    Alcorn State - Agricultural Research, Extension and Land-Grant programs. **SB3004.**  
    Allocate funding for nonresident students to student financial aid programs. SB2176.  
    Authorize to negotiate long-term lease of property administered by State Port Authority. SB2698.  
    General support. **SB3002.**  
    Mississippi State University:  
        Agricultural and Forestry Experiment Station. **SB3005.**  
        Cooperative Extension Service. **SB3006.**  
        Forest and Wildlife Research Center. **SB3007.**  
        Veterinary Medicine, College of. **SB3008.**  
    Nursing and Respiratory Therapy Education Incentive Program. **HB1521.**  
    Student Financial Aid. **SB3009.**  
    Subsidiary programs. **SB3003.**  
    University of Mississippi Medical Center. SB2131, **SB3010 (Partially Vetoed).**  
Insurance, Dept. of. **HB1593.**  
Jackson State University; authorize public/private partnership to develop property owned by JSU Development Foundation. **SB2893.**  
Jackson State University for renovation of university cafeteria. SB2144.  
Judicial Performance Commission. **SB3022.**  
Justice Reinvestment Act; enact. SB2583.  
Law Enforcement and Fire Fighters Premium Pay Program; create. **HB1427.**  
Law Enforcement Death Benefits Trust Fund; include cause of death covered under First Responders Act of 2020. **HB779.**  
Law Enforcement Officers Death Benefits Trust Fund; include presumption of eligibility for officers with COVID-19. SB2782.  
Legislative Expenses. **HB1597.**  
Legislators; allow office expense allowance for every month of the term. SB2794.  
Library Commission. **HB1602.**  
Line-Item Appropriation Transparency Act; revise. **HB1222, SB2778, SB2787.**  
Local Governments Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. **HB483.**

Marine Resources, Department of. **HB1624**.

Massage Therapy, Board of. **SB3033**.

Medicaid, Division of. **HB1613**.

Medicaid Eligibility; provide coverage Program of All-Inclusive Care for the Elderly. SB2316.

Medicaid Reimbursement:

- Border city university-affiliated pediatric hospitals to be reimbursed. SB2662.
- Community-based home-visitation and pregnancy support services. SB2314.
- Substance abuse and mental health services for pregnant and postpartum women. SB2313.

Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2315, SB2331, SB2447, SB2661, SB2857.

Medical Licensure, Board of. **HB1586**.

Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. HB832.

Mental health days; allow limited leave for teachers. SB2678.

Mid-year budget reductions; exempt MAEP funds. SB2689.

Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. HB1361.

Municipal services to individuals who are homeless or at risk of experiencing homelessness; MS Home Corporation program. SB2496.

National Guard,-ARPA funds. SB2864.

Nationally Certified Licensed School Employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. HB43, SB2443.

Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. SB2497 SB2502.

Nurse/Health Science Training and Retention Act; establish. SB2821.

Nursing and Respiratory Therapy Education Incentive Program; create. **HB1005**.

Nursing Home Administrators, Board of. **HB1588**.

Nursing, Board of. **HB1587**.

Office of Workforce Development for various activities and programs. **HB1517**.

Oil and Gas Board. **HB1608**.

Optometry, Board of. **HB1589**.

Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on. **SB2885**.

Partnerships for Growth program grants; prescribe conditions for administration by the Mississippi Development Authority. SB2718.

Pat Harrison Waterway District. **HB1618**.

Pearl River Valley Water Supply District. **HB1619**.

Personnel Board. **SB3051**.

Pharmacy, Board of. **SB3034**.

Physical Therapy Board. **HB1590**.

Physician grant funding from Qualified Health Center Grant Program; extend date of funding. **SB2421**.

Pilot Freestanding Emergency Room; require the Dept. of Health to issue not more than five licenses. **SB2735**.

Port Authority, State. **HB1620**.

Prekindergarten Programs; increase funding for second and third phase. SB2682.

Psychology, Board of. **HB1591**.

Public Defenders Education Fund; establish education and training cost. SB2354.

Public Employees' Retirement System. **HB1595**.

Public Safety, Dept. of:

- Appropriation. **SB3014**.
- Death Benefits Trust Fund to pay benefits covered under First Responder Act. HB778.
- Law Enforcement and Fire Fighters Premium Pay Program. **HB1542**.

Revise laws regarding Office of State Medical Examiner, Forensics Laboratory and various other laws. HB620.

Salaries of officers. **SB2120**.

Public Service Commission:

Appropriation. **HB1609**.

Remove from the provisions of the Mississippi Budget Transparency and Simplification Act. SB2789.

Public Utilities Staff. **HB1610**.

Real Estate Commission and Appraiser Licensing and Certification Board. **HB1596**.

Rehabilitation Services, Dept. of. **HB1612**.

Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act; create. **HB1313**.

Required local revenue in support of the Mississippi Adequate Education Program; revise computation of fee in lieu of taxes. SB2420.

Resident Forgivable Student Loan Program; student loan forgiveness to residents of five years. SB2693.

Revenue, Dept. of:

Appropriation. **SB3024**.

MS Medical Cannabis Act. **SB2966**.

Riding Bailiffs; revise salary of. **HB400**.

Rural Fire Truck Acquisition Assistance Program; additional rounds for counties and municipalities. **HB842**, SB2094, SB2096.

Rural Hospital Loan Program; establish in State Department of Health. **HB365**.

Rural Nurse Recruitment and Retention Incentive Grant Program Act; create. SB2712.

Rural Physicians Scholarship Residency Program; emergency medicine students. HB768, SB2173.

SNAP Healthy Food Incentive Program Act of 2022; create. SB2727.

Salaries of Public Officers; bring forward various laws relating to. SB2791.

Salary of State Superintendent of Education; shall not exceed salary of the Governor. SB2186.

Salary Statutes; revise certain provisions relating to salaries of state employees and officials. **HB1426**.

Salary Supplement; experienced teachers willing to teach in an "F"-designated school. SB2687.

Sales Tax; exempt sales of coins, currency and bullion. HB426.

Sartatia Holly Bluff Bridge over Lake George in Yazoo County; replacement. SB2160.

School Board Members; increase pay based on enrollment. SB2105.

School recognition program; bring forward for possible amendment to salary supplements. SB2429.

Secretary of State. **SB3052**.

Secretary of State for implementation of the Voter Modernization Grant Program. SB2784.

Sheriffs; increase annual salaries of. SB2166.

State assessments; deposit certain into designated special funds instead of General Fund. HB422.

State budget; revise provisions of several FY22 appropriation bills. HB840.

State employee salaries; direct State Personnel Board to implement across-the-board increase. SB2153.

State inmates; require MDOC to pay increased rate to house inmates in county jails. SB2580.

Statewide county court system; create. SB2320.

Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022. **HB530**.

Social Workers and Marriage and Family Therapists, Board of Examiners for. **HB1585**.

Soil and Water Conservation Commission. **HB1617**.

Superintendent of Education; provide limitation on salary. SB2089.

Supreme Court, Court of Appeals and trial judges services. **HB1628**.

Tax Appeals Board. **SB3025**.

Tennessee-Tombigbee Waterway Development Authority. **SB3029**.

Tombigbee River Valley Water Management District. **HB1621**.

Transportation, Dept. of. **HB1630**.

Transportation, Dept. of - State Aid Road Construction, Office of. **SB3028**.  
 Treasurer's Office. **SB3053**.  
 Teachers' salaries; provide increase to minimum salary. SB2444, SB2688.  
 The Sexual Assault Response for College Students Act; create. HB589.  
 Tourism Recovery Fund - Round 2; create. SB2872.  
 Tourism, Dept. of. SB3050.  
 Tourism; establish programs for certain assistance, designate "One Mississippi" as contemporary music genre official State Song. **HB453**.  
 Transportation, Dept. of; for the Emergency Road and Bridge Repair Fund. SB3167.  
 Trip optimizer system; provide moratorium on the application of to state agencies. **HB1101**.  
 USA Semiquincentennial Comm. and Miss. Semiquincentennial Celebration Fund; create. SB2873.  
 Unemployment benefits; provide eligibility for persons discharged for failure to comply with employer-required vaccine mandate. SB2736.  
 University-based programs of education for children with developmental disabilities. **HB881**.  
 University of Mississippi Medical Center for fire protection. SB2060.  
 Veterans Affairs Board and Homes. **SB3020**.  
 Veterans Cemetery Perpetual Care Fund; create. SB2650.  
 Veterans Home Perpetual Care Fund; create. SB2645.  
 Veterans Resource Advisors; authorize State Veterans Affairs Board to certify. SB2646.  
 Veterans' Home Purchase Board. **HB1623**.  
 Veterinary Examiners, Board of. **SB3036**.  
 Voting Modernization Act; enact. **SB2879**.  
 West Central Mississippi Incubator Grant Program. SB2057.  
 Wildlife, Fisheries and Parks, Dept. of. **HB1605**.  
 Workers' Compensation Commission. **SB3026**.  
 Wrongful conviction; increase compensation award. SB2348.  
 Year Round School Grant Program. SB2685.  
 Yellow Creek State Inland Port Authority. **HB1622**.

## B. STANDING COMMITTEES

(Except Appropriations and Local and Private)

### ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department. **HB1177**.  
 American Rescue Plan Act (ARPA) Ombudsman; establish in DFA. SB2805.  
 Anti-Covid Vaccine Mandate Act; create. SB2045.  
 Appointed state officers; provide for the removal of for certain forms of willful neglect. SB2081.  
 Appointments to executive agency boards; to be made from current Mississippi congressional districts. SB2051.  
 Ballots; require certain information on the front of and require watermark on absentee voter ballots. SB2589.  
 Board of Cosmetology and Barbering; create, and abolish Board of Barber Examiners. SB2647.  
 Campaign finance reports; revise the time for filing electronically. HB1476.  
 Campaign finance reports; require those filed by all candidates to be available online. HB33.  
 Campaign finance reports; to be available on county and municipal websites. SB2003.  
 Capitol Complex Improvement District; revise boundaries to include Battlefield Park. SB2801.  
 Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date. **SB2898**.

Charitable organizations; revise religious institution exemption and clarify service of process. SB2852.

Charitable solicitation; revise reporting period. SB2344.

Circuit clerks; increase compensation for election duties. SB2795.

Civil Air Patrol members; authorize granting of leave of absence to for certain emergency services. HB1179.

Commission on Wildlife, Fisheries and Parks; convert into advisory commission. SB2510.

Compensation for certain county officials; increase. **HB719**.

Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. SC521.

Constitution; amend Section 273 to provide initiative procedure for new law or constitutional amendment. SC528.

Constitution; amend Section 33 to authorize initiative procedure for new law. SC529.

Constitution; amend to provide that people have the right to propose new statutes and to amend or repeal existing statutes. HC39.

Construction manager at-risk program; exempt under public bidding laws. SB2792.

Correctional auditor; revise duties. SB2578.

Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. SB2268.

Corrections; extend repealer on intensive supervision program and electronic home detention. SB2280.

Cosmetology Board and State Personnel Board; revise certain provisions of. SB2901.

Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. SB2059.

Counties; require to participate in the ACT Work Ready Community Initiative. SB2522.

County jail census data; facilitate availability of. SB2595.

County officials; increase the salaries of certain. SB2813.

Criminal convictions; create registry of certain offenders and clarify the effect of expungement. **SB2536 (Vetoed)**.

DA criminal investigators; revise allocation and compensation of. SB2036.

DHS Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor. **SB2338**.

Death certificates; require medical examiners report COVID 19 as cause of death when applicable. SB2100.

Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. SB2797.

Department of Corrections; create the Division of Parole to perform the administrative and fiscal functions of the Parole Board. SB2402.

Department of Corrections; authorize to exempt agricultural equipment from bid requirements. SB2408.

Department of Tourism; create. SB2164.

Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2022. SB2802.

Disposal of certain municipal records after 20 years; authorize. SB2161.

District attorney criminal investigators; revise salary of. SB2086.

District attorneys and investigators; increase annual salaries of. SB2066.

District attorneys; provide for the appointment of part-time legal assistants. SB2064.

Economic interest statements; require local governing authorities to file with Ethics Commission. SB2088.

Election commissioners; require skills assessment for every four years instead of every year. **HB1331**.

Election procedures; authorize audits. SB2610.

Elections; Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. SB2593.

Elections; prohibit acceptance of private money for conducting. SB2473.

Elections; public official's qualification as candidate deemed resignation of current office. SB2660.

Elections; require legislative approval of any new elections guidance or funds from the federal government before implementation. SB2574.

Elections; revise procedures regarding voter roll maintenance. **HB1510**.

Emergency procurements; revise certain provisions relating to. SB2807.  
Executive Director of the State of Veterans Affairs Board; to be appointed by the Governor subject to Senate confirmation. SB2648.  
Fair Access to Elections Act; enact certain requirements regarding the conduct of elections. SB2296.  
Governmental entities; prohibit discrimination and preferential treatment in public employment, education or contracting. SB2809.  
Harvest reporting program; require the Department of Wildlife, Fisheries and Parks to create for white-tailed deer and wild turkey. HB258.  
Health Care Certificate of Need Law; repeal. SB2174.  
Home-based Opportunity Freedom Act of 2022; create. HB917.  
Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. SB2828.  
Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. SB2906.  
Judicial campaigns; revise provisions of. SB2576.  
Juror qualifications; allow jurors to serve in contiguous counties. SB2347.  
Landlord-tenant law; revise. SB2308.  
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; revise definition of "cause of death." SB2812.  
Law Enforcement and Firefighters Death Benefits Act of 2022; create. SB2860.  
Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2617.  
Legal service contracts; clarify exemption from Public Procurement Review Board. SB2793.  
Legislative offices; define vacancy. SB2592.  
Mandatory COVID-19 vaccination of Mississippi residents by the state or as condition of employment; prohibit. SB2368.  
Mandatory COVID-19 vaccination of Mississippi residents as condition of employment; prohibit based on religious belief. SB2654.  
Marking election ballots; delete option of using indelible pencil to mark ballots. SB2388.  
Medicaid reimbursement for certain home services; impose moratorium on new providers. SB2657.  
Mississippi Athlete Agent Act; revise. SB2880.  
Mississippi Coastal Master Plan Act of 2022; enact. SB2799.  
Mississippi Companion Animal Abuser Registry Act; enact. SB2328.  
Mississippi Department of Corrections; create Division of Reentry and Prison Industry within. SB2404.  
Mississippi Department of Corrections; exempt from regulations and law for a certain time to build buildings with inmate labor. SB2406.  
Mississippi Department of Labor; create. SB2116.  
Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. SB2092.  
Mississippi Election Reform Act of 2022; enact. SB2591.  
Mississippi Emergency Management Agency; authorize Q-risq Analytics pilot program providing live storm impact data. SB2796.  
Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. HB1013.  
Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. HB1334.  
Mississippi Hotel and Lodging Review Board; create. SB2876.  
Mississippi Industries for the Blind; revise authority to enter into certain agreements and contracts. **HB1328**, SB2157, SB2156.  
Mississippi Minimum Wage Act; establish. SB2099, SB2114, SB2586.  
Mississippi National Guard retired list; clarify placement of federally recognized officers or men on. **SB2649**.  
Mississippi Pregnant Workers Fairness Act; create. SB2046.  
Mississippi Prison Industries Act of 1990; revise composition of board of directors of corporation. **HB863**.

Mississippi Public Records Act; exempt certain private information of federal law enforcement officers conducting an operation in this state. SB2167.

Mississippi Water Quality Commission; create for the purpose of providing oversight of certain water and sewer systems. SB2814.

Mississippi resident bidder preference; provide 10% preference over vendors located outside of the United States. SB2080.

Municipal candidates; clarify residency requirements of certain. **HB1341**.

Municipal clerk; authorize to certify the results of a municipal election under certain circumstances. SB2297.

Municipal officials; provide mandatory education and training requirements. SB2870.

Municipal program to address delinquent water accounts; extend repealer. SB2896.

Municipalities, certain; extend repealer on authority to create program addressing delinquent customer water bills. HB939.

Nuisance animals; prohibit the transportation, importation and release of wild hogs. **HB1065**.

Occupational Licensing Review Commission; may review existing regulations to ensure compliance with state policy. SB2052.

Occupational Licensing Review Commission; require supervision of civil actions brought by occupational licensing boards. SB2054.

Office of Ombudsman within the Department of Corrections; establish. SB2579.

Online voter registration; revise to allow for first-time voters to register through. SB2588.

Open Meetings Law; require official meetings to be broadcast via video livestream applications, with exceptions. SB2087.

Open meetings; legislative advisory committee members must be invited to stay during executive session. SB2083.

PERS; allow water authorities and MS Rural Water Association to join. SB2058.

Pearl River Valley Water Supply District; add two board members from the City of Jackson. SB2851.

Personal and medical leave; law enforcement and firefighters can buy back after work related injury. SB2816.

Practice of surveying; exclude certain activities from the definition of. SB2013.

Professional Engineers & Surveyors Licensing Board; remove provision requiring Governor to make appointments from nominees. SB2373.

Protection of free speech and association at public universities; withhold state funds for unconstitutional policy. SB2180.

Public Bid Law; clarify that reverse auction requirement shall not apply to certain term contract purchases. SB2800.

Public Procurement Review Board; revise the qualifications of members on. HB1160.

Public Procurement Review Board; extend repealer on exemption for DHS and CPS. SB2163.

Public Procurement Review Board; exempt personal services contracts entered into by the Office of State Aid Road Construction. SB2363.

Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. HB1028.

Public purchases; prohibit reverse auctions for repair and remodeling of public facilities. **SB2806**.

Public purchasing law; revise to provide that reverse auction shall be used by certain schools and districts. HB1173.

Public purchasing laws; revise certain provisions relating to reverse auctions. HB1477.

Public purchasing; clarify that reverse auction shall not be used for term contracts for road maintenance commodities. SB2804.

Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. SB2808.

Purchasing law; revise threshold for bid requirement and clarify use of reverse auction. **SB2371**.

Regulatory Reduction Program; require certain pilot agencies to implement. SB2162.

Regulatory reduction program for Department of Environmental Quality; provide pilot program. SB2500.

Restitution centers; transition to pre-release centers. SB2596.

Reverse auction and bidding requirements; allow schools to use alternative methods for products not typically resold. SB2815.

Reverse auction; revise method of receiving bids through for agencies and governing authorities. HB1475.

Salary cap; exempt certain attorneys employed by Attorney General from. SB2362.

Sale of tax-forfeited public land; Secretary of State is authorized to contract for online state tax sale. SB2521.

Sales tax; create diversion to counties. SB2055.

School board purchasing agent; increase amount of required surety bond. HB502.

School districts and political subdivisions; prohibit from implementing mask and Covid vaccine mandates. SB2850.

Schools; require carbon monoxide detectors in all. SB2101.

Secretary of State Statewide Elections Management System; provide for voter's proof of citizenship. SB2590.

Service Canine Protection Act of 2022; enact. SB2233.

Sheriffs; increase annual salaries of. SB2166, SB2803.

Shoplifting; provide that second offense within 5 years shall be a felony. SB2044.

Sixteenth section land; authorize leasing of certain classified land to cities/counties for less than 5% of market value. HB372.

Sixteenth section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. HB1159.

South Mississippi Regional Health Care Authority Act of 2022; create. SB2895.

State Parole Board; extend repealer on. **HB683**.

State Superintendent of Education; provide limitation on salary. SB2089.

State Veterans Affairs Board; enter into agreements with American Legion to provide transportation for veterans. SB2848.

State Workplace Safety and Health Office; establish under State Board of Health. SB2185.

State agencies; notify Legislature of proposed rule adoption. SB2079.

State agencies; prohibit travel to any state, county or municipality that has banned employee travel to Mississippi. SB2165.

State agencies; transfer MS Athletic Commission and Civil War Sesquicentennial Commission to Secretary of State. SB2061.

State assessments; deposit certain into designated special funds instead of General Fund. HB422.

State employees; provide the terms and conditions for state employees to engage in telework. **SB2810**, SB2720.

State enforcement of federal regulations; require specific authorization by the Legislature. SB2353.

State offenders serving sentences in county jail; may serve sentences in any county jail. **HB906**.

Temporary day workers; protect labor and employment rights of. SB2184.

Transgender 21 Act; enact. SB2111.

Transportation commissioners; revise mandatory compensation language to make discretionary with commissioner. SB2475.

University of Mississippi Medical Center; create joint committee to study the organization of. SB2798.

University of Southern Mississippi Gulf Park property; authorize DFA to sell or lease certain parcel in Harrison County. SB2527.

Vaccinations; disclose information statements upon request and create medical exemption. SB2049.

Vaccines; provide civil remedy for employees against corporations that enforce vaccine mandates. SB2858.

Voter Registration File fees; revise. SB2609.

Voter registration; provide for certain procedures upon application. SB2606.

Vulnerable persons; make reports available to Secretary of State. SB2559.

Wiretaps; authorize sheriffs to use. SB2230.

Women's Economic Security Act of 2021; enact. SB2715.

Workers' Compensation; vaccine-related accidents or injuries shall be compensable. SB2020.

## NOMINATIONS

- Alexander, Christa L., Laurel, Mississippi, Information Technology Services Authority, unexpired balance of a five year term effective July 23, 2021 and ending June 30, 2026. **SN38.**
- Burns, Julius Carter (Carter), Natchez, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. **SN144.**
- Campbell, Kimberly L., Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. **SN142.**
- Hamilton, Elizabeth (Betsey), New Albany, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2022 and ending January 1, 2028. **SN143.**
- Katool, Norman Paul, Madison, Mississippi, Public Procurement Review Board, unexpired four year term beginning immediately and ending June 30, 2023, vice Mrs. Leila Malatesta. **SN106.**
- Wray, Rita Theresa, Brandon, Mississippi, Public Procurement Review Board, four year term effective November 29, 2021 and ending June 30, 2025. **SN60.**

## AGRICULTURE

## 4-H Club:

- 4-H Club Demonstration Camps; repeal authority of MSU Extension Service to create and maintain in Panola and Madison Counties. HB262.  
Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal. **SB2029.**

## Eminent domain:

- Eminent domain; codify constitutional amendment. SB3212.  
Eminent domain; prohibit transfer of property acquired by for 10 years after acquisition. **HB1769.**

Foundation herds of certain livestock; repeal authority of IHL Board relating to purchase, breeding and maintenance of. HB261.

Fraudulent statements grain warehouse provisions; increase penalties for violation of. SB2487.

Grain producer compensation for financial loss in 2021; authorize Commissioner of Agriculture to pay. SB2516.

Honey; revise definition of for purposes of labeling requirements enforced by the Mississippi Department of Agriculture. **SB2007.**

Inventory of livestock; repeal provision requiring state institutions of higher learning to file quarterly inventory report. HB260.

Laws that provide for camps for 4-H Club and that provide for the maintenance of herds at state institutions; repeal. **SB2029.**

## Mississippi Grain:

Fraudulent statements grain warehouse provisions; increase penalties for violation of. SB2487.

Grain producer compensation for financial loss in 2021; authorize Commissioner of Agriculture to pay. SB2516.

"Mississippi Grain Indemnity Act"; enact. HB1389.

"Mississippi Grain Producer Indemnity Act"; enact. SB2002.

Mississippi grain warehouse and grain dealers licensure law; revise and combine into grain handler license. SB2479.

## Mississippi Healthy Food and Families Program:

"Mississippi Healthy Food and Families Program"; create. HB555.

Mississippi Healthy Food Families Program; create. **SB2077.**

## Nominations:

- Blakeney, Samuel (Sam) Kevin, Sr., Bay Springs, Mississippi, Mississippi Board of Animal Health, four year term beginning August 1, 2021 and ending July 31, 2025, representing the Mississippi Livestock **SN133.**

Brown, Ralph Kipp (Kipp), Winona, Mississippi, Mississippi Board of Animal Health as the Small Ruminant Breeder and Producer representative, four year term beginning July 29, 2021 and ending July 28, **SN6**.

Graham, Jeremy Dwayne, Thaxton, Mississippi, Mississippi Board of Animal Health as the Dairy Breeder and Producer representative, four year term beginning September 1, 2021 and ending August 31, 2025. **SN134**.

Lasseter, Michael Wayne (Michael), Jr., Brandon, Mississippi, Director of the State Fairgrounds Complex, term effective November 1, 2021 and appointee shall serve at the will and pleasure of the **SN4**.

Rasberry, James Shelton (James), Kosciusko, Mississippi, Mississippi Board of Animal Health as the Horse Breeder and Producer representative, four year term beginning August 1, 2021 and ending July 31, **SN7**.

Pecan Harvesting Law; revise penalties for violating. SB2071.

Sales tax; require Department of Revenue certificate for commercial farmers to receive 1.5% sales tax rate. SB2008.

### BUSINESS AND FINANCIAL INSTITUTIONS

#### Appraisal Management Companies:

Appraisal Management Companies; extend repealer on registration requirements under Mississippi Appraisal Company Act. HB686.

Real estate appraisal management companies; extend repealer on registration provisions. **SB2039**.

#### Banks:

Banks and savings associations; align merger approval with the Mississippi Business Corporation Act. **HB1360**.

Banks; require to store identifying information for a certain period. SB2627.

State-chartered banks; revise merger law to conform to the Mississippi Business Corporation Act. SB2640.

Charitable solicitation; revise reporting period. SB2344.

Commercial Financing Disclosure Law; create. SB2629.

#### Consumer Finance:

Commissioner of Banking and Consumer Finance; extend repealer on authority to join certain examinations with Federal Reserve Bank. HB481.

Consumer Finance Licensees; allow to work from a remote location under certain circumstances. SB2639.

Mississippi Department of Banking and Consumer Finance conduct periodic joint-bank examinations; extend repealer. **SB2018**.

Contractors; allow to do business in any municipality or county without local license under certain conditions. SB2636.

Digital assets; establish legal nature of. SB2632.

Funeral service license; revise qualifications to grandfather individuals with certain number of years experience. SB2638.

Home Business Relief Act of 2022; create. SB2630.

Homeowners' associations; regulate managing agents of and provide certain requirements for. **HB933**.

Mississippi Consumer Alternative Installment Loan Act; authorize finance charges in lieu of interest on certain loans. SB2455.

Mississippi Real Estate Commission; require to establish program using administrative hearing officers. **SB2097**.

#### Mississippi Debt Management Services Act:

Mississippi Debt Management Services Act; extend repealer on. **HB687**.

Mississippi Debt Management Services Act; extend repealer. SB2019.

Mississippi Money Transmitters Act; exempt virtual currencies from. SB2631.

Mississippi Savings Initiative; create. SB2634.

Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. SB2635.

Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. HB1361.

Nonprofit medical clinic; require financial statement filed with Secretary of State. SB2334.

Nominations:

Crutcher, John Nicholas (Nick), Hattiesburg, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the Fourth Congressional District, unexpired four year term **SN61**.

Feltenstein, Guy Brad, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, term effective January 1, 2022 and ending **SN138**.

Feltenstein, Guy Brad, Oxford, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the First Congressional District, unexpired four year term effective May 19, **SN62**.

Goldberg, Theresa Brady, Tupelo, Mississippi, State Board of Banking Review to represent the Third Supreme Court District, unexpired five year term effective immediately and ending March 23, 2026. **SN73**.

Klein, Thomas Henry (Tommy), Sr., Fulton, Mississippi, State Board of Contractors as the Plumbing or Heating and AC Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. **SN151**.

Legear, Clayton Lamar, Hurley, Mississippi, State Board of Banking Review to represent the state at large, term effective July 27, 2021 for the unexpired balance of the five year term ending March 23, **SN8**.

Mallard, Nicholas L. (Nick), Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, remainder of a four year term **SN32**.

Norman, Tyler, Meridian, Mississippi, State Board of Contractors as the Roofing Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. **SN135**.

Occupational license; revise judicial review related to suspension of. SB2311.

Practice of surveying; exclude certain activities from the definition of. SB2013.

Public funds depositories; authorize certain credit unions to qualify as. SB2637.

Real estate appraisal management companies; extend repealer on registration provisions. **SB2039**.

Securities laws; exempt blockchain tokens from. SB2633.

Solid Waste Disposal Law; define advanced plastic recycling. SB2499.

State-chartered banks; revise merger law to conform to the Mississippi Business Corporation Act. SB2640.

### COUNTY AFFAIRS

Cleaning private property; revise county procedures used to clean property adjudicated a menace to public health and safety. SB2030.

Counties:

Authorize to lease facilities that are to be utilized as fire stations, municipalities. **HB1097**.

Civil debt for cost of cleaning real property, authorize. SB2017.

Delete the duty of the clerk of the board of supervisors to report to the grand jury. **SB2913**.

Municipalities and school districts; require to publish their annual budget online. SB2524.

Require to participate in the ACT Work Ready Community Initiative. SB2522.

County jails; bring forward provision related to. SB2409.

County or municipal Medicare eligible employees; make clarification regarding ability to receive certain supplemental compensation. **HB843**.

Election commissioners; require board of supervisors to provide insurance coverage for. **SB2877**.

Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for. **HB1098**.

Involuntary civil commitments; limit county's liability for costs of medical treatment. **SB2623**.

Justice court clerk; authorize two or more counties to enter into an agreement for the appointment of a. **HB1017**.

Local governmental entities; authorize to offer supplemental compensation to employees who decline group insurance coverage. **SB2867**.

Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. **SB2526**.

State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. **HB1185**.

### CORRECTIONS

"Mississippi Prison Industries Act of 1990"; revise composition of board of directors of corporation. **HB863**.

"Reentry Court Act of 2022"; establish. **HB907**.

"Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts. **SB2274**.

"Reentry Court Act of 2022"; authorize pilot reentry courts in certain circuit court districts. **SB2581**.

"Reentry Court Act of 2022"; authorize pilot reentry courts in circuit court districts. **SB2584**.

Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, unexpired balance of the four year term effective September 8, 2021 and ending **SN103**.

Anthony Conrad Montgomery, Biloxi, Mississippi, Prison Industries Board, representing the Banking and Finance position, four year term effective May 6, 2022 and ending May 5, 2026. **SN104**.

Central Mississippi Correctional Facility; authorize pilot work initiative. **SB2437**.

Community Service Revolving Fund; extend repealer on authority to collect fees from paroled offenders for deposit into. **HB689**.

Community Service Revolving Fund; extend repealer on authority to collect fees for deposit into. **SB2269**.

Conditional medical release; revise authority of MDOC. **SB2270**.

Correctional auditor; revise duties. **SB2578**.

Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. **SB2268**.

Corrections; extend repealer on intensive supervision program and electronic home detention. **HB534**.

Corrections; extend repealer on intensive supervision program and electronic home detention. **SB2280**.

Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. **HB514**.

Department of Corrections; extend repealer on drug and alcohol program at Bolivar County Regional Facility. **SB2272**.

Department of Corrections; create the Division of Parole to perform the administrative and fiscal functions of the Parole Board. **SB2402**.

Department of Corrections; authorize to exempt agricultural equipment from bid requirements. **SB2408**.

Department of Corrections; authorize the provision of hospice care services to inmates with a terminal illness. **SB2817**.

Earned-release supervision; require Parole Board to approve release of offenders. **SB2271**.

Expunction; allow after 20 years of good behavior with certain exceptions. **SB2393**.

Herbert Randall (Randall) Johnson, Noxapater, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022. **SN102.**

Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction. **HB936.**

Inmate Incentive to Work Program; create. SB2407.

Inmate Welfare Fund; authorize portion of fund to be used to fund Inmate Incentive to Work Program. **HB920.**

Jeffery Blanton Belk, Vancleave, Mississippi, State Parole Board to serve as Chairman, term effective January 1, 2022 and the appointee shall serve at the will and pleasure of the Governor. **SN76.**

Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. SB2226.

Juvenile sentencing; provide criteria for determining parole eligibility and require hearing before imposing life without parole. SB2554.

MDOC; authorize to establish work release program with any sheriff. SB2582.

MDOC; create Division of Reentry and Prison Industry within. SB2404.

MDOC; exempt from regulations and law for a certain time to build buildings with inmate labor. SB2406.

MDOC; require to establish a certain leasing policy with DFA for agricultural equipment. **HB919.**

MDOC; require to promulgate rules regarding use of technology portals by those on probation or parole. SB2405.

MS Department of Corrections; provide for Deputy Commissioner for Workforce Development. **HB1052.**

Marlow Stewart, Terry, Mississippi, State Parole Board, term effective November 1, 2021 and the appointee shall serve at the will and pleasure of the Governor, vice Nehemiah Flowers, Jr.. **SN54.**

Max Alton Phillips, Taylorsville, Mississippi, Mississippi Prison Industries Board of Directors to represent Agriculture, unexpired balance of the four year term effective August 5, 2021 and ending **SN105.**

Mississippi Justice Reinvestment Act; enact. SB2583.

Nonviolent habitual offender; revise sentencing. SB2391.

Office of Ombudsman within the Department of Corrections; establish. SB2579.

Parole revocation; revise definition of technical violation. SB2278.

Pilot Work Release Program; extend repealer. SB2275.

Pilot work release program that authorizes sheriff to assign offenders to while confined in jail; extend repealer on. **HB586.**

Prison Overcrowding Emergency Powers Act; extend repealer on. **HB515.**

Prison Overcrowding Emergency Powers Act; extend repealer on. SB2277.

Probation and parole officers; limit number of cases that may be handled. SB2279.

Probation and parole; authorize an offender's employer to submit regular information in lieu of in-person meetings. **SB2273.**

Recidivism; create study committee to review means to reduce through support, supervision and skills attainment. **SB2600.**

Restitution centers; transition to pre-release centers. SB2596.

Restitution centers; transition to post-release reentry centers. SB2598.

Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, unexpired four year term ending May 5, 2021. **SN58.**

Robert Leonard (Bob) Baughn, Tupelo, Mississippi, Mississippi Prison Industries Board of Directors to represent the labor industry, four year term beginning May 6, 2021 and ending May 5, 2025. **SN59.**

State Parole Board; extend repealer on. SB2276.

State inmates; require MDOC to pay increased rate to house inmates in county jails. SB2580.

State offenders serving sentences in county jail; may serve sentences in any county jail. **HB906.**

Supervised prison release programs; revise terms and conditions. SB2597.

Taylor Patten Stringer, McComb, Mississippi, Mississippi Prison Industries Corporation Board of Directors to represent Manufacturing, unexpired four year term effective August 5, 2021 and ending May **SN85**.  
 The Juvenile Offender Parole and Rehabilitation Act; enact. SB2225.  
 Willie James Green, Ridgeland, Mississippi, Mississippi Prison Industries Board of Directors to represent the state at large, unexpired balance of a four year term ending May 5, 2022. **SN131**.

### CONSTITUTION

Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2608.  
 Civil rights; restore all to a person who has paid his or her debt to society. SB2290.  
 Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. SC521, SC528.  
 Constitution; amend Section 33 to authorize initiative procedure for new law. SC529.  
 Constitution; amend to allow felons to vote upon meeting certain conditions. SC520.  
 Constitution; place term limits on legislators. SC518.  
 Expunction and reenfranchisement; revise procedure for requesting. SB2599.  
 Mississippi Elections Integrity Act of 2022; enact. SB2410.  
 Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2294,  
 SB2389.  
 Voter registration; applicants must submit documentation proving U.S. citizenship. SB2289.

### DRUG POLICY

Controlled substances; provide enhanced penalties for possession and distribution of. SB2286.  
 Drug paraphernalia; except testing equipment used to detect fentanyl from definition of. SB2284.  
 Kratom; authorize regulation of and prohibit certain products. SB2403.  
 Kratom; include in Schedule I controlled substances list. HB681.  
 Marijuana; civil penalty for simple possession of 30 grams or less. SB2285.  
 Uniform Controlled Substances Act; revise schedules. SB2283.

### ECONOMIC AND WORKFORCE DEVELOPMENT

ARPA Workforce Development and Retention Act; create. **HB1006**.  
 American Rescue Plan Act (ARPA) Health/Science Workforce Development and Retention Act; create. SB2721.  
 Annual salaries of county boards of supervisors; revise. HB527, **SB2719**.  
 Back to Work Mississippi Act; create. SB2722.  
 Comprehensive Career and Technical Reform Act; create. **HB1388**.  
 Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2717.  
 Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. SB2523.  
 MS Department of Corrections; provide for Deputy Commissioner for Workforce Development. **HB1052**.  
 Mississippi Department of Employment Security; provide requirements related to fraud prevention, detection and recovery. **HB720**.  
 Mississippi Flexible Tax Incentive Act; create. **SB2159**.  
 Mississippi Nurse/Health Science Training and Retention Act; establish. SB2821.  
 Office of Workforce Development; revise how MS Works funds may be spent by and certain collaborations with. **SB2723**.

"Partnerships for Growth" program grants; prescribe conditions for administration by the Mississippi Development Authority. SB2718.  
 RegionSmart Development Interstate Compact between Arkansas, Mississippi and Tennessee; ratify. SB2716.  
 Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2401.  
 Southern Growth Policies Agreement; repeal statutes regarding State of Mississippi's adherence to. SB2119.  
 State employees; provide the terms and conditions for state employees to engage in telework. SB2720.  
 Tallahatchie River Authority; create. **HB1323**.  
 Unemployment benefits; provide eligibility for persons discharged for failure to comply with employer-required vaccine mandate. SB2736.

### EDUCATION

Accelerate Mississippi Scholarship Program; establish to provide student with financial assistance for advanced education courses. HB884.  
 Alternative School; student placement not to exceed time limitation without first performing reassessment on placement. SB2426.  
 Assistant Teachers; provide "C," "D" and "F" districts with additional. SB2686.  
 Board Certified Occupational Therapist Employed by Schools; allow to be eligible for salary supplement. SB2730.  
 Charter School Funding; revise funding formula. SB2675.  
 Charter Schools; amend certain provisions of law relating to. SB2892.  
 Civic Literacy Requirement for High School Students; require before enrolling in college or university in this state. SB2704.  
 Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. SB2047.  
 Community Schools:  
     Authorize implementation under the administration of a District Innovation. HB591.  
 Planning grant program; establish fund. SB2182.  
 Comprehensive Career and Technical Reform Act; create. **HB1388**.  
 Compulsory School Attendance Law:  
     Define "child with a disability" for purposes of creating exemption from unexcused absence. SB2441.  
     Require appliance to kindergarten age children. SB2683.  
 Corporal Punishment; prohibit administration of in public and charter schools for disciplinary matters. SB2439.  
 Critical Race Theory; prohibit. **SB2113**, SB2171.  
 Discrimination or Affirmative Action Programs; prohibit in State of Mississippi. SB2172.  
 District of Innovation Task Force of 2022; create. SB2428.  
 Dual Credit Community College Scholarship Program; create. HB1394.  
 Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT); to provide dyslexia therapy services. HB1170.  
 Early Learning Collaborative Act of 2013; revise funding for. HB1246.  
 Education Enhancement Fund:  
     Authorize DFA to issue digital solutions and credentials for use for classroom supply allotments. HB885.  
     Require schools to issue teachers credentials for a digital solution or procurement card. SB2102.  
     Revise date of issuance and distribution of procurement cards or digital solutions for classroom supplies. HB879, **SB2422**.  
 Educational Facilities Revolving Loan Fund Program; create for purpose of improving educational facilities. **SB2430**.  
 Equal Opportunity for Students with Special Needs Act; revise definition of "eligible student" and "eligible school." HB526, SB2702.

Equity in Distance Learning Act; revise certain provisions of. HB1312, SB2884.  
Exceptional students with significant developmental disabilities and complex communication needs; clarify pathways. SB2883.  
Family Engagement Kindergarten Readiness Pilot Program; require MDE to establish as a component of the ELC Act of 2013. HB1340.  
Gifted Education; require school districts to provide for students in Grades 7 and 8. HB1168.  
Habitually Disruptive Students; require to be evaluated for disability under IDEA after disruptive behavior. SB2104.  
High School Graduation; end-of-course assessments required by federal law shall only be required. SB2680.  
Kindergarten-age Children; require compulsory school attendance for all. SB2703.  
Licensed Educators; provide appeal rights when license suspended or revoked. SB2674.  
Local School Board Members; prescribe salary scale based on school district student enrollment. SB2043, SB2048.  
Local School District-issued computers; require content filtering. SB2681.  
MCOPS Programs; authorize training for to provide at any approved training academy in the state. HB1240.  
MS Computer Science and Cyber Education Equality Act; authorize certified or classified staff to provide instruction under. HB818.  
Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. HB832.  
Mental Health Days; allow limited leave for teachers. SB2678.  
Mid-year Budget Reductions; exempt MAEP funds. SB2689.  
Mississippi Adequate Education Program:  
Bring forward statutes for possible amendment. SB2415.  
Fully fund. SB2707.  
Mississippi Financial Literacy Act; create. SB2438.  
Mississippi Year Round School Grant Program. SB2685.  
Nationally certified school employees; delete caps on nurses & speech pathologists, add athletic trainers for salary supplements. HB43, SB2443.  
Nonpublic Schools; authorize those accredited by a regional agency to use criminal background check procedures as used by public schools. HB522.  
Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. SB2701.  
Parents' Bill of Rights; enact. SB2881.  
Partnership between Energy High School Academy and Vicksburg Warren and Claiborne school districts; extend date of repeal on. **SB2885**.  
Prekindergarten Programs; increase funding for second and third phase. SB2682.  
Procedure for the purchase of textbooks by the State Board of Education; revise provisions of. **SB2431**.  
Public School Option; allow parent of a student to enroll student in school with certified academic language therapist. SB2886.  
Required local revenue in support of the Mississippi Adequate Education Program; revise computation of fee in lieu of taxes. SB2420.  
Retired Teachers; allow to draw retirement benefits and be reemployed as teachers if having 30 years of creditable service. SB2360.  
Salary of State Superintendent of Education; shall not exceed salary of the Governor. SB2186.  
Salary Supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. SB2687.  
School Boards; allow to purchase electric vehicles for student transportation. **SB2887**.  
School Ad Valorem Tax Levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. HB1213.  
School Attendance Location of Students; allow students to transfer to other school districts subject to availability and approval. SB2177.  
School Attendance Officer:  
Require to attend training for understanding children with disabilities. SB2103.  
Revise salary provisions. SB2432.

School Board Members; increase pay based on enrollment. SB2105.

School Boards; prohibit teaching of divisive concepts or the promotion of division between students based off of race. SB2106.

School Curriculum; require that schools teach civics and government before completion of twelfth grade. SB2098.

School District Employee Payroll; allow monthly or bimonthly payments. **SB2424.**

School Districts and Political Subdivisions; prohibit from implementing mask and Covid vaccine mandates. SB2850.

School Employee Leave Days; allow seven additional for infectious disease quarantine. SB2696.

School Enrollment; allow for children with documentation of a parent's pending military relocation to the state. SB2435.

School Recognition Program; bring forward for possible amendment to salary supplements. SB2429.

School Security Guard/Resource Officer; must have required peace officer training to exercise peace officer powers. HB1239.

Schools:

- Provide for mental health services providers and mental-wellness training. SB2442.
- Require carbon monoxide detectors in all. SB2101.

Social studies high school graduation requirements; revise. SB2684.

Standard Teacher License; revise certain provisions of. SB2882.

State Funded Schools; may participate in extracurricular activities against non accredited and nonpublic schools. SB2181.

State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. SB2425.

Students in Public Schools; allow to participate in political activities with certain restrictions. **HB1416.**

Teacher license:

- Allow supplemental endorsement and revise provisions of issuance. SB2423.
- Provide teachers with international teacher licenses reciprocity. SB2112.
- Revise qualifications for receipt of and entry into educator preparation programs. HB1059.

Teachers' Salaries; provide increase to minimum salary. SB2444, SB2688.

The Academic Transparency Act of 2022; enact. SB2434.

The Strategically Accelerating the Recruitment and Retention of Teachers (START) Act of 2022; create. **HB530.**

Third-grade reading assessment for 2021-2022 school year; allow students who fail to be promoted to fourth grade with remediation. SB2706.

Transparency in Education Act; prohibit certain curriculum in public schools without parental consent. SB2679.

University-based programs of education for children with developmental disabilities; revise certain provisions. **HB881.**

Unused leave accumulated by teacher who transfers to another school district; allow to be credited. SB2416.

Winona-Montgomery Consolidated School District; allow to construct school on sixteenth section land. SB2677.

Nominations:

Barrett, Gwendolyn Gayle (Wendi), Ph.D., Biloxi, Mississippi, State Board of Education as the Schoolteacher representative, unexpired nine year term effective May 19, 2021 and ending June 30, 2027, **SN74.**

Durett, Lee Alexander, New Albany, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, **SN93.**

Jacobs, William O. (Bill), Brookhaven, Mississippi, State Board of Education, unexpired portion of a nine year term effective immediately and ending June 30, 2024, vice Dr. Jason Dean. **SN5.**

Miller, Matthew David (Matt), Hattiesburg, Mississippi, State Board of Education, unexpired nine year term effective May 18, 2021 and ending June 30, 2029, representing the Second Supreme Court **SN26**.

Morgan, Dr. Karen J., Elam, Oxford, Mississippi, State Board of Education, nine year term beginning July 1, 2021 and ending June 30, 2030, representing the Third Supreme Court District. **SN25**.

Remak, Kimberly, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective August 31, 2022 and ending August 30, 2025. **SN155**.

Werner, Mary C., Saltillo, Mississippi:  
 State Board of Education, term pending. SN148.  
 State Board of Education, June 14, 2021-Sept 30, 2026, vice Sean Suggs. SN152, **SN156**.

Whittier, Jennifer Jackson, Brookhaven, Mississippi:  
 Charter School Authorizer Board, term July 1, 2022-August 30, 2022. **SN153**.  
 Charter School Authorizer Board, term August 31, 2022-August 30, 2025. **SN154**.

### ELECTIONS

Absentee voting; authorize every qualified elector. SB2359.

Absentee voting; establish electronic application procedure for college students. SB2605.

Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2608.

Ballots; require certain information on the front of and require watermark on absentee voter ballots. SB2589.

Campaign contributions; revise disclosures of and require Attorney General to enforce. SB2577.

Campaign finance reports; revise the time for filing electronically. HB1476.

Campaign finance reports; require those filed by all candidates to be available online. HB33.

Campaign finance reports; to be available on county and municipal websites. SB2003.

Campaign finance reports; amend provisions relating to. **SB2306 (Vetoed)**.

Candidate filing fees; authorize the state executive committee of a party to determine. **SB2358**.

Civil rights; restore all to a person who has paid his or her debt to society. SB2290.

Constitution; amend to allow felons to vote upon meeting certain conditions. SC520.

Early voting; authorize. SB2396.

Early voting; authorize up to 10 days prior to any election. SB2287.

Early voting; authorize up to 20 days before any election. SB2295.

Early voting; authorize up to 21 days before any election. SB2302.

Election Commissioners; revise to be a nonpartisan office. SB2570.

Election Integrity Assurance Committee; may conduct primary elections under certain circumstances without compensation. SB2300.

Election commissioners; require skills assessment for every four years instead of every year. **HB1331**.

Election commissioners; remove skills assessment requirement. SB2572.

Election contest; revise procedure concerning the date of examination of the ballot box. SB2571.

Election procedures; authorize audits. SB2610.

Electioneering; prohibit in any public area within a set distance of polling place. SB2412.

Elections; Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. SB2593.

Elections; authorize online voter registration and preelection day voting. SB2304.

Elections; prohibit acceptance of private money for conducting. SB2473.

Elections; prohibit spending of private money on communications to electors and other election aspects. SB2413.

Elections; prohibit state and local officials from soliciting and/or accepting private funds for. **HB1365**.

Elections; public official's qualification as candidate deemed resignation of current office. SB2660.

Elections; require legislative approval of any new elections guidance or funds from the federal government before implementation. SB2574.

Elections; require to be conducted by paper ballot or with optical mark reading equipment. SB2411.

Elections; revise procedures regarding voter roll maintenance. **HB1510**.

Expungement; clarify for qualified electors. HB630.

Fair Access to Elections Act; enact certain requirements regarding the conduct of elections. SB2296.

Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. SB2906.

Judicial Election Campaign Intervention Act of 2022; enact. SB2292.

Judicial campaigns; revise provisions of. SB2576.

Judicial candidates; revise political limitations on. SB2575.

Legislative offices; define vacancy. SB2592.

Marking election ballots; delete option of using indelible pencil to mark ballots. SB2388.

Mississippi Election Reform Act of 2022; enact. SB2591.

Mississippi Elections Integrity Act of 2022; enact. SB2410.

Mississippi Recall Act of 2022; enact. SB2305.

Mississippi Student Absentee Voter Act; enact. SB2607.

Mississippi Voter Identification Cards; delete references to constitutional amendment. SB2293.

Mississippi Voting Modernization Act; enact. **SB2879**.

Municipal candidates; clarify residency requirements of certain. **HB1341**.

Municipal clerk; authorize to certify the results of a municipal election under certain circumstances. SB2297.

Municipal election officials; prohibit removal of except where good cause shown. SB2298.

Municipal executive committee; prohibit members of from campaigning for candidates on the municipal primary election ballot. SB2299.

Municipal executive committees; require county executive committee to appoint. SB2303.

Municipal executive committee; revise procedure for filing vacancies of. SB2399.

Municipal primary elections; revise procedure for nominating candidates during when only one candidate qualifies. SB2400.

Municipal primary elections; extend deadline in case of annexation. SB2569.

Nonpartisan elections; require for offices of chancery clerk, circuit clerk, tax assessor, tax collector, surveyor and coroner. SB2291.

Online voter registration; implement. SB2301.

Online voter registration; revise to allow for first-time voters to register through. SB2588.

Qualifying to run for public office; prohibit use of post office box and require physical address of residence. SB2567.

Secretary of State Statewide Elections Management System; provide for voter's proof of citizenship. SB2590.

Social media companies; require to file a report for any restriction of a candidate or elected official. SB2573.

Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2294, SB2389.

Vote fraud; increase penalties. SB2568.

Voter Registration File fees; revise. SB2609.

Voter registration; applicants must submit documentation proving U.S. citizenship. SB2289.

Voter registration; provide for certain procedures upon application. SB2606.

Voter registration; require verification of an applicant's U.S. citizenship. SB2613.

Voting rights; restore to people who have been released from incarceration. SB2566.

Voting systems; require the Secretary of State to promulgate certification standards. SB2414.

Voting; require printed record of each vote. SB2288.

### ENERGY

Advanced plastic recycling; define terms relating to. **HB1135**.

Advanced recycling; decrease plastic waste. SB2281.

Carbon dioxide geologic sequestration; revise laws regarding. **HB1214**, SB2282.

City of New Albany; authorize to expand natural gas distribution system to serve area in Tippah and Union Counties. SB3205.

Helping Mississippians Afford Broadband Act; create. SB2535.

Mississippi Broadband Accessibility Act; create. **HB1029**.

Mississippi Broadband Expansion Act; enact. SB2604.

Municipally owned electric utilities; shall have same powers as electric power cooperatives. SB2474.

Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2534.

Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. SB2038.

Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. **HB1028**.

#### Nominations

Gandy, Thomas Ford, Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective September 20, 2021 and ending June 30, 2024, representing Wireless Providers. **SN17**.

### ENVIRONMENT PROT, CONS AND WATER RES

Mississippi Groundwater Protection Trust Fund; authorize payment of administrative costs. **HB1334**,  
**SB2158**.

Solid Waste Disposal Law; define advanced plastic recycling. SB2499.

### ETHICS

Economic interest statements; require local governing authorities to file with Ethics Commission. SB2088.

### FINANCE

2022 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. SB2922.

Ad valorem tax on inventory; phase in exemption for certain small businesses. SB2082.

Ad valorem tax; authorize partial exemption for nonresidential use land that is converted to residential use. **HB1564**, **SB3146**.

Ad valorem tax; authorize fee-in-lieu of taxes for owner-occupied or rental housing, whether single-family or multifamily. **SB3106**.

Ad valorem tax; exempt one vehicle per teacher in shortage areas, and discount tax on one vehicle per teacher in other areas. **SB2766**.

Ad valorem tax; exempt property owned by a university or community college foundation or federally qualified health center. **SB2769**, **SB2194**.

Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. **SB2370**.

Ad valorem taxation; exempt 20% of the assessed value of one motor vehicle owned by a full-time public school classroom teacher. SB2767.

Ad valorem taxes; consider annexed business "new enterprise" for purposes of eligibility for certain municipal tax exemptions. SB2072.

Alcoholic and tobacco; require scanning software to combat underage drinking and smoking. SB2743.

Alcoholic beverage, beer, light spirit product and light wine; allow any municipality to hold election to permit or prohibit. HB1001.

Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. SB2840.

Alcoholic beverages; authorize issuance of food truck permit, revise distance restrictions for certain locations. **HB918**.

Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. SB2197.

Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permit. **SB2844**, HB512.

Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. **SB2063**, SB2199, SB2745, SB2830, HB784.

Alcoholic beverages; revise definition of beer. SB2875.

All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. SB2491.

Bonds; authorize for West Jackson County Utility District construction of new water and sewer infrastructure at I-10 corridor. SB2222.

Bonds; authorize for construction and relocation of State Veterans Home in Jackson. SB2746.

Bonds; authorize for projects for Holmes County, Town of Tchula, and Cities of Durant, Carthage and Canton. SB3199.

Bonds; authorize issuance for the Water Pollution Control Revolving Fund. HB1530.

Bonds; authorize issuance for construction of a new Mississippi Armed Forces Museum. HB1662.

Bonds; authorize issuance for various purposes. HB1663.

Bonds; authorize issuance for capital improvements for state agencies. HB1675.

Bonds; authorize issuance for defeasing bonds issued for the purpose of accelerating certain highway projects. HB1686.

Bonds; authorize issuance for Phase II of construction of a new headquarters building for the Department of Public Safety. SB2069.

Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. SB2070.

Bonds; authorize issuance for Local System Bridge Replacement and Rehabilitation Fund. SB2093.

Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. SB2201.

Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. SB2202.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. SB2203.

Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. SB2204.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. SB2205.

Bonds; authorize issuance of to assist Marks, MS, in the construction of a building to house a community center and its city hall. SB2206.

Bonds; authorize issuance to assist Tunica County in paying costs of repair and renovation of historic county courthouse. SB2207.

Bonds; authorize issuance to assist Tunica County in paying costs of improvements to local roads used by casino customers. SB2208.

Bonds; authorize issuance to assist City of Greenville in paying costs of repair and renovation of city parks. SB2212.

Bonds; authorize issuance to assist City of Greenville in paying costs of improvements to its water and sewer systems. SB2216.

Bonds; authorize issuance to assist City of Greenville in paying costs of improvements on downtown green space. SB2834.

Bonds; authorize issuance to assist City of Greenville in paying costs of redevelopment of Hangar 173 at airport. SB3109.

Bonds; authorize issuance to assist City of Rosedale in paying costs of repair and renovation of city park. SB2213.

Bonds; authorize issuance to assist Town of Metcalfe in paying costs of repair and renovation of town park. SB2214.

Bonds; authorize issuance to assist Town of Metcalfe in paying costs of improvements to its water and sewer systems. SB2215.

Bonds; authorize issuance to assist in paying costs of construction of Mississippi River Museum in Greenville. SB2217.

Bonds; authorize issuance for the E.E. Bass Cultural Arts Center in Greenville, Mississippi. SB2218.

Bonds; authorize issuance to assist City of Leland in paying costs of repair and renovation of city park. SB2221.

Bonds; authorize issuance to assist City of Natchez in paying costs of Concord Avenue Drainage Improvement Project. SB2380.

Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. SB2381.

Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. SB2752.

Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. SB2754.

Bonds; authorize issuance to assist Hinds County in paying costs of construction of Byram-Clinton Parkway project. SB2758.

Bonds; authorize issuance to assist in restoration and renovation of Scott Ford Midwife Houses in downtown Jackson. SB2761.

Bonds; authorize issuance to assist Quitman County in paying costs of renovation of county jail. SB2909.

Bonds; authorize issuance to assist Quitman County in paying costs of restoration of county courthouse. SB2911.

Bonds; authorize issuance to assist Walthall County in paying costs of construction of new sheriff's office facilities. SB2915.

Bonds; authorize issuance to assist in paying costs of improvements to certain city street in Greenville, Mississippi. SB2918.

Bonds; authorize issuance to assist Greene County in paying costs associated with construction of MSU Extension Service. SB2920.

Bonds; authorize issuance to assist Greene County in paying costs associated with design and construction of voting precinct. SB2921.

Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. SB2948.

Bonds; authorize issuance to assist Jackson State University in paying costs associated with repairs and renovations. SB2949.

Bonds; authorize issuance to assist Gulf Coast Housing Partnership in paying costs of The Pearl for low-income seniors. SB2951.

Bonds; authorize issuance to assist Mississippi Delta Community College in paying for construction of dormitory. SB2954.

Bonds; authorize issuance to assist the Jackson Municipal Airport Authority with purchasing fire service equipment. SB2965.

Bonds; authorize issuance for various Mississippi Development Authority programs. SB2983.

Bonds; authorize issuance to assist Perry County in paying the costs of widening Cochran Road. SB3070.

Bonds; authorize issuance to assist Simpson County in paying costs of LED lighting and other energy efficiency measures. SB3071.

Bonds; authorize issuance to assist City of West Point in paying costs of water supply system repairs and upgrades. SB3072.

Bonds; authorize issuance to assist City of West Point in paying costs of street paving. SB3073.

Bonds; authorize issuance to assist City of Pearl in paying costs of bridge construction. SB3077.

Bonds; authorize issuance to assist Sand Creek Wastewater Authority in paying costs of upgrade to North Lee County facility. SB3079.

Bonds; authorize issuance to assist City of Saltillo in paying costs of construction of public tennis court complex. SB3081.

Bonds; authorize issuance to assist the City of Baldwin in paying costs of improvements to Latimer Park. SB3082.

Bonds; authorize issuance to assist City of Guntown in paying costs of road and stormwater improvements. SB3083.

Bonds; authorize issuance to assist Itawamba County in paying costs of purchasing fire engine for Houston Fire Department. SB3084.

Bonds; authorize issuance to assist Pearl River County in paying costs of industrial park project. SB3089.

Bonds; authorize issuance to assist City of Oxford in paying costs of repair and renovation of building for police department. SB3090.

Bonds; authorize issuance to assist Columbus Redevelopment Authority in paying costs of Columbus Revitalization Project. SB3091.

Bonds; authorize issuance to assist City of Carthage in paying costs of water, wastewater and sewer improvements. SB3093.

Bonds; authorize issuance to assist South Holmes Water Association in paying costs of distribution system upgrades. SB3094.

Bonds; authorize issuance to assist Town of Tchula in paying costs of improvements to water and sewer systems. SB3096.

Bonds; authorize issuance to assist Town of Goodman in paying costs of improvements to water and sewer systems. SB3098.

Bonds; authorize issuance to assist in paying for road improvements in Attala County Supervisor District 4. SB3100.

Bonds; authorize issuance to assist in paying for road improvements in Attala County Supervisor District 2. SB3101.

Bonds; authorize issuance to assist City of Southaven in paying costs of traffic signal installation. SB3104.

Bonds; authorize issuance to assist Noxubee County in paying costs of roof replacement for county courthouse. SB3105.

Bonds; authorize issuance to assist Noxubee County in paying costs of providing communication tower coverage throughout county. SB3107.

Bonds; authorize issuance to assist Town of Benoit in paying costs of repairs and renovations to town park. SB3108.

Bonds; authorize issuance to assist Yalobusha County in paying costs of rebuilding CR 221 bridge over Skuna River. SB3135.

Bonds; authorize issuance to assist Humphreys County in paying costs of construction of bridge over Wolf Lake. SB3137.

Bonds; authorize issuance to assist City of Cleveland in paying costs of Airport Terminal Road extension. SB3138.

Bonds; authorize issuance to assist City of Houston in paying costs of renovating historic Houston Theater. SB3140.

Bonds; authorize issuance to assist City of Houston in paying costs of repairs to city streets. SB3141.

Bonds; authorize issuance to assist City of Pontotoc in paying costs of relocating main fire station. SB3143.

Bonds; authorize issuance to assist Town of Calhoun City in paying costs of street improvements. SB3144.

Bonds; authorize issuance to assist in paying costs of emergency water storage near medical facilities in Meridian. SB3147.

Bonds; authorize issuance to assist in paying costs of improvements to North Hills Street in Meridian. SB3148.

Bonds; authorize issuance to assist in paying costs of various projects in Alcorn and Tippah Counties. SB3151.

Bonds; authorize issuance to assist in paying costs of Yellow Creek Port Project in Tishomingo County. SB3152.

Bonds; authorize issuance to assist in paying costs of various projects in Scott and Newton Counties. SB3165.

Bonds; authorize issuance to assist MDEQ in paying costs of administration of Water Infrastructure Grant Program Act of 2022. SB3166.

Bonds; authorize issuance for improvements at Alcorn State University, Jackson State University and MS Valley State University. SB3185.

Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. SB2200.

Bonds; authorize to assist Clay County in paying costs of repair and renovation of courthouse. SB2209.

Bonds; authorize to assist Lawrence County in paying costs of pavement maintenance for N.A. Sandifer Highway. SB2219.

Bonds; authorize to assist Town of Monticello in paying costs of construction of frontage road and Atwood Water Park bathhouse. SB2220.

Bonds; authorize to assist City of Jackson in paying costs of repair and renovation of Thalia Mara Hall complex. SB2372.

Bonds; authorize to assist in paying for road improvements in Clay County Supervisor District 3. SB2376.

Bonds; authorize to assist in paying for road improvements in Clay County Supervisor District 2. SB2377.

Bonds; authorize to assist in paying for capital improvements for Lowndes County Supervisor District 5. SB2378.

Bonds; authorize to assist in paying costs of renovating Margaret Martin Performing Arts Center in Natchez, Mississippi. SB2379.

Bonds; authorize to assist Sunflower County Ministerial Alliance Counseling Services in constructing transitional shelter. SB2744.

Bonds; authorize to assist Clarke County in purchase and maintenance of equipment supporting voting by paper ballots. SB2748.

Bonds; authorize to assist Hinds County pay for construction of mental and behavioral health court/collaborative facility. SB2756.

Bonds; authorize to assist Jackson State University in paying costs of construction or renovation of cafeteria. SB2835.

Bonds; authorize to assist City of Marks pay costs of planning and construction of Civil Rights Rhythm & Blues Hall of Fame. SB2910.

Bonds; authorize to assist City of Brookhaven in paying costs associated with various infrastructure projects. SB2919.

Bonds; authorize to assist City of Pearl in paying costs of completion of Pearl-Richland Intermodal Connector Project. SB2923.

Bonds; authorize to assist Madison County in paying costs of completion of Bozeman Road Project. SB2924.

Bonds; authorize to assist Hinds County in paying costs associated with repair and renovation of detention center. SB2950.

Bonds; authorize to assist City of Jackson in paying costs associated with various projects. SB2952.

Bonds; authorize to assist City of Laurel in paying costs associated with Sandy Creek Erosion Project. SB2968.

Bonds; authorize to assist Lincoln County in paying costs associated with various projects. SB2969.

Bonds; authorize to assist City of Hattiesburg in paying costs of Midtown infrastructure improvements. SB2995.

Bonds; authorize to assist City of Gluckstadt in paying costs of land acquisition for and construction of police headquarters. SB2996.

Bonds; authorize to assist in paying for road paving and bridge repairs in Clay County Supervisor District 4. SB3074.

Bonds; authorize to assist Wilkinson County in paying the costs of road and bridge repairs and abandoned hospital removal. SB3075.

Bonds; authorize to assist Montgomery County in paying the costs of road improvements. SB3078.

Bonds; authorize to assist City of Tupelo in paying costs of various improvements. SB3080.

Bonds; authorize to assist City of Flowood in paying costs of extending Lakeland Drive to Mississippi Highway 471. SB3086.

Bonds; authorize to assist City of Richland in paying costs of construction of walkway over U.S. Highway 49. SB3087.

Bonds; authorize to assist Jackson County Utility Authority pay costs of apple snail eradication and habitat restoration. SB3088.

Bonds; authorize to assist East Madison Water Association in paying costs of various improvements. SB3095.

Bonds; authorize to assist Canton Municipal Utilities in paying for electricity, water and wastewater services to Canton. SB3097.

Bonds; authorize to assist Holmes County in paying costs of road repairs and improvements. SB3099.

Bonds; authorize to assist Lee County in paying costs of various improvements. SB3103.

Bonds; authorize to assist City of Charleston in paying costs of various improvements. SB3139.

Bonds; authorize to assist Town of Shannon in paying costs of community center. SB3142.

Bonds; authorize to assist in paying costs of improvements in Yalobusha, Calhoun, Chickasaw, Pontotoc and other counties. SB3145.

Bonds; authorize to assist in paying costs of IHL, community and junior colleges, and state agencies capital improvements. SB3153.

Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. SB2189.

Bonds; increase amount authorized for Hinds County Development Project Loan Fund, and allow use for additional improvements. **SB3150.**

Bonds; increase authorized bond amount for emergency response center for Chickasaw Trail Industrial Park in Marshall County. SB2198.

Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. SB2947.

Bonds; increase authorized amount to assist Noxubee County in paying costs of emergency operation center. SB3076.

Bonds; increase authorized bonded indebtedness to assist City of Carthage in paying costs of coliseum repair and renovation. SB3102.

Bonds; increase authorized issuance to assist in paying costs of restoration of historic Tougaloo College Freedom Riders site. SB3182.

Bonds; increase authorized amount to General Missionary Baptist Convention to complete Natchez Seminary renovations. SB3183.

Bonds; revise purposes for which bonds authorized for City of Hazlehurst may be used. **HB175.**

Bonds; revise uses of IHL bond proceeds for Mississippi State University College of Architecture, Art and Design. **SB2832.**

Capitol complex Improvement District; increase DFA's borrowing authority and divert use tax revenue for. SB2078.

Children's Promise Act; revise certain provisions. HB1687.

City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism. SB3001.

City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1747.**

City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1740.**

City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation. **SB3209.**

City of Jackson hotel/motel occupancy tax; increase from 75¢ to \$2.00 per day for each occupied room. SB3085.

City of Jackson; authorize increase hotel/motel tax to provide funding for Jackson Convention Center. HB1754.

City of Jackson; extend repeal date on Convention & Visitors Bureau and tourism tax, and increase hotel/motel tax rate. SB3179.

City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1743.**

City of Laurel; authorize tax on hotels and motels to promote tourism. **SB2155**.

City of Saltillo; authorize tourism tax on hotels, motels and restaurants. **HB1523**.

Distinctive motor vehicle license tag; authorize for supporters of various organizations. **HB446**.

Distinctive motor vehicle license tags; authorize for 2021 National Championship Bulldogs. **SB2223**.

Distinctive motor vehicle license tags; authorize for Mississippi Book Festival. SB2090.

Distinctive motor vehicle license tags; authorize for supporters of lung cancer awareness. SB2091.

Distinctive motor vehicle license tags; change recipient of additional fee for breast cancer awareness tag. SB2374.

Distinctive motor vehicle license tags; authorize for supporters of the Baptist Health Foundation. SB2741.

Distinctive motor vehicle license tags; authorize for supporters of Pro-Life Billboard Initiative. SB2749.

Distinctive motor vehicle license tags; exempt Marty Wilson Foundation One Gulf One Goal from presale requirement. SB2751.

Distinctive motor vehicle license tags; authorize for supporters of Mississippi Disc Golf. SB2753.

Distinctive motor vehicle license tags; add each branch of Armed Forces to 100% permanent service-connected disability tag. SB2833.

Driver's license fees; waive for applicants in MDCPS custody. SB2188.

Emerging Crops Fund; increase amount that may be loaned to any one borrower to assist in financing minority economic development. SB2760.

Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2717.

Fire protection districts; prohibit charging of fees when board of supervisors has levied special tax for. **HB1098**.

First Responder Appreciation and Recruitment Act; create. SB2774.

First Responders Retirement Incentive; create. SB2823.

Fuel taxes; bring forward section of law providing for the apportionment of. SB2829.

Gaming; authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. SB2653.

Home-based Opportunity Freedom Act of 2022; create. HB917.

Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. SB2828.

Income tax; authorize a tax credit for qualified wood energy products and forest maintenance projects. HB1684.

Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. SB2765.

Income tax; authorize credit for certain expenditures for railroad reconstruction or replacement or new rail infrastructure. SB3163.

Income tax; exempt individuals 100 years of age and older. SB2065.

Income tax; extend repealer on tax credit for certain charges for using certain port and airport facilities. **HB1162**, SB2771.

Income tax; extend repealer on job tax credit for certain water transportation enterprises. **SB2770**.

Income tax; extend repealer on credit for certain costs paid by a company in relocating national or regional headquarters to this state. **SB2773**, HB472.

Income tax; revise certain provisions relating pass-through entities. **HB1691**.

Income tax; revise definition of gross income and authorize deduction for certain expenses. **HB1529**.

Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. SB2382.

License plate; revise disability requirement for disabled veterans tag. **HB192**.

Local Government Capital Improvements Revolving Loan Fund; extend repealer on MDA authority to use certain funds for expenses. SB2764.

Local option taxes; require renewal to be placed on ballot, instead of being subject to approval only by the Legislature. SB2768.

Manufactured and mobile homes; require certain notice to tax collector when relocated to another county. **HB256**.

Mississippi Business Finance Corporation; extend repeal date on authority to issue bonds to finance economic development projects. **SB2846**, HB516.

Mississippi Development Authority; revise authority regarding implementation of federal State Small Business Credit Initiative Act of 2010. **HB1164**.

Mississippi Flexible Tax Incentive Act; create. **SB2159**.

Mississippi Health Care Industry Zone Act; extend repealers on act and related tax incentives. **HB474**, SB2842.

Mississippi Income Tax Holiday Act of 2022; create. SB3136.

Mississippi Mobile Sports Pool and Race Book Wagering Act; create. SB2462.

Mississippi Motor Vehicle Commission Law; prohibit direct sales by manufacturers except as provided. HB833.

Mississippi Native Spirit Law; correct privilege license tax amount to conform with Section 27-71-5(d). **SB2747**.

Mississippi Savings Initiative; create. SB2634.

Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. SB2635.

Mississippi Tax Freedom Act of 2022; create. **HB531**.

Mississippi Telecommunication Conference and Training Facility funds; delete certain restrictions on expenditures. SB2866.

Mississippi Transportation Commission; repayments to a public entity that advances funds may not include interest or other fees. **SB2507**.

Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. SB2485.

Motor vehicle ad valorem taxes; assess based on actual purchase price of vehicle. SB2838.

Motor vehicle dealership license requirements; revise certain provisions of. SB2836.

Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. SB2843.

Motor vehicle title; authorize beneficiary designation. **HB1430**.

Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. SB2190.

PERS; give first responders four-year vesting period, regardless of when they joined the system. SB2762.

PERS; increase maximum percentage of investments of system that are in certain types of investments. **HB252**, SB2839.

PERS; reduce vesting period for retirement benefits from eight years to four years. SB2195.

Personalized license tags; provide option of black background with white pinstripe border. SB2763.

Pregnancy Resource Act; create. **HB1685**.

Property Clean-up Revolving Fund; establish. HB1015.

Radar; authorize limited use of by sheriffs. SB2868, SB2869.

Retailer Tax Fairness Act; create. SB2742.

Retired teachers; allow to draw retirement benefits and be reemployed as teachers if having 30 years of creditable service. SB2360.

Sales tax; create diversion to counties. SB2055.

Sales tax; create sales tax diversion to the Pearl River Valley Water Supply District. HB242.

Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. SB2192.

Sales tax; exempt sales of tangible personal property or services to the Mississippi Aquarium. HB1169.

Sales tax; exempt sales of groceries. SB2187, SB2375.

Sales tax; exempt sales of feminine hygiene products. SB2385.

Sales tax; exempt sales of tangible personal property or services to Habitat for Humanity Mississippi Capital Area. SB2755.

Sales tax; extend repealer on exemption of certain sales to Toughest Kids Foundation for Camp Kamassa in Copiah County. **HB470**, SB2837.

Sales tax; remove tax on wholesale sales of beer. SB2191.

Sales tax; require Department of Revenue certificate for commercial farmers to receive 1.5% sales tax rate. SB2008.

Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. **HB1163**.

Sales taxation; exempt sales to Head Start programs. SB2193.

Sales taxation; exempt sales to certain community action agencies exempted from federal income taxation. SB2196.

School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. HB1213.

Sellers of alternative nicotine products and package retailers; require to have a third-party age verification service. HB976.

Small Business and Grocer Investment Act; extend repealer on. **HB684**.

State Bond Commission; extend reverter on statute prescribing powers and duties of. HB473.

State Bond Commission; extend reverter on authority to determine appropriate method for the sale of bonds. **SB2841**.

State Small Business Credit Initiative; update citations to federal law. SB2772.

State income tax; phase out based on General Fund Revenue collections. SB2750.

Tax Payer Pay Raise Act; remove phase out of income & franchise tax & remove deduction of federal employment tax. SB2211.

Tax amnesty; establish a program for tax liabilities that accrued after January 1, 2005, and before December 31, 2019. SB2757.

Taxation of Remote and internet-based Computer Software Products and Services Study Committee; create. **SB2831**.

Taxation; authorize income tax credit for certain railroad expenditures, allow ad valorem tax exemption for certain property. **HB1108**.

Taxation; cut grocery tax by 2%, phase out 4% income tax bracket, cut General Fund portion of car tag fees, and give rebate. SB3164.

Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. SB2062.

Tourism project sales tax incentive program; include certain hotel projects in. SB2759.

Town of Monticello; authorize tourism tax on restaurants, hotels and motels. SB2154.

Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants and prepared food at convenience stores. **HB1441**.

Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1674**.

Trailers and semitrailers; revise alternative highway privilege tax for. HB1548.

Unemployment compensation; MDES Unemployment Data Fraud Prevention Program. SB2819.

West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. SB2210.

Winona-Montgomery Consolidated School District; allow to construct school on sixteenth section land. SB2677.

#### NOMINATIONS

Anderson, ElBrascian Antoine (Antoine), Canton, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective Sept. 23, **SN12**.

Cloyd, Joe E., Ocean Springs, Mississippi, Mississippi Business Finance Corporation, remainder of a vacant term effective immediately and ending June 30, 2021. **SN157**.

Cloyd, Joe E., Ocean Springs, Mississippi, Mississippi Business Finance Corporation, six year term effective July 1, 2021 and ending June 30, 2027. **SN158**.

Daniels, Noel Everett, Brandon, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, unexpired six year term effective June 3, 2021 and ending March **SN13**.

Flowers, Merle Glenn, Southaven, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027. **SN139**.

Graham, Christopher Thomas, Clinton, Mississippi, Commissioner, Mississippi Department of Revenue, six year term effective July 1, 2022 and ending June 30, 2028. **SN117**.

- Havard, Gregory K. (Greg), Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, remainder of four year term effective January **SN125**.
- Havard Gregory K. (Greg), Lucedale, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the Second Supreme Court District, four year term beginning July 1, 2022 and ending **SN126**.
- Host, Olivia Ann (Olivia), Ridgeland, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027. **SN3**.
- Jackson, David A., Ridgeland, Mississippi, MS Hospital Equipment and Facilities Authority as representative of the First Supreme Court District, remainder of four year term effective January 31, 2022 **SN127**.
- James, Jr., Bobby Milton, Jackson, Mississippi, Mississippi Business Finance Corporation as a member involved in banking or small business, six year term beginning April 1, 2021 and ending March 31, **SN14**.
- Jordan, Colby Ryan (Colby), Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 23, 2021 and ending **SN15**.
- LaRosa, Kimberly Leigh (Kim), Pass Christian, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective February 15, 2022 and ending December 31, 2026. **SN137**.
- Machado, David John, Biloxi, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2027. **SN92**.
- Marshall, Jr., Everett, Bude, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective September 23, 2021 and **SN81**.
- Nicaud, Kent Gerard, Pass Christian, Mississippi, MS Hospital Equipment and Facilities Authority, with experience in hospital management and finance, remainder of a four year term effective January 31, **SN113**.
- Rice, Lisa Renee, Madison, Mississippi, MS Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, remainder of four year term effective February 10, 2022 and **SN128**.
- Robertson, Patti S. (Pat), Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, remainder of a four year term effective January 31, 2022 and ending June 30, **SN114**.
- Robertson, Patti S. (Pat), Madison, Mississippi, MS Hospital Equipment and Facilities Authority as the at-large member, four year term effective July 1, 2022 and ending June 30, 2026. **SN115**.
- Sanders, Kristopher Daniel (Kris), Holly Springs, Mississippi, MS Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, remainder of a four year term **SN136**.
- Simmons, Jennie, Lake, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2027. **SN140**.
- Tipton, David, Grenada, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending June 1, 2024. **SN141**.
- Tucker, Jr., George Edward (Ed), Brandon, Mississippi, MS Hospital Equipment and Facilities Authority as the CPA experienced in hospital finance, remainder of four year term effective January 31, 2022 **SN129**.
- Wiggins, Mark Timothy, Oxford, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2022 and ending March 31, 2028. **SN82**.
- Williams, Jr., Keith Allen, Gulfport, Mississippi, Mississippi Business Finance Corporation as a member associated with small business, unexpired six year term effective September 8, 2021 and ending **SN16**.

### FORESTRY

Foresters; liable for cost of timber for failure to provide scale tickets to landowners if logger fails to remit payment to forester for timber. HB979.

Mississippi Forestry Commission:

Authorize to electronically accept bids for timber sales. HB1013.

- Extend repealer on authority to hire law enforcement officers to investigate woods arson. **HB478**.
- Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond rear of vehicle. **SB2519**.
- State Forestry Commission Law Enforcement Officers; extend repealer on authority to appoint. **SB2068**.
- Nominations:
- Campbell, Charles Bradley (Brad), Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, two-year term beginning July 1, 2021 **SN27**.
- Campbell, Charles Bradley (Brad), Starkville, Mississippi, State Board of Registration for Foresters to represent the East Central Forestry Commission District, unexpired balance of a five-year term **SN97**.
- Jones, III, Howard Lee, Natchez, Mississippi, State Board of Registration for Foresters to represent the state at large, five-year term beginning July 1, 2021 and ending June 30, 2026. **SN29**.
- Foxworth, III, Jerome Marvin (Jerry), Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, three-year term beginning July 1, 2021 **SN28**.
- Foxworth, III, Jerome Marvin (Jerry), Picayune, Mississippi, State Board of Registration for Foresters to represent the Southeast Forestry Commission District, unexpired balance of a five-year term **SN98**.
- Mitchell, Sr., John Beecher, Corinth, Mississippi, State Board of Registration for Foresters to represent the Northeast Forestry Commission District, five-year term beginning July 1, 2021 **SN30**.
- Raff, Matthew Michael, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, five-year term beginning July 1, 2022 and ending June **SN100**.
- Raff, Matthew Michael, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, one year term beginning July 1, 2021 and ending June **SN31**.
- Raff, Matthew Michael, Senatobia, Mississippi, State Board of Registration for Foresters to represent the Northwest Forestry Commission District, unexpired balance of a five year term ending June **SN99**.

### GAMING

- Gaming:
- Authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. **SB2653**.
- Permit airport authorities to authorize slot machines in airports offering passenger service. **SB2859**.
- Mississippi Mobile Sports Pool and Race Book Wagering Act; create. **SB2462**.
- Online betting, gaming and wagering; legalize under certain conditions. **SB2652**.
- Nominations:
- Norris, Alben (Al) Hopkins, Sr., Gulfport, Mississippi, Gaming Commission as Chairman, four year term effective October 1, 2021 and ending September 30, 2025. **SN33**.

### HIGHWAYS AND TRANSPORTATION

- All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. **SB2491**.
- Bridges and culverts; revise laws regarding. **HB1073**.
- CDL:

Prohibit for persons convicted of certain trafficking crimes. **HB127**.  
 Require Commissioner of DPS to provide for waivers of certain tests.  
**HB1486**.

Commercial driver's license:  
 Authorize issuance to certain military-trained personnel. SB2394, SB2463,  
 SB2671.

Commercial motor vehicles; authorize voluntary inspection program. **SB2517**.  
 Designated bridges; name in honor of Zack Stewart. SB2028.  
 Driver's license; increase time period to renew expired license without examination.  
**HB971**.

Harvest permits; extend repealer on provisions establishing maximum weight and  
 approved routes of vehicles. **HB1485**.

Headlights; require to be used whenever windshield wipers necessitated. HB180.

Highways:  
 Conform weight tolerance provision, and remove repealers relating to  
 harvest permits and timber deed grantees. SB2480.  
 Include Old State Highways 6 and 9 in Pontotoc County in the state highway  
 system. SB2009.  
 Include certain entrances and exits to and from Interstate 55 in the state  
 highway system. SB2494.  
 Require four-laning of portions of Highway 6 in Coahoma, Panola and  
 Quitman Counties. SB2168.

MS Transportation Commission; repayments to a public entity that advances funds  
 may not include interest or other fees. **SB2507**.

Memorial Highway:  
 Designate bridge on MS-590 in Covington County for deceased Vietnam  
 veteran Sgt. Joseph Blackwell. SB2027.  
 Designate in Prentiss County. **HB1378**.  
 Designate in Rankin County, Mississippi. **HB811**.  
 Designate segment in Covich County as the "Carroll V. Hood Memorial  
 Highway". **HB1002**.  
 Designate segment of I-22 in Lee County as the "Korean War Veterans  
 Highway." **HB504**.  
 Designate segment of I-22 in Lee County as the "Vietnam Veterans Way."  
**HB505**.  
 Designate segments of I-22 in Lee County as "Korean War Veterans  
 Highway" and "Vietnam Veterans Way." SB2074.  
 Designate segment of MS-488 in Leake County as Hunkey Cross Highway in  
 memory of Austin Morrow & others. **SB2481**.  
 Designate segment of MS-21 North in Neshoba County for Master Sergeant  
 Bridgette R. Horn. SB2482.  
 Designate segment of Mississippi Highway 45 for Senator John White.  
**SB2520**.

Memorial highway and bridge; designate in Warren County for Margaret Gilmer.  
**HB990**

Memorial intersection:  
 Designate intersection in Clarke County as the "PFC Damian Laquasha  
 Heidelberg Memorial Intersection." **HB1113**.  
 Designate Exit 90 on Interstate 22 in Lee County as the "Sheriff Harold Ray  
 Presley Memorial Intersection." **HB503**, SB2075.

Mississippi Motor Vehicle Safety Inspection Law; reinstate. SB2169.

Motor vehicle loads; clarify provisions regarding illumination of loads extending beyond  
 rear of vehicle. **SB2519**.

Off-road vehicles; revise definitions of. **HB158**.  
 Outdoor advertising signs; revise height limit provisions. **SB2509**.  
 Personal delivery devices; regulate. **SB2508**.  
 Radar; revise population threshold for municipal law enforcement to use on public  
 streets of municipality. **HB567**.

Recreational off-highway vehicles; raise width and unladen dry weight limits. SB2483.  
 State and Interstate highways; authorize Mississippi Transportation Commission and  
 counties to contract for counties to maintain. **HB1185**.

State highway system; revise designation for Mississippi Highway 615 in Harrison County. SB2493.  
 Transportation commissioners; revise mandatory compensation language to make discretionary with commissioner. SB2475.

**Nominations:**

Hebert, Curtis Leon (Curt), Jr., Madison, Mississippi, Mississippi Motor Vehicle Commission:  
 Remainder of term beginning March 10, 2022 and expiring June 30, 2022, vice Michael W. Williams. **SN146**.  
 Four year term beginning July 1, 2022 and ending June 30, 2026. **SN147**.  
 Richards, James Morris (Jim) Jr., Ridgeland, Mississippi, Commercial Transportation Appeals Board:  
 Remainder of term beginning February 4, 2022 and ending June 30, 2022, vice Dolph Bryan. **SN118**.  
 Four year term beginning July 1, 2022 and ending June 30, 2026. **SN119**.  
 Van Devender, William J. Jr., Jackson, Mississippi, Commercial Transportation Enforcement Division Appeals Board, term effective immediately and ending June 30, 2025. **SN1**.  
 White, Bradley R. (Brad), Madison, Mississippi, Executive Director of the Mississippi Department of Transportation, term effective July 1, 2021 and set to expire April 1, 2026. **SN80**

**HOUSING**

Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. SB2523.  
 Mississippi Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. SB2484.  
 Mississippi Home Corporation Down-Payment Assistance Program for university graduates who remain in Mississippi; establish. SB2699.  
 Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. SB2485.  
 Municipal services to individuals who are homeless or at risk of experiencing homelessness; MS Home Corporation program. SB2496.  
 Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. SB2497, SB2502.

**INSURANCE**

Airport authorities; authorize to provide dependent health insurance coverage as employment benefit. **HB974**.  
 Automobile liability insurance coverage; require before receiving tag. SB2670.  
 Child support; authorize DHS to satisfy arrearages with unclaimed property. **SB2319**.  
 Election commissioners; require board of supervisors to provide insurance coverage for. SB2877.  
 Fire Protection Funds; increase and expand purposes for. HB819.  
 Fire insurance rebate monies; increase funds provided to local governments and expand areas for use of. SB2656.  
 Genetic information; limit use of in certain insurance policies. SB2037.  
 Group insurance coverage; revise for certain public entities. SB2665.  
 "Health Care Contracting Simplification Act"; create. SB2907.  
 Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. SB2031.  
 Health insurance plans, prohibit from modifying insured's benefit level on renewal. SB2663.  
 Health insurance policies:

Require coverage for hearing aids and services for children under 21. SB2339.

Require coverage for hearing aids and services for deaf and hearing impaired. SB2644.

Require coverage of colorectal cancer screening. SB2666.

Health insurance:

Authorize exemption from prior authorization requirements for physicians and other providers. SB2449.

Commissioner of Insurance must approve rate filings containing an increase in premiums. SB2324.

Revise mandated coverage for telemedicine services. HB452, **SB2738**, Insurance company licenses; perpetual until revoked or forfeited. **SB2669**.

Insurers and pharmacy benefits managers; must apply cost-sharing assistance to patients' cost-sharing obligations. SB2470.

Local governmental entities; authorize to offer supplemental compensation to employees who decline group insurance coverage. SB2867.

MS Rating Bureau & MS Windstorm Underwriting Association; transfer powers and duties and bring forward sections. SB2908.

MS Windstorm Underwriting Association; divert nonadmitted policy fee to the State and School Employees' Insurance Fund. SB2450.

Mississippi Electronic Protection Licensing Act; revise regarding battery-charged security fences. **HB823**, SB2856..

Mississippi Health Care Cost Transparency Act; enact. SB2012.

Mississippi Insurance E-Commerce Model Act; enact. **HB1187**, SB2326.

Mississippi Professional Employer Organization Recognition and Registration Act; create. SB2861.

Non-Transport Emergency Medical Services Act; create. SB2668.

Nonadmitted policy fee; revise distributions of and delete repealer on. **HB451**.

Nontransport emergency medical services; develop coordinated entity to provide statewide system for. **HB821**.

Professional employer organizations; provide for registration and regulation by the Insurance Department. HB1520.

Property Insurance Clarity Act; extend repealer on. HB482.

Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. SB2096.

State Fire Academy; remove limitation on the number of Emergency Medical Responder students trained per year. **SB2335**.

State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2352.

State Health Plan; delete prohibition on covering hearing aids. **HB155**.

State and School Employees Health Insurance Management Board; extend repealer on premium authority/allow surcharge on tobacco use. **SB2336 (Vetoed)**.

Travel Insurance Act of 2022; create. **HB160**, SB2024.

Volunteer firefighters; allow local governments to pay certain expenses for injury, illness and insurance. **SB2357**.

Wind pool; no more than one deductible per year from named storms. SB2466.

Workers' Compensation:

Revise the exclusive remedy provision to provide certain exemptions. SB2672.

Vaccine-related accidents or injuries shall be compensable. SB2020.

Increase maximum total recovery and remove cap on permanent total disability compensation. SB2459.

#### JUDICIARY, DIVISION A

"Ban the Box Act"; enact. SB2602.

"Mississippi Residential Landlord and Tenant Act"; enact. SB2618.

Affidavit of Scrivener's Error; revise recording of. **HB1351**.

Alienation of affection; abolish cause of action. SB2252.

Anti-SLAPP law; create the Public Speech Protection Act. SB2628.

Armed educator; create Mississippi School Protection Act. SB2676.  
 Ban-the-Box Act; enact. SB2440.  
 Birth certificate; adoptee may obtain certified copy of original after age 21. SB2332.  
 Certificate of Foreign Birth; allow issuance by Bureau of Vital Statistics. SB2350.  
 Chancery court; provide additional chancellor for 15th Chancery Court District. SB2351.  
 Charitable solicitations; revise provisions relating to notice, demand and service of process. SB2852, **HB590**.  
 Child abuse or neglect; provide for civil liability false reports of. SB2011.  
 Child support:  
     Administratively suspend obligations for incarcerated individuals. HB592, SB2619.  
     Cost of health insurance coverage obtained by noncustodial parent considered in determining; award. SB2067.  
     Create presumption that support continues past the age of majority for a disabled child. SB2341.  
     Provide for imputation guidelines. SB2611, **HB1067**.  
 Comprehensive Landlord and Tenant Act; enact. SB2626.  
 Concealed-carry license; 18-year-old with instructor certification qualifies for enhanced. SB2021.  
 Construction liens; failure to file notice within certain period of time shall invalidate claim of lien. SB2465.  
 Corporations and limited liability companies; authorize notice from Secretary of State to be served by electronic mail. HB611.  
 Counties; authorize civil debt for cost of cleaning real property. SB2017.  
 Court reporters; require to provide transcript upon request of the court under certain circumstances. SB2322, SB2325.  
 Cyberstalking; authorize injunction when criminal charges filed. SB2853.  
 DA criminal investigators; revise allocation and compensation of. SB2036.  
 DHS:  
     Fraud Investigation Unit; require to report certain suspected civil or criminal violations to the State Auditor. **SB2338**.  
     Strengthen child support enforcement remedies. SB2615.  
 Digital assets; establish legal nature of. SB2632.  
 District attorneys; revise number of additional legal assistants authorized. SB2337.  
 Divorce; authorize where marriage is irretrievably broken. SB2643.  
 Domestic abuse; allow protection of pets in a protection order. SB2022.  
 Driver's license; increase time period to renew expired license without examination. **HB971**.  
 Eminent domain:  
     Codify constitutional amendment. SB2471, SB2472, SB2621, SB2642.  
     Provide compensation for the loss of a business's goodwill. SB2023.  
 Evelyn Gandy Fair Pay Act; prohibit discrimination based on sex, race or ethnicity. SB2452.  
 Firearms; prohibit state cooperation with federal effort to ban. SB2355.  
 Gaming; require winnings to be reported to MDHS for offsetting outstanding child-support obligations. SB2616.  
 Garbage collection liens; expire after a certain number of years. SB2457.  
 Guardian ad litem fees; failure to pay enforced as any other civil debt. SB2026.  
 Guardianship; clarify a parent's right to nominate a guardian in TPR proceedings and clarify the fictive kin disposition alternative. SB2016.  
 Human trafficking; create civil cause of action for engaging in or benefitting from. **SB2321**.  
 Incarcerated offenders; prohibit from petitioning to change name and/or gender. HB1099.  
 Intestacy; revise provisions for venue. **SB2034**.  
 Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. HB1469.  
 Involuntary civil commitments; limit county's liability for costs of medical treatment. SB2623.  
 Judicial Election Campaign Intervention Act of 2022; enact. SB2292.

Juries; prohibit peremptory challenges based on certain factors. SB2307.  
Juror qualifications; allow jurors to serve in contiguous counties. SB2347.  
Jurors; expand pool to citizens with driver's license who have filed state income taxes. SB2309.  
Justice court:  
Require to accept electronic filing. SB2469.  
Revise jurisdictional amount. SB2032.  
Landlord-tenant law:  
Revise. SB2308.  
Provisions of to create procedures and protection for evictions; revise. **SB2461**.  
Law enforcement officers:  
Entitled to certain follow-up drug testing before loss of certification. SB2603.  
Regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2617.  
Liens for delinquent county garbage fees; require chancery to keep certain record of. HB1069.  
Local government; prohibit ordinances authorizing camping on public property and sidewalks. SB2327.  
MS Consumer Privacy Act; create to prohibit any agency, department or institution from releasing any personal information. HB1376.  
MS Public Records Act; prohibit confidentiality of settlement agreement. SB2014.  
Mandatory COVID-19 vaccination of Mississippi residents by the state or as condition of employment; prohibit. SB2368.  
Marijuana; simple possession of 30 grams or less a civil infraction. SB2467.  
Mental health courts; create. SB2468.  
Mississippi Architects and Engineers Good Samaritan Act; create. HB172, SB2624.  
Mississippi Civil Rights Act; enact. SB2310.  
Mississippi Consumer Data Privacy Act; enact. SB2330.  
Mississippi Domestic Law Task Force; reconstitute. SB2460.  
Mississippi Equal Pay Act; enact. SB2451.  
Mississippi Equal Pay for Equal Work Act; create. **HB770**.  
Mississippi Fair Housing Act; enact. SB2612.  
Mississippi Paid Family Leave Act; enact. SB2585.  
Mississippi Pay Equity Act; prohibit wage discrimination based on gender. SB2453, SB2625.  
Mississippi Statutory Thresholds for Settlements Involving Minors Law; create. SB2614.  
Municipal annexation; require an election be held in the proposed annexation territory. SB2594.  
Nonprofit medical clinic; require financial statement filed with Secretary of State. SB2334.  
Notaries public; revise maximum fee and residency requirements. HB1105, SB2035.  
Occupational license; revise judicial review related to suspension of. SB2311.  
Open Meetings Law; require official meetings to be broadcast via video livestream applications, with exceptions. SB2087.  
Open accounts; revise provision relating to. SB2464.  
Open meetings; revise accessibility to information on meeting times, agenda and minutes. SB2323.  
Outdoor advertising signs; revise height limit provisions. **SB2509**.  
Paternity; clarify circumstances when putative father cannot contest. SB2329.  
Personal delivery devices; provide for the regulation of the use of in pedestrian areas. HB961.  
Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. HB379.  
Public Defenders Education Fund; establish education and training cost. SB2354.  
Public records; award attorney's fees for duplicative requests. **SB2620**.  
Real property; establish process to remove discriminatory language from recorded instruments of conveyance. HB1367.  
Remote Online Notarization Act; enact. SB2622.  
Residential Landlord Tenant Act; revise evictions procedures of the. HB1061.

Rivers McGraw Mental Health Treatment Court Act; enact. HB698, SB2847.  
 Secretary of State; authorize certain notices by electronic mail. SB2456.  
 Social media companies; require to file a report for any restriction of a candidate or elected official. SB2573.  
 Solemnize marriage; authorize judges of military court to perform rites. SB2641.  
 State Intervention Courts Advisory Committee; require to promulgate rules to create funding formula for intervention courts. SB2855.  
 State enforcement of federal regulations; require specific authorization by the Legislature. SB2353.  
 Statewide county court system; create. SB2320.  
 Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. SB2343.  
 The Real You Act of 2022; enact. SB2356.  
 Towing; limit charges. SB2346.  
 Voter registration; require verification of an applicant's U.S. citizenship. SB2613.  
 Workers' Compensation:  
     Increase maximum total recovery and remove cap on permanent total disability compensation. SB2459.  
     Revise the exclusive remedy provision to provide certain exemptions. SB2672.  
 Wrongful conviction; increase compensation award. SB2348.  
 Youth court records; provide that parents have right to redacted copies. SB2015.  
 Youth court; prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. SB2333.

Nominations:  
     Buffington, Jr., Charles Phillip, Canton, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, vice Mr. Stephen Edds. **SN78**.  
     Nobile, Krissy Casey, Madison, Mississippi, Director of the Mississippi Office of Capital Post-Conviction Counsel, four year term beginning August 1, 2021 and ending July 31, 2025. **SN84**.

#### JUDICIARY, DIVISION B

"Parker's Law"; create crime of "fentanyl delivery resulting in death". **HB607**.  
 "Reentry Court Act of 2022"; establish. HB907, SB2274, SB2581, SB2584.  
 "Service Canine Protection Act of 2022"; enact. SB2233.  
 Arrest warrants:  
     Sex offenses against children; authorize upon oral testimony by person requesting. HB799.  
     Authorize electronic signatures. SB2224.  
 Bail bond; require release when judge approves participation in intervention program. HB370.  
 Bail for indigent defendants; provide procedure. HB1021, SB2565.  
 Barbers, nurses and social workers; revise certain qualifications for the purpose of licensing of. HB1196.  
 Breach of security of businesses; require notice to be given to the Attorney General in certain circumstances. SB2528.  
 Buddy's Law; order psychiatric evaluations for children adjudicated delinquent for abuse of a domesticated dog or cat. SB2261.  
 CDL:  
     Prohibit for persons convicted of certain trafficking crimes. HB127.  
     Treat certain moving violations as regular license holders. SB2587.  
 Central Mississippi Correctional Facility; authorize pilot work initiative. **SB2437**.  
 Chancery court; revise provisions concerning adoption and name change of incarcerated persons. **SB2263**.  
 Chemical endangerment of a child or fetus; criminalize. SB2229.

Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. SB2239.

City of Oxford; authorize electronic signatures for warrant applications for violations of Implied Consent Law. SB3204.

Commercial driver's license; authorize issuance to certain military-trained personnel. SB2394.

Controlled substances:  
Authorize automatic defense for charges brought within two years of a federal declassification. SB2397, **HB980 (Vetoed)**.  
Offenses; revise enhanced penalties. SB2248, SB2286.

Conviction; clarify subsequent offense for certain crimes and post-conviction relief. SB2228.

Counties; delete the duty of the clerk of the board of supervisors to report to the grand jury. **SB2913**.

County jail census data; facilitate availability of. SB2595.

Court reporters; require to provide transcript upon request of the court under certain circumstances. SB2322.

Crime of promoting prostitution; clarify and revise where certain monies are deposited. HB718.

Crimes of violence; revise list of offenses designated as such. SB2552.

Criminal convictions; create registry of certain offenders and clarify the effect of expungement. **SB2536 (Vetoed)**.

Cyberstalking; authorize injunction when criminal charges filed. SB2853.

DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request. SB2231.

DPS; implement uniform reporting standards for jail census data and create a centralized database. SB2264.

DUI:  
Allow expunction for first offense under certain circumstances. SB2562.  
Law; revise fourth offense of and require all expunctions to be confidentially registered. SB2240.  
Nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. SB2260.  
Suspension; clarify how the 120 days are counted. HB604.

Death penalty; revise method of execution. SB2655.

Department of Public Safety; revise provisions related to. HB620, **SB2543**.

Electronic search warrants; authorize issuance of in investigations of certain sex offenses against children. **SB2246**.

Expunction:  
Allow after 20 years of good behavior with certain exceptions. SB2393.  
Reduce waiting period for eligibility. SB2255.  
Reenfranchisement; revise procedure for requesting. SB2599.

Expungement:  
Clarify for qualified electors. HB630.  
Consolidate statutes concerning. SB2267.  
Procedures in all courts; clarify. HB629.

Firearms:  
Clarify that possession of multiple firearms shall subject felon to multiple charges. SB2042.  
Criminalize discharge of within limits of or into municipality. SB2547, SB2558.  
Interpose state law in place of any federal law confiscating firearms. SB2395.  
Prohibit state cooperation with federal effort to ban. SB2355.  
Revise regulations for; in possession of a felon. HB1010.

Fireworks; reduce offense for violation of law from felony to misdemeanor. SB2537.

Fleeing law enforcement; increase penalties for the crime of. HB621, SB2073.

Foster children; may sign certain rental agreements if over 18. SB2561.

Fraudulent statements grain warehouse provisions; increase penalties for violation of. SB2487.

Fresh Start Act of 2019; expand. SB2398.

Funeral processions; provide right-of-way and authorize law enforcement to escort. SB2236.

Grocery items; prohibit cost-plus pricing without public notice. SB2555.

Habitual offender; revise provisions for. SB2251, SB2253, SB2254, SB2258, SB2386, SB2564.

Hand-held mobile telephone; revise use of while driving. SB2262.

House burglary; create separate violent and nonviolent offenses. SB2256.

Hunting on streets and railroads; clarify prohibition on. SB2489.

Ignition-interlock device; bring forward provision related to. SB2542.

Intervention court; amend criteria for participation in. HB695, SB2390.

Justice Court Judges; revise suspension authority consistent with municipal court. SB2227.

Justifiable homicide; provide for criminal and civil immunity. SB2538.

Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. SB2226, SB2244, SB2554.

Kratom:

- Authorize regulation of and prohibit certain products. SB2403.
- Include in Schedule I controlled substances list. HB681.

Law enforcement communications; promote interoperability between agencies. SB2557.

MDOC; authorize to establish work release program with any sheriff. SB2582.

Marijuana:

- Civil penalty for simple possession of 30 grams or less. SB2285, SB2467.
- Legalize possession of certain amount. SB2241.

Methamphetamine; revise penalty for simple possession of smaller amounts. SB2560.

Miranda warning; require disclosure in simple language to children. SB2232.

Misdemeanants; may not possess a weapon under certain circumstances. SB2553.

Mississippi Athlete Agent Act; revise. SB2880.

Mississippi Companion Animal Abuser Registry Act; enact. SB2328.

Mississippi Crime Victims' Compensation Act; remove certain limitations. SB2265.

Mississippi Department of Corrections Commissioner; revise authority to inflict the death penalty. **HB1479**.

Mississippi Pill Press Law of 2022; enact. SB2563.

Mississippi Pink Alert System Act of 2022; create. SB2601.

Mississippi Scrap Metal Act; create. SB2539.

Motor vehicles; increase penalties for operating without insurance or license and for failing to stop at accidents. SB2556.

Motorcycles and bicycles; allow to proceed through red light if green light is not triggered. SB2384.

Municipal courts; suspension of sentence for certain veterans receiving treatment. SB2318.

Nonadjudication; authorize completion of workforce training or similar training as an option for. HB935, SB2242.

Nonviolent habitual offender; revise sentencing. SB2391.

Organized retail theft; revise. SB2548.

Parole revocation; revise definition of technical violation. SB2278.

Pecan Harvesting Law; revise penalties for violating. SB2071.

Penalties for electronic crimes by minors; clarify. HB1207.

Probation and parole officers; limit number of cases that may be handled. SB2279.

Public records; exempt the booking information of certain mentally ill patients from. HB416.

Radar; authorize limited use of by sheriffs. SB2868, SB2689.

Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator. SB2040.

Rape trials; revise evidentiary procedures for spousal rape. HB1080, SB2540.

Reckless endangerment; create offense and prescribe penalties. SB2541.

Restitution centers; transition to post-release reentry centers. SB2598.

Riding bailiffs; revise salary of. **HB400**.

Scrap metal; revise provisions of and prescribe certain conditions for the purchase of detached catalytic converters. HB626, SB2551, **SB2545**.

Second Amendment Preservation Act; authorize with exclusion for universities and colleges. **HB1418**.  
Sentence suspension; prohibit for crimes involving the exploitation of children. **SB2237**.  
Sex offenders; prohibit employment as first responders without DPS approval. **SB2247**.  
Sexual assault kit; regulate processing of. **HB672**.  
Sexual battery; conform statute of limitations to the statute of limitations for rape. **SB2243**.  
Sheriffs; may deputize tribal law enforcement officers. **SB2550**.  
Shoplifting; provide that second offense within 5 years shall be a felony. **SB2044**, **SB2266**, **SB2549**.  
Simple possession of controlled substances; revise certain. **SB2249**.  
State Public Defender; revise certain powers and duties of. **HB360**.  
Statute of limitations; except sexual battery from. **SB2234**.  
Subpoenas; authorize attorneys who have entered an appearance to issue. **HB1310**.  
Suffrage:

Restore suffrage to:

Angela Porter-Williams of Amite County. **HB1719**.  
Annie Mae Grant of Hinds County. **HB1732**.  
Antonio S'Avalas Simpson. **SB2944**.  
Charles Harris of Harrison County. **HB1738**.  
Deborah Ledbetter of Hinds County. **HB1731**.  
Edward Carter. **SB2917**.  
Gerald O. Laird of Jefferson Davis County. **HB1721**.  
Harvey Scott Haney. **SB2546**.  
Kenny Pritchard of Rankin County. **HB1737**.  
LaTonya Woodson of Warren County. **HB1758**.  
Leroy Wallace of Harrison County. **HB1729**.  
Ray Ferrell of Harrison County. **HB1730**.  
Vedo Kyles. **SB2041**

Supervised prison release programs; revise terms and conditions. **SB2597**.  
Terroristic threats; revise elements of. **SB2235**.  
The Juvenile Offender Parole and Rehabilitation Act; enact. **SB2225**.  
The Maternal Health Reporting Act; enact. **SB2740**.  
The Victoria Huggins Mississippi Pill Press Act of 2022; create. **HB679**.  
Trespass; criminalize offense on property other than a structure or conveyance. **SB2238**.  
Uniform Controlled Substances Act; revise schedules. **SB2283**.  
Used mattresses; prohibit resale with certain exemptions. **SB2387**.  
Violent habitual offender; require jury determination. **SB2259**, **SB2392**.  
Vote fraud; increase penalties. **SB2568**.  
Voting rights; restore to people who have been released from incarceration. **SB2566**.  
Voyeurism; revise sentencing. **SB2245**.  
Vulnerable persons; make reports available to Secretary of State. **SB2559**.  
Warrant applications or signature; authorize for violations of implied consent laws. **HB1139**.  
Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. **SB2490**.  
Wiretaps; authorize sheriffs to use. **SB2230**.  
Youth court:  
Fines, fees and costs; revise. **SB2544**.  
Revise transfer to circuit court. **SB2257**.  
Youthful offenses; revise when may be tried in circuit court. **SB2250**.

Nominations:

Fox, Dr. Robert Edward (Bobby), Ph.D., Perkinston, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2023. **SN94**.

- Freeze, Christopher Wade (Chris), Ridgeland, Mississippi, Crime Stoppers Advisory Council, two year term effective immediately and ending June 30, 2023. **SN83**.
- Massey, Lori Leigh, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Katie Moulds. **SN95**.
- Massey, Lori Leigh, Ocean Springs, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. **SN96**.
- McElreath, Myrtis Elizabeth S. (Leisa), Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022. **SN123**.
- McElreath, Myrtis Elizabeth S. (Leisa), Oxford, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. **SN124**.
- Sukmann, Anna Ward, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective January 6, 2022 and ending June 30, 2022, vice Doug Adams. **SN110**.
- Sukmann, Anna Ward, Gulfport, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2022 and ending June 30, 2024. **SN111**.

### LABOR

- Ban the Box Act; enact. SB2440, SB2602.
- Fresh Start Act of 2019; expand. SB2398.
- Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. SB2603.
- Mississippi Minimum Wage Act; establish. SB2099, SB2114, SB2586.
- Mississippi Paid Family Leave Act; enact. SB2585.
- Mississippi Pregnant Workers Fairness Act; create. SB2046.
- Mississippi Public Records Act of 1983; exempt certain records of Workers' Compensation Commission from definition of public records. HB521.
- Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2401.
- State Workplace Safety and Health Office; establish under State Board of Health. SB2185.
- Temporary day workers; protect labor and employment rights of. SB2184.

### MEDICAID

- Division of Medicaid; apply for necessary waivers to eliminate waiting period services. SB2317.
- Hospice care services for terminally ill inmates; authorize MDOC to provide for those confined in facilities under MDOC jurisdiction. **HB936**.
- Medicaid State Plan; allow to operate under previous plan if disapproved. SB2659.
- Medicaid Upper Payment Limits Program; provide payments to emergency ambulance transportation providers. SB2340.
- Medicaid coverage; provide up to 12 months of continuous postpartum care. SB2446, SB2454.
- Medicaid eligibility; provide coverage Program of All-Inclusive Care for the Elderly. SB2316.
- Medicaid program; revise reimbursement for telehealth services for community health centers. SB2345.
- Medicaid reimbursement:
- Allow for border city university-affiliated pediatric hospitals to be reimbursed. SB2662.
  - Allow for certain home services; impose moratorium on new providers. SB2657.

Authorize for substance abuse and mental health services for pregnant and postpartum women. SB2313.

Extend for community-based home-visitation and pregnancy support services. SB2314.

Medicaid services; require Medicaid to reimburse licensed birthing centers and to seek necessary waivers. SB2664.

Medicaid; bring forward provider assessment provisions. SB2445.

Medicaid:

- Delete freeze on provider reimbursement rates and establish procedure for review of proposed rate changes. HB658.
- Delete freeze on provider reimbursement rates and make various technical amendments to services section. **HB657**.
- Expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2315, SB2331, SB2447, SB2661, SB2857.

Mississippi Medicaid Program; make technical amendments to reimbursement and administration. SB2658.

Nonemergency medical transportation providers; require permit and set certain standards related to such service. **SB2739**.

Recipients of Medicaid; extend postpartum coverage up to 12 months. SB2033.

Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. SB2448.

Women's Economic Security Act of 2021; enact. SB2715.

### MUNICIPALITIES

"Property Clean-up Revolving Fund"; establish. HB1015.

Certain municipalities allowed to establish overdue water/sewer payment programs; extend program repeal date. **SB2898**.

Compatibility of land-use development with Mississippi military installations; provided for. SB2651.

Contractors; allow to do business in any municipality or county without local license under certain conditions. SB2636.

Counties and municipalities; authorize to lease facilities that are to be utilized as fire stations. **HB1097**.

Garbage collection liens; expire after a certain number of years. SB2457.

Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. SB2025.

Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. SB2526.

Menaced property; authorize municipalities to secure abandoned or dilapidated buildings on such property. **HB616**.

Mississippi Electronic Protection Licensing Act; revise definitions to include a battery-charged security fence. SB2871.

Municipal annexation; require an election be held in the proposed annexation territory. SB2594.

Municipal officials; provide mandatory education and training requirements. SB2870.

Municipal program to address delinquent water accounts; extend repealer. SB2896.

Municipalities, certain; extend repealer on authority to create program addressing delinquent customer water bills. HB939.

Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. HB617.

Municipally owned electric utilities; shall have same powers as electric power cooperatives. SB2474.

Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2534.

Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. SB2038.

**PUBLIC HEALTH AND WELFARE**

Acute Care Nurse Practitioners; establish specific practice authority. SB2711.  
Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. SB2178.  
Anatomical gifts; prohibit discrimination against recipient based on disability. **HB20**, SB2458.  
Anti-Covid Vaccine Mandate Act; create. SB2045.  
Audiology and Speech-Language Pathology Interstate Compact; create. **HB424**, SB2179.  
Autopsies; create "Jenna's Law" to require autopsies to include inquiring about whether death was result of seizure or epilepsy. HB860.  
Birth Certificates; require certain information be included. SB2050.  
COVID Vaccine; create religious exemption to mandates and prohibit certain discrimination related thereto. SB2710.  
COVID-19 Hospital Expanded Capacity Program; create and require MDOH to establish and administer. **SB2820**.  
COVID-19 Mississippi Local Provider Innovation Grant Program; create to be administered by Department of Health. HB769.  
Certificate of Foreign Birth; allow issuance by Bureau of Vital Statistics. SB2350.  
Certificate of need:  
    Authorize nursing facility in any underserved minority zip code area. SB2733.  
    Direct issuance for an existing ambulatory surgical center. SB2889.  
Child Protection Services social worker interviews with parents or children; require video and audio recordings. SB2175.  
Committee to Study Veteran Homelessness, Unemployment, PTSD and Human Services; make an annual report to the Legislature. SB2312.  
Community mental health centers; provide that health insurers may not deny the right to participate as a contract provider. **SB2899**.  
Death certificates; require medical examiners report COVID 19 as cause of death when applicable. SB2100.  
Health Care Certificate of Need Law; repeal. SB2174.  
Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. SB2705.  
Health care program; create for special needs patients. SB2897.  
Health insurance plans, prohibit from modifying insured's benefit level on renewal. SB2663.  
Home health agencies; delete moratorium on establishment or expansion. SB2905.  
Home health services; authorize nurse practitioners and physician assistants to order and certify. HB363.  
Hospitals; establish grant program for expansions of hospital facilities that increase capacity as needed to treat more COVID-19 patients. HB928.  
Immunization; require hospitals to offer immunization against the influenza virus to all inpatients 50 or older prior to discharge. SB2170.  
MS Department of Health and MS Department of Revenue; provide certain exemptions for operation required under Medical Cannabis Act. **SB2818**.  
MS Rural Hospital Loan Program; establish in State Department of Health. **HB365**.  
Mandatory COVID-19 vaccination of Mississippi residents as condition of employment; prohibit based on religious belief. SB2654.  
Marijuana; legalize. SB2183.  
Medical records; require health care providers to provide within 30 days of patient's or their representative's request. **SB2725**.  
Mississippi Department of Human Services; authorize to use a combined reporting system. SB2731.  
Mississippi Medical Cannabis Act; create. **SB2095**.  
Mississippi Medical Cannabis Compassion Act; create. SB2709.  
Mississippi Qualified Health Center Grant Program; extend expiration date for Department of Health to make physician grants. HB477.  
Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. SB2173.

Mississippi Save Adolescents from Experimentation Act; create. SB2728.  
Mississippi Study on the Affordability of Insulin Act; create. HB813.  
Newborn screening program; include those conditions listed on the Recommended Uniform Screening Panel within three years after listing. **HB927**.  
Newborn screening program; revise certain provisions of. SB2900.  
No Patient Left Alone Act; enact. SB2417, SB2890.  
Nurse practitioners:  
    Authorize to dispense legend drugs to patients. SB2109.  
    Physician assistants and clinical nurse specialists; allow to prescribe home health services. SB2108.  
Nursing home care; authorize nursing home resident or representative to have monitoring device installed in room. SB2713.  
Parents' Bill of Rights; enact. SB2881.  
Personal care homes; require licensure and regulation of those providing living arrangements for one or more persons. SB2903.  
Pharmacy Benefit Prompt Pay Act; revise various provisions of. HB733, SB2888, SB2894.  
Physical therapy practice laws; revise various provisions of. SB2714.  
Physician billing for pathology services; prohibit fee division unless provided by the physician. SB2737.  
Physician grant funding from Qualified Health Center Grant Program; extend date of funding. **SB2421**.  
Pilot freestanding emergency room; require the Department of Health to issue not more than five licenses. **SB2735**.  
Podiatric medicine and podiatrists; revise definition of. SB2115.  
Practice of cosmetology; revise. SB2854.  
Professional Counseling Compact; create. **HB1056, SB2916**.  
Public records; exempt the booking information of certain mentally ill patients from. HB416.  
Regional commissions for facilities for individuals with mental illness; revise commission members. SB2904.  
Regional mental health commissions; increase number of commissioners appointed by board of supervisors for certain counties. HB1137.  
Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. SB2732.  
Right to Visit Act; create. SB2845.  
Rural Nurse Recruitment and Retention Incentive Grant Program Act; create. SB2712.  
SNAP Healthy Food Incentive Program Act of 2022; create. SB2727.  
School vaccinations; authorize exemption upon objection of parent on religious grounds. SB2107.  
Sellers of alternative nicotine products and package retailers; require to have a third-party age verification service. HB976.  
Sexual assault kit; regulate processing of. HB672.  
Single or loose cigarettes; prohibit sale of and set certain penalties for violations. SB2729.  
South Mississippi Regional Health Care Authority Act of 2022; create. SB2895.  
State Board of Medical Licensure:  
    Revise organization and membership of board. SB2708.  
    Revise certain provisions relating to licensure. SB2891.  
State Commission on the 9-8-8 Comprehensive Behavioral Health Crisis Response System; create. **HB732**.  
State Veterans Homes; require informed consent by residents prior to administering vaccinations. SB2342.  
Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2110.  
TANF; prohibit assistance to persons convicted of multiple felonies. SB2734.  
The Maternal Health Reporting Act; enact. SB2740.  
Transgender 21 Act; enact. SB2111.  
Uniform Controlled Substances Act; revise schedules. **HB232**.  
Used mattresses; prohibit resale with certain exemptions. SB2387.

Vaccinations; disclose information statements upon request and create medical exemption. SB2049.

Vaccines:

- Prevent entities that receive state funding from requiring individuals to receive COVID vaccine. SB2726.
- Provide civil remedy for employees against corporations that enforce vaccine mandates. SB2858.

Nominations:

- Birmingham, RDH, Haley Harrison, Brandon, Mississippi, Mississippi State Board of Dental Examiners as the Dental Hygienist member, six-year term beginning July 1, 2021 and ending June 30, 2027. **SN22.**
- Bonner, Terrance D., Columbus, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four-year term effective January 3, 2022 and ending June 30, 2025. **SN101.**
- Bourn, PT, DPT, MHS, Billy Crisler (Cris), Flora, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Third Congressional District, four-year term. **SN56.**
- Bryan, Virginia Jones (Jenny), Oxford, Mississippi, Mississippi State Board of Physical Therapy as the representative of Physical Therapy assistants, four-year term effective immediately. **SN57.**
- Chaney, MD, James Patrick (Pat), Amory, Mississippi, State Board of Health as a Licensed Physician, six-year term effective July 2, 2021 and ending June 30, 2027. **SN112.**
- Clanton, RN, Jane M. (Janie), Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, unexpired four-year term effective May 19, 2021. **SN48.**
- Cothran, Michael Jackson (Mike), Carthage, Mississippi, State Board of Barber Examiners, term effective July 23, 2021 for the unexpired balance of the four year term ending June 30, 2024. **SN9.**
- Cummins, LPN, Jeremy Lester, Louisville, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four-year term beginning July 1, 2021 and ending June 30, 2025. **SN49.**
- Dampier, Jr., O.D., Arthur Reginald (Reggie), Madison, Mississippi, Mississippi State Board of Optometry to represent the Third Congressional District as it existed in 1980, five-year term. **SN87.**
- Dews, Jr., M.D., Robert Carrington, Hattiesburg, Mississippi, Mississippi State Board of Physical Therapy as the representative of physicians, four-year term effective January 13, 2022. **SN132.**
- Edmiston, PT, Elizabeth Ewaldsen (Beth), PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six-year term, effective July 2, 2021. **SN35.**
- Gentry, MSN, APRN, Lacey Melissa T., Courtland, Mississippi, Mississippi Board of Nursing as an Educator, unexpired balance of the four-year term ending June 30, 2024. **SN50.**
- Gleason, Dr. Sara Jane H., Jackson, Mississippi, Board of Mental Health, seven-year term effective November 29, 2021 and ending June 30, 2028, representing the Licensed Medical Doctor Psychiatrist. **SN43.**
- Griffin, Pharm.D., Lee Ann Harper, Jackson, Mississippi, State Board of Health as an individual with an interest in public health, unexpired six year term effective August 1, 2021 and ending June 30. **SN75.**
- Grubbs, DMD, Marion, Madison, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Four, six-year term beginning July 1, 2021 and ending June 30, 2027. **SN23.**
- Hamrick, RN, LNH, George Anthony (Tony), Laurel, Mississippi, Mississippi State Board of Nursing Home Administrators as the Registered Nurse, unexpired four-year term effective July 19, 2021. **SN46.**
- Hill, MD, John Edward (Ed), Oxford, Mississippi, State Board of Health as a Licensed Physician, six-year term effective July 2, 2021 and ending June 30, 2027. **SN36.**

- Hoda, D.C., Desmond Wayne, Pass Christian, Mississippi, State Board of Chiropractic Examiners as the representative from the Fourth Congressional District, five-year term effective April 21, 2022. **SN109.**
- Joiner, DSW, LCSW, Valerie Cascile, D'Iberville, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four-year term. **SN63.**
- King, RN, NP, DNP, Melissa Henry, Raymond, Mississippi, Mississippi Board of Nursing as the Registered Nurse Practitioner, unexpired four-year term effective May 21, 2021 and ending June 30, **SN51.**
- Landrum, Robert Sylvester, Ellisville, Mississippi, Board of Mental Health, seven-year term effective November 29, 2021 and ending June 30, 2028, representing the Fifth Congressional District (1992). **SN44.**
- Lewis, PT, DPT, Leonard Cooper, Sardis, Mississippi, Mississippi State Board of Physical Therapy as a Physical Therapist representing the Second Congressional District, four-year term. **SN55.**
- McBunch, Michael Lee (Mike), Tupelo, Mississippi, State Board of Barber Examiners, four-year term effective September 13, 2021 and ending June 30, 2025, representing the First Congressional District. **SN10.**
- Mosley, Teresa Ann, Clinton, Mississippi, Board of Mental Health, seven-year term effective November 29, 2021 and ending June 30, 2027, representing the Fourth Congressional District. **SN45.**
- Norris-Johnson, LPH, Nancy Carol, Hattiesburg, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four-year term beginning July 1, 2021 and ending June 30, 2025. **SN52.**
- Odom, Mark Alan, Valley Park, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four-year term beginning June 6, 2021 and ending June 5, 2025, **SN86.**
- Pittman, LSW, Erin Poole, Brandon, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four-year term effective May 3, 2021. **SN64.**
- Rollins, Ph.D., Pamela Gail (Pam), Hattiesburg, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four-year term. **SN65.**
- Rouse, III, Douglas Wesley (Wes), Hattiesburg, Mississippi, MS Industries for the Blind as rep. with at least 5 years' experience in finance or related field, remainder of four-year term. **SN150.**
- Shaw, RN, NP, William Alton, Wesson, Mississippi, Mississippi Board of Nursing as the Registered Nurse at large, unexpired four-year term effective May 21, 2021 and ending June 30, 2024. **SN53.**
- Starks, Lamonica Patrice, Camden, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, four-year term effective January 3, 2022 and ending June 30, 2025, **SN130.**
- Tice, Alicia Ann Drury, Wiggins, Mississippi, Mississippi State Board of Nursing Home Administrators as the Nursing Home Administrator, four-year term beginning June 6, 2021 and ending June 5, 2025. **SN116.**
- Waites, MD, MACC, Thad Fulton, Hattiesburg, Mississippi, State Board of Health as a Licensed Physician, six-year term effective July 2, 2021 and ending June 30, 2027. **SN37.**
- Watkins, Lisa Carol, Union, Mississippi, State Board of Barber Examiners, four-year term effective September 1, 2021 and ending June 30, 2025, representing the Third Congressional District. **SN11.**
- Williams, Jr., James Taylor Williams, Poplarville, Mississippi, Mississippi State Board of Nursing Home Administrators as the Hospital Administrator, unexpired four-year term effective July 19, 2021. **SN47.**
- Williams, Dr., LMFT, Jamie Leigh, LMFT, Ocean Springs, Mississippi, Mississippi State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four-year term ending June 30, **SN2.**
- Zimmerman, DDS, Jeff Michael, Gulfport, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District Five, six-year term beginning July 1, 2021 and ending June 30, 2027. **SN24.**

**PORTS AND MARINE RESOURCES**

Bottom land leasing for oyster production; create a pilot program for. **HB972**.  
 Cat Island; prohibit the use of a purse seine within two miles of. **HB1320**.  
 Combination seafood dealer and processor license; separate into two licenses. **SB2478**.  
 Department of Marine Resources; revise acreage of bottom authorized to be leased by. **HB1057**.  
 Department of Marine Resources; revise license issued for seafood dealers and seafood processors. **HB1130**.  
 Derelict vessels; provide certain requirements for the removal of. **HB1076**, **SB2076**.  
 Duties of Mississippi Department of Marine Resources; utilize resources of all state institutions of higher learning. **SB2477**.  
 Molluscan shellfish aquaculture operations; revise licensing of vessels used for. **HB1077**.  
 Saltwater shrimp Captain's License issued by MS Department of Marine Resources; delete requirement. **SB2511**.  
 Shellfish aquaculture farms; authorize Department of Marine Resources to license. **SB2476**.

## Nominations:

Joseph Read Hendon, Ph.D., Ocean Springs, Mississippi, Gulf States Marine Commission as the Mississippi citizen representative, unexpired three year term effective May 28, 2021 and ending January 9, **SN34**.

**PUBLIC PROPERTY**

Adjutant General; authorize to transfer real property that is in the best interest of the Military Department. **SB2667**.  
 Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. **SB2005**, **SB2533**.  
 Columbia Training School property; authorize DFA to transfer and convey certain portion of to Marion County Economic Development District. **SB2006**, **HB1343**.  
 Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. **HB1247**.  
 Local government; prohibit ordinances authorizing camping on public property and sidewalks. **SB2327**.  
 MS Department of Archives and History property; authorize retention of buffer and access corridor on Champion Hill property. **SB2525**.  
 Private food service; authorize Department of Finance and Administration to solicit proposals for certain state properties. **HB1132**.  
 Public lands; extend repealer on section prescribing who may purchase. **HB688**, **SB2004**.  
 Secretary of State; authorize to enter into agreements with online providers to conduct online auctions of state-forfeited tax land. **HB1131**.  
 Sixteenth section land:  
 Authorize:  
     Leasing of certain classified land to cities/counties for less than 5% of market value. **HB372**.  
     Local school boards to enter into public or private contracts for sale of forestry products grown on. **HB1159**.  
 State flag; require governmental entities, public colleges, universities and school districts to display or be subject to penalty. **SB2532**.  
 USM Gulf Park property; authorize DFA to sell or lease certain parcel in Harrison County. **SB2527**.

**RULES**

Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 20, 2022. **HC85.**

Alcorn State University Jazz Festival; recognize as the recipient of the 2022 Governor's Arts Award for Arts in Community. **SC539.**

Alcorn State University Men's Basketball Team; commend for winning the SWAC Regular Season. **SR55.**

Alcorn State University Women's Cross Country Team; commend for winning SWAC. **SR54.**

Aldy, Linda Ross; recognize legacy and service of upon her retirement as Executive Director of MS Optometric Association (MOA). **SR23.**

Alpha Phi Alpha Fraternity; commemorate service of in the Mississippi Delta. **SR36.**

Alpha Phi Alpha Fraternity, Mu Xi Chapter at The University of Southern Mississippi; recognize 45th Anniversary of the founding of. **SR50.**

Article V Constitutional Convention; provide for selection and authority of commissioners. **SC511.**

Baker, Dr. William Clair "Bill"; Mourn the passing of longtime Oxford Alderman and recognize his civic contributions. **SR48.**

Balanced budget; urge Congress to propose and submit to states for ratification an amendment providing for. **SC533.**

Banks, Fred; commend former Mississippi Representative on his receipt of "2021 Lifetime Achievement Award" by MS BAR. **SC502.**

Barber, James A.; commend on his retirement as Executive Director of PEER. **SC525, HC33.**

Bay Springs High School "Bulldogs" Football Team; commend for first State Championship. **SC560.**

Belmont High School "Cardinals" Boys Golf Team; commend for winning 2021 MHSAA 3A State Championship. **SC596.**

Belmont High School "Lady Cardinals" Volleyball Team; commend for winning first State Championship in program history. **SC599.**

Bennett, Howard; recognize service and legacy of WWII Veteran of Sumrall, Mississippi. **SC593, SR59.**

Bennett, Patricia; commend Dean of Mississippi College School of Law upon retirement. **SC566.**

Biggersville Girls and Boys Basketball Teams and Coach Cliff Little; commend for two State Championships on same day. **SC572.**

Bivins, Laura; commend for receiving Mississippi's Presidential Award for Excellence in Math and Science Teaching. **SC557, HC64.**

Blocker, Michele; commend upon her retirement from ITS. **SR61.**

Blouin, Sister Paula; commend upon retirement from Assisi Early Learning Center. **SR43.**

Booneville "Lady Blue Devils" Girls Fast-Pitch Softball Team; commend for winning 2021 3A State Championship. **SC598.**

Booneville High School "Lady Blue Devils"; commend for winning 2022 MHSAA Class 3A Girls Basketball Championship. **SC594.**

Booneville High School "Blue Devils" Baseball Team; commend for winning the 2021 Class 3A State Championship. **SC595.**

Booneville High School "Blue Devils" Boys Basketball Team; commend for winning 2022 Class 3A State Championship. **SC597.**

Booneville High School "Blue Devil" Marching Band; commend for winning 3A State Championship. **SC600.**

Brand, Holly; commend as Miss Mississippi 2021. **SR35.**

Brandon High School Cheerleading Team; congratulate for National Championship. **SR21.**

Brandon High School "Lady Bulldogs" Volleyball Team; commend for winning 6A State Championship. **SR5.**

Brookhaven Academy "Lady Cougars" Softball Team; commend for MAIS 5A State Championship. **SR11.**

Brookhaven High School "Panthers" Boys Cross-Country Team; commend for third consecutive State Championship. **SR8.**

Brown, Debra; recognize United States District Judge as Mississippi's first African American female Chief Federal Judge. **SC552.**

Bush, Darlene; commend for being selected as Instructor of the Year at the Perkinson Campus of MGCCC. **HC69**.

Butler, Angela; commend for being selected as Instructor of the Year at the Perkinson Campus of the MGCCC. **HC70**.

Bynum, William (Bill) CEO of HOPE in Jackson, Mississippi; commend as recipient of 26th Heinz Award for the Economy. **SC513**.

Campbell, Leon; recognize athletic and professional educator legacy of Coach. **SR57**.

Carthaginian Newspaper (1872-2022); commemorate the 150th Anniversary of the founding of and recognize its contributions. **SC549**.

Casin, Hilda Louise Smith; commend life, service and accomplishments of. **HC75**.

Cervical Health Awareness Month in Mississippi; recognize January 2022 as. **SC541**.

Chawla, Dia; commend Pillow Academy in Greenwood student for winning National High School Heisman Trophy. **SC558**.

Christian Methodist Episcopal Church; Celebrate the Quadrennial service of Bishop C. James King, Jr. **SR39**.

Choctaw Central "Lady Warriors" Basketball Team; commend for winning Class 4A State Championship. **SC574**.

Cleveland High School "Wolves" Boys Bowling Team; commend for first State Championship. **SR34**.

Clinton High School "Arrows" Boys Basketball Team; commend for consecutive 6A State Championships. **SC575**.

Cobb, Dr. Alton; paying tribute to public health career and contributions of respected state health officer and first Medicaid Director. **SC508**.

Colley-Lee, Myrna; recognize as the recipient of the 2022 Governor's Arts Award for Costume Design and Arts Patron. **SC540**.

Columbia High School "Wildcats" Football Team; commend for first State Championship since 1982. **SC504**.

Columbus Commercial Dispatch Newspaper (1921-2022); commemorate the 100th Anniversary of the founding of. **SC584**.

Corral, Matt, University of Mississippi Quarterback; commend for leading team to best regular season in program history. **SC532**.

COVID-19 vaccine mandate; prohibit state and local government from imposing. **HB1509**.

Campbell, Ruth Antoninette Batton; commend the life of. **SR56**.

Change date of sine die adjournment of the 2022 Regular Session. **HC90**.

Coleman, Robert "Ken"; extend sympathy of the Legislature on the passing of Third District Circuit Court Judge of New Albany, MS. **SC543**.

Condemn the invasion of Ukraine and sever all connections with the Russian Federation. **SC563**.

Conner, Cooper; commend and upon being named 2021 MS State Games - Youth Athlete of the Year. **HC62**.

Cope, Becki; commend for Pleasant Hill Elementary in Olive Branch, Extraordinary Educator Award. **SR45**.

Cross, Nancy; commend Mississippi Insurance Department employee for 63 years of service. **SR4**.

Daniel, Mrs. Mary Elizabeth; mourn the life of. **SR6**.

Daniels, Jo Anne; commend for being selected as Instructor of the Year at the Jefferson Davis Campus of MGCCC. **HC66**.

Dean, Nakobe; congratulate Outside Linebacker for National Champion Georgia "Bulldogs" Football Team from Horn Lake High. **SR7**.

Denevan, Tara; recognize as Mississippi Department of Education 2022 "Parent of the Year". **SR52**.

Dobbs, Thomas, MD, MPH; recognize career and public health leadership of State Health Officer. **SR60**.

Donohue, Monica; commend for being selected as Instructor of the Year at the Harrison County Campus of MGCCC. **HC67**.

East Central High School in Jackson County; Commend students of for receiving MIT Technology Invention Grant. **SR32**.

Eminent domain; suspend rules for introduction; codify constitutional provisions of. **SC583**.

Emmett Till murder; issue apology for state's role in killers' acquittals. **SC523**.

Extend 2022 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. **HC89.**

Federal Debt Limit; urge Congress to propose and submit to states for ratification an amendment relating to. **SC524.**

Florence High School Girls Soccer Team; commend for Class 5A State Championship. **SR27.**

Flowers, Nehemiah, Jr.; recognize outstanding public service of former U.S. Marshal and State Parole Board Member. **SC559.**

Funeral Directors Association; commend and express gratitude to funeral service professionals for selfless work during COVID-19 pandemic. **HC38.**

Furniss, Delma; mourn the passing of former Representative and Senator of Rena Lara, MS, and commend his public and charitable service. **SC551.**

Gary Hemphill Commercial Aviation Month; declare the month of April as. **HB425.**

Gentry, Bobbie; commend Chickasaw County native, legendary and renowned singer-songwriter. **HC80.**

Gillespie, Honorable Norman L. of Oxford; commend judicial career and extend sympathy on his passing. **SR42.**

Global Reman Day; designate April 14, 2022, as period of observation in the State of Mississippi. **HC81.**

Gordon, Larry; recognize as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Motion Pictures/Television. **SC536.**

Gray, Sharicka, of Fairview Elementary; commend on receiving Extraordinary Educator Award. **SR44.**

Green, Judge Tomie Turner; commend distinguished career upon her retirement. **SC545, HC72.**

Griffis, Bill; commend Philadelphia Automobile Dealer for his nomination for the 2022 TIME Dealer of the Year Award. **SC501.**

Gunter, Millicent; commend for receiving Mississippi's Presidential Award for Excellence in Math and Science. **SC554. HC79.**

Guthrie, John Girard; commend life and legacy upon his passing. **HC73.**

Hancock High School "Lady Hawks" Girls Bowling Team; commend for three consecutive State Championships. **SC601. SR62.**

Harkins, Gary Jude; commend life and legacy upon his passing. **HC1.**

Harris, Carlyle "Smitty"; remember legacy of former POW and Retired Air Force Colonel at U.S. Post Office dedication in his honor. **SC512.**

Harris, Lusia (Lucy) of Minter City, Mississippi; express sympathy and remember the legacy of "The Queen of Basketball." **SC526, SR18.**

Hate crimes, definition of; suspend rules; introduction of a bill to revise. **SC531.**

Hogan, Marvin; celebrate the life and commend civic service of and extend condolences. **SR14.**

Hood, Carroll V.; commend life and legacy upon his passing. **SR15, HC17.**

Horn, Birdgette Rochelle; celebrate life and commend military service of. **SC530.**

Hughes, Zeb Andrews, and Jameson Med Gunner Palmer; commend lives and legacies of and encourage boating safety awareness. **HC74.**

International Women's Month; designate month of March 2022 as for statewide observance. **HC71.**

Jackson Prep "Lady Patriots" Girls Basketball Team; commend for winning MAIS Overall State Championship. **SC570.**

Jackson Prep "Patriots" Boys Basketball Team; commend for winning MAIS State Championship. **SC565.**

Jackson Prep "Patriots" Baseball Team; commend for winning MAIS 5A State Baseball Championship for 4th consecutive season. **SR3.**

Jackson State University "Lady Tigers" Basketball Team; commend for back-to-back SWAC Tournament Championships. **SC581.**

Janus Michael Weston; commend laudable career and public service of former Representative upon his passing. **HC55.**

Johnson, Dr. Charles, Sr.; pay tribute to the Civil Rights legacy of, and extend the condolences of Senate. **SR13.**

Johnson, Lieutenant Toby; commend for service during Hurricane Ida. **HC11.**

Jones, Betty Lou, State Parole Board member; commend on her retirement. **SC592.**

Juneteenth Freedom Day; designate June 19 as. **SB2085.**

Kidney Disease Awareness Month; recognize March 2022 as. **SC516.**

Lake High School "Lady Hornets" Fast-Pitch Softball Team; congratulate for winning the 2021 2A State Championship. **SR25.**

Lake High School "Lady Hornets" Girls Basketball Team and Coach Maurice Bowie; commend for winning the MHSAA 2A State Championship. **SC573.**

Lambert, Matthew of Bell Academy in Boyle, Mississippi; commend on receiving Extraordinary Educator Award. **SR46.**

Lange, Holly; recognize as the recipient of the 2022 Governor's Arts Award Governor's Choice. **SC537.**

Leake Academy "Lady Rebels" Girls Basketball Team; commend for winning MAIS 5A State Championship. **SC567.**

Legal holidays; designate June 19 as Juneteenth Freedom Day. SB2364.

Legal holidays; remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. SB2827.

Leslie, Martha Jo; commend the life of retired Brigadier General upon her passing. **HC47.**

Loyd Star High School "Hornets" Golf Team; commend for winning MHSAA Class 1 State Championship. **SR12.**

Luckett, Bill; extend sympathy of Legislature to surviving family of former Mayor, attorney, and blues promoter of Clarksdale. **SC517.**

McGee, Cory of Pass Christian; commend Olympian for Track and Field accomplishments at 2020 Tokyo Olympics. **SC544.**

Manchester Academy "Lady Mavericks" Basketball Team; commend for back-to-back State Championships. **SC582.**

Martin, Colonel Stanley A.; commend service upon retirement. **HC58.**

McComb, City of; commend upon the 150th anniversary of its founding. **SC590, HC84.**

McGrevey, Dr. Mike; commend on his retirement from MDA. **SR40.**

Melendez, Hunter Luis; commend upon being named 2021 MS State Games - Male Athlete of the Year. **HC61.**

Meridian High School "Lady Wildcats" Girls Basketball Team; commend for winning first State Championship in school history. **SC569.**

Mississippi-Alabama Sea Grant Consortium; commend on its 50th Anniversary and recognize its achievements. **SC515.**

Mississippi Braves" Baseball Team; commend for winning the Double A South Championship. **SC510.**

Mississippi High School Activities Association; commend on its 100th Anniversary. **SR41.**

Mississippi Congressional district; reapportion. SB2001, SB2826, **HB384.**

Mississippi Export Railroad; commend upon occasion of 100th anniversary. **HC82.**

Mississippi Farm Bureau Federation; commend upon 100th anniversary of. **SC550, HC78.**

Mississippi High School Activities Association; commend and congratulate upon its centennial anniversary. **HC76.**

Mississippi House of Representatives; reapportion. **JR1.**

Mississippi Humanities Council; commend on the occasion of its 50th Anniversary. **SC506.**

Mississippi Medical Cannabis Act; suspend rules for drafting, introduction, etc; revise zoning provisions of the. SC587.

Mississippi Senate; reapportion. JR201, **JR202.**

Mississippi State University Bulldogs Baseball Team; commend for winning the 2021 NCAA Baseball National Championship. **SC514, HC8.**

Mississippi Stop Eminent Domain Abuse Act; Suspend rules for drafting, etc.; codify. SC585.

Month of the Military Child; designate April 2022 as and April 20 as "Purple Up! for Military Kids Day" in Mississippi. **SC562.**

Murphy, Stephanie; commend CCC Women's Basketball Coach as MACCC "Coach of the Year." **SC576.**

Northwest Mississippi Community College Cheer Team; commend upon winning the 2022 Open Small Co-Ed National Championship. **SC578, HC51.**

Northwest Mississippi Community College Football Team; commend on winning MACCC State Championship. **SC580, HC49.**

Northwest Rankin "Lady Cougars" Girls Soccer Team; commend for Class 6A State Championship. **SC571.**

Official Mississippi state song; authorize "Mississippi Beautiful." SB2824.

Ole Miss Rebels All Girl Cheerleading Team; commend and congratulate on winning 2022 UCA Division 1A Game Day National Championship. **HC44.**

Ole Miss Rebels All Girl Cheerleading Team; commend team and coaching staff on winning 2022 UCA Division 1A. **HC57.**

Ole Miss Rebels Women's Golf Team; commend and congratulate upon winning 2021 NCAA Division I National Championship. **HC45.**

Oliver, James, M.D.; recognize the legacy as the first African American to graduate from University of Mississippi School of Medicine. **SC568.**

O'Neal, Mary Lovelace; recognize as the recipient of the 2022 Governor's Arts Award for Excellence in Visual Art. **SC538.**

Owens, Denise; recognize Hinds County Chancellor on her retirement. **SR31.**

Palmer, Jameson Med Gunner, and Hughes, Zeb Andrews; commend lives and legacies of and encourage boating safety awareness. **HC74.**

Parents for Public Schools (PPS); recognize 30th Anniversary Celebration of. **SC564.**

Pascagoula High School Navy JROTC Air Rifle Team; commend for winning State and Regional Titles and for All-Service Competition. **SR58.**

Payne, Wayne H.; recognize D'Iberville Chief of Police for his law enforcement service and retirement. **SR37.**

Payton, Walter; recognize legacy of NFL Hall of Fame Running Back and dedication of "Walter Payton Field" in Columbia, Mississippi. **SC505.**

Pearl High School "Pirates" Boys Track Team; commend for winning MHSAA State 6A Championship. **SR9.**

Pearl River Community College "Wildcats" Women's Basketball Team; commend for MACCC Championship. **SC602.**

Pearl River Community College "Wildcats" Men's Basketball Team; commend for third consecutive MACCC title. **SC603.**

Pearl River Community College "Wildcats" Cheer Squad; commend for first National Championship. **SR30.**

Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate April 11-17, 2022, as. **HC46.**

Picayune High School "Maroon Tide" Football Team; commend for MHSAA 5A State Championship. **SR33.**

Pickens, Olin; recognize service of WWII Hero and POW of Nesbit, Mississippi, and extend best wishes on his 100th Birthday. **SC547.**

Pickett, Steven, State Parole Board Chairman; commend on his retirement. **SC509.**

Pine Grove High School Boys Basketball Team; commend for winning MHSAA Class 2A Boys Basketball State Championship. **HC83.**

Poised Pearls of Laurel of Alpha Kappa Sorority; Inc.; congratulate upon the charter of a graduate chapter. **HC86.**

Polles, Dr. Sam; recognize upon occasion of his retirement as Executive Director of MDWFP. **HC53.**

Pride of DeSoto Central High School Marching Band; congratulate for winning the 2021 Class 6A Marching Band Championship. **SC553.**

Public safety telecommunicators; recognize as first responders. SC519.

Raleigh High School Lions Football Team; commend upon winning South State MHSAA Class 3A Championship. **HC54.**

Raymond High School "Rangers" Boys Basketball Team; commend for winning 4A State Championship. **SC577.**

Ready, L.D., Sr.; recognize sports and civic legacy of Coach from Richton, Mississippi. **SR10.**

Reese, Brittney; commend and congratulate successes as an Olympic medalist. **HC50.**

Reman Day in Mississippi; designate April 14, 2022, as **SC586.**

Richey, Samuel Larry; commend his life upon his passing. **HC13.**

Richland High School "Rangers" Boys Soccer Team; commend for second State Championship in four years. **SR26.**

Robinson, Roger "Big John" Earl; mourn loss and commemorate life and service of upon his passing. **HC59.**

Rosamond, Jeff; recognize for distinguished and outstanding legal service to the Mississippi Senate as Director of Legislative Services. **SR63**.

Rowland, Jimmy, PFC; pay tribute to U.S. Army Korean War casualty of Baldwin, Mississippi, finally laid to rest. **SC604**.

Rush, Dr. Gustavus Adolphus "Sonny", III; pay tribute to. **SR38**.

Russian invasion of Ukraine; condemn. **HC77**.

Sanders, Deion "Coach Prime" and Jackson State University "Tigers" Football Team; congratulate for remarkable season. **SC534, SR16**.

Saxton, Carl Larry Sr; extend condolences of the Mississippi Senate to family of Veteran Canton Law Enforcement Officer. **SR29**.

Scott Central High School Football Team; commend and congratulate upon winning Class 2A State Championship. **HC43**.

Self-Care Month in Mississippi; recognize February 2022 as. **SC556**.

Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. SR1.

Simpson Academy Cougars Boys Basketball Team; commend for winning the MHSAA Class 5A State Championship. **SC561, HC60**.

Sledge, Nevin; extend best wishes to former senator on his 100th Birthday and commend his public service. **SR47**.

Smith, George; mourn the passing of former Senator of Wiggins, Mississippi, and commend his public and charitable service. **SC548, HC15**.

South Panola High School Cheerleading Team; congratulate for second consecutive National Championship. **SR20**.

St. Patrick's Day in Mississippi; commemorate the celebration of and the American-Irish State Legislators Caucus. **SR24**.

State Truth Commission; establish. SB2825.

State of the State; authorize joint session for January 25, 2022, at 4:00 p.m. **HC21**.

State song; designate "One Mississippi" as official. HB1487.

Stewart, Zack; recognize the legacy of former Northern District Transportation Commissioner. **SC542**.

Stingley, Dr. Ailean; recognize as the recipient of USA Today's Women of the Year - Mississippi Honoree. **SR51**.

Stogner, Joseph; mourn the passing of former Senator from Sandy Hook, Mississippi, and commend his public and charitable service. **SC503**.

Stribling, Lafayette; celebrate the legendary Mississippi basketball and extending the sympathy of Legislature. **SC522**.

Stone County High School "Lady Cats" Girls Soccer Team; commend for first State Championship. **SC555**.

Suspend rules for further consideration of SB No. 2033, 2022 RS; extend postpartum coverage of Medicaid recipients to 12 months. SC588.

Suspend rules for further consideration of HB 451; delete repealer on the non-admitted policy fee. **SC605**.

Swanson, Bishop James Edward Sr.; recognize on his tenure as Resident Bishop of the MS Conference of The United Methodist Church. **SR22**.

Taiwan; encourage further economic activity between Mississippi and. **SC546**.

Tardive Dyskinesia Awareness Week; recognize May 1-7, 2022, as week of observance in Mississippi. **HC37**.

Tate, Randy; Mourn the passing and commend service of Executive Director of Boys & Girls Club of Pike County. **SR19**.

The Commercial Dispatch; commend and congratulate on 100th anniversary. **HC87**.

The Williams Brothers; recognize as the recipient of the 2022 Governor's Arts Award for Lifetime Achievement in Music. **SC535**.

Thomasson, Pat; recognize as the first female Chair of the Board of Directors of the MMA. **SR28**.

Tucker, Linc; commend firefighter for meritorious service. **HC12**.

Turner, Tere; commend upon being named 2021 MS State Games - Female Athlete of the Year. **HC63**.

Tyler, Bob; commend life of service to Yalobusha County and State of Mississippi. **HC88**.

University of Mississippi Women's Golf Team and Coach Kory Henkes; commend for winning their first National Title in school history. **SC527**.

Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. **SR2**.

USM Gulf Coast Research Laboratory Summer Field Program; commend on its 75th Anniversary. **SC589**.

Vancleave High School "Lady Bulldogs" Girls Volleyball Team; commend for fifth consecutive State Championship. **SR53**.

Vietnam War Veterans; recognize and honor those exposed to Agent Orange. **HC14**.

Waldrop, Chief M.E. "Gene"; commend upon his 50 years of police service in the State of Mississippi. **HC48**.

Winter, Elise; extending the deepest sympathy on the passing of former Mississippi First Lady and community activist. **SC507**.

Withdraw, Mandy; commend for being selected as Instructor of the Year at the George County Center of MGCCC. **HC68**.

World Autism Awareness Day in Mississippi; designate April 2, 2022, as. **SC591**.

World Down Syndrome Day in Mississippi; declare that March 21, 2022, as. **SC579**.

Worsham, Charlie; recognize Award-Winning Country Singer, Songwriter and Musician. **SR49**.

Zimmerman, Madeline; commend for being selected as Instructor of the Year at the Jackson County Campus of MGCCC. **HC65**.

#### Nominations:

Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, remainder of a four-year term beginning November 29, 2021. **SN79**.

Michael Barrie Nelson, Madison, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, four-year term beginning November 29, 2021, and ending June 30, 2025. **SN72**.

Sherri Carr (Sherri) Smith, Gulfport, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 11, 2022, and expiring June 30, 2025. **SN145**.

Whitney Holliday Lipscomb, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, unexpired term beginning March 10, 2022, and expiring June 30, 2024. **SN149**.

### TECHNOLOGY

Breach of security of businesses; require notice to be given to the Attorney General in certain circumstances. **SB2528**.

Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. **SB2530 (Vetoed)**.

Emergency procurements; revise certain provisions relating to. **SB2807**.

Local school district-issued computers; require content filtering. **SB2681**.

Mississippi Emergency Communications Act; create. **SB2531**.

Social media; require accountability, responsibility and transparency. **SB2529**.

### TOURISM

COVID-19 Destination Marketing Organization Grant Program Fund; create. **SB2849**.

Mississippi Arts and Entertainment Center lease contract; remove requirement that the leasing nonprofit organization shall be responsible for utility payments. **HB1128, SB2874**.

Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. **SB2092**.

Mississippi Freedom Trail Commission; establish. **HB929, SB2878**.

Mississippi Hotel and Lodging Review Board; create. **SB2876**.

Mississippi USA Semiquincentennial Commission and Mississippi USA Semiquincentennial Celebration Fund; create. **SB2873**.

PEER Committee; require to review effectiveness of the Mississippi Development Authority Tourism Advertising Fund. **HB1093**.  
 Tourism; establish programs for certain assistance, designate "One Mississippi" as contemporary music genre official State Song. **HB453**.

#### UNIVERSITIES AND COLLEGES

Accelerate Mississippi Scholarship Program; create. SB2427.  
 "College Sticker Price Act of 2022"; enact to provide students and families certain program and cost information. HB464.  
 College of Veterinary Medicine; admissions requirements. SB2433.  
 Community Colleges:  
   Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. HB883.  
   Community colleges; authorize to assess student fees to offset cost of fire protection services by local governing authorities. HB1036.  
   Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. SB2694.  
 Graduate Nursing Loan Repayment Program; establish. SB2418.  
 Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. SB2695.  
 Hospital Nurse and Allied Health Professional Retention Loan Program; create. SB2419.  
 IHL:  
   Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. SB2695.  
   Institutions of Higher Learning; authorize to negotiate long-term lease of property administered by State Port Authority. SB2698.  
   IHL Board; extend repealer on authority to oversee certain construction projects funded by state general obligation bonds. **HB475**.  
   IHL; extend repealer date and create the Mississippi Association of Independent Colleges and Universities Grant Program. **SB2700**.  
   IHL; must allocate funding for nonresident students to student financial aid programs. SB2176.  
   Legislative Internship Program; authorize IHL to administer under certain conditions. SB2436.  
 Internal audits; revise requirements for universities, community or junior colleges and certain state agencies. SB2811.  
 Jackson State University; authorize public/private partnership to develop property owned by JSU Development Foundation. **SB2893**.  
 Mississippi Intercollegiate Athletics:  
   Mississippi Intercollegiate Athletics Compensation Rights Act; bring forward. HB1068.  
   Mississippi Intercollegiate Athletics Compensation Act and Mississippi Uniform Agents act; revise various provisions of. **SB2690**.  
   "Uniform Athlete Agents Act"; revise to align agency requirement with provisions of the "MS Intercollegiate Athletics Compensation Rights Act." HB1198.  
 Nominations:  
   Bertucci, Jeffrey Ward (Jeff), Sr., Gulfport, Mississippi, Board of Directors of the College Savings Plan of Mississippi, five year term effective September 15, 2021 and ending June 30, 2026, **SN120**.  
   Brown, Donald Geaty (Don), Vicksburg, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Second Congressional District, five year term beginning July 1, 2021 **SN121**.  
   Cummings, Ormella, Ph.D., Fulton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending **SN39**.

- Hubbard, Teresa Aven, Oxford, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and ending May **SN40**.
- McRight, John Peter (Johnny Pete), Greenville, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the Second Congressional **SN18**.
- Montgomery, Luke Crane, Fulton, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing the First Congressional District as it **SN19**.
- Norman, Tyler, Meridian, Mississippi, Board of Directors of the College Savings Plan of Mississippi to represent the Third Congressional District, remainder of five year term effective September 23, **SN122**.
- Parker, Roy Hal, Jr., Bolton, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the First Supreme District, nine year term effective May 18, 2021 and ending May 8, **SN41**.
- Rader, Gregory Charles (Gregg), Columbus, Mississippi, Board of Trustees of the Institutions of Higher Learning to represent the Third Supreme Court District, nine year term effective May 18, 2021 and **SN42**.
- Symmes, William Poe (Will), Gulfport, Mississippi, Mississippi Community College Board, unexpired term effective May 4, 2021 and ending June 30, 2021, representing the Fifth Congressional District, **SN20**.
- Symmes, William Poe (Will), Gulfport, Mississippi, Mississippi Community College Board, six year term beginning July 1, 2021 and ending June 30, 2027, representing Fifth Congressional District. **SN21**.
- Nursing and Respiratory Therapy Education Incentive Program; create. **HB1005**.
- Protection of free speech and association at public universities; withhold state funds for unconstitutional policy. SB2180.
- "Representative Bill Kinkade Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act"; create. **HB1313**.
- Rural Physicians Scholarship Program; expand to include a loan repayment program for graduates who practice in rural areas. HB768.
- State Resident Forgivable Student Loan Program; provide student loan forgiveness to residents of five years. SB2693.
- State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. SB2425.
- State universities; require to develop mechanism for compiling data on state-funded projects and submit annual report. SB2697.
- Tenure programs for public university faculty; phase out. SB2692.
- The Sexual Assault Response for College Students Act; create. HB589.
- University of Mississippi Medical Center; create Hospital Board to oversee the business operations of the hospital. SB2691.

#### VETERANS AND MILITARY AFFAIRS

- "Mississippi Veterans Cemetery Perpetual Care Fund"; create. SB2650.
- "Mississippi Veterans Home Perpetual Care Fund"; create. SB2645.
- Adjutant General; authorize to convey real property in the best interest of the Mississippi Military Department. **HB1177**.
- Adjutant General; authorize to transfer real property that is in the best interest of the Military Department. SB2667.
- BG (Ret.) Norman Gene (Gene) Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, unexpired four year term effective August 2, 2021 and ending June 30, **SN68**.

- BG Billy Lamar Pierce, (Ret.), Decatur, Mississippi, State Veterans Affairs Board to represent the Third Congressional District as it existed in 1992, unexpired five year term effective September 1, **SN67**.
- Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, unexpired four year term effective February 4, 2022 and ending June 30, 2022, representing the Fifth Congressional **SN107**.
- Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, four year term effective July 1, 2022 and ending June 30, 2026, representing the Fifth Congressional District. **SN108**.
- Chris Anthony Stockstill, Picayune, Mississippi, Veterans Home Purchase Board, four year term effective September 13, 2021 and ending June 30, 2024, representing the Fifth Congressional District. **SN69**.
- Colonel Clifford Allen (Allen) McDaniel, II, Flowood, Mississippi, State Veterans Affairs Board to represent the state at large, unexpired five year term effective September 1, 2021 and ending May 31, **SN66**.
- Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. SB2463.
- Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. SB2671.
- Committee to Study Veteran Homelessness, Unemployment, PTSD and Human Services; make an annual report to the Legislature. SB2312.
- County veteran service officers; revise certain provisions regarding certification. **HB677**.
- Dan Henry (Hank) Singley, Jr., DMD, Meridian, Mississippi, Veterans Home Purchase Board to represent the Third Congressional District as it existed on May 1, 1987, unexpired four year term effective **SN89**.
- Mississippi National Guard; revise conditions under which members will be placed on retired list. HB1180.
- Mississippi National Guard retired list; clarify placement of federally recognized officers or men on. **SB2649**.
- Municipal courts; suspension of sentence for certain veterans receiving treatment. SB2318.
- Richard D. (Dickie) Stevens, Isola, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, **SN90**.
- Ronald Len (Ron) Beckham, Oxford, Mississippi, Veterans Home Purchase Board to represent the First Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, **SN88**.
- SFC James Max Fenn, Jr., USA, Ret., McComb, Mississippi, State Veterans Affairs Board to represent the Fourth Congressional District as such district existed on March 1, 1992, unexpired five year term **SN77**.
- State Veterans Affairs Board; enter into agreements with American Legion to provide transportation for veterans. SB2848.
- State Veterans Home in Collins; name courtyard in honor of Chaplain James Carroll Sanford and Veterans Outreach Program. SB2349.
- State Veterans Homes; require informed consent by residents prior to administering vaccinations. SB2342.
- Thomas Henry Watts, Natchez, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed on May 1, 1987, unexpired four year term effective August 2, 2021 **SN91**.
- Veterans Resource Advisors; authorize State Veterans Affairs Board to certify. SB2646.

#### WILDLIFE, FISHERIES AND PARKS

- Bow hunting; establish a three-day season the last weekend between September 10th and 20th for legal bucks. SB2506.
- Commission on Wildlife, Fisheries and Parks:  
 Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. SB2488.

- Commission on Wildlife, Fisheries and Parks; convert into advisory commission. SB2510.
- Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish. **HB1035**.
- Deer hunting; prohibit use of dogs for. SB2501.
- Department of Wildlife, Fisheries and Parks:
- Department of Wildlife, Fisheries and Parks; set term of executive director and create Division of Parks and Recreation. SB2504.
  - Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks; set terms of office. SB2503.
  - Harvest reporting program; require the Department of Wildlife, Fisheries and Parks to create for white-tailed deer and wild turkey. HB258.
- Hunting and fishing:
- Deer hunting; prohibit use of dogs for. SB2501.
  - Hunting and fishing licenses; allow inclusion of organ donor registration. **SB2505**.
  - Hunting and fishing; allow online applicants for a license to elect to be an organ donor. HB942.
  - Hunting on streets and railroads; clarify prohibition on. SB2489.
  - Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. **SB2010**.
  - Hunting; require tree stands to be tagged with name and address of owner. SB2486.
- Mississippi Outdoor Stewardship Trust Fund:
- Mississippi Outdoor Stewardship Trust Fund; create. HB1064.
  - Mississippi Outdoor Stewardship Trust Fund; create. **HB606**.
  - Mississippi Outdoor Stewardship Trust Fund; create. SB2495.
- Nominations:
- Bentz, Leonard Leon II, Biloxi, Mississippi, Commission on Wildlife, Fisheries and Parks, remainder of a five year term effective September 20, 2021 and ending June 30, 2023, representing the Fifth **SN71**.
  - Rhoads, Gary Lee, Flowood, Mississippi, Commission on Wildlife, Fisheries and Parks, five-year term beginning September 20, 2021 and ending June 30, 2026, representing the Third Congressional District. **SN70**.
- Nuisance animals; prohibit the transportation, importation and release of wild hogs. **HB1065**.
- State parks:
- State parks; transfer jurisdiction from WFP Department and Commission to Mississippi Department of Tourism. SB2515.
  - State parks; transfer jurisdiction from WFP Department and Commission to MDA Tourism Division. SB2518.
- Velvet hunting season; authorize Commission on Wildlife, Fisheries and Parks to establish. **HB1035**.
- Water skiing; revise safety requirements. SB2498.
- Wild hogs:
- Nuisance animals; prohibit the transportation, importation and release of wild hogs. **HB1065**.
  - Wild hogs; require metallic tags to be affixed to the ear of one that is being transported. SB2492.
- Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. SB2490.

### C. LOCAL AND PRIVATE COMMITTEE

#### LOCAL AND PRIVATE

- Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation. **SB2981**.

- Cities of Clinton and Raymond and Town of Bolton; authorize to create joint wastewater authority. **SB3210**.
- City of Batesville; extend repealer on restaurant, hotel and motel tax for tourism. **SB2997**.
- City of Bay Saint Louis; authorize election for 3% tax on hotels and motels to promote tourism. **SB3001**.
- City of Charleston; authorize expenditure for asphalt to be used on certain county roads damaged due to needed city sewer repairs. **HB1549**.
- City of Clinton; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1747**.
- City of Fulton; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1740**.
- City of Grenada; extend repealer on tourism tax. **SB3181**.
- City of Gulfport:  
Authorize to contribute funds to a motor vehicle transportation system commission. **HB1694**, SB3149.
- City of Hattiesburg:  
Extend repealer on tourism commission and hotel/motel tax. **HB1742**.  
Extend repeal date on hotel, motel and restaurant tax. **SB2514**.
- City of Hernando; authorize election for restaurant tax to fund capital improvements related to parks and recreation. **SB3209**.
- City of Horn Lake; extend the repeal date on the tax on hotel and motel room rentals. **SB2999**.
- City of Jackson:  
Authorize increase hotel/motel tax to provide funding for Jackson Convention Center. **HB1754**.  
Authorize to continue contributions to Keep Jackson Beautiful, Inc. **SB2980**.  
Extend repeal date on convention and visitors bureau. **HB1565**, SB3178, SB3179.
- City of Kosciusko; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1743**.
- City of Laurel; authorize tax on hotels and motels to promote tourism. **SB2155**.
- City of Madison; authorize to transfer properties and make other agreements with Madison Square Redevelopment Authority. **SB3202**.
- City of Meridian; authorize 2% increase in monthly benefits for certain retired police, firemen and employees every year. **SB3067**.
- City of Moss Point; extend date of repeal on city's restaurant tax. **HB1755**.
- City of Natchez and Adams County; authorize contributions to Natchez, Incorporated. **HB1440**.
- City of New Albany:  
Authorize expansion of its gas system within a certain area outside its corporate limits. **HB1756**.  
Authorize to expand natural gas distribution system to serve area in Tippah and Union Counties. **SB3205**.
- City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. **SB2513**.
- City of Oxford:  
Authorize expansion of water system for a certain distance outside of city to serve Punkin Water Association. **HB1735**.  
Authorize expansion of water system within a certain distance outside corporate limits. **SB3180**.  
Authorize electronic signatures for warrant applications for violations of Implied Consent Law. **SB3204**.
- City of Richland:  
Extend repealer on bar and restaurant tourism tax. **HB1525**.  
Extend date of repeal on hotel/motel; tourism tax. **HB1526**.
- City of Saltillo; authorize tourism tax on hotels, motels and restaurants. **HB1523**.
- City of Southaven; extend repeal date on restaurant tax. **SB2512**.

## City of Starkville:

Extend repeal date on economic development, tourism/convention tax.  
**HB1547**, SB2993.

City of Vicksburg; authorize contribution to American Legion Boys State Program.  
**SB3068**.

Clinton/Raymond/Bolton Wastewater Authority Act; create. **HB1762**.

George County; authorize the repair of certain parking lot located in. **HB1745**.

## Harrison County:

Authorize certain tax proceeds to be designated for use by Gulf Coast  
Regional Convention and

Visitors Bureau or for tourism solely in. **HB1767**.

Clarify hotel/motel tax for Coast Coliseum and Convention Center shall  
solely be applied to  
overnight room rentals. **HB1757**.

## Holmes County:

Authorize to provide certain compensation for county patrol officers.  
**HB1759**.

Authorize contributions to the Durant Foundation. **HB1760**.

## Jackson County:

Authorize contributions to Friends of Arts, Culture and Education (F.A.C.E.).  
**SB3065**.

Authorize contributions to Junior Auxiliary of Pascagoula-Moss Point.  
**SB3066**.

Extend repeal date on county's hotel/motel tourism tax and authorize to  
make certain designation  
of the use of the tax. **HB1671**, SB3201.

Kemper County; authorize to enter into certain contracts to fund capital costs to extend  
natural gas services in. **HB1763**.

## Marshall County:

Add Care Now Food Pantry as a 501(c)(3) qualified charitable organization  
to which county may  
contribute. **SB3069**.

Authorize contributions to the Byhalia Area Arts Council. HB1752, **SB3206**.

Meridian Public School District; authorize transfer of former school property to Meridian  
Housing Authority. **SB3211**.

## Rankin County:

Authorize contributions to nonprofit organizations that provide  
recreational/sports activities for  
county youth. **HB1744**, SB3203.

Authorize certain road project contracts extending more than 30 days after  
term of current board.  
**SB3208**.

Sheriffs' salaries; increase. **HB1408**.

## Sunflower County:

Authorize contributions to the Sunflower County Ministerial Alliance  
Counseling Service, Inc. **HB1534**.

Authorize contributions to Delta Advantage Center. **HB1535**.

Authorize to the Fannie Lou Hamer Cancer Foundation. **HB1536**.

Town of Byhalia; reenact hotel and motel tax and extend repeal date until July 1, 2026.  
**HB1533**.

Town of Monticello; authorize tourism tax on restaurants, hotels and motels. SB2154.

Town of Oakland; authorize tourism tax on prepared food and drinks at restaurants  
and prepared food at convenience stores. **HB1441**.

Town of Raleigh; authorize a tax on restaurants to promote tourism, parks and  
recreation. **HB1674**.

Town of Sardis; authorize the levy of a tax on hotel, motel and restaurant sales.  
**SB2998**.

## Town of Shuqualak:

Authorize expansion of water services provided by. **HB1748**, SB3207.

Warren County; authorize contributions to various organizations. **SB3000**.

Washington County; extend the repeal date on the hotel and motel tax supporting a sports complex.  
SB3200.

**PART VII****COMMITTEE MEMBERSHIP****A. PERSONNEL OF SENATE COMMITTEES****Accountability, Efficiency, Transparency**

*John A. Polk, Chairman; Angela Burks Hill, Vice-Chairman*

Members: Kevin Blackwell; David Blount; Jenifer B. Branning; Albert Butler; W. Briggs Hopson III; Chris McDaniel; Rita Potts Parks; Mike Thompson; Angela Turner-Ford

**Agriculture**

*Chuck Younger, Chairman; Tyler McCaughn, Vice-Chairman*

Members: Chris Caughman; Lydia Graves Chassaniol; Rod Hickman; Angela Burks Hill; Robert L. Jackson; David Jordan; Joseph M. Seymour; Sarita Simmons; Melanie Sojourner; Benjamin Suber; Neil S. Whaley

**Appropriations**

*W. Briggs Hopson III, Chairman; John A. Polk, Vice-Chairman*

Members: Kevin Blackwell; Jenifer B. Branning; Albert Butler; Kelvin R. Butler; Kathy L. Chism; Dennis DeBar, Jr.; Scott DeLano; Hillman Terome Frazier; Rod Hickman; Angela Burks Hill; Robert L. Jackson; Tyler McCaughn; Michael McLendon; J. Walter Michel; Philip Moran; Sollie B. Norwood; Rita Potts Parks; Joseph M. Seymour; Sarita Simmons; Benjamin Suber; Jeff Tate; Angela Turner-Ford; Brice Wiggins; Bart Williams

**Business and Financial Institutions**

*Chris Caughman, Chairman; Chad McMahan, Vice-Chairman*

Members: Kevin Blackwell; Jenifer B. Branning; Kathy L. Chism; John Horhn; Robert L. Jackson; Chris Johnson; Michael McLendon; Rita Potts Parks; Daniel H. Sparks; Benjamin Suber; Joseph Thomas

**Compilation, Revision and Publication**

Members: Jenifer B. Branning; Joey Fillingane; Hillman Terome Frazier; Dean Kirby; Daniel H. Sparks; Joseph Thomas

**Congressional Redistricting**

*Dean Kirby, Chairman*

Members: Hob Bryan; Dennis DeBar, Jr.; Josh Harkins; W. Briggs Hopson III; David Parker; Derrick T. Simmons; Jeff Tate; Angela Turner-Ford; Brice Wiggins

**Constitution**

*Chris Johnson, Chairman; Derrick T. Simmons, Vice-Chairman*

Members: Jenifer B. Branning; Hob Bryan; Kathy L. Chism; Jeremy England; Hillman Terome Frazier; Benjamin Suber; Bart Williams

**Corrections**

*Juan Barnett, Chairman; Daniel H. Sparks, Vice-Chairman*

Members: Kelvin Butler; Joel R. Carter, Jr.; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Sollie B. Norwood; Derrick T. Simmons; Sarita Simmons; Melanie Sojourner; Brice Wiggins

**County Affairs**

*Angela Burks Hill, Chairman; Neil S. Whaley, Vice-Chairman*

Members: Chris Caughman; Robert L. Jackson; David Jordan; Tyler McCaughn; Joseph M. Seymour; Melanie Sojourner; Bart Williams

### **Drug Policy**

*David Jordan, Chairman; Melanie Sojourner, Vice-Chairman*

Members: Joel R. Carter, Jr.; Kathy L. Chism; Chris Johnson; Chris McDaniel; Sollie B. Norwood; Sarita Simmons; Daniel H. Sparks; Joseph Thomas; Bart Williams

### **Economic and Workforce Development**

*David Parker, Chairman; Chuck Younger, Vice-Chairman*

Members: Jason Barrett; Kelvin Butler; Kathy L. Chism; Jeremy England; Dean Kirby; Chad McMahan; J. Walter Michel; Sollie B. Norwood; Daniel H. Sparks

### **Education**

*Dennis DeBar, Jr., Chairman; David Blount, Vice-Chairman*

Members: Nicole Boyd; Hob Bryan; Scott DeLano; Angela Burks Hill; W. Briggs Hopson III; Chris Johnson; David Jordan; Michael McLendon; Chad McMahan; Sollie B. Norwood; John A. Polk; Sarita Simmons; Brice Wiggins

### **Elections**

*Jeff Tate, Chairman; Hob Bryan, Vice-Chairman*

Members: Kevin Blackwell; David Blount; Jenifer B. Branning; Lydia Graves Chassaniol; Joey Fillingane; Hillman Terome Frazier; David Parker

### **Energy**

*Joel R. Carter, Jr., Chairman; Rita Potts Parks, Vice-Chairman*

Members: Juan Barnett; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Josh Harkins; Angela Burks Hill; John Horhn; Robert L. Jackson; Chris McDaniel; J. Walter Michel; Philip Moran; John A. Polk; Neil S. Whaley; Chuck Younger

### **Enrolled Bills**

*Joseph Thomas, Chairman; Robert L. Jackson, Vice-Chairman*

Members: Chris McDaniel; Sollie B. Norwood; Benjamin Suber

### **Environment Prot, Cons and Water Res**

*Chris McDaniel, Chairman; Chris Caughman, Vice-Chairman*

Members: Jason Barrett; Albert Butler; Kelvin Butler; Scott DeLano; David Jordan; Tyler McCaughn; Sarita Simmons; Jeff Tate; Mike Thompson

### **Ethics**

*Albert Butler, Chairman; Chris McDaniel, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; J. Walter Michel; Sollie B. Norwood; Joseph M. Seymour; Joseph Thomas; Chuck Younger

### **Executive Contingent Fund**

*Robert L. Jackson, Chairman; Juan Barnett, Vice-Chairman*

Members: Jason Barrett; J. Walter Michel; Neil S. Whaley

### **Finance**

*Josh Harkins, Chairman; Chris Johnson, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; Barbara Blackmon; David Blount; Nicole Boyd; Hob Bryan; Joel R. Carter, Jr.; Chris Caughman; Lydia Graves Chassaniol; Jeremy England; Joey Fillingane; John Horhn; David Jordan; Dean Kirby; Chris McDaniel; Chad McMahan; David Parker; Derrick T. Simmons; Melanie Sojourner; Daniel H. Sparks; Joseph Thomas; Mike Thompson; Neil S. Whaley; Chuck Younger

**Forestry**

*Tyler McCaughn, Chairman; Joseph M. Seymour, Vice-Chairman*

Members: Jenifer B. Branning; Albert Butler; Kelvin Butler; Chris Caughman; Rod Hickman; Jeff Tate; Joseph Thomas

**Gaming**

*David Blount, Chairman; Philip Moran, Vice-Chairman*

Members: Kevin Blackwell; Lydia Graves Chassaniol; Scott DeLano; Jeremy England; Robert L. Jackson; Mike Thompson; Chuck Younger

**Highways and Transportation**

*Jenifer B. Branning, Chairman; Barbara Blackmon, Vice-Chairman*

Members: David Blount; Hob Bryan; Albert Butler; Joel R. Carter, Jr.; Scott DeLano; Jeremy England; Joey Fillingane; W. Briggs Hopson III; John Horhn; Michael McLendon; Philip Moran; Rita Potts Parks; Melanie Sojourner; Mike Thompson; Neil S. Whaley; Bart Williams; Chuck Younger

**Housing**

*Barbara Blackmon, Chairman; Kelvin Butler, Vice-Chairman*

Members: Nicole Boyd; Jenifer B. Branning; David Jordan; Philip Moran; David Parker

**Insurance**

*J. Walter Michel, Chairman; Michael McLendon, Vice-Chairman*

Members: Barbara Blackmon; Kevin Blackwell; Nicole Akins Boyd; Scott DeLano; Hillman Terome Frazier; Josh Harkins; Angela Burks Hill; John Horhn; Dean Kirby; Joseph Thomas; Chuck Younger

**Interstate and Federal Cooperation**

*Hillman Terome Frazier, Chairman; Rod Hickman, Vice-Chairman*

Members: Dean Kirby; Derrick T. Simmons; Joseph Thomas

**Investigate State Offices**

*Mike Thompson, Chairman; Sarita Simmons, Vice-Chairman*

Members: Joel R. Carter, Jr.; Hillman Terome Frazier; Rod Hickman; Angela Burks Hill; Michael McLendon; Philip Moran; Bart Williams

**Judiciary, Division A**

*Brice Wiggins, Chairman; Jenifer B. Branning, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; Barbara Blackmon; Nicole Boyd; Dennis DeBar, Jr.; Jeremy England; W. Briggs Hopson III; Dean Kirby; Tyler McCaughn; Chris McDaniel; David Parker; Derrick T. Simmons; Angela Turner-Ford

**Judiciary, Division B**

*Joey Fillingane, Chairman; Jeremy England, Vice-Chairman*

Members: Juan Barnett; Dennis DeBar, Jr.; Rod Hickman; Angela Burks Hill; Tyler McCaughn; Chris McDaniel; Derrick T. Simmons; Daniel H. Sparks; Benjamin Suber; Joseph Thomas; Mike Thompson; Angela Turner-Ford; Brice Wiggins

**Labor**

*John Horhn, Chairman; Hillman Terome Frazier, Vice-Chairman*

Members: Kelvin Butler; Joel R. Carter, Jr.; Kathy L. Chism; Sarita Simmons; Melanie Sojourner; Jeff Tate; Bart Williams

**Legislative Budget Committee**

*Delbert Hosemann Jr., Chairman*

Members: Nicole Boyd; Joey Fillingane; Josh Harkins; W. Briggs Hopson III; John Horhn; Dean Kirby

**Legislative Reapportionment**

*Dean Kirby, Chairman*

Members: Hob Bryan; Dennis DeBar, Jr.; Josh Harkins; W. Briggs Hopson III; David Parker; Derrick T. Simmons; Jeff Tate; Angela Turner-Ford; Brice Wiggins

**Local and Private**

*Chad McMahan, Chairman; Dean Kirby, Vice-Chairman*

Members: Barbara Blackmon; Jeff Tate; Neil S. Whaley

**Medicaid**

*Kevin Blackwell, Chairman; Joey Fillingane, Vice-Chairman*

Members: Barbara Blackmon; David Blount; Hob Bryan; Josh Harkins; Chris Johnson; Rita Potts Parks; John A. Polk; Angela Turner-Ford; Brice Wiggins

**Municipalities**

*Derrick T. Simmons, Chairman; Jason Barrett, Vice-Chairman*

Members: Kelvin Butler; Lydia Graves Chassaniol; David Jordan; Tyler McCaughn; Michael McLendon; Sollie B. Norwood; Joseph M. Seymour; Benjamin Suber; Angela Turner-Ford

**PEER**

Members: Kevin Blackwell; Lydia Graves Chassaniol; Dean Kirby; Chad McMahan; Sollie B. Norwood; John A. Polk; Chuck Younger

**Ports and Marine Resources**

*Philip Moran, Chairman; Mike Thompson, Vice-Chairman*

Members: Joel R. Carter, Jr.; Scott DeLano; Jeremy England; W. Briggs Hopson III; Joseph M. Seymour; Derrick T. Simmons; Melanie Sojourner; Daniel H. Sparks; Brice Wiggins

**Public Health and Welfare**

*Hob Bryan, Chairman; David Parker, Vice-Chairman*

Members: Juan Barnett; Barbara Blackmon; Kevin Blackwell; David Blount; Chris Caughman; Dennis DeBar, Jr.; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; W. Briggs Hopson III; John Horhn; Chris Johnson; Chad McMahan; Rita Potts Parks; John A. Polk; Jeff Tate; Brice Wiggins

**Public Property**

*Angela Turner-Ford, Chairman; Albert Butler, Vice-Chairman*

Members: Jason Barrett; David Blount; Kathy L. Chism; Josh Harkins; Joseph M. Seymour

**Rules**

*Dean Kirby, Chairman; J. Walter Michel, Vice-Chairman*

Members: Dennis DeBar, Jr.; Hillman Terome Frazier; David Parker

**State Library**

*Sollie B. Norwood, Chairman; Kathy L. Chism, Vice-Chairman*

Members: Rod Hickman; Sarita Simmons; Joseph Thomas

**Technology**

*Scott DeLano, Chairman; Bart Williams, Vice-Chairman*

Members: Kevin Blackwell; Nicole Boyd; Michael McLendon; Jeff Tate; Angela Turner-Ford

**Tourism**

*Lydia Graves Chassaniol, Chairman; John Horhn, Vice-Chairman*

Members: Nicole Boyd; Albert Butler; Joel R. Carter, Jr.; Robert L. Jackson; Chris Johnson; David Jordan; Chad McMahan; Philip Moran; Mike Thompson

**Universities and Colleges**

*Rita Potts Parks, Chairman; Nicole Boyd, Vice-Chairman*

Members: David Blount; Albert Butler; Chris Caughman; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; J. Walter Michel; David Parker; John A. Polk; Daniel H. Sparks; Bart Williams

**Veterans and Military Affairs**

*Joseph M. Seymour, Chairman; Scott DeLano, Vice-Chairman*

Members: Juan Barnett; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Chad McMahan; Angela Turner-Ford

**Wildlife, Fisheries and Parks**

*Neil S. Whaley, Chairman; Benjamin Suber, Vice-Chairman*

Members: Chris Caughman; Kathy L. Chism; Rod Hickman; Tyler McCaughn; Chris McDaniel; J. Walter Michel; Derrick T. Simmons; Daniel H. Sparks; Chuck Younger

**B. COMMITTEE ASSIGNMENTS OF SENATORS**

34 - Juan Barnett

(C) Corrections; (V) Executive Contingent Fund; Energy; Ethics; Finance; Judiciary, Division A; Judiciary, Division B; Public Health & Welfare; Veterans & Military Affairs

39 – Jason Barrett

(V) Municipalities; Economic & Workforce Development; Environmental Protection, Conservation & Water Res.; Ethics; Executive Contingent Fund; Finance; Judiciary, Division A; Public Property

21 - Barbara Blackmon

(C) Housing; (V) Highways & Transportation; Finance; Insurance; Judiciary, Division A; Local & Private; Medicaid; Public Health & Welfare

19 - Kevin Blackwell

(C) Medicaid; (V) PEER; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Elections; Gaming; Insurance; Public Health & Welfare; Technology

29 - David Blount

(C) Gaming; (V) Education; Accountability, Efficiency, Transparency; Elections; Finance; Highways & Transportation; Medicaid; Public Health & Welfare; Public Property; Universities & Colleges

9 – Nicole Boyd

(V) Universities & Colleges; Education; Finance; Housing; Insurance; Judiciary, Division A; Legislative Budget Committee; Technology; Tourism

18 – Jenifer B. Branning

(C) Highways & Transportation; (V) Judiciary, Division A; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Compilation, Revision & Publication; Constitution; Elections; Forestry; Housing

7 - Hob Bryan

(C) Public Health & Welfare; (V) Elections; Congressional Redistricting; Constitution; Education; Finance; Highways & Transportation; Legislative Reapportionment; Medicaid

36 - Albert Butler

(C) Ethics; (V) Public Property; Accountability, Efficiency, Transparency; Appropriations; Environmental Protection, Conservation & Water Res.; Forestry; Highways & Transportation; Tourism; Universities & Colleges

38 – Kelvin E. Butler

(V) Housing; Appropriations; Corrections; Economic & Workforce Development; Environmental Protection, Conservation & Water Res.; Forestry; Labor; Municipalities

49 - Joel R. Carter, Jr.

(C) Energy; Corrections; Drug Policy; Finance; Highways & Transportation; Investigate State Offices; Labor; Ports & Marine Resources; Tourism

35 - Chris Caughman

(C) Business & Financial Institutions; (V) Environmental Protection, Conservation & Water Res.; Agriculture; County Affairs; Finance; Forestry; Public Health & Welfare; Universities & Colleges; Wildlife, Fisheries & Parks

14 - Lydia Graves Chassaniol

(C) Tourism; Agriculture; Corrections; Elections; Energy; Finance; Gaming; Municipalities; PEER; Veterans & Military Affairs

3 - Kathy Chism

(V) State Library; Appropriations; Business & Financial Institutions; Constitution; Drug Policy; Economic & Workforce Development; Labor; Public Property; Wildlife, Fisheries & Parks

43 - Dennis DeBar, Jr.

(C) Education; Appropriations; Congressional Redistricting; Corrections; Energy; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Public Health & Welfare; Rules; Veterans & Military Affairs

50 - Scott Delano

(C) Technology; (V) Veterans & Military Affairs; Appropriations; Education; Environmental Protection, Conservation & Water Res.; Gaming; Highways & Transportation; Insurance; Ports & Marine Resources

51 – Jeremy England

(V) Judiciary, Division B; Constitution; Economic & Workforce Development; Finance; Gaming; Highways & Transportation; Judiciary, Division A; Ports & Marine Resources

41- Joey Fillingane

(C) Judiciary, Division B; (V) Elections; (V) Medicaid; Compilation, Revision & Publications; Finance; Highways & Transportation; Legislative Budget Committee; Public Health & Welfare; Universities & Colleges

27 - Hillman Terome Frazier

(C) Interstate & Federal Cooperation; (V) Labor; Appropriations; Compilation, Revision & Publications; Constitution; Elections; Insurance; Investigate State Offices; Public Health & Welfare; Rules; Universities & Colleges

20 - Josh Harkins

(C) Finance; Congressional Redistricting; Energy; Insurance; Legislative Budget Committee; Legislative Reapportionment; Medicaid; Public Health & Welfare; Public Property; Universities & Colleges

32 – Rod Hickman

(V) Interstate & Federal Cooperation; Agriculture; Appropriations; Forestry; Investigate State Offices; Judiciary, Division B; State Library; Wildlife, Fisheries & Parks

40 - Angela Burks Hill

(C) County Affairs; (V) Accountability, Efficiency, Transparency; Agriculture; Appropriations; Education; Energy; Insurance; Investigate State Offices; Judiciary, Division B

23 - W. Briggs Hopson III

(C) Appropriations; Accountability, Efficiency, Transparency; Congressional Redistricting; Education; Highways & Transportation; Judiciary, Division A; Legislative Budget Committee; Legislative Reapportionment; Ports & Marine Resources; Public Health & Welfare

26 - John Horhn

(C) Labor; (V) Tourism; Business & Financial Institutions; Energy; Finance; Highways & Transportation; Insurance; Legislative Budget Committee; Public Health & Welfare

11 - Robert L. Jackson

(C) Executive Contingent Fund; (V) Enrolled Bills; Agriculture; Appropriations; Business & Financial Institutions; County Affairs; Energy; Gaming; Tourism

45 - Chris Johnson

(C) Constitution; (V) Finance; Business & Financial Institutions; Drug Policy; Education; Medicaid; Public Health & Welfare; Tourism

24 - David Jordan

(C) Drug Policy; Agriculture; County Affairs; Education; Environmental Protection, Conservation & Water Res.; Finance; Housing; Municipalities; Tourism

30 – Dean Kirby

(C) Congressional Redistricting; (C) Legislative Reapportionment; (C) Rules; (V) Local & Private; Compilation, Revision & Publication; Economic & Workforce Development; Finance; Insurance; Interstate & Federal Cooperation; Judiciary, Division A; Legislative Budget Committee; PEER

31 – Tyler McCaughn

(C) Forestry; (V) Agriculture; Appropriations; County Affairs; Environmental Protection, Conservation & Water Res.; Judiciary, Division, A; Judiciary, Division B; Municipalities; Wildlife, Fisheries & Parks

42 - Chris McDaniel

(C) Environment Protection, Conservation & Water Res.; (V) Ethics; Accountability, Efficiency, Transparency; Drug Policy; Energy; Enrolled Bills; Finance; Judiciary, Division A; Judiciary, Division B; Wildlife, Fisheries & Parks

- 1 – Michael McLendon  
(V) Insurance; Appropriations; Business & Financial Institutions; Education; Highways & Transportation; Investigate State Offices; Municipalities; Technology
- 6 - Chad McMahan  
(C) Local & Private; (V) Business & Financial Institutions; Economic & Workforce Development; Education; Finance; PEER; Public Health & Welfare; Tourism; Veterans & Military Affairs
- 25 – J. Walter Michel  
(C) Insurance; (V) Rules; Appropriations; Economic & Workforce Development; Energy; Ethics; Executive Contingent Fund; Universities & Colleges; Wildlife, Fisheries & Parks
- 46 - Philip Moran  
(C) Ports & Marine Resources; (V) Gaming; Appropriations; Energy; Highways & Transportation; Housing; Investigate State Offices; Tourism
- 28 - Sollie B. Norwood  
(C) State Library; Appropriations; Corrections; Drug Policy; Economic & Workforce Development; Education; Enrolled Bills, Ethics; Municipalities; PEER
- 2 - David Parker  
(C) Economic & Workforce Development; (V) Public Health & Welfare; Congressional Redistricting; Elections; Finance; Housing; Judiciary, Division A; Legislative Reapportionment; Rules; Universities & Colleges
- 4 – Rita Potts Parks  
(C) Universities & Colleges; (V) Energy; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Highways & Transportation; Medicaid; Public Health & Welfare
- 44 - John A. Polk  
(C) Accountability, Efficiency, Transparency; (V) Appropriations; Education; Energy; Medicaid; PEER; Public Health & Welfare; Universities & Colleges
- 47 - Joseph M. Seymour  
(C) Veterans & Military Affairs; (V) Forestry; Agriculture; Appropriations; County Affairs; Ethics; Municipalities; Ports & Marine Resources; Public Property
- 12 - Derrick T. Simmons  
(C) Municipalities (V) Constitution; Corrections; Congressional Redistricting; Finance; Interstate & Federal Cooperation; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Ports & Marine Resources; Wildlife, Fisheries and Parks
- 13 - Sarita Simmons  
(V) Investigate State Offices; Agriculture; Appropriations; Corrections; Drug Policy; Education; Environmental Protection, Conservation & Water Res.; Labor; State Library
- 37 – Melanie Sojourner  
(V) Drug Policy; Agriculture; Corrections; County Affairs; Finance; Highways & Transportation; Labor; Ports & Marine Resources
- 5 – Daniel Sparks  
(V) Corrections; Business & Financial Institutions; Compilation, Revision and Publications; Drug Policy; Economic & Workforce Development; Finance; Judiciary, Division B; Ports & Marine Resources; Universities & Colleges; Wildlife, Fisheries & Parks

8 – Benjamin Suber

(V) Wildlife, Fisheries & Parks; Agriculture; Appropriations; Business & Financial Institutions; Constitution; Enrolled Bills; Judiciary, Division B; Municipalities  
33- Jeff Tate

(C) Elections; Appropriations; Congressional Redistricting; Environmental Protection, Conservation & Water Res.; Forestry; Labor; Legislative Reapportionment; Local & Private; Public Health & Welfare; Technology

22 – Joseph C. Thomas

(C) Enrolled Bills; Business & Financial Institutions; Compilation, Revision & Publication; Drug Policy; Ethics; Finance; Forestry; Insurance; Interstate & Federal Cooperation; Judiciary, Division B; State Library

48 – Mike Thompson

(C) Investigate State Offices; (V) Ports & Marine Resources; Accountability, Efficiency, & Transparency; Environmental Protection, Conservation & Water Res.; Finance; Gaming; Highways & Transportation; Judiciary, Division B; Tourism

16 - Angela Turner Ford

(C) Public Property; Accountability, Efficiency, Transparency; Appropriations; Congressional Redistricting; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Medicaid; Municipalities; Technology; Veterans & Military Affairs

10 - Neil S. Whaley

(C) Wildlife, Fisheries & Parks; (V) County Affairs; Agriculture; Energy; Executive Contingent Fund; Finance; Highways & Transportation; Local & Private

52 - Brice Wiggins

(C) Judiciary, Division A; Appropriations; Congressional Redistricting; Corrections; Education; Judiciary, Division B; Legislative Reapportionment; Medicaid; Ports & Marine Resources; Public Health and Welfare

15 – Bart Williams

(V) Technology; Appropriations; Constitution; County Affairs; Drug Policy; Highways & Transportation; Investigate State Offices; Labor; Universities & College

17 - Chuck Younger

(C) Agriculture; (V) Economic & Workforce Development; Energy; Ethics; Finance; Gaming; Highways & Transportation; Insurance; PEER; Wildlife, Fisheries & Parks

**PAT VIII****BIOGRAPHICAL DATA OF SENATORS****PRESIDING OFFICER**

**HOSEMANN, DELBERT**, Lieutenant Governor, P.O. Box 1018, Jackson, MS 39215. Raised in Warren County, MS. St. Aloysius High School (Vicksburg, MS); University of Notre Dame, BA; University of Mississippi, Juris Doctorate; New York University, LL.M. U.S. Army Reserve. Partner at Phelps Dunbar, LLP; "Best Lawyer in America," 18 years. N.R.A., Life Member; Ducks Unlimited, Member. Former Chairman of the Board of MS Blood Services; former Treasurer of Jackson Medical Mall Assn. Saint Richard Catholic Church, Member. Wife, Lynn Hosemann. MS Secretary of State, 2008-2020. MS Lieutenant Governor, 2020-Present. Republican.

**SENATORS**

**BARNETT, JUAN**, P.O. Box 407, Heidelberg, MS 39439. 34<sup>th</sup>: Forrest, Jasper, Jones. Born February 21, 1970, Laurel, MS. Heidelberg High School; Livingston University (UWA) Livingston, Alabama. U.S. Army. AT&T Digital Technician. Alpha Phi Alpha Fraternity; Vice-President CWA Local 3509; Mayor-Town of Heidelberg 2012-2016. Baptist. Wife, former Jacqueline Lovett. Senate 2016-present. Democrat.

**BARRETT, JASON**, P.O. Box 729, Brookhaven, MS 39602. 39<sup>th</sup>: Copiah, Lawrence, Lincoln, Walthall. Born March 19, 1978, Thomasville, GA. Thomas County Central High School; University of Georgia; MS College School of Law. Attorney. MS Bar; MS Supreme Court; N.R.A.; National Wild Turkey Federation; Ducks Unlimited; Servitium Club; Brookhaven Chamber of Commerce; Supreme Court of the United States; United States District Court (Southern & Northern Districts of MS). Baptist. Wife, former Brandi Edwards; Children: Emme and John Henry. Senate 2020-present. Republican.

**BLACKMON, BARBARA MARTIN**, 374 North West Street, Canton, MS 39046. 21<sup>st</sup>: Attala, Holmes, Leake, Madison, Yazoo. Born in Jackson, MS. Jackson State University, BS, Business Administration; University of Alabama, M.B.A.; University of Mississippi, Juris Doctorate; New York University, LL.M (Taxation). Mississippi State Bar; New York State Bar; Magnolia Bar Assn.; Attorney. Baptist. Husband, Edward Blackmon, Jr. Senate 1992 - 2003; Senate 2016-present. Democrat.

**BLACKWELL, KEVIN**, P.O. Box 1412, Southaven, MS. 38671. 19<sup>th</sup>: DeSoto, Marshall. Born October 24, 1954. Bishop McGuinness Memorial High School; San Diego Mesa College; National University; Medical College of Virginia (MSHA). Business Owner. Navy veteran. Rotary Club of Southaven; Olive Branch, Southaven & Byhalia Chamber of Commerce; DeSoto Economic Council; N.R.A.; Ducks Unlimited; North American Hunting Club; Buckmasters. Catholic. Wife, former Vicki Lynn Bryant. Senate 2016-present. Republican.

**BLOUNT, DAVID LAMAR**, 1305 Saint Mary Street, Jackson, MS, 39202. 29<sup>th</sup>: Hinds. Born, July 1967. Davidson College (BA); University of Virginia (MA); Licensed Real Estate Broker; Leadership Jackson; Byram Chamber of Commerce. Episcopal. Wife, former Katherine Drayne. Senate 2008-present. Democrat.

**BOYD, NICOLE**, 113 Sivley Street, Oxford, MS 38655. 9<sup>th</sup>: Lafayette, Panola. Born January 19, 1969, Corinth, MS. Oxford High School. Mississippi State University, Bachelor of Science; University of Mississippi Law School, Juris

Doctorate. Attorney and Real Estate Manager. Oxford University Bank Board.  
Baptist. Husband, Daniel Boyd. Senate 2020-present. Republican.

**BRANNING, JENIFER B.**, 235 W. Beacon Street, Philadelphia, MS 39350. 18<sup>th</sup>: Leake, Neshoba, Winston. Leake Academy. Mississippi State University, Business Administration, Attended M.B.A. program; MS College School of Law, Juris Doctorate. Attorney and Business Owner. Official MS Women's Club; Member Neshoba County Republican Women; MS Federation of Women's Club; N.R.A.; Neshoba Forestry Assn.; Neshoba County Industrial Managers' Assn.; MS Bar; Philadelphia Community Development Partnership; Neshoba Chamber of Commerce; Leake Chamber of Commerce; Leake County Forestry Assn.; Winston County Republican Women; Board Member of Hope's House Children's Home. Christian. Husband, Chancy Branning. Children, Ethan, Ellis and Evan. Senate 2016-present. Republican.

**BRYAN, HOB**, P.O. Box 75, Amory, MS, 38821. 7<sup>th</sup>: Itawamba, Lee, Monroe. Born December 5, 1952, Amory, MS. Amory High School; Mississippi State University; University of Virginia. Attorney. Amory Rotary Club. Baptist. Senate 1984-present. Democrat.

**BUTLER, ALBERT**, P.O. Box 614, Port Gibson, MS, 39150. 36<sup>th</sup>: Claiborne, Copiah, Hinds, Jefferson. Born, Port Gibson, MS. Addison High School; Alcorn State University; Jackson State University; University of Arkansas at Conway. Agricultural Farmer. Owner/CEO of Diversified Services, LLC. Omega Psi Phi; Mason; NAACP. Baptist. Wife, former Malinda Boyd. Senate 2010-present. Democrat.

**BUTLER, KELVIN**, 2018 Hawthorne Dr., McComb, MS, 39648. 38<sup>th</sup>: Adams, Amite, Pike, Walthall, Wilkinson. Born April 8, 1956, Magnolia, MS. South Pike High School. Mississippi Valley State University. Meadow Draughon Business College, New Orleans, LA. Retired. Member NAACP; Pike County Chamber of Commerce; Magnolia Chamber. Baptist. Wife, former Barbara Jackson. Senate 2004-2016. Senate 2021-present. Democrat

**CARTER, JR., JOEL R.** P.O. Box 1300, Gulfport, MS 39502. 49<sup>th</sup>: Harrison. Born August 8, 1978, Jackson, MS. Gulfport High School. University of Southern MS. Real Estate Broker. Member of Nat'l. and MS Assn. of Realtors; Gulf Coast Assn. of Realtors; U.S.M. Alumni Assn.; N.R.A.; Ducks Unlimited.; Gulf Coast Conservation Assn.; Harrison County Republican Club. Christian. Senate 2018-present. Republican.

**CAUGHMAN, CHRIS**, P. O. Box 511, Mendenhall, MS 39114. 35<sup>th</sup>: Copiah, Rankin, Simpson. Born October 14, 1967, Hattiesburg, MS. Simpson County Academy. Copiah Lincoln Jr. College; B.A. Belhaven College; U.M.; L.S.U.; S.M.U.; Vanderbilt School of Banking. Banker, Senior Vice-President Peoples Bank. Board member of Simpson County Youth Leadership Program; Board member of Copiah Lincoln Community College Foundation Board. Baptist. Wife, former Melissa Hilton. Senate 2016-present. Republican.

**CHASSANIOL, LYDIA GRAVES**, P.O. Box 211, Winona, MS, 38967. 14<sup>th</sup>: Attala, Carroll, Grenada, Leflore, Montgomery, Panola, Tallahatchie, Yalobusha. Born in Greenwood, MS. Winona High School; University of Mississippi. Rotary; Member Farm Bureau; Montgomery County Economic Development Partnership; Montgomery County Arts Council. Methodist. Husband, Emmett Chassaniol. Senate 2007-present. Republican.

**CHISM, KATHY**, 1506 Moss Hill Drive New Albany, MS. 3<sup>rd</sup>: Benton, Pontotoc, Union. Born in Aurora, Illinois. Myrtle High School; Northeast Community College; Itawamba Community College. Realtor/Auctioneer/Business Owner.

Daughter, Joni McLarty. Grandchildren, Lexi, Cash, Leighton, Hoyt. Husband, Bob Chism. Senate 2020-present. Republican.

**DEBAR, JR., DENNIS**, P.O. Box 1090, Leakesville, MS 39451. 43<sup>rd</sup>: George, Greene, Wayne. Born October 25, 1971, Owosso, MI. Mississippi College School of Law; University of Central Florida. Attorney. Mississippi Bar Assn.; National Guard Assn. of Mississippi; N.R.A., Life Member; American Legion Post 53. Methodist. Wife, former Kelley Porter. House 2012-2016. Senate 2016-present. Republican.

**DELANO, SCOTT**, P.O. Box 4524, Biloxi, MS 39535. 50<sup>th</sup>: Harrison. Born September 20, 1971, Hendersonville, North Carolina. BA, Acct., University of Southern Mississippi. Real Estate Developer. Presbyterian. Children, Matthew and Emily. Wife, Robin DeLano. House 2010 – 2019. Senate 2020-present. Republican.

**ENGLAND, JEREMY**, P.O. Box 6363 Vancleave, MS 39565. 51<sup>st</sup>: Jackson. Born November 11<sup>th</sup>, 1982, Ocean Springs, MS. Pascagoula High School. Mississippi State University. University of Mississippi Law School; Attorney. MS Bar Assn.; N.R.A.; St. Martin Youth Baseball; Mosaic Church. Wife, former Melissa Randall. Senate 2020-present. Republican.

**FILLINGANE, JOSEPH E. (JOEY)**, 8 Westbrook Drive, Sumrall, MS, 39482. 41<sup>st</sup>: Covington, Forrest, Jefferson Davis, Lamar, Smith. Born January 10, 1973, Hattiesburg, MS. Sumrall High School; Hinds Community College; University of Southern Mississippi; Mississippi College School of Law. Attorney. Area Development Partnership; N.R.A. Baptist. House 2000-2006. Senate 2007-present. Republican.

**FRAZIER, HILLMAN TEROME**, 2066 Queensroad Avenue, Jackson MS, 39213. 27<sup>th</sup>: Hinds. Born July 17, 1950, Jackson, MS. Holy Ghost Catholic High School; Hinds Community College; Jackson State University; Harvard University; John F. Kennedy School of Government; George Washington University National Law Center. Consultant. Protestant. Wife, former Jean Clayton. House 1980-1993; Senate 1993-present. Democrat.

**HARKINS, JOSH**, P.O. Box 320374, Flowood, MS, 39232. 20<sup>th</sup>: Rankin. Born April 5, 1974, Jackson, MS. Mississippi State University. Commercial Real Estate & Construction; N.R.A., life member; Flowood Chamber of Commerce; MS Commercial Assn. of Realtors; Home Builders Assn.; River Oaks Hospital Board of Trustees. Baptist. Wife, former Andrea Scales. Senate 2012-present. Republican.

**HICKMAN, ROD**, 2829 Jefferson Street, Macon, MS, 39341. 32<sup>nd</sup>: Kemper, Lauderdale, Noxubee, Winston. Noxubee County High School. University of Mississippi, Liberal Arts; University of Mississippi School of Law, Juris Doctorate. Attorney; Business Owner; Adjunct professor, Tougaloo College. Member of Alpha Phi Alpha Fraternity Incorporated; Noxubee County NAACP; Noxubee County School District Advisor Council; Noxubee County High School Mock Trial team coach. Pentecostal. Senate 2021-present. Democrat.

**HILL, ANGELA BURKS**, 54 Watts Road, Picayune, MS, 39466. 40<sup>th</sup>: Marion, Pearl River. Born August 14, 1965, in Picayune, MS. Picayune Memorial High School; Pearl River Community College; University of Southern Mississippi. Teacher. Baptist. Husband, Richard Byron Hill. Senate 2012-present. Republican.

**HOPSON, III, W. BRIGGS**, 1201 Cherry Street, Vicksburg, MS, 39183. 23<sup>rd</sup>: Issaquena, Warren, Yazoo. Born October 10, 1965, in Memphis, TN. Warren Central High School; University of Mississippi. Attorney. Sigma Alpha Epsilon; Phi Delta Phi; MS Bar; LA State Bar Assn.; Council of School Attorneys; International Assn. of Defense Counsel; Chamber of Commerce. Methodist. Wife, former Alison Quaid. Senate 2008-present. Republican.

**HORHN, JOHN A.**, P.O. Box 2030, Jackson, MS, 39225. 26<sup>th</sup>: Hinds, Madison. Born February 8, 1955, Goodman, MS. Callaway High School; Centre College of Kentucky; Jackson State University; Duke University. Business Development Consultant. Former member, Centre College Board of Trustees. Board member, Foundation for Mississippi History; MS Museum of Art; B.B. King Museum; Gulf Coast Housing Partnership. Member, 100 Black Men of Jackson; Phi Beta Sigma Fraternity; Sigma Alpha Epsilon Fraternity; Screen Actors Guild; Non-Denominational. Wife, former Lydia Gail Cole. Senate 1993-present. Democrat.

**JACKSON, ROBERT L.**, P.O. Box 383, Marks, MS, 38646. 11<sup>th</sup>: Coahoma, Panola, Quitman, Tunica. Born August 15, 1955, Lambert, MS. Quitman County High School; Northwest Junior College; University of Southern Mississippi. Economic Development; Commercial Developer. Alpha Phi Alpha; Quitman County Social Service Club for Senior Citizens; 21st Century Investment Club. Baptist. Wife, former Gloria Jean Richmond. Senate 2004-present. Democrat.

**JOHNSON, CHRIS**, P.O. Box 18247, Hattiesburg, MS 39404. 45<sup>th</sup>: Forest, Lamar. Forrest County Agricultural High School; Pearl River Community College; University of Southern Mississippi, BS Accounting/Finance. Business and Real Estate Investor. House 2016–2020; Senate 2020-present. Republican.

**JORDAN, DAVID LEE**, P.O. Box 8173, Greenwood, MS, 38930. 24<sup>th</sup>: Grenada, Holmes, Humphreys, Leflore, Tallahatchie. Born April 3, 1934, Leflore County, MS. Broad Street High School; Mississippi Valley State University; University of Wyoming; Kansas State; College of Pittsburg; Dillard University; University of Texas. Science Teacher (retired). Greenwood City Councilman. President, Greenwood Voters League. Baptist. Wife, former Christine Bell. Senate 1993-present. Democrat.

**KIRBY, MURREL DEAN (DEAN)**, P.O. Box 54099, Pearl, MS, 39288. 30<sup>th</sup>: Rankin. Born November 21, 1946, Lake City, AR. Pearl High School; Mississippi College; LaSalle University. Insurance. 32nd Degree Scottish Rite Mason; Pearl Chamber of Commerce; Rankin Chamber of Commerce NCSL; ALEC. Baptist. Wife, former Jean Latham (deceased). Senate 1992-present. Republican.

**MCCAUGHN, TYLER**, P.O. Box 28, Newton, MS 39345. 31<sup>st</sup>: Lauderdale, Newton, Scott. Morton High School; Jones Junior College; The University of Mississippi, Mississippi College School of Law, Attorney, Cattle Farmer. Newton Rotary; Newton Chamber of Commerce; Morton Chamber of Commerce; Scott County Bar Assoc.; Newton County Bar Assoc.; N.R.A.; Eagle Scout. Methodist. Wife, former Carrie Balentine. Senate 2020-present. Republican.

**MCDANIEL, CHRISTOPHER B. (CHRIS)**, 506 South Court, Ellisville, MS 39437. 42<sup>nd</sup>: Forrest, Jones. Born June 28, 1971, Laurel, MS. Jones County Junior College; William Carey University; University of Mississippi School of Law. Law Partner, Hortman, Harlow, Martindale, Bassi, Robinson & McDaniel, PLLC. Hundred Club; N.R.A.; Federalist Society; MS Bar Assn.; Rotary Club; Exchange Club; MS Leadership Forum. Baptist. Wife, former Jill Tullos. Senate 2008-present. Republican.

**MCLENDON, MICHAEL**, 2245 Memphis Street, Hernando, MS 38632. 1<sup>st</sup>: DeSoto. Born in Dallas, Texas. Oakhaven Baptist Academy High School. Northwest Community College; Memphis State University. Producer/Risk Manager. Commercial Insurance-Employee Benefits, City of Hernando Mayor & Board of Alderman; MS Farm Bureau; N.R.A.; Hernando-Horn Lake-Olive Branch-Southaven C of C; DeSoto Economic Council. Methodist. Wife, former Vickey Blythe. Senate 2020-present. Republican.

**MCMAHAN, CHAD**, 1537 Highway 145, Guntown, MS 38849. 6<sup>th</sup>: Itawamba, Lee. Born January 28, 1972, Tupelo, MS. Tupelo High School. BSBA Union University. Business Executive, sales/marketing; motivational speaker. Former Guntown Alderman. MS. Participates in a wide variety of social and professional clubs and Assn. Follower of Jesus Christ. Wife, Allison "Nicky" Clayton McMahan. Senate 2016-present. Republican.

**MICHEL, J. WALTER**, 241 Richardson Road, Ridgeland, MS 39157. 25<sup>th</sup>: Hinds, Madison. Born Jackson, MS. Jackson Prep; University of Mississippi. Self-Employed Real Estate. MS Assn. of Realtors; MS Forestry Assn.; Rotary Club; N.R.A.; Ole Miss Alumni Assn.; Eagle Scout; National Wild Turkey Federation; NFIB; Madison County Chamber of Commerce. Catholic. Wife, Beth McClellan Michel. House 1992. Senate 1999-2011. Senate 2016-present. Republican.

**MORAN, PHILIP**, 18403 Old Joe Moran Road, Kiln, MS, 39556. 46<sup>th</sup>: Hancock, Harrison. Born March 6, 1961, Bay St. Louis, MS. Hancock North Central High School; Pearl River Community College; Mississippi State University. Associate member of the Gulf Coast Real Estate Assn. Owner, Philip's Pest Control. Rotary, Hancock County; Knights of Columbus; Gulf Coast Assn. of Realtors; MS Pest Control Assn.; Assn. of Builders and Contractors. Catholic. Wife, former Sheila Morris. Senate 2012-present. Republican.

**NORWOOD, SOLLIE B.**, P.O. Box 20192, Jackson, MS, 39289. 28<sup>th</sup>: Hinds. Born August 5, 1952, Florence, MS. McLaurin High School; Jackson State University. Realtor/Broker. NAACP; Jackson State National Alumni. Phi Beta Sigma; Prince Hall Mason; Deacon; Layman. Baptist. Wife, former Joan Winters. Senate 2013-present. Democrat.

**PARKER, DR. DAVID L.**, 6947 Crumpler Blvd., Olive Branch, MS 38654. 2<sup>nd</sup>: DeSoto. Born in Memphis, TN. Christian Brothers University; Southern College of Optometry. Diplomat, American Board of Optometry. Member of the American Optometric Assn. and MS Optometric Assn. Owner, Olive Branch Eyecare, Horn Lake Eyecare, and Eyecare Properties. Member of Horn Lake, Southaven, and Olive Branch Chambers of Commerce and DeSoto Economic Council. Adjunct Faculty Professor for Southern College of Optometry. Optometrist. Children, Allie, Jack, Luke, Jude. Wife, former Ashleigh Beckett. Senate 2013-present. Republican.

**PARKS, RITA POTTS**, 150 County Road 632, Corinth, MS, 38834. 4<sup>th</sup>: Alcorn, Tippah. Born December 18, 1962, Corinth, MS. Alcorn Central High School; Northeast Mississippi Community College.; University of Mississippi. Quality and Regulatory Manager. Kiwanis; Former Director MS Government Prayer Alliance; Parenteral Drug Assn.; N.R.A.; ASR. Baptist. Husband, Mike Parks. Senate 2012-present. Republican.

**POLK, JOHN A.**, 53 Tidewater Road, Hattiesburg, MS, 39402. 44<sup>th</sup>: Lamar, Pearl River. Born March 18, 1949, Columbia, MS. Prentiss High School; University of Southern Mississippi. Business Executive, Polk's Meat Products Inc. Baptist. Wife, former Jan Barnett. Senate 2012-present. Republican.

**SEYMOUR, JOSEPH M. "MIKE"**, 15417 Indian Fork Rd., Vancleave, MS 39565. 47<sup>th</sup>: Jackson, Pearl River, Stone. Born April 15, 1959, Biloxi, MS. St. Martin High School; Mississippi Gulf Coast Community College. Self-Employed small business owner. Facility Maintenance Manager; 4-H; MS Hunting Dog Assn. Baptist. Wife, former Kerri Jo Husley. Senate 2016-present. Republican

**SIMMONS, DERRICK T.**, P.O. Box 1854, Greenville MS, 38702. 12<sup>th</sup>: Bolivar, Coahoma, Washington. Born December 12, 1976, Greenville, MS. Jackson State University; Howard Business School; Howard Law School. Attorney, Businessman. Mason; Kappa Alpha Psi; American Bar Assn.; National Bar Assn.; MS

Bar Assn.; Magnolia Bar; District of Columbia Bar; Greenville Rotary Club. NAACP. Baptist. Wife, former CuWanda Flowers. Senate 2011-present. Democrat.

**SIMMONS, SARITA** P.O. Box 1813, Cleveland, MS, 38732. 13<sup>th</sup>: Bolivar, Sunflower, Tallahatchie. Born May 14, 1977, Cleveland, MS. Cleveland High School. B.S. degree, Educational Psychology, Alcorn State University. Consultant. Board Member of MS Head Start Assn.; Member MS Grammy Museum; Delta Sigma Theta Sorority, Inc.; The Links, Inc.; NAACP; National Council of Negro Women; Bolivar County Democrat Executive Committee. Christian faith. Senate 2020-present. Democrat.

**SOJOURNER, MELANIE**, 438 Upper Kingston Road, Natchez, MS 39120. 37<sup>th</sup>: Adams, Amite, Franklin, Pike. Born January 5, 1968, Centreville, MS. Adams County Christian School; Copiah-Lincoln Community College, A.A. degree; LSU/Baton Rouge BS. Cattle Producer & Small Business Owner. Former 4-H Livestock Specialist; Mississippi State University Extension Service; Former Director of Member Services, Nat'l. Cattlemen's Beef Assn.; Adams County, Farm Bureau Board of Directors; MS Cattlemen's Assn; Natchez Regional Medical Center Foundation. Baptist. Senate 2012-2015. Senate 2020-present. Republican.

**SPARKS, DANIEL**, P.O. Box 218 Belmont, MS 38827. 5<sup>th</sup>: Itawamba, Prentiss, Tishomingo. Born in Cleveland, MS. Belmont High School. Northeast MS Community College. BA Accounting; MTAX; Juris Doctorate, University of Mississippi. Attorney. N.R.A.; MS Bar Assn. Christian. Wife, former Anna Moak. Senate 2020-present. Republican.

**SUBER, BENJAMIN**, P.O. Box 8 Bruce, MS 38915. 8<sup>th</sup>: Calhoun, Chickasaw, Lee, Pontotoc, Yalobusha. Born July 30, 1978, Oxford, MS. MBA, Mississippi State University; BS Marketing Management, Arkansas State University; Juris Doctorate, MS College School of Law. Attorney, Small Business Owner. MS Bar Assn.; Calhoun County Bar Assn.; Bruce Rotary Club; Calhoun County Farm Bureau Board of Directors; Advisory Board of Directors Calhoun County Banking Center. Methodist. Wife, Sarah Kathryn Willard. Senate 2020-present. Republican.

**TATE, JEFF**, 169 Springhill Rd., Meridian, MS 39301. 33<sup>rd</sup>: Clarke, Lauderdale. Born April 22, 1988, Meridian, MS. Lamar High School. Self-Employed; Owner, Tate's LLC; Co-Owner, Southern Pyrotechnics, LLC; Lauderdale County, Archives & History; NFIB; National Rifle Assn. Baptist. Wife, former Leigha Barnard. Senate 2020-present. Republican.

**THOMAS, SR., JOSEPH C.**, P.O. Box 524, Yazoo City, MS 39194. 22<sup>nd</sup>: Humphreys, Madison, Sharkey, Sunflower, Washington, Yazoo. Born June 25, 1949, Yazoo City, MS. N.D. Taylor High School; Jackson State University. Retired Vice-President, Regions Bank. Chairman, Board of Directors of Bountiful Blessings Broadcasting, Inc.; District President, MS Baptist Laymen's Movement; Senior Deacon, Chapel Hill M.B. Church; Former Board Member, Nat'l Development Foundation, Jackson State University; Former Member, American Public Power Assn., (APPA), Washington, D.C.; Former Chairman of the Yazoo City Public Service Commission; Former Vice-Chairman, MS Real Estate Appraiser, Licensing & Certification Board; Former Board Member, MS Strategic Economic Development 7 Planning Committee Vice-President of the DW Wilburn Foundation; Board member of the Yazoo County; Fellowship of Christian Athletics; Former Executive Vice-President & Treasurer of the Friends of Amistad Research Center in New Orleans, LA. Baptist. Wife, former Elizabeth Wilburn. Senate 2004-2008. Senate 2020-present. Democrat.

**THOMPSON, MIKE**, 5574 Red Creek Rd., Long Beach, MS 39560. 48<sup>th</sup>: Harrison. Born November 5, 1976, Metairie, LA. St. Stanislaus High School. BS, Marine Transportation, Texas A&M University at Galveston; Loyola University New Orleans,

College of Law. Attorney. Christian. Wife, former Lindsay Anne Murray. Senate 2020-present. Republican.

**TURNER FORD, ANGELA**, P.O. Drawer 1500, West Point, MS, 39773. 16<sup>th</sup>: Clay, Lowndes, Noxubee, Oktibbeha. Born July 2, 1971, West Point, MS. West Point High School. Hampton University; Howard University; Mississippi State University; University of Alabama at Birmingham; University of Mississippi. Attorney. Member of the Board of Directors for North Mississippi Rural Legal Services. Delta Sigma Theta Sorority, Inc. Baptist. Husband, Robert Ford, Sr. Senate 2013-present. Democrat.

**WHALEY, NEIL S.**, 6685 Church Ave., Potts Camp, MS 38659. 10<sup>th</sup>: Marshall, Tate. Born May 24, 1988, Memphis, TN. Potts Camp High School. Northwest Community College. Business Owner/Cattleman. Methodist. Wife, former Leslee Rowland. Senate 2018-present. Republican.

**WIGGINS, BRICE**, 1201 Farnsworth Avenue, Pascagoula, MS, 39567. 52<sup>nd</sup>: Jackson. Born August 8, 1971, Irving, TX. Pascagoula High School. Tulane University; Mississippi College School of Law. Owner and Attorney Wiggins Law, PLLC. Rotary; Singing River Soccer Club; N.R.A.; MS Bar Assn. Methodist. Wife, former Heather Boyd. Senate 2012-present. Republican.

**WILLIAMS, BART**, 901 Lynn Lane, Starkville, MS 39759. 15<sup>th</sup>: Choctaw, Montgomery, Oktibbeha, Webster. Born October 26, 1966, Memphis, TN. Harding Academy. Mississippi State University, BS. Business owner, Security Solutions & Communications, Inc., Co-Owner, Gunco, LLC. Starkville Rotary; The Partnership Starkville; ESA; MSA; MFAMS. Methodist. Wife, former Cynthia Rana Jackson; Children, Gracieann and Emily. Senate 2020-present. Republican

**YOUNGER, CHARLES (CHUCK)**, 1213 Younger Road, Columbus, MS 39701, 17<sup>th</sup>: Lowndes, Monroe. Born August 11, 1963, in Columbus, MS. Heritage Academy. East Mississippi Community College; Mississippi State University. Small Business Owner; Farmer/Rancher. Gideon; Farm Bureau; Cattlemen's Assn.; N.R.A. Lifetime member; Columbus Rotary member; Lowndes Forestry Assn. Baptist. Wife, former Missy Goodgame. Senate 2014-present. Republican.

**PART IX****SENATE OFFICIALS AND STAFF**

## OFFICIALS

Lieutenant Governor and President - Delbert Hosemann  
 President Pro Tempore - Senator Dean Kirby  
 Secretary of the Senate - Eugene S. Clarke  
     Assistant Secretary of the Senate - Amanda Frusha  
 Sergeant-at-Arms and Doorkeeper - Larry Waggoner  
     Capitol Security

## STAFF

Bookkeeping and Insurance  
     Stacey Allman - Comptroller  
     Janet Dantzler - Accounting Assistant  
 Budget Officer, Appropriations Committee  
     Corbin Stanford  
 Committee Assistants  
     Martha Arrow - Agriculture; Business & Financial Institutions; Universities &  
       Colleges; Wildlife, Fisheries & Parks  
     Shelby Britt - Constitution; Environmental Protection, Conservation & Water  
       Resources; Ports & Marine Resources; Economic and Workforce  
       Development; Technology; Tourism  
     Kendra Hawkins - Rules  
     Kristi Ishee - Appropriations; Education  
     Anita Jackson - Corrections; Drug Policy; Ethics; Executive Contingent Fund;  
       Municipalities; State Library; Veterans & Military Affairs  
     Becky Mercier - Accountability, Efficiency & Transparency; Elections; Energy;  
       Enrolled Bills; Finance; Labor  
     Deborah Stamps - Gaming; Highways & Transportation; Interstate & Federal  
       Cooperation; Local & Private  
     Janet Trotter - Forestry; Insurance; Investigate State Offices; Medicaid;  
       Public Health & Welfare  
     Pat Trowles - County Affairs; Housing; Judiciary, Division A; Judiciary,  
       Division B; Public Property  
 Docket Room  
     Linda Anderson - Journal Clerk  
     Zanetta Bowman - Calendar Clerk  
     Anne Sullivan - Message Clerk (session)  
 Legislative Services - Attorneys  
     Robert Davidson (session)  
     Ian Jones  
     Sam Martin  
     Jeff Rosamond, Director  
     Ethan Samsel  
     Caryn Quilter (session)  
 Legislative Services - Secretarial Services  
     Tommie Buckley (Editor/Proofreader) (session)  
     Connie Ray Lamm (session)  
     Katie Rogers (Editor/Proofreader)  
     Angie Rucker  
     Jane Turbeville  
 Lieutenant Governor's Office  
     Mariah Bridgforth - Receptionist (session)  
     Brittney Davis - Policy Advisor  
     Zoë Massengill - Special Projects Officer  
     Donna Peavy - Executive Assistant and Scheduler

Leah Rupp Smith - Deputy Chief of Staff  
Nathan Upchurch - Chief of Staff  
Andrew Yates - Legislative Liaison  
Lieutenant Governor's Security  
James Gray  
David Harcharik  
Nate King  
Porters  
Chris George  
Michael Marshall (session)  
Adrian Powell  
George Swanigan  
President Pro Tempore's Office  
Kendra Hawkins - Assistant to President Pro Tempore  
Press Secretary  
Arnold Lindsay  
Receptionist  
Jeanette Lewis  
Secretary of the Senate's Office  
Shirley Garrard - Administrative Assistant  
Senior Pages  
Kelsi Ford (session)  
Thomas Pepper (session)  
Sadie Roush (session)  
Micah Stewart (session)  
John Garrett Walters (session)

**PART X  
RULES****A. SENATE RULES****PRESIDENT**

1. The Lieutenant Governor shall be the President of the Senate. The President shall take the Chair at the hour to which the Senate shall have adjourned, shall call the Senate to order, and on the appearance of a quorum, shall proceed with the regular order of business.

2. The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order. The President's decision thereon shall be subject to an appeal to the Senate as provided in Rule 112 and may be denied or sustained by a majority of those present and voting.

3. The President shall rise to put a question but may state it sitting, and the President shall put the question in this form: "As many as are in favor (as the question may be) say 'Aye'," and, after the affirmative voice is had: "As many as opposed, say 'No'." If the President doubts or a division is called for, the Senate shall divide, and those in the affirmative shall rise first; then those in the negative. Count of division votes shall be made by the Secretary and announced by the President.

4. The President shall call some Senator to the Chair when the Senate goes into Committee of the Whole. The President shall have the right also during sessions of the Senate to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment of that legislative day. When both the Lieutenant Governor and the President Pro Tempore shall be absent, the Senate may call any Senator to preside from day to day during such absences.

5. (Omitted)

6. (Omitted)

7. The President shall appoint the membership of committees as provided in Rule 36 and Rule 37.

8. The President shall sign all bills, resolutions or measures; and all writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary.

**PRESIDENT PRO TEMPORE**

9. There shall be elected a President Pro Tempore in the manner provided in Section 5-1-15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members. The President Pro Tempore may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

11. In the absence of the President, or at the President's request, the President Pro Tempore shall act in the President's stead, assuming the duties and responsibilities herein granted to the President.

#### **SECRETARY**

12. The Secretary of the Senate shall keep a correct Journal of the proceedings of the Senate as provided by law. The Secretary shall be elected by the Senate and shall serve during the term of the Senate by which the Secretary was elected. The Secretary may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

13. The Secretary shall insert in an appendix to the Journal the Rules of the Senate and the Joint Rules of the two (2) branches, and the constitutional provisions governing the powers and procedures of the Legislature.

14. The Secretary shall retain all bills, resolutions or other papers in reference to which any Senator has a right to move a reconsideration until the right to reconsideration has expired. This rule shall not apply when unanimous consent of the Senate shall be given to the Secretary to immediately transmit any such bill or resolution to the House of Representatives. However, the constitutional rights of Senators to enter motions to reconsider shall not be abridged.

15. In the event a bill or resolution is transmitted immediately to the House by unanimous consent and a proper motion to reconsider is later entered, it shall be the duty of the Secretary to recall by message such bill or resolution from the House, whereupon such bill or resolution shall take its proper place on the Calendar.

16. The Secretary shall keep a separate and distinct Journal of the proceedings of the Senate when in executive session.

17. The Secretary, with the approval of the Senate Rules Committee, shall provide for the appointment of Pages, whose salaries shall be fixed by the Rules Committee. Not more than six (6) pages shall serve throughout the session as Senior Pages, and one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be submitted to the Secretary as soon as possible so that they may be properly scheduled. Pages shall be not less than fourteen (14) years of age.

18. (Omitted)

#### **ASSISTANT SECRETARY**

19. There shall be an Assistant Secretary, and an additional Assistant Secretary when needed, appointed by the Senate Rules Committee. The duties of the Assistant Secretary shall be comparable to those of the Secretary.

#### **SERGEANT-AT-ARMS**

20. The duties of the Sergeant-at-Arms shall be those enumerated in Section 5-1-35, Mississippi Code of 1972, and such other related duties as may be assigned by the Senate Rules Committee or the Senate. The Sergeant-at-Arms shall be elected by the Senate and shall serve during the term of the Senate by which the Sergeant-at-Arms was elected. The Sergeant-at-Arms may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

20A. (Omitted)

#### TIME OF CONVENING

21. The time of convening of the Senate, unless otherwise ordered by a majority vote of the Senators elected, shall be at ten o'clock a.m. each legislative day, except on Mondays when the time shall be four o'clock p.m. and Fridays when the time shall be 9:00 a.m.; and there shall be no Saturday or Sunday meetings unless specifically ordered by a majority vote of the Senators elected.

#### QUORUMS

22. A quorum of the Senate shall consist of not less than twenty-seven (27) Senators.

23. A quorum of any standing committee, subcommittee or special committee shall consist of not less than a majority thereof.

24. Upon the appearance of lack of a quorum, the President or any Senator may demand a call of the Senate, but no such call shall be in order after the voting on any question has begun nor while any Senator is speaking. It shall be the duty of the Sergeant-at-Arms to search for absentee members and notify them of such call. By majority vote of Senators present and voting the Senate may direct the Sergeant-at-Arms to compel the attendance of absent Senators.

#### ORDER OF BUSINESS

25. The order of business shall be:

- (1) Roll Call
- (2) Invocation
- (3) Pledge of Allegiance to the Flag of the United States of America
- (4) Reading of the Journal
- (5) Presentation of petitions
- (6) Reports of standing committees
- (7) Reports of select committees
- (8) Introduction of bills and concurrent resolutions
- (9) Reference of bills and concurrent resolutions
- (10) Presentation of Senate resolutions
- (11) Unfinished business
- (12) Consideration of bills and resolutions
- (13) At midnight on a deadline day, the Senate clock shall determine

the end of that calendar day regardless of whether the Senate is then operating under the previous question. Any measure pending before the Senate on a deadline upon which the final vote has not been both taken and announced shall automatically fail, and no announcement to the contrary may be made by the Chair. If the Senate clock is not in working order, the Presiding Officer shall keep the time.

26. When the order of unfinished business is reached, the unfinished business in which the Senate was engaged at the time of last adjournment shall have precedence in the consideration of bills and resolutions, except as to special orders which shall have precedence.

27. The order of business for any day may be changed by a two-thirds (2/3) vote of the Senators present and voting; but when the Senate shall have passed from one (1) order to another, no action shall be had on those passed except by a two-thirds (2/3) vote of the members present and voting.

27A. No Senator shall be allowed to interrupt the business for purposes of introducing guests. At appropriate times during the transacting of business, the presiding officer shall announce an opportunity for the Senators to recognize and introduce their guests.

#### **VISITORS**

28. No person shall be entitled to enter upon the floor of the Senate while in session except the following persons: members and their immediate families; elected state officials; former members of the Legislature, unless the former member is a registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others as the Rules Committee may designate by name. The Sergeant-at-Arms shall clear the Senate of all other visitors, with the exception of members of the news media with proper credentials issued by the Rules Committee, thirty (30) minutes before each session convenes and shall not allow other visitors on the floor of the Senate for ten (10) minutes after the session has recessed.

#### **RULES - SUSPENSION AND ADOPTION**

29. The rules of the Senate may be suspended upon motion by an affirmative vote of two-thirds (2/3) of the Senators present and voting, except where prohibited by the Constitution.

30. Temporary rules of the Senate may be adopted by resolution on a majority vote of the Senators present and voting, and such temporary rules may be designated by reference to the rules of a certain previous session. Permanent rules may be adopted by majority vote, and any subsequent changes therein or amendments thereto shall require one (1) day's notice thereof by resolution entered in the Journal and adoption by a vote of two-thirds (2/3) of the Senators present and voting.

#### **DECORUM**

31. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order by the presiding officer or a Senator, the Senator shall sit down and shall not proceed without leave of the presiding officer or by a majority vote of the Senate.

32. No Senator shall absent himself from the Senate without leave. In case a less number than a quorum of the Senate shall convene, a majority of such number is empowered to direct the Sergeant-at-Arms or authorize any other person or persons to compel the attendance of absent Senators, and at the expense of the absent Senators, respectively, unless such excuse for nonattendance shall be made as the Senate by majority vote, when a quorum shall have convened, deems sufficient, in which case the expense shall be paid out of the Senate Contingent Fund.

33. Leave of absence may be granted to any Senator at his own request or at the request of another Senator.

34. No Senator shall entertain private discourse while the President is putting a question or addressing the Senate. Senators shall not be permitted to interrupt another while such other is speaking except by rising to call to order or as provided in Rule 69.

35. Members of the Senate, shall be held personally responsible for the return of bills, resolutions and other official records which they may receive from the Secretary's office.

35A. Whenever a Senator is on the floor of the Senate while the Senate is in session, each male Senator shall wear a coat and necktie, and each female Senator shall wear appropriate attire. Whenever a Senator is on the floor of the Senate while the Senate is in session, he or she shall not be allowed to smoke a cigarette, cigar or pipe or consume food.

35B. Smoking shall not be permitted in the Senate Chamber, the Senate Gallery or in any office of the New Capitol Building under the jurisdiction of the Senate at any time. As used in this rule, "smoking" means to inhale, exhale, burn, carry or otherwise possess any lighted cigarette, cigar, pipe or any other object or device of any form that contains lighted tobacco or any other smoking product. The Sergeant-at-Arms shall enforce the provisions of this Rule 35B.

35C. No person except for members of the news media with proper credentials issued by the Rules Committee may be admitted to the press table on the floor of the Senate for the purpose of transcribing the debates and proceedings of the Senate. No person except for news media with proper credentials issued by the Rules Committee shall take any photograph or transcribe debates and proceedings of the Senate in the Senate Gallery while the Senate is in session. No person shall be allowed to consume food or display any banner or sign in the Senate Gallery while the Senate is in session.

35D. Effective with the 2020 Regular Session, the Committee on Rules shall contract with the Mississippi Authority for Educational Television, or another appropriate service, to webcast on the internet the regular floor proceedings of the Mississippi Senate and any committee meetings designated by the Rules Committee. During floor proceedings, cameras used in making such webcasts may only be allowed to show the Senator speaking at the podium and the Presiding Officer. Reporters and technicians to effectuate such webcasts may be admitted to the chamber and committee rooms for this purpose, but no camera, apparatus or procedure shall be used which will interfere with the usual procedure of the Senate, and all such webcasting shall be done from areas reserved or set aside for such activities by the Committee on Rules. No such webcast shall be archived or recorded for future use by the Mississippi Senate.

**STANDING COMMITTEES**

36. The following shall be standing committees of the Senate:
- Accountability, Efficiency and Transparency ..... 11 members
  - Agriculture ..... 13 members
  - Appropriations..... 26 members
  - Business and Financial Institutions ..... 13 members
  - Constitution..... 9 members
  - Corrections ..... 11 members
  - County Affairs ..... 9 members
  - Drug Policy ..... 11 members
  - Economic and Workforce Development ..... 11 members
  - Education..... 15 members
  - Elections..... 9 members
  - Energy ..... 15 members

Environmental Protection, Conservation and Water Resources .....	11 members
Ethics.....	9 members
Finance.....	26 members
Forestry .....	9 members
Gaming.....	9 members
Highways and Transportation.....	19 members
Housing .....	7 members
Insurance.....	13 members
Interstate and Federal Cooperation.....	5 members
Judiciary, Division A.....	15 members
Judiciary, Division B.....	15 members
Labor .....	9 members
Local and Private .....	5 members
Medicaid .....	11 members
Municipalities .....	11 members
Ports and Marine Resources.....	11 members
Public Health and Welfare.....	19 members
Public Property .....	7 members
Rules, as provided for in Rule 65	
Technology .....	7 members
Tourism .....	11 members
Universities and Colleges.....	13 members
Veterans and Military Affairs .....	7 members
Wildlife, Fisheries and Parks.....	11 members

#### JOINT COMMITTEES

Executive Contingent Fund .....	(5 Senators, 5 Representatives)
Investigate State Offices .....	(9 Senators, 9 Representatives)
State Library .....	(5 Senators, 5 Representatives)
Enrolled Bills .....	(5 Senators, 5 Representatives)

#### FUNCTION OF COMMITTEES

37. Standing, select and conference committees shall be appointed by the President.

38. The first member named on a committee shall be its chairman and the second member named shall be its vice chairman, unless it is specifically provided that they shall be elected. There shall be no further rank on the committees, the remaining members being listed thereon in alphabetical order. In the event of a vacancy in the chairmanship or vice chairmanship, or membership, the vacancies shall be filled by appointment by the President.

39. Each committee shall, after its organization, immediately determine by a majority vote what number shall constitute a sufficient quorum for it to proceed to business, which quorum shall not be less than the majority required by Rule 23, and shall report that action, together with the name of the secretary of the committee, to the Secretary of the Senate.

40. Committee chairmen and secretaries will be held responsible for the return of all bills, resolutions, papers and committee books taken from the Secretary of the Senate's office to the respective committee meetings.

41. A committee of the Senate shall report on the sufficiency of the titles of all bills and resolutions before their being put on final passage; and it shall be in

order, before the passage of every bill or resolution, to move to commit or recommit for report upon the sufficiency of the title. Titles shall indicate clearly the subject matter of the proposed legislation.

42. When motions are made for reference of the same subject to a select committee and a standing committee, the motion for reference to a standing committee shall be first put.

43. The following named committees shall have preference at any time on matters herein stated, viz: the Committee on Rules, on rules, joint rules and order of business; the Committee on Enrolled Bills, on enrolled bills, except they shall not have precedence over appropriations and revenue bills (see Const. Sec. 68); conference committees may report at any time, except they shall not have precedence over appropriations and revenue bills.

44. The chairman of the various standing committees shall announce or lay on the desk of the Secretary, to be read previous to adjournment each day, notice of the time and place of meeting of such committees, and all members of such committees shall be required to attend all such meetings, unless previously excused by the chairman. A quorum must be present when any bill, resolution or measure is reported by such committees. The names of those members present and of those absent must show in the record kept by the committee secretary at each meeting of a committee. The Secretary of the Senate shall post the time of committee meetings on the bulletin board provided for this purpose.

45. A committee's request to be discharged from further consideration of a subject, with or without recommendations that it be referred to another committee, shall be immediately considered.

46. No committee, except the Committee on Rules, shall absent itself from the Senate Chamber while the Senate is in session, except by unanimous consent of the Senate.

47. No committee shall be allowed to occupy the Senate Chamber without an affirmative vote of a majority of the Senators present and voting, except the Committee on Rules.

47A. (Omitted)

#### **CONFERENCE COMMITTEES**

48. A conference committee on the part of the Senate shall consist of three (3) Senators, unless otherwise ordered by majority vote of the Senate, and they shall be appointed as provided in Rule 37.

49. A motion to instruct conferees is not in order until their conference report has failed of adoption.

50. When a bill is sent to conference, only matters in disagreement between the Houses are subject to consideration by the conference committee. However, when one (1) House strikes out of a bill all after the enacting clause and inserts new germane text as an amendment thereto, the conferees may disregard the text of the original bill and the amendment and exercise wide discretion in the incorporation of germane text and may even report a new bill on the germane subject matter of the original bill.

51. No report from a conference committee or other joint committee shall be acted upon in the Senate unless subscribed to by a majority of the members of the Senate acting on the committee. No matter reported on the recommendation of a joint committee or conference committee of the two (2) Houses shall be in order for consideration by the Senate if it shall appear that the members of such joint committee on the part of the Senate, if in attendance on the Legislature, shall not have been notified, and for that reason not present, when the matter was acted on by the committee.

52. Conference reports may not be (a) tabled, (b) referred to a committee, or (c) amended.

53. Mere changes in phraseology, without material alteration of the subject matter, are not sufficient to render a conference report subject to point of order that the conferees exceeded their authority.

54. It is legislatively recognized that it is the function of a conference committee to submit a compromise of the difference between the Houses, which might be acceptable to both, and liberal interpretation looking to that end is indicated.

55. When a conference report is called up, only three (3) courses are open: (a) adopt, (b) not adopt, or (c) recommit to the same or another conference committee, provided adoption of the report has not occurred in the House.

56. Should a point of order prevail against consideration of a conference committee report, the bill returns to the status it had before being sent to conference.

57. When conference results in disagreement, conferees reporting such disagreement are thereby discharged, and new conferees may be appointed.

#### **COMMITTEE OF THE WHOLE**

58. Upon a motion supported by a vote of two-thirds (2/3) of those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent resolution or measure; and if the Committee of the Whole reports such bill, concurrent resolution or measure favorably, it may be taken up immediately by a suspension of the rules; otherwise, it takes its place on the Calendar along with other favorably reported bills, concurrent resolutions and measures.

59. Motions for forming a Committee of the Whole for the immediate consideration of any Senate bill or resolution at the time of their introduction, or of House bills or resolutions at the time of their receipt from the House, except bills of local and private nature, should be made before such bills or resolutions are referred to standing committees, as provided by Rule 75.

60. In forming a Committee of the Whole, the President shall call some Senator to preside, and rules governing the Committee of the Whole shall be the rules of the Senate so far as they may be made applicable.

61. A Committee of the Whole may, during any session thereof, consider more than one bill or resolution; no additional bills or resolutions may be so considered unless the Senate has by a two-thirds (2/3) vote previously agreed thereto.

**SPECIAL COMMITTEES**

62. Special committees shall in all cases report to the Senate a state of facts and their opinion or recommendation on the subject matter referred to them. Such reports may on motion be incorporated in the Journal.

63. No Senator offering a motion or resolution for the appointment of a special committee shall be appointed chairman of such committee.

**MINORITY REPORTS**

64. Bills and resolutions unfavorably reported by committees shall not be placed on the Calendar at all unless accompanied by a Minority Report signed by one or more members who were present at the committee meeting at which the bill or resolution was reported. Minority Reports must be filed within three (3) legislative days after the bill or resolution has been reported by the committee. Minority reported bills and resolutions shall be placed on the Calendar at the heel of favorably reported bills and resolutions and shall not be considered until all favorably reported bills and resolutions are disposed of, except by a vote of two-thirds (2/3) of the Senators present and voting.

**RULES COMMITTEE**

65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a nonvoting member), the President Pro Tempore, and four (4) Senators, each having served at least four (4) years in the Senate, one (1) from each Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which the Senator shall participate and for which the Senator may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee.

(2) The Rules Committee shall, in addition to the functions of a standing committee and any other responsibilities assigned by the Senate, perform the following duties:

(a) Conduct the business affairs of the Senate;

(b) Pursuant to authority granted in Section 29-5-2, Mississippi Code of 1972, assign such space in the Capitol or in such other buildings or parts thereof as may be reserved for the Senate and have complete control, authority and jurisdiction over such rooms, chambers, offices and other areas. Any assignment of space shall be subject to change by the Rules Committee. No other branch of the government, or a department or agency thereof, shall use any such room, chamber, office or other area without specific written authorization from the Rules Committee. The Rules Committee may delegate its powers with regard to any such room, chamber, office or other area in connection with the use, maintenance, repairing, construction, reconstruction and refurbishing thereof in such a manner as it deems advisable;

(c) Assign staff for interim and special committees;

(d) Assign staff for standing committees;

(e) Continually assess ways and means to improve the organization, procedures, facilities and working conditions of the Senate;

(f) Except as otherwise provided in subsection (5) for the staffing of the office of the President and the office of the President Pro Tempore, the Rules Committee shall have the authority to employ all personnel necessary to execute the duties and responsibilities of the Senate. Unless otherwise specifically provided, the Rules Committee shall have full and exclusive authority over the employees of the Senate. All such employees shall serve at the pleasure of the Rules Committee. Complaints with respect to any misconduct, inefficiency or omission by the Secretary, the Sergeant-at-Arms or employees of the Senate shall be heard by the Rules Committee, which may discharge the employees therefor and may recommend to the full Senate the discharge of the Secretary and the Sergeant-at-Arms;

(g) Fix the salaries of the Senate officials and employees;

(h) Assign news, radio and television reporters wishing to take down or broadcast the debates and proceedings of the Senate, places in the Senate so as not to interfere with the convenience of the Senate;

(i) Authorize the reimbursement of Senators and Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may establish regulations governing such travel which include the prior approval of such travel by the Rules Committee. Senators attending out-of-state conventions or conferences at state expense shall make a report to the Senate, including the purpose, work and recommendations resulting from the out-of-state meeting attended. If more than one (1) Senator attends such convention or conference, one report may be made as the report of the delegation; and

(j) Upon request of the chairman of any standing or select committee of the Senate, authorize expenses, to include per diem, mileage, meals and lodging, to be paid for members attending the meeting of any such committee or subcommittee thereof during the period in which the Legislature is not in session. The Rules Committee may adopt rules and regulations concerning time, places and number of meetings that may be held for which members will be compensated, such rules and regulations to require prior approval of meetings in order for members to be compensated.

(3) The committee may designate the Secretary of the Senate to be responsible for the day-to-day administration of the duties assigned to the committee and for implementing the policies of the committee adopted pursuant to this rule.

(4) The committee shall function on a year-round basis; and, when the Legislature is not in session, members of the committee shall be compensated as provided in Section 25-3-69, Mississippi Code of 1972, for each day spent in actual discharge of their duties and shall receive the expense allowance and mileage reimbursement provided in Section 5-1-47, Mississippi Code of 1972. No committee member may incur per diem, travel or expense allowance unless authorized by vote at a meeting of the committee, which action shall be recorded in the official minutes of the committee. The Rules Committee shall meet at such times as are necessary for the proper exercise of its functions and may adopt rules and regulations, not inconsistent with the rules of the Senate, as it deems necessary for the efficient operation of the committee. Action by a majority vote of the Rules Committee shall be conclusive on any matter properly within the jurisdiction of the committee.

(5) (a) In providing for the staffing of the President's office, the Rules Committee shall fill up to eight (8) positions when requested by the President, and the persons employed for such positions shall be hired with the approval of the President. The President shall recommend the compensation to be paid to the President's staff, and the Rules Committee may pay the compensation so established.

(b) In providing for the staffing of the President Pro Tempore's office, the Rules Committee shall fill one (1) staff position as requested by the President Pro Tempore, and the person employed for such position shall be hired with the approval of the President Pro Tempore. The President Pro Tempore shall recommend the compensation to be paid to the person so employed, and the Rules Committee may pay the compensation so established.

(c) Persons employed under this subsection to staff the President's office shall serve at the will and pleasure of the President; persons employed to staff the President Pro Tempore's office shall serve at the will and pleasure of the President Pro Tempore.

(6) In providing for the staffing of committees, the Rules Committee shall have the responsibility for determining the necessity of any staff positions requested by the chairman of a committee.

(7) The Rules Committee shall cooperate with the House Management Committee in maintaining a Joint Legislative Printing Office and a reference library which shall contain, but shall not be limited to, study reports and information gathered by the departments and the various committees of the Legislature so as to provide a continuity of information from year to year.

(8) The Rules Committee shall have the responsibility for the proper operation of the Senate Legislative Services Office.

(9) The Rules Committee shall have jurisdiction over any questions concerning improper or unethical conduct by members of the Senate.

(10) The funds necessary to carry out the provisions of this rule shall be paid from the Senate Contingent Fund.

(11) The Rules Committee may meet jointly with the House Management Committee when necessary to more effectively carry out the provisions of this rule.

#### **SPECIAL ORDERS**

66. A bill, resolution or measure may be made a Special Order for a day and hour certain by a majority vote of Senators present and voting. Upon the arrival of such time, the President shall lay before the Senate the bill, resolution or measure under Special Order, and the Senate shall proceed to its consideration on third reading until it has been temporarily or permanently disposed of.

67. Should the consideration as a Special Order of a bill or resolution not be completed by the time set for Special Order of another bill or resolution, the consideration of the first Special Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the succeeding day. In such event another day and hour certain may be set for consideration of the displaced bill or resolution, or it may be regarded as unfinished

business of the succeeding legislative day, at the option of the chairman of the committee reporting the bill or resolution. Such option, however, shall be announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority vote of those Senators present and voting.

### **SPEAKING**

68. When any member of the Senate desires to speak or present any matter to the Senate, the Senator shall rise and respectfully address himself or herself to "Mr./Madam President" and, upon being recognized, shall speak only to the question under debate and avoid personalities.

69. Senators shall not be interrupted, when addressing the Senate, by other Senators, except when a Senator seeking information may address the presiding officer, who shall endeavor to secure the consent of the Senator speaking to the offered interruption. The presiding officer shall declare Senators violating this rule out of order.

70. If any Senator be called to order by another for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary so that the presiding officer may be better able to judge the matter.

71. No Senator shall speak more than twice to the same question, except as elsewhere provided, except by majority vote of those Senators present and voting, nor more than once until every Senator wishing to speak shall have spoken, and no longer than twenty (20) minutes to the main question. When a subsidiary question is under debate, the time limit shall be five (5) minutes. When the time of a Senator is extended, it must be for a specific time.

72. No Senator shall, before resuming his or her seat after speaking to a question, make a motion cutting off or limiting debate.

### **BILLS AND RESOLUTIONS**

73. All bills and resolutions must be typewritten, double spaced on white paper. Titles must be typewritten single spaced and in capital letters. Bills or resolutions must be introduced in original form (not carbon or photocopied) and shall be free from interlineations, corrections and strikeouts, whether with ink, pencil or typewriter. The enacting clause, typed immediately preceding Section 1 of a bill, shall contain the following words in capital letters: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI." No additional enacting words shall be used. The Secretary may decline to accept for introduction a bill or resolution not conforming hereto.

74. Senators may introduce bills and concurrent resolutions and Senate resolutions by placing them in the box at the Secretary's desk at any time, or they may send them to the Secretary's desk when the order for introduction is reached. All bills, concurrent resolutions and Senate resolutions placed in the box or sent to the Secretary's desk will be considered as being introduced on the legislative day following the day on which they were placed in the box except for (a) legislative days where the motion has been adopted to dispense with the reading of the titles of bills and concurrent resolutions, (b) bills and constitutional amendments placed in the box on the day of the deadline for introduction of general bills and constitutional amendments, and (c) appropriation and revenue bills placed in the box on the day before the deadline for original floor action on appropriation and revenue bills

originating in the Senate; bills and constitutional amendments described in items (a), (b) and (c) of this sentence will be considered as being introduced on the day on which they are placed in the box. The deadlines referred to in this paragraph shall be those established in the Joint Rules of the Senate and the House, and the determination of what is a revenue bill for purposes of this paragraph shall be as prescribed in the Joint Rules of the Senate and the House.

In addition to any other time provided by law or by rule, members of the Senate may file bills or resolutions with the Secretary of the Senate at any time during the period between sessions of the Legislature. Such prefiled bills shall be numbered by the Secretary of the Senate and referred by the President to the appropriate standing committee of the Senate for study. Such prefiled bills shall be introduced in the order filed on the first day of the next succeeding regular session of the Legislature, or extraordinary session if included within the Governor's call, and referred to committee in the regular order of business of the Senate. No bills may be prefiled in any year of a general election until after a member of the Senate has been finally elected in the November general election.

75. Upon introduction of Senate bills, the Secretary shall read the titles thereof and then give the bills to the President for his study and reference to proper committees. The President may retain such bills in his possession until the opening of the second succeeding legislative day's session when the President shall return such bills to the Secretary with the committee references noted thereon. Whereupon, the Secretary shall give such bills serial numbers, and, at the proper time in the Order of Business, the Secretary shall read the numbers, titles and committee references, and have the titles reproduced for distribution. House bills received with messages from the House shall be treated likewise regarding references to committees and reading of titles by the Secretary. Provided, however, that the President may, at his option, refer Senate bills immediately upon their introduction and House bills immediately upon their receipt from the House. Provided, further, that a motion is in order for the immediate consideration in Committee of the Whole of any bill or resolution, except bills of Local and Private nature, before such bill or resolution is referred to a standing committee.

76. Every bill and concurrent resolution and all reports of committees, except the report of the Committee of the Whole, shall lie on the table one day before being considered by the Senate.

77. General bills and resolutions shall be called up for consideration in numerical order as revealed by item numbers on the Calendar. When a bill or resolution is reached on the Calendar and it is not then considered, it shall go to the heel of the Calendar unless by a vote of a majority of the Senators present and voting it retains its place on the Calendar. Appropriation bills and resolutions reported by the Appropriations Committee and revenue bills and resolutions reported by the Finance Committee or other committees shall be subject to Section 68 of the Constitution. Bills and resolutions reported by the Rules Committee shall have precedence above all others, except appropriations and revenue bills and resolutions.

78. No bill, concurrent resolution or measure (except Senate resolutions which may be called up for consideration any time by suspension of the rules) shall be considered or voted upon by the Senate unless the same shall have been referred to a committee, considered and reported by a majority of a quorum of the committee to which it was referred, subject to the provisions of Rule 64.

79. It is the duty of the chairman or vice chairman of a committee to call up bills and resolutions on the floor or to designate another member of the Senate so to do.

80. Complete titles of bills and resolutions shall be used upon introductions, but abbreviated titles may be used elsewhere.

81. When a bill or concurrent resolution is originally referred to two (2) committees and favorably reported by both, the chairman of the first named committee shall have the option of handling the bill or resolution on the floor.

82. When a bill or resolution is called up for final passage, the Senator introducing such measure, if present, shall have the right to open and close the debate. In the event there are several authors of a bill or resolution, they shall agree among themselves which shall open and close the debate and shall so notify the chairman of the committee.

83. When a bill or resolution is being considered by the Senate, it shall be read throughout by the Secretary and then may be again read and debated by clauses, paragraphs or sections, leaving the title to be considered last.

84. It shall always be in order, before the final passage of a bill or resolution, to move its recommitment.

85. When a bill or measure has been referred to the Finance Committee or Appropriations Committee, which deals with another major subject as well as finance or appropriations, the committee may, in its discretion, recommend that it be sent to the related committee for study and recommendation. Such bill shall be reported in the usual manner by the related committee within five (5) legislative days, whereupon the Secretary shall return the bill to the Finance Committee or Appropriations Committee with the report. The final report of the Finance Committee or Appropriations Committee shall govern the status of the bill or resolution.

86. All motions contemplating legislation shall be founded upon bills or concurrent resolutions; and committees, to which may be referred messages from the Governor, reports of the state officers, boards, commissions and others authorized to report to the Legislature, including petitions for legislation, may report by bill, resolution or written recommendation such legislation as may be germane to the subject matter referred to them.

87. No bill, resolution, concurrent resolution or measure having been referred to a committee shall be taken from such committee, or the committee be discharged from the consideration thereof, other than by a motion signed by a majority of all Senators elected; except that during the last six (6) days of a session, a majority of the Senators present and voting may call a bill, resolution or concurrent resolution from a committee by a signed motion.

88. All bills, concurrent resolutions or measures originating in the House and passed by that body and sent to the Senate for consideration shall pursue the same course and shall be subject to the same rules as though such bills, concurrent resolutions or measures had originated in the Senate.

89. Any bill, resolution, concurrent resolution or measure recalled from a committee by the method provided in Rule 87 shall be referred to another standing committee, unless the Senate votes to form a Committee of the Whole for the purpose of considering the same.

90. No law shall be repealed by reference to its chapter, bill number or code number only, but there shall be included in its title and in a section within the bill a brief statement of the nature of the law sought to be repealed.

91. In the event of the loss or misplacement of a bill or resolution, the Secretary is authorized to prepare an exact copy thereof which, upon his certification that such bill or resolution is a true and correct copy of the original, shall be considered as though it were the original bill or resolution.

#### **SENATE RESOLUTIONS**

92. Senate resolutions may be considered without having been referred to or reported by a committee, except as provided in Rule 30. However, such resolutions may be referred to a committee by majority vote of Senators present and voting, or the President may refer them on the President's own initiative.

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules.

#### **CALENDAR**

94. The Secretary each day shall prepare a Calendar of all matters in order for consideration. Such Calendar and a copy of each bill and resolution shown thereon shall be placed on the desk of each Senator prior to the hour of convening. Titles of bills and resolutions shall clearly indicate the subject matter thereof, but such titles may be abbreviated. General bills and resolutions favorably reported by committees shall be given an item number in sequence and placed on the Calendar from day to day in order as they are reported and placed under the head of "General Calendar." Bills and resolutions favorably reported by committees on Finance, on Appropriations, on Rules and on Local and Private Legislation; and bills and resolutions subject to secondary considerations, shall be shown separately under appropriate headings, with item numbers in sequence.

The Rules Committee is hereby authorized to create a "Noncontroversial Calendar" for the consideration of noncontroversial bills, resolutions or measures. Senate bills, resolutions or measures shall be placed on the Noncontroversial Calendar upon the written request of the chairman of the committee reporting the measure, the primary author, and by a majority vote of the Rules Committee; House bills, resolutions or measures shall be placed upon the Noncontroversial Calendar on the request of the chairman of the committee reporting the measure and by a majority vote of the Rules Committee. A bill, resolution or measure shall be removed from the Noncontroversial Calendar upon the demand of six (6) or more Senators made in open session. Any such demand shall require the bill or resolution to be placed at the heel of the General Calendar.

95. Bills, resolutions, measures or motions reported by committees, and reports of special committees, shall be placed on the Calendar in the regular order of the next day after that on which they were made to the Senate or received from the House, as the case may be.

96. No matter which has been duly placed on the Calendar shall be discharged therefrom or considered out of its regular course except by a two-thirds (2/3) vote of the Senate, subject to the provisions of Section 68 of the Constitution. However, matters affecting the public interest and regarded as of immediate necessity may be advanced on the Calendar by the Committee on Rules.

**MOTIONS**

97. Order of Precedence:

- (1) To adjourn.
- (2) To lay on the table.
- (3) To lay on the table subject to call, when five (5) minutes' debate shall be allowed the Senator making the motion and five (5) minutes' debate shall be allowed the Senator having the measure in charge, unless the Senator(s) shall yield the floor to another Senator.
- (4) For the previous question.
- (5) To limit debate.
- (6) To close debate at a specific time.
- (7) To postpone to a day certain.
- (8) To recommit.
- (9) To re-refer.
- (10) To amend.
- (11) To postpone indefinitely.

These motions shall have precedence in the above order; and any such motion being made and being decided adversely shall not again be entertained on the same day at the same stage of the question.

98. A motion to postpone indefinitely opens to debate the merits of the proposition.

99. Any motion shall be reduced to writing if the President so directs or a Senator or the Secretary so requests.

100. When a motion is made, it shall be stated by the President or, being in writing, it shall be read aloud by the Secretary.

101. After a motion is stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Senate, and it may be withdrawn only by a majority vote of Senators present and voting at any time before decision or amendment.

102. No motion is in order while a point of order is pending unless the President shall announce a delay in the ruling, and then only matters not affected by a ruling on such pending point of order may be considered.

103. When a question is under debate, the President shall entertain no motion which does not relate to the question except a motion to adjourn or some other motion which has precedence by express rules of the Senate or because it is privileged in its nature.

103A. After a motion to lay a bill on the table subject to call or a motion to table has been adopted, only a member authorized to call up the bill under Rule 79 shall have the right to move to call the bill from the table.

**AMENDMENTS**

104. Amendments shall be in order after the third reading of a bill or resolution requiring three (3) readings, but no amendment, except committee amendments, shall be considered as pending unless the author of such amendment shall have secured recognition by the President for the purpose of offering such amendment and moving its adoption. Such amendment shall then be sent to the

Secretary's desk, and disposition of it shall be made before any additional amendments shall be placed on the Secretary's desk or received by him.

105. Amendments to an amendment shall be voted on before a substitute is taken up. Only one (1) amendment to the amendment is in order at one time; but as rapidly as one (1) is disposed of by rejection or adoption, another is in order as long as any member desires to offer one (1). A substitute amendment may be offered to an amendment. An amendment to the substitute may be offered. No other amendment can be offered since the third degree has been reached. The vote shall be taken in the following order: The amendment to the amendment shall first be voted on; then the amendment to the substitute; then the substitute amendment; and, if the substitute is adopted, then the original amendment shall be regarded as automatically tabled.

106. An amendment to a bill or resolution may be adopted by a majority vote, notwithstanding it requires more than a majority vote to pass the bill or resolution sought to be amended.

107. When a bill is reported with committee amendments, such committee amendments shall have precedence for consideration over amendments presented from the floor.

108. Amendments proposed by members or by committees must not be written into a bill or resolution until such amendments shall be adopted and the bill finally passed by the Senate, and then only under the direction of the Secretary.

109. Amendments to a Senate bill, resolution or measure which have been adopted by the House and sent back to the Senate for concurrence shall be considered as "unfinished business" of the next day after that on which they were received, unless a majority of the Senators present and voting order that such amendments be considered immediately. House amendments to Senate bills or resolutions shall be either concurred in or not concurred in their entirety and not separately.

#### **PREVIOUS QUESTION**

110. There may be a motion for the previous question, which shall not be debatable and which may be ordered upon any bill or resolution or section thereof, amendment, motion or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. All incidental questions of order arising after a motion for the previous question has been applied and before the vote on the main question has been taken shall be decided, whether on appeal or otherwise, without debate.

111. When the previous question has been ordered, each side shall have five (5) minutes for debate, the affirmative speaking first; provided that after the previous question shall have been ordered, the only motion in order shall be one (1) motion to recommit or re-refer, which motion shall not be debatable.

111A. When the motion to limit debate has been ordered, each side shall have five (5) minutes for debate on each subsidiary or main question, the affirmative speaking first.

#### **POINTS OF ORDER**

112. Every point of order shall be decided by the presiding officer. Any decision of the presiding officer on a point of order shall be subject to an appeal to

the Senate without debate, unless the presiding officer, in his discretion and for his information, requests debate and/or a brief on any point of order. The presiding officer may require points of order in writing and may take reasonable time to examine and study same before ruling thereon, during which period consideration of that particular subject matter shall be suspended without prejudice and the Senate shall proceed to the next order of business.

#### **VOTING**

113. The presiding officer shall declare all votes. When a question not requiring the yeas and nays is put, the sense of the Senate shall be taken by the voice of the Senators, and the President shall first announce the vote as it appears to the President by sound.

114. The yeas and nays shall be taken on the final passage of every bill, concurrent resolution, conference report and House amendments to Senate bills. The President of the Senate may order a yea and nay or division vote on any subsidiary question.

115. Upon every roll call the names of the members shall be called alphabetically by surname, except when two (2) or more have the same surname, in which case the number of the district shall be added; and if there be two (2) such members from the same district, the name or initials shall be called. After the roll has been once called, the Secretary shall call, in their alphabetical order, the names of those not voting, and thereafter the President shall not entertain a request to record a vote, except that any Senator whose vote was recorded may change his vote before the result is announced by the President.

116. The sense of the Senate shall be taken by yeas and nays on any question whenever six (6) of the Senators present demand, and, if the call for yeas and nays be not sustained, any Senator may have his vote recorded if the Senator so desires. Any Senator may have the privilege of explaining his vote, which explanation containing not more than one hundred (100) words shall be written and handed to the Secretary before the approval of the Journal of the day such vote was taken, and such explanation shall be spread upon the Journal.

117. A Senator who by reason of absence from the Senate Chamber fails to vote on any yea and nay call may, during the next succeeding legislative day of his presence, file with the Secretary, for insertion in the Journal, a brief written statement stating how the Senator would have voted thereon. Anticipating an absence, any Senator may file such statement with the Secretary in advance of the yea and nay vote for insertion in the Journal at the proper time.

118. Any Senator may request a division vote. The President shall call for those in the affirmative to rise first, then those in the negative. The counts shall be made by the Secretary. If the absence of a quorum is indicated, the Secretary shall make a quorum count; and, if a quorum is present, the vote shall stand as announced by the President.

119. Immediately following the second call of the yeas and nays but before the announcement of the result of the vote by the presiding officer, it will be in order for the announcement of pairs of those Senators present whose votes are not recorded, which pairs shall be entered in the Journal, and for the announcement of change of votes by those Senators who have voted.

120. No Senator shall be allowed to approach the desk of the Secretary to ascertain the vote cast on any question or measure before such vote has been announced.

121. No Senator shall have the Journal amended so as to have the record of his vote changed; however, a Senator may change his vote before the result of a roll call is announced.

122. In the event of a tie vote, by call of the yeas and nays or by division, on any main or subsidiary matter, the President, if presiding at the time such tie vote occurs, shall cast the deciding vote.

123. When a member of the Senate is presiding and a tie vote occurs on any proposition, the decision shall be in the negative.

124. No Senator shall be permitted to act in committee or to vote on a question in which his private interest, distinct from the public interest, is immediately concerned.

125. Unless a certain minimum of votes of Senators is specified in these rules on any vote taken, a majority of those present and voting shall prevail.

### **RECONSIDERATION**

126. When a question has once carried in the affirmative or negative it shall be in order for any Senator to enter a motion for the reconsideration thereof. The motion to reconsider a vote on a proposition having been once agreed to and the vote again having been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment.

127. No motion to reconsider a vote shall be entertained unless it be properly entered on the same day on which such vote was taken or on the next succeeding legislative day on which a quorum is present. No motion to reconsider shall be withdrawn without unanimous consent. This rule shall not prevent reconsideration of a vote on a subsidiary, incidental or dependent matter at any time when the main question to which it relates is under consideration; and a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not remove the main question under consideration from before the Senate, but such incidental question shall be considered at the time the motion is made.

On a motion to table a motion to reconsider or on a motion that the Senate do not reconsider or on a motion that the Senate do reconsider, or any substitute for any such motion, five (5) minutes total time shall be allowed the Senators speaking for the affirmative side and five (5) minutes total time shall be allowed the Senators speaking for the negative side of the question, such time herein allowed to be allotted between Senators speaking on each side of the question. This rule shall also apply to any motion or substitute motion of similar import to the above motions.

When a motion to table a motion to reconsider fails, or when a motion "do not reconsider" fails, the item stays on the Motion to Reconsider Calendar.

When a motion to reconsider fails, the question is no longer before the Senate and no further action by the Senate is in order.

128. There shall be no reconsideration of the vote on the question of adjourning or recessing; laying on the table subject to call; laying on the table or taking from the table; recommitting; re-referring; limiting debate; or on the previous

question. When a motion for reconsideration has been decided, that decision shall not be reconsidered.

129. A motion to reconsider having been properly made and entered in the Journal shall become the property of the Senate and may be called up by any member of the Senate.

#### **VETOES**

129A. After a veto message is read, two (2) motions are in order in the following precedence:

- (a) To refer the reconsideration of the bill to a committee; and
- (b) To pass the bill, the Governor's veto notwithstanding.

#### **PERSONAL PRIVILEGE**

130. Matters of privilege affecting the rights, safety, dignity and integrity of the Senate, and matters of personal privilege affecting the rights, reputation and conduct of individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, except motions to adjourn or recess. It is not in order to speak to a question of personal privilege after the previous question has been ordered.

#### **PARLIAMENTARY AUTHORITIES**

131. On all questions of order or parliamentary practice not covered by and not in conflict with these rules, the rules of Cannon's Practice in the National House of Representatives and Hind's Precedents shall be the authority.

#### **READING OF DOCUMENTS**

132. When the reading of a document other than a bill or resolution is proposed or called for and the same is objected to by any Senator, it shall be determined by a majority vote of the Senators present and voting, without debate.

#### **EXECUTIVE SESSIONS**

133. The Senate shall conduct all business in open session, except that the Senate may resolve itself into executive session by majority vote of the Senators elected. Upon entering executive session, the Senate shall be cleared of all persons except Senators and officials thereof. Executive sessions should, whenever practicable, be held immediately prior to recess or adjournment of open sessions.

#### **NOMINATIONS**

134. When nominations from the Governor shall be received by the Senate, the Secretary of the Senate shall read the message from the Governor to the Senate, and nominations shall be referred to the appropriate committee by the President unless the Senate by a two-thirds (2/3) vote of the Senators present and voting orders otherwise. The committee considering such nomination may, upon a vote of a majority of the committee, consider the nomination in open committee meeting or hearing. Upon receiving the report of the committee to which the nomination was referred, the Senate shall proceed to consider the nomination in open session, unless executive session is invoked as provided in Rule 133.

135. When a nomination or any other matter is confirmed, consented to or rejected, any Senator may move for a reconsideration. Such motion to reconsider confirmation or rejection of any name submitted to the Senate for any position or office, or any other matter, may be made on the legislative day in which the vote is taken or on the next legislative day thereafter, and not later.

136. The Governor shall not be officially notified by the Secretary of the confirmation, consent to or rejection by the Senate of any nomination or other matter until the expiration of the time limit for entering a motion to reconsider, unless otherwise ordered by the Senate, subject to Section 65 of the Constitution.

137. All executive matters submitted by the Governor which were not considered, as well as those on which actions were taken and were under pending motions to reconsider, shall fail at the time of sine die adjournment and the Secretary shall so notify the Governor thereof.

**SELECTION OF DESKS**

138. The seating arrangement in the Senate Chamber shall be accomplished by personal selections of seats by the Senators, and such selections may begin upon their nominations. Seats numbered 3 and 4, which are equipped with hearing aids, may be held in reserve by the Secretary of the Senate for members who may need hearing aids. Senators elected to consecutive terms shall have first choice of seats. Upon selection of seats, they shall be properly marked to indicate that the seats have been so selected. Nothing in this rule shall prevent the swapping of seats by mutual agreement of Senators. The Secretary shall prepare and have printed the permanent seating arrangement for public distribution.

139. (Omitted)

140. (Omitted)

**CONFIDENTIALITY**

141. (1) No employee of the Senate shall reveal to any person outside his department the contents or nature of any request for services made by any member of the Senate except with the written consent of the person making such request.

(2) All confidential communications between members of the Senate and staff attorneys are protected by an attorney-client privilege. INDEX TO SENATE RULES

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**B. JOINT RULES OF THE SENATE AND THE HOUSE****JOINT CONVENTION**

1. The Senate and the House may meet in joint convention by concurrent resolution duly adopted by both houses. Such resolution shall state the day, hour and location of such joint convention and the order of business for which it is called.

2. All joint conventions of the two (2) houses shall be in the hall of the House of Representatives, unless another location is specified in the concurrent resolution, and in elections the members shall vote viva voce, and in all cases a majority of the votes of those present and voting shall be requisite to constitute an election.

Only senators and members of the House of Representatives shall be permitted on the floor of the House during joint meetings except for the newspaper, radio, and television reporters and necessary Senate and House personnel and others as may be directed by the President of the Senate and Speaker of the House of Representatives respectively. During joint meetings, preference to gallery seats shall be given to elected state officials and families of the legislators.

3. When the two (2) houses have met in joint convention, the Speaker of the House shall call the joint convention to order and shall then turn the gavel over to the President of the Senate who shall preside, and all questions of order shall be decided by the latter, subject to an appeal to the joint convention as one (1) body. In the absence of the President of the Senate, the Speaker shall preside and perform all the duties herein provided for.

4. A call of either house may be had in joint convention by majority vote of the House for which the call is desired.

5. In a joint convention a member shall not speak longer than five (5) minutes. Any extension of time shall be specific.

6. A motion to adjourn, or to postpone the business of a joint convention shall be decided on a majority vote of those present and voting, acting as one (1) body. Upon demand of one-tenth (1/10) of the combined membership, the yeas and nays shall be taken on any matter under consideration by the joint convention, and such yeas and nays shall be entered upon the journals of both houses.

7. Upon questions arising during a joint convention, requiring the separate decision of either or both houses, the decision of the House shall be first made, then the decision of the Senate. A question for call of either house shall not come within the scope of this rule.

8. On all questions of order or parliamentary procedure not in conflict with these joint rules, the rules of the House of Representatives of the State of Mississippi, insofar as applicable, shall be the authority.

**BILLS AND RESOLUTIONS**

9. The style of all laws shall be: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:" which shall be typed immediately preceding Section 1 of a bill. No other enacting word, such as "Be it further enacted," shall be used in any bill.

9A. (1) In a bill or other measure proposing an amendment to a code section or other provision of law, or in a resolution proposing an amendment to a constitutional provision, a change to an existing code section, other provision of law or constitutional provision shall be indicated as follows:

(a) New language that is being added shall be underlined.

(b) Existing language that is being deleted shall be denoted by the insertion of three (3) asterisk symbols; however, the text of the deleted language shall be available on the official website of the Mississippi State Legislature, by means of displaying all of the deleted language within a document pursuant to the selection of that display option by the user.

(2) The provisions of this rule shall not apply to handwritten amendments that are proposed or adopted by members while the bill, measure or resolution is under consideration by either house.

10. While bills, resolutions and messages are on their passage between the two (2) houses, they shall be under the signature of the Secretary or Clerk, respectively, as the case may be.

11. When a bill or resolution which shall have passed one (1) house has been postponed to a day so distant that it will not be taken up again at the current session, indefinitely postponed, or rejected, by a vote of the other house, information thereof shall be given by message immediately to the house in which the same shall have passed.

12. When a bill or resolution, which has passed one (1) house is rejected in the other, by a vote of that house, it shall not again be introduced during the same session, except on three (3) days' notice and on two-thirds (2/3) vote of members present and voting in the house in which it was rejected.

13. Each house shall transmit to the other all papers on which any bill or resolution may be founded.

14. Each house shall have the liberty of ordering the printing of bills, messages and reports, without the consent of the other.

15. Bills or resolutions transmitted to either the Senate or House by the other before the constitutional time has expired for entering a motion to reconsider may be recalled by message upon proper entering of a motion to reconsider.

16. Whenever any message, bill, resolution, report or document shall be ordered to be printed by the Senate or House, for use of both houses, it shall be the duty of the Secretary of the Senate or Clerk of the House, as the case may be, immediately to report the fact of the passage of that order to the other branch of the Legislature together with the number so ordered to be printed. Payment thereof shall be made from the contingent funds of each house in the proportion ordered by each house.

17. No new bill shall be introduced into either house during the last three (3) days of the session.

18. All general bills modifying, adding, deleting or repealing language, or a repealer on language, providing for the levying of taxes, borrowing of money, issuing bonds, notes, or other evidence of debt, providing for fees or imposing the issuance of licenses, of whatever kind by the state or any subdivisions thereof, or the exemption of property from state taxes or taxes of any subdivisions thereof, shall be considered as revenue bills, and no revenue bills, or conference committee report thereon, or concurrence in amendments adopted by the other house shall be passed or adopted by either the Senate or the House except by a vote of at least three-fifths (3/5) of the members of the Senate and House, respectively, present and voting.

19. Appropriation and revenue bills shall have precedence in each house, over all other business, and no such bill shall be passed during the last five (5) days of a regular session.

20. Every bill and concurrent resolution, the purpose or effect of which is to expend any state funds or enable the spending of any state funds or to increase or decrease the revenue of the state, either directly or indirectly, shall have attached to it at the time of its being reported by any committee of either house of the Legislature a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in state expenditures or revenues under its provisions. These statements or notes shall be known as fiscal notes. They shall be attached to the original of each proposed bill or resolution but shall be separate therefrom, shall be clearly designated as a fiscal note, and shall not constitute a part of the law proposed by the bill or resolution.

The author of each bill or any committee considering same shall present a copy of the bill or resolution, with his or her request for a fiscal note, to either the Legislative Budget Office, the Department of Finance and Administration, the Department of Revenue, the State Auditor, the state agency with which the bill or resolution is concerned, the state agency having jurisdiction over the subject of the bill or resolution, the Joint Committee on Performance Evaluation and Expenditure Review, or the Legislative Reference Bureau. The fiscal note shall be prepared by the commission or agency and furnished to the author of the bill or committee considering same within seven (7) days after the request is made. If the author of, or committee considering, the bill disagrees with the findings of the agency or agencies, then the author or committee may also attach and furnish a fiscal note, based upon his, her or its information, research, study and belief which shall then be incorporated in and become a part of the fiscal note. If the appropriate agency does not furnish a fiscal note, after seven (7) days' request, then the author or committee may furnish the fiscal note, based upon his, her or its information, research, study and belief. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merit, or lack thereof, of the measure for which the note is prepared.

Whenever the author of any measure or the committee considering same is of the opinion that no fiscal note is necessary and the measure is considered by either house of the Legislature without a fiscal note, any member of either house may thereafter request a fiscal note be obtained, and in such case the matter shall be decided by majority vote of those present and voting in the house of which he or she is a member.

This rule shall not apply to general appropriation bills, conference reports and local and private bills.

20A. (1) For the purpose of this rule:

(a) "State support funds" means funds in the State General Fund and all state support special funds, which are funds in the Budget Contingency Fund, the Education Enhancement Fund, the Health Care Expendable Fund, the Tobacco Control Program Fund, and any other special funds that the Joint Legislative Budget Committee (JLBC) determines to be state support special funds.

(b) "House" means either house of the Legislature, unless it is clear from the context that it is referring to the House of Representatives.

(2) (a) When an amendment is offered to an appropriation bill on the floor of either house that would increase the amount of state support funds authorized for expenditure by the state agency, official or program being funded in that appropriation bill, the amendment must also include a reduction in the amount of state support funds for one (1) or more other state agencies, officials or programs by a total amount that equals the amount of the increase in the amendment.

(b) The other appropriation bill or bills in which the reductions are to be made do not have to be designated by bill number or line numbers in the amendment if they are described sufficiently enough to be identified, but the amounts by which they are to be reduced must be specific for each bill in which the reduction is to be made.

(c) The reductions required to be made by this rule must be made in an appropriation bill or bills that are still in the house or in an appropriation bill or bills from the other house that will be considered in the house later in the session. After a bill has passed in the house and been released to the other house, none of the reductions required by this rule may be made in that bill.

(3) If such an amendment is adopted, the amendment shall be considered to be an amendment to the other bill or bills in which the reductions are to be made as well as to the bill in which the increase is made. Therefore, no additional vote shall be required on the amendment making the reductions in the bill or bills when that bill or bills are under consideration by the house. The manner by which the reduction is made shall be a separate amendment to the bill that is designated as an amendment by the house, rather than an amendment by the Appropriations Committee or by an individual member.

(4) (a) When a bill in which the reduction is to be made comes before the house for consideration, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is voted on by the house.

(b) If a bill in which the reduction is to be made has already been considered by the house, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is released to the other house.

(5) No appropriation bill that authorizes the expenditure of any state support funds for the next fiscal year may be released to the other house until all of the appropriation bills originating in the house or all of the appropriation bills originating in the other house, as the case may be, that authorize the expenditure of any state support funds for the next fiscal year have been passed by the house.

(6) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

### CONFERENCE

21. When a bill or resolution is returned by either house to the other with amendments, and the house where the bill or resolution originated declined to concur in the amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message in which shall be included the names of the conferees on the part of the requesting house. Upon receipt of such message, the other house may, in like manner, grant such conference notifying the requesting house by message and stating the names of the conferees.

22. A conference committee shall consist of three (3) members of the House and three (3) members of the Senate to be appointed by the Speaker of the House and the President of the Senate respectively.

23. Conference committees shall meet as soon as practicable and proceed to confer on the differences between the two (2) houses, seeking to resolve such differences. The conference committee shall report in writing. Such report shall be signed by a majority of the conference committee members appointed from the House and a majority of the conference committee members appointed from the Senate. The report shall be submitted to both houses, and six (6) copies of each report shall be prepared.

23A. (1) All official meetings of any conference committee on a bill or on a resolution proposing a constitutional amendment shall be open to the public at all times, unless declared an executive session in accordance with the provisions of Section 25-41-7, Mississippi Code of 1972.

(2) The chairman of each Senate and House committee to which such a measure is first referred shall designate one (1), two (2) or three (3) rooms in which official meetings of the conference committees pertaining to such measures shall be held. For the first session of a new term, the designation of the rooms shall be announced within three (3) legislative days after adoption of these joint rules. For all other sessions, the designation of the rooms shall be announced not later than the third legislative day of each session. Copies of a list of these rooms shall be available in the respective offices of the committee chairmen. This announcement shall constitute notice of the place of the official meetings of conference committees, and notice that the time of each meeting shall not be announced individually. If a conference committee meets in a location other than a designated room, a written notice giving the location of the meeting shall be placed in a conspicuous place in one (1) of the designated rooms.

(3) Proper decorum during any official meeting of a conference committee requires that the committee's deliberation be directly related to the committee's primary purpose of resolving the differences between the two (2) houses that pertain to a specific measure. Therefore, the following shall not be allowed during any official meeting of a conference committee:

(a) The use of a cell phone by a conferee or other person in the room in which the conference committee meeting is being conducted;

(b) Any oral, written or electronic communication between a conferee and another person who is not a legislator or legislative staff member, except that a conferee may request that any person at the meeting meet with the conferee outside the room, and any conferee may request a person who is not a member of the conference committee, upon approval of a majority of the members of the committee present, to address the committee in the room.

(4) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

24. Only matters in disagreement between the two (2) houses are subject to consideration by conference committee. However, when one (1) house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

25. When a conference report is considered by the house of origin and it contains an amendment by the other house which adds code sections not included in the bill as passed the house of origin, a point of order that the conference report is not in order shall be sustained and the bill shall be returned to conference.

When a conference report is considered and it contains code sections not included in the bill as passed the house of origin or in an amendment by the other house, a point of order that the conference report is not in order shall be sustained in either house and the bill shall be returned to conference.

26. In the event of the failure of either house to adopt the conference report, or to concur in amendments, the bill or resolution under such consideration shall be lost.

27. All conference reports, and concurrence in amendments adopted by the other house shall require for adoption the same vote as is required for the passage of the

bill, resolution or measure under consideration, and shall be on roll call duly entered and recorded in the journal of the house voting thereon.

28. No bill making an appropriation from, or authorizing the expenditure of money from, any special fund in the State Treasury shall be passed except by the votes of a majority of all the members elected to each house of the Legislature.

29. A motion to reconsider the vote whereby a conference report is adopted or rejected is in order in either house from the time of such adoption or rejection in one (1) house until the end of the session of the next legislative day after notice of disposition by rejection, recommittal to the same conference committee or appointment of a new conference committee by the other house. The provisions of this rule shall supersede any Senate or House rule which may be in conflict herewith.

#### **ENROLLED BILLS**

30. When a bill or resolution shall have passed both houses it shall be enrolled, and the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall certify on the margin of the enrolled bill the fact that it originated in his or her house. The enrolled bill may be examined by the Joint Committee on Enrolled Bills, and carefully compared by the committee with the engrossed bill and all typographical errors, if any, corrected; and the committee shall forthwith report in writing to each house, and the report shall be entered in the journals of both houses. The reports shall be signed by the chairman or acting chairman of the Enrolled Bills Committee on the part of each house.

31. After the Committee on Enrolled Bills has reported a bill or resolution duly enrolled, it shall be signed by the Speaker of the House of Representatives and by the President of the Senate during the legislative session in which the bill or resolution was passed.

32. After a bill shall have been signed by the Speaker of the House and the President of the Senate, it shall be presented by the Secretary of the Senate or Clerk of the House, as the case may be, to the Governor for his or her approval. The Secretary or Clerk shall report the day of presentation to the Governor, which time shall be carefully entered on the journals of each house.

33. All Senate and House concurrent resolutions and memorials, which are not to be presented to the Governor, shall be enrolled, signed and delivered to the Secretary of State.

#### **JOINT COMMITTEES**

34. The following joint committees shall be appointed:

(a) Committee on Executive Contingent Fund, to consist of five (5) senators and five (5) representatives.

(b) Committee on State Library, to consist of five (5) senators and five (5) representatives.

(c) Committee on Enrolled Bills, to consist of five (5) senators and five (5) representatives.

(d) Committee to Investigate State Offices or Departments, nine (9) on the part of the Senate and nine (9) on the part of the House; the committee shall meet and apportion the labor of such investigation amongst subcommittees and shall report the result of each investigation to the two (2) houses.

(e) A chairman and vice chairman for the Senate members on each of the above committees shall be appointed by the President of the Senate and a chairman and vice chairman for the House members on each committee shall be appointed by the Speaker. A chairman and vice chairman for each of the above committees shall be elected by the respective committees in joint session; however, both the chairman and the vice chairman shall not come from the same house.

#### MESSAGES

35. When a message shall be sent from one (1) house to the other, such message shall be delivered to the Secretary of the Senate or the Clerk of the House, respectively, as the case may be. A receipt shall be signed for each message so delivered.

#### LIQUOR AND FIREARMS PROHIBITED

36. No spirituous or malt liquors, or wines, shall be offered for sale, exhibited, or kept within the Capitol building, or in any room connected therewith, or on the public grounds adjacent thereto. It shall be the duty of the Sergeant-at-Arms under the supervision of the respective presiding officers to enforce the foregoing provisions; and any officer, or employee of either house, who shall in any manner violate or connive at the violation of this rule, shall be dismissed from office and service.

37. No member of the Senate or the House or other person, except an official duly authorized by law, shall carry or have on his or her person, concealed in whole or in part, any firearm while in the Capitol, except upon permission granted by a majority vote of the Senate or the House. Any member of the Senate or the House or other person violating this rule shall be subject to such penalty as may be imposed by the Senate or the House, as the case may be, first taking jurisdiction thereof.

#### LOCAL AND PRIVATE LEGISLATION

38. In addition to observing the injunctions and prohibitions set out in the Constitution of the State of Mississippi, the Senate and the House Committees on Local and Private Legislation shall observe and adhere to the following additional rules and requirements in the consideration of local and private Senate and House bills:

(a) Require that local and private bills, originating in either the Senate or the House, and granting power to any governing authority to perform any official act shall be accompanied by an order or resolution setting out the reasons therefor, duly certified as being a part of the official minutes of that authority. In the event more than one (1) official authority is involved, such certified order or resolution shall be made for each of them.

(b) Require that any bill providing for the transfer of funds shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule. Such order or resolution shall state whether or not funds proposed to be transferred are pledged for the payment of any outstanding bonds or notes for which there is not already a sufficient surplus accumulated.

(c) Require that any such bills providing for the payment of any claims shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule, setting out the name of claimants, the nature, amount and reasons for justification of the claim and that with proper authority such claim would be paid.

(d) Require that there shall accompany any bill proposing the issuance of bonds, a certificate from the governing authorities stating that the issuance of such proposed bonds, when added to the present bonded indebtedness of such county, or

subdivision thereof, municipality or district, will not exceed any limitation now imposed by law.

#### JOINT MEETING OF APPROPRIATIONS SUBCOMMITTEES

39. When the chairmen of the Senate and House Appropriations Committees consider it desirable and possible, their subcommittees may meet jointly to hear testimony and question the heads of a department or agency on their budgetary needs for the next fiscal year.

#### 40. TIMETABLE FOR PROCESSING LEGISLATION

90 day Session	120 Day Session	
9th day	37th day	Deadline for making requests for general bills and constitutional amendments to be drafted. ***
14th day	42nd day	Deadline for introduction of general bills and constitutional amendments.*
29th day	57th day	Deadline for committees to report general bills and constitutional amendments originating in own house.*+
38th day	66th day	Deadline for original floor action on general bills and constitutional amendments originating in own house.*
39th day	67th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in own house.*
42nd day	70th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in own house.*
51st day	79th day	Deadline for original floor action on appropriation and revenue bills originating in own house.
52nd day	80th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in own house.
53rd day	81st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in own house.
57th day	85th day	Deadline for committees to report general bills and constitutional amendments originating in other house.*+
65th day	93rd day	Deadline for original floor action on general bills and constitutional amendments originating in other house.*
66th day	94th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in other house.*

67th day	95th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in other house.*
71st day	99th day	Deadline for original floor action on appropriation and revenue bills originating in other house.
72nd day	100th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in other house.
73rd day	101st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in other house.
74th day	102nd day	Deadline to concur or not concur in amendments from other house to appropriation and revenue bills, and for introduction of local and private bills that are revenue bills.
77th day	105th day	Deadline to dispose of motions to reconsider concurrence or nonconcurrence in appropriation and revenue bills.
80th day	108th day	Deadline to concur or not concur in amendments from other house to general bills and constitutional amendments.
81st day	109th day	Deadline for introduction of local and private bills that are not revenue bills.
82nd day	110th day	Deadline for conference reports on appropriation and revenue bills to be filed.**+
84th day	112th day	Deadline for final adoption of conference reports on appropriation and revenue bills and for conference reports on general bills and constitutional amendments to be filed.**+
85th day	113th day	Deadline to dispose of motions to reconsider conference reports on appropriation and revenue bills.
86th day	114th day	Deadline for first consideration of conference reports on general bills and constitutional amendments.
87th day	115th day	Deadline for filing conference reports on general bills and constitutional amendments that had been recommitted for further conference.+
88th day	116th day	Deadline for adoption of conference reports on general bills and constitutional amendments after recommittal.
89th day	117th day	Deadline to dispose of motions to reconsider conference reports on general bills and constitutional amendments.

90th day 118th day Sine die.

\*Appropriation, revenue, and local and private bills, and bills to restore suffrage are excluded from these deadlines. For purposes of the deadlines herein set forth, the term "revenue bills" shall include only those bills whose primary purpose is to increase or decrease taxes or to authorize the issuance of bonds or the borrowing of money. Bills which are primarily for regulatory purposes which have revenue provisions included shall not be considered as revenue bills for deadline purposes. The deletion from a bill of the features which made it a revenue bill shall render the bill a general bill for deadline purposes.

\*\*Conference reports on all bills must be filed with the Secretary/Clerk no later than the time of adjournment on the day prior to being called up and considered. Appropriation bills which actually appropriate money and are recommitted for further conference are excluded from the requirement that the subsequent conference report be filed and lay on table one (1) day before being considered; however, original action must be taken on all appropriation conference reports by 2:00 p.m. on the 84th/112th# day and subsequent reports must be filed no later than 6:00 p.m.

\*\*\*Requests for general bills and constitutional amendments to be drafted must be made no later than 6:00 p.m. on the 9th/37th day. The Rules Committee of the House or Senate, as the case may be, may authorize any member of its respective house to make requests, for one or more general bills or constitutional amendments to be drafted, after the expiration of the deadline for making such drafting requests but before the deadline for introduction of bills and constitutional amendments, upon a determination by the Rules Committee that such drafting requests are in response to conditions of an emergency nature arising subsequent to the deadline for making requests for general bills and constitutional amendments to be drafted.

+Committee reports and conference reports that are subject to being filed on these deadlines must be filed with the Secretary/Clerk no later than 8:00 p.m.

#When the Speaker of the House and the Lieutenant Governor have jointly set a date and time to reconvene the Legislature as provided in this resolution, these deadlines shall be adjusted to later dates in seven-day periods which shall be counted in a manner to ensure that each of the deadlines occurs on the same day of the week as the original date for the deadline, with the first deadline occurring no more than fourteen (14) days from the date and time that the Legislature reconvenes.

Whenever the word "day" appears in this rule, it shall mean calendar day.

The above schedule shall not be deviated from except by the passage of a concurrent resolution adopted by a vote of two-thirds (2/3) of the membership of the House and Senate present and voting.

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**C. CONSTITUTIONAL PROVISIONS  
AFFECTING  
THE LEGISLATURE AND LEGISLATION**

**RULES OF PROCEDURE**

Section 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each shall provide.

Section 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds (2/3) of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled the second time for the same offense. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may, in their opinion, require secrecy; and the yeas and nays on any question shall be entered on the Journal, at the request of one-tenth (1/10) of the members present; and the yeas and nays shall be entered on the Journal on the final passage of every bill.

Section 56. The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Mississippi."

Section 57. Neither house shall, without the consent of the other, adjourn for more than three (3) days, nor to any other place than that in which the two (2) houses shall be sitting.

Section 58. The doors of each house, when in session, or in Committee of the Whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session.

Section 59. Bills may originate in either house, and be amended or rejected in the other, and every bill shall be read by its title on three (3) different days in each house, unless two-thirds (2/3) of the house where the same is pending shall dispense with the rules; and every bill shall be read in full immediately before the vote on its final passage upon the demand of any member; and every bill, having passed both houses, shall be signed by the President of the Senate and the Speaker of the House of Representatives during the legislative session.

Section 60. No bill shall be so amended in its passage through either house as to change its original purpose; and no law shall be passed except by bill; but orders, votes, and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor; and such resolutions, orders and votes may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

Section 61. No law shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

Section 62. No amendment to bills by one (1) house shall be concurred in by the other, except by a vote of the majority thereof, taken by yeas and nays and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

Section 63. No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the Treasury.

Section 64. No bill passed after the adoption of this Constitution to make appropriations of money out of the State Treasury shall continue in force more than two (2) months after the expiration of the fiscal year ending after the meeting of the Legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all members elected to each house of the Legislature.

Section 65. All votes on the final passage of any measure shall be subject to reconsideration for at least one (1) whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

Section 66. No law granting a donation or gratuity in favor of any person or object shall be enacted except by the concurrence of two-thirds (2/3) of the members-elect of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

Section 67. No new bill shall be introduced into either house of the Legislature during the last three (3) days of the session.

Section 68. Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five (5) days of the session.

Section 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government; to pay interest on state bonds and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one (1) subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid.

Section 70. No revenue bill, or any bill providing for assessment of property for taxation, shall become a law except by a vote of at least three-fifths (3/5) of the members of each house present and voting.

Section 71. Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject-matter or matters of the proposed legislation. Each committee to which a bill may be referred shall express, in writing, its judgment of the sufficiency of the title of the bill and this, too, whether recommendation be that the bill do pass or do not pass.

Section 72. Every bill which shall pass both houses shall be presented to the Governor of the state. If he shall approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration, two-thirds (2/3) of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature.

Section 73. The Governor may veto parts of any appropriation bill and approve parts of the same, and the portions approved shall be law.

Section 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

Section 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty (60) days after its passage.

Section 76. In all elections by the Legislature, members shall vote viva voce, and the votes shall be entered on the journals.

Section 77. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

Section 129. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In Committee of the Whole he may debate all questions, and where there is an equal division in the Senate, or on a joint vote of both houses, he shall give the casting vote.

Section 139. The Legislature may empower the Governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

Section 253. The Legislature may, by a two-thirds (2/3) vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

#### INJUNCTIONS

Section 78. It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deductions.

Section 79. The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate, for the nonpayment of taxes or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two (2) years.

Section 80. Provisions shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Section 81. The Legislature shall never authorize the permanent obstruction of any of the navigable waters of the state, but may provide for the removal of such obstructions as now exist, whenever the public welfare demands. This section shall not prevent the construction, under proper authority, of drawbridges for railroads, or other roads nor the construction of booms and chutes for logs, nor the construction, operation and maintenance of facilities incident to the exploration, production or transportation of oil, gas or other minerals, nor the construction, operation and maintenance of bridges and causeways in such manner as not to prevent the safe passage of vessels or logs under regulations to be provided by law.

Section 82. The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required

for the faithful discharge of official duty shall be made by some guaranty company or companies.

Section 83. The Legislature shall enact laws to secure the safety of persons from fires in hotels, theatres, and other public places of resort.

Section 84. The Legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in the state by nonresident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

Section 85. The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

Section 86. It shall be the duty of the Legislature to provide by law for the treatment and care of the insane; and the Legislature may provide for the care of the indigent sick in hospitals in the state.

#### **LOCAL LEGISLATION**

Section 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are or can be provided for by the general law, or where the relief sought can be given by any court of this state; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

Section 88. The Legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment.

Section 89. There shall be appointed in each house of the Legislature a standing committee on Local and Private Legislation; the House committee to consist of seven (7) representatives and the Senate committee of five (5) senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as prohibited in the next section, the courts shall not, because of its local, special or private nature refuse to enforce it.

Section 90. The Legislature shall not pass local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz:

- (a) Granting divorces;
- (b) Changing the names of persons, places or corporations;
- (c) Providing for change of venue in civil and criminal cases;
- (d) Regulating the rate of interest on money;

(e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person;

(f) The removal of the disability of infancy;

(g) Granting to any person, corporation or association the right to have any ferry, bridge, road or fish-trap;

(h) Exemption of property from taxation or from levy or sale;

(i) Providing for the adoption or legitimation of children;

(j) Changing the law of descent and distribution;

(k) Exempting any person from jury, road or other civil duty (and no person shall be exempted therefrom by force of any local or private law);

(l) Laying out, opening, altering and working roads and highways;

(m) Vacating any road or highway, town plat, alley or public grounds;

(n) Selecting, drawing, summoning, or empaneling grand or petit juries;

(o) Creating, increasing or decreasing the fees, salary or emoluments of any public officer;

(p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges;

(q) Relating to stock laws, water-courses and fences;

(r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks or street car tracks in any other manner than that prescribed by general law;

(s) Regulating the practice in courts of justice;

(t) Providing for the creation of districts for the election of justices of the peace and constables; and

(u) Granting any lands under control of the state to any person or corporation.

#### **CONSTITUTIONAL PROHIBITIONS**

Section 91. The Legislature shall not enact any law for one or more counties, not applicable to all the counties in the state, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

Section 92. The Legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

Section 93. The Legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

Section 94. The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the

Legislature from regulating contracts between husband and wife; nor shall the Legislature be prevented from regulating the sale of homesteads.

Section 95. Lands belonging to, or under the control of the state, shall never be donated directly or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right-of-way, not exceeding one hundred (100) feet in width, as a mere easement to railroads across state lands, and the Legislature shall never dispose of the land covered by said right-of-way so long as such easement exists.

Section 96. The Legislature shall never grant extra compensation, fees or allowances to any public officer, agent, servant or contractor, after service rendered or contract made, nor authorize payment, or part payment of any claim, under any contract not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

Section 97. The Legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this state.

Section 99. The Legislature shall not elect any other than its own officers and State Librarian.

Section 100. No obligation or liability of any person, association or corporation held or owned by this state, or levee board, or any county, city or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for compromise of doubtful claims.

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